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The State of Texas
County of Travis } Be it remembered, that on Sixteenth day of September, One Thousand Eight Hundred and Fifty Four, there was drawn according to law, at the City of Austin in the County of Travis and State aforesaid, by Frank Brown, Clerk of the District Court for the County of Travis and Richard A. McGee, Clerk of the County Court of said County of Travis, in the presence of John J. Allan, Esquire an acting Justice of the Peace, within and for said County and State aforesaid, the following named persons, to serve as Jurors, at the Fall Term of the District Court, thereof, within and for said County of Travis, and State aforesaid, Anno Domini One Thousand Eight Hundred and Fifty Four, to wit:

No.	Names.	No.	Names.
1	James Parks	19	R. A. Gorman
2	Andrew M. Davidson	20	James C. Haynie
3	Hugh McClure	21	William Cantrell
4	Henry L. Edwards	22	Edgar M. Cain
5	S. S. Giles	23	Augustus F. Slaughter
6	John A. C. Caw	24	James Chance
7	W. H. Chambers	25	James Cole
8	John M. Swisher	26	R. L. Rambo
9	Richd. Peck	27	Geo. D. Blalock
10	Stephen H. Darden	28	Adolphus G. Weir
11	James Pierce	29	Lewis Knight
12	Wm. C. Callihan	30	William Connell
13	Hugh Swain	31	Isaac O. Pickett
14	Washington Anderson	32	Truman F. Beck
15	James Barnett	33	Isaac A. Adams
16	Levi Enright	34	Leander Brown
17	Robert Hancock	35	Chas. Barlow
18	Alex. D. Armstrong	36	Abner H. Cook

John J. Allan
Justice of the Peace

Travis Co. Texas
D. C. C.
A. B. McGee
Clk C C T C

The State of Texas
County of Travis.

The State of Texas
vs.
Jordan Scott.

Ex Parte
Jordan Scott.

Be it remembered, that on this the 24th day of October A.D. 1854, George W. Scott, Sheriff of the County of Travis in obedience to a writ of Habeas Corpus this day issued in vacation by His Honor, John Hancock, Judge of the Second Judicial District of the State of Texas, to bring the body of said Jordan Scott before him, together with the cause of his detention, produced the body of said Jordan Scott, together with the cause of his detention of him.

Upon motion of said Scotts attorney, It is ordered that the examination herein be postponed till to-morrow morning, nine o'clock

October 25th A. D. 1854

Pursuant to adjournment the examination commenced on yesterday before His Honor Judge Hancock was re-opened.

And thereupon came the parties respectively by attorneys, and upon a hearing of the cause, It is ordered and decreed by the Judge that the said Jordan Scott be required to give bond and security, in the sum of Five Hundred Dollars, conditioned that he make his personal appearance before the next Term of the District Court of the County of Bell there to abide what-ever action may be Taken by said District Court of Bell County.

Fall Term, Monday, Oct. 30th A.D. 1854.

The State of Texas
County of Travis

Be it remembered, that at a Term of the Honorable District Court begun and holden at the Courthouse thereof in the City of Austin, within and for said County of Travis and State aforesaid on the Eighth Monday after the first Monday in September, Anno Domini One Thousand Eight Hundred and Fifty-Four (it being Monday the 30th day of October A.D. 1854, the same being the time appointed by law for the convening and session of the Honorable District Court for the Second Judicial District, within and for the County and State aforesaid.

Present the Honorable John Hancock, Judge of the Second Judicial District for said State, and of said Court; Frank Brown, Clerk of said Court, and George W. Scott, Sheriff of Travis County.

The Court being organized, the following proceedings were had by said Court, to wit:

The Venire having been previously drawn according to law, and the same issued, executed and returned into Court in compliance with the requisitions of the Law in such cases made and provided

Whereupon the Court ordered the Sheriff to make Proclamation of the names of those appearing upon the said Venire, and in obedience to said order the Sheriff made proclamation Whereupon the following named persons responded to their names when so proclaimed, to wit:

John A. P. Carr, Hugh McLean, Henry D. Edwards, C. F. Giles, John M. Trowell, Richard N. Peck, James Pierce, Hugh Fenwick Washington Anderson, Samuel L. Haynie, William Bullard, Edgar M. Cain, Augustus F. Slaughter, James Manor, R. J. Lambe, Leo. D. Glasscock, Andrew J. Hair, Lewis Knight, William O'Connell, John C. Campbell, Thomas N. Peck, Thomas Adams, Leander Brown, Aaron Anderson, A. M. Cook

The following named Venire men failed to answer to their names when called, to wit:

A. M. Davidson, D. W. Moulton, W. C. Cattlingworth, James Bennett, David Eppright, Robert Baughman, Steven L. Thrayhorn, R. M. Brown, Leo. D. Glasscock and A. M. Cook

Upon good cause being shown the following Venire men were excused by the Court from further attendance during the present Term of said Court, to wit:

James Pierce, Wm. C. Cattlingworth, Steven L. Thrayhorn, James Bennett, Wm. Bullard, R. J. Lambe, Leo. D. Glasscock, Andrew M. Davidson

It is ordered by the Court that David Eppright and Dayton W. Moulton be fined the sum of Twenty-Five Dollars each, they being summoned to appear as Veniremen and failing to appear.

From those appearing in obedience to said Summons and Proclamation of said Sheriff, as aforesaid, were by said Court constituted the Grand Jury for said County and State, to serve in such capacity for and during the present Term of said Court the same being as follows, to wit:

Fall Term, Monday, October 30th 1854

Adolphus G. Weir, Hugh McClure, William O'Connell, Thomas Adams, Aaron Parker, Robert Congleur, Richard K. Peck, John C. Campbell, James Manor, Truman K. Peak, C. L. Fite, Samuel L. Haynie, Augustus A. Slaughter, John A. P. Carr, Washington Anderson, John M. Tibaut, Sugar M. Cain, Henry D. Edwards, Lewis Speight.

The same the said Jurors being members good and lawful men of the County of Travis and State aforesaid, who after being duly sworn according to law, were by said Court duly and legally empannelled to serve as such Grand Jurors, for the said County and State aforesaid, at and for the present Term of said Court.

And thereupon the Court appointed Adolphus G. Weir Foreman of said Grand Jury; and thereupon the said Adolphus G. Weir was by the Court duly sworn according to law to act as such Foreman.

And thereupon the Court charged said Grand Jury as to the duties incumbent upon them; and after receiving the charge of the Court retired to the Grand Jury Room in charge of Isiah M. Blackwell, Constable of Austin Precinct, Travis County, Texas and an officer Bailiff for said Grand Jury, then and there to act upon the discharge of the duties incumbent upon them by virtue of their said capacities

And thereupon the Court appointed John C. Hampton as Special Bailiff, who, after being duly and legally sworn, entered upon the discharge of his duties by virtue of his said appointment

And thereupon the Court ordered the Sheriff to summon twelve good and lawful men of said County of Travis to be and appear before said Court at half past two o'clock of this day, then and there to serve as Petit Jurors for said Court.

Ordered by the Court, that Court adjourn until half-past two o'clock, of this day.

Half-Past Two O'clock, Oct 30th 1854

Court convened pursuant to adjournment. Present the same as this morning. Whereupon the following proceedings were had, as follows, to wit:

In obedience to an Order of Court the Sheriff returned into Court twelve good and lawful men to serve as Jurors, for said Court. And thereupon the same were duly sworn and empannelled according to law

It appearing that Thomas Pickett had been summoned by the Sheriff to appear in Court and serve as a Petit Juror, Whereupon the Court ordered the Sheriff to call said Thomas Pickett, and he failing to appear, It is ordered by the Court that a fine of Twenty-Five Dollars be entered against him.

District Court Fall Term. Monday Oct. 30th 1854.

It is ordered by the Court that Monday, the 13th November A.D. 1854, be set apart for the purpose of taking up the Criminal Docket

19 S. C. Robertson Admr — Plaintiff — Injunction.
vs.
James R. Shaw Comptroller — Defendant

In this cause the Judge having been of counsel, It is ordered that the same be continued until the next Term of this Court.

101 Isaac Applewhite — Plaintiff — Partition
vs.
Walker Wilson — Defendant.

In this cause It is ordered that the same be continued generally.

131 William A. Miller — Plaintiff — For a Town Lot in the City of Austin.
vs.
Abner H. Cook — Defendant.

In this cause It is ordered that the Defendant be allowed to amend

209 Enoch Jones — Plaintiff — Mandamus.
vs.
James R. Pace, et al. — Defendant.

In this cause It is ordered that the same be continued until the next Term of this Court, and that alias process issue therein

211 Benj. Grumbles — Plaintiff — For Negroes.
vs.
S. S. Grumbles — Defendant

In this cause It is ordered that the same be set for trial on Thursday, ~~October~~ November the Ninth A.D. 1854.

221 Benj. Grumbles and Wife — Plaintiff
vs.
John S. Grumbles — Defendant.

In this cause It is ordered that the same be set for trial for Thursday November the ninth, A. D 1854.

Fall Term, Monday, Oct. 30th A. D. 1854.

222. Benj. Grumbles & Wife vs. John D. Grumbles et al — Plaintiff / Defendant — Sequestration

In this cause It is ordered that Thursday November the ninth be set for the trial of the same.

25[illegible] James C. Stephenson & Wife, Admrs, et als vs. Fannie Craft, Jr. Admr, et als — Plaintiffs / Defendants — For Partition of Slaves.

In this cause It is agreed by the parties that R. D. Townes, act as Special Judge on the trial of the same.

258 Edward Grumbles vs. Benj. Grumbles, Jr. & Isabella Grumbles — Plaintiff / Defendants — For Recovery of two Negroes.

In this cause It is ordered that the same be set for trial for Thursday, November 9th 1854.

259. Edward Grumbles vs. Williamson T. Aldham — Plaintiff / Defendant — For the Recovery of two Negroes.

In this cause, It is ordered that the same be set for trial for Thursday, Nov. the ninth

260 Benj. Grumbles, Jr. vs. Wm T. Aldham. — Plaintiff / Defendant — For the Recovery of four Negroes.

In this cause It is ordered that the same be set for trial for Thursday, November the ninth

261 Benjamin Grumbles vs. Tebron G. Freed. — Plaintiff / Defendant — For Recovery of a certain Negro Slave.

In this cause It is ordered that the same be set for trial for Thursday, ~~October~~ November the ninth

270 L. Shinn, Admr, & c vs. Philips & Others — Plaintiff / Defendant — For Bounty Land Warrant.

In this cause, It is ordered that the Plaintiff have leave to amend

Fort Scott, Monday, Oct. 30th A. D. 1854.

271 — Elizabeth Lloyd, et. als. vs. Richard Lloyd — Plaintiffs / Defendant — Partition of Land.

In this cause It is ordered that the Plaintiffs have leave to amend their Petition. And it being suggested to the Court that the minor heirs, to wit: Alexander L. McKee and Robert McKee were minors under the age of Twenty-one years, It is ordered by the Court that Edward D. Peck, Attorney at Law and a member of this bar, be and is hereby appointed Guardian ad litem, To represent and defend the interests of the minor heirs aforesaid.

292 — John R. Slocumb vs. Dianah Feliciana — Plaintiff / Defendant — Debt on Account.

In this cause the death of the Plaintiff was suggested to the Court.

312 — Sumter & Penton vs. Thomas Banks — Plaintiffs / Defendant

In this cause. It is ordered that the Plaintiffs have leave to amend.

314 — John C. Hyde vs. Francis Kelley — Plaintiff / Defendant — For Recovery of Lot of Land.

In this cause the death of the Plaintiff was suggested to the Court.

Ordered by the Court that Court adjourn until To-Morrow Morning, (Tuesday, Oct. 31st A. D. 1854) nine o'clock.

Tuesday, October 31st A. D. 1854.

Tuesday Morning, Oct. 31st A.D. 1854

The Court Convened at 9 o'clock A. M. pursuant to adjournment. Whereupon the following proceedings were had by said Court, as follows to wit.

119 Nathan Bagley Plaintiff
vs.
John M. Bailey Defendant } Assumpsit.

It appearing to the Court that a rule had been entered at a former Term of this Court, by the Defendant requiring the Plaintiff herein to give bond and security for cost of suit, and it further appearing to the Court here that the Plaintiff has wholly failed to comply with the rule so entered against him, It is ordered that the same be dismissed at the cost of the Plaintiff

122 D. R. C. Goodall, for the use &c Plaintiff
vs.
Farnwell D. Bafford Defendant } Petition.

In this cause it appearing to the Court that a rule had been entered at a former Term of this Court requiring the Plaintiff herein to give bond and security for cost of suit; and it further appearing to the Court here that the Plaintiff has wholly failed to comply with the rule so entered against him, It is Ordered that the same be dismissed at the cost of the Plaintiff.

124 Joseph R. Fannin Guardian Plaintiff
vs.
Philip Claiborne & W. S. Oldham Defendant. } For Land.

In this cause, It is ordered that the Defendants have leave to amend. It is further ordered by the Court that the Plaintiff have leave to amend.

And thereupon the Court appointed Washington Hammett Special Bailiff who, after being duly and legally sworn according to law, entered upon the discharge of his duties by virtue of his said appointment

131 William A. Miller Plaintiff
vs.
Abner A. Cook Defendant } For a Town Lot in the City of Austin.

And now on this day came the parties to the above entitled cause by their Attorneys respectively

Fall Term, Tuesday, Oct. 31st A.D. 1854.

and Thereupon the said Parties announced themselves ready to proceed to the Trial of said cause, and moved the Court for a Jury, Whereupon came a Jury, to wit: Hugh Tinnin, R. M. Johnson, Leander Broom, Perkins Davis, Benjamin Keele, James C. Harber, John A. Wooldridge, Joseph Warren, James M. Riley, John Tack, James Gibson and John A. Cook, twelve good and lawful men of the County of Travis who being duly elected, empannelled and sworn to try said cause, and after hearing the evidence in the cause and the argument of Counsel Thereon, retired under the charge of the Court to consider of their verdict Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Defendant. Abner A. Cook, Foreman."

It is therefore ordered, adjudged and decreed by the Court that the plaintiff, William A. Miller, Take nothing by his suit, that the Defendant, Abner A. Cook go hence without day; that the Plaintiff, William A. Miller, be and is by this Decree divested of right, title or interest in and to the Lot of land described in said petition, to wit. Lot Number Four (4) in Block Number Twenty-Nine (29) on Congress Avenue in the City of Austin, in the County of Travis and State of Texas, it being the Lot in said city that was granted to said Plaintiff by the late Republic of Texas; that the title thereof is by virtue of this Decree, fully vested in the Defendant, Abner A. Cook.

It is further Ordered, adjudged and decreed by the Court that the Defendant, Abner A. Cook, do have and recover of and from the Plaintiff, William A. Miller, all of the costs of this suit in this behalf laid out and expended, for which Execution may issue

Ordered by the Court that Court take a recess of two hours.

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

134 Joseph R. Tanner, Guardian — Plaintiff
vs.
Philip Claiborne & S. Alsbury — Defendants — For Land

In this cause the exceptions of the Plaintiff to the Defendants amended answer were overruled by the Court.

And Thereupon, the Court ordered that Court adjourn until Wednesday Morning, November the first A.D. 1854.

Fall Term, Wednesday, Nov. 1st A.D. 1854.

Thursday Morning Nov. 2nd A.D. 1854.

Court convened at 9 o'clock. A. M. pursuant to adjournment. Whereupon the following proceedings were had by said Court, to wit:

350 Klein & Ritchie Plaintiffs
vs. Debt on Note.
G. F. Moore & Co Defendants.

In this cause, it is ordered by the Court that the Plaintiffs have leave to amend their petition.

Ordered by the Court that a fine of Twenty-Five Dollars be entered against James R. Jackson, he having been summoned to appear as a Petit Juror, and failing to appear in obedience

223 Reuben Fisher Plaintiff
vs. Demd. to Land.
Heirs of Mary A. Fisher Defendants

In this cause, it is ordered by the Court that the same be continued generally.

47 Isaac Miller Plaintiff
vs. Change of Venue
Andrew J. Perry, et. al Defendants from Williamson County.

In this cause, the Demurrer of the Defendant was overruled by the Court.

219 Augustus Fore Plaintiff
vs. Injunction
R. A. Thompson et. al. Defendants.

In this cause it is ordered by the Court that the same be continued until the next Term of this Court.

313 C. S. Matthews Plaintiff
vs. Damages.
Charles A. Rice Defendant.

In this cause, it is ordered that the Defendant have leave to amend his answer

314 John A. F. Carr Plaintiff.
vs. Certiorari
Thomas Glascock Defendant.

In this cause, it is ordered that

Fall Term, Wednesday, Nov. 1st A.D. 1854

The same be continued until the next Term of this Court, the Defendant having filed an affidavit for a continuance.

915 Nathaniel Anony et. als. vs. L. C. Cunningham et. als } Plaintiffs. Defendants. } For Land

In this cause It is ordered that the same be dismissed for want of prosecution.

333. Rinka Jansan vs. John Tack } Plaintiff Defendant. } For Damages.

In this cause, the Clerk of this Court notice the Plaintiff for bond and security for costs of suit, Plaintiffs Attorney being present and notified; It is therefore ordered by the Court that the same be continued until the next Term of this Court

280 Alex. C. Davis for the use, &c vs. Calvary Doody et. als } Plaintiff Defendants } Debt on Note

In this cause It is ordered that the same be continued until the next Term of this Court; and that alias Citation issue therein

And Thereupon, It is ordered by the Court that the fine heretofore imposed upon James R. Jackson for failing to attend as a Juror, upon good cause being shown to the Court, be remitted

199 Pleasant Turner vs. James McTurley } Plaintiff Defendant } Assumpsit.

And now on this day came the parties to the above entitled cause by their Attorneys; and announced themselves ready to proceed to the trial of said cause, and Thereupon came a Jury, to wit: Silas H. Burdett and eleven others, good and lawful men of the County of Travis, who being duly elected, empannelled and sworn to try said cause; and after hearing the evidence in the case, as well as the argument of Counsel thereon, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit:

"We the Jury find for Plaintiff thirty-two dollars and fifty cents.
S. H. Burdett, Foreman."

It is Therefore considered, ordered, adjudged

Fall Term, Wednesday, Oct 1st A.D. 1854.

and decreed by the Court here that the Plaintiff Pleasant Turner do have and recover of and from the Defendant James M. Turley the aforesaid sum of Thirty-Two Dollars and Fifty Cents together with all of costs of suit, and that Execution issue therefor &c &c

And now on this day came and appeared in open Court the Grand Jury for said County of Travis, duly elected, empannelled and sworn for the present Term of this Court. And by their Foreman Adolphus G. Hair presented to the Court the following Bills of Indictment, to wit:

445	The State of Texas vs. x Moraney, whose christian name is unknown	Plaintiff Defendant.		Exhibiting Faro.
447	The State of Texas vs. x Moraney, whose christian name is unknown.	Plaintiff Defendant		Exhibiting Faro.
448.	The State of Texas vs. x Moraney, whose christian name is unknown	Plaintiff Defendant.		Exhibiting Faro.
449	The State of Texas vs x Moraney, whose christian name is unknown	Plaintiff Defendant.		Exhibiting Faro.
450	The State of Texas vs. James Jackson.	Plaintiff Defendant.		Selling a Faro.
451.	The State of Texas vs. William Stone.	Plaintiff Defendant.		Exhibiting Faro.
452	The State of Texas vs. William Stone.	Plaintiff Defendant.		Exhibiting Faro.

Fall Term, Wednesday, Nov. 1st A.D. 1854

453	The State of Texas vs. William Wyatt.	Plaintiff Defendant.	Exhibiting	Faro.
454	The State of Texas vs. William Wyatt.	Plaintiff Defendant.	Exhibiting	Faro
455.	The State of Texas vs William Foster	Plaintiff Defendant.	Exhibiting	Monte.
456.	The State of Texas vs. William Foster.	Plaintiff Defendant.	Exhibiting	Monte.
457	The State of Texas vs. William Foster.	Plaintiff Defendant.	Exhibiting	Monte.
458	The State of Texas vs. George W. Pascal.	Plaintiff Defendant.	Assault	and Battery.

And thereupon the said Grand Jury by their Foreman, aforesaid, suggested to the Court that there was further business before them; Whereupon the Court ordered said Grand Jury to retire upon a further discharge of their duties, and said Grand Jury retired accordingly.

And thereupon it is ordered by the Court that Court adjourn until Thursday Morning, November the Second, Anno Domini 1854.

Fall Term, Thursday, Nov. 2d A. D. 1854

Thursday Morning, November the Second, Anno Domini One Thousand Eight Hundred and Fifty-Four.

Court Convened at Nine o'clock, A. M. Whereupon the following proceedings were had by said Court, as follows, to wit:

315 Nathaniel Amory, et. als. Plaintiffs
vs. For Land
L. C. Cunningham, et. als. Defendants

In this cause, It is ordered by the Court that an order heretofore made dismissing the same, be set aside

And it is further ordered by the Court that the parties hereto be allowed to amend their pleadings, and make additional parties

And it is further ordered by the Court that the same be continued generally.

349 Perry Plaintiff
vs. Debt on Notes
John S. Ford. Defendant.

In this cause, It is ordered by the Court that the same be continued until the next Term of this Court

361 Perry Humphris Plaintiff
vs. Recovery of Horse
Sherman Case. Defendant. and for Damages.

In this cause, It is ordered by the Court that the Plaintiff have leave to amend

191 Isaac Applewhite Plaintiff
vs. Partition.
Wacker Gibson Defendant.

209. Enoch Jones Plaintiff
vs. Mandamus.
James R. Pace, et. al. Defendants

223. Paulser Flesher Plaintiff
vs. Decree to Land.
Heirs of Mary A. Flesher Defendants.

Fall Term, Thursday, November 2nd A. D. 1854.

269. Augustus Fore — Plaintiff
vs.
A. A. Thompson, et. al. — Defendants. — Injunction.

280. Alex. C. Davis for the use, &c — Plaintiff
vs.
Calvary Drosky et. als. — Defendants. — Debt on Note.

In the above and foregoing five causes, the Clerk of this Court ruled the Plaintiffs therein to give bond and security for costs of suit; the Plaintiffs' Attorneys being present and notified. It is therefore considered, ordered and decreed by the Court that the said Plaintiff in the said preceding five causes enter into Bond and Security for the costs of said suits on or before the first day of the next Term of this Court, otherwise the said causes will be dismissed at the cost of the said Plaintiffs.

357. L. K. Barfield & Co — Plaintiffs
vs.
G. B. Moore & Co. — Defendants. — Debt on Account.

And now on this day came the parties to the above entitled cause by their Attorneys, and announced themselves ready to proceed to the trial of said cause, and prayed the Court for a Jury. Whereupon came a Jury, to wit: Thomas Pitt, Allen C. Brown, Edward Chrisham, Jenkins Davis, Silas Jones, Henry Johnson, Jonathan Vancleve, A. B. Townsend, Giles H. Burden, M. Houston, James Baker, Joel Mims, Twelve good and lawful men of the County of Travis and State of Texas, who, being duly elected, tried, empannelled and sworn to try said cause. And after hearing the evidence in the case and the argument of counsel had thereon, with the instructions of the Court retired to consider of their verdict. Whereupon said Court returned into Court the following verdict, to wit: "We, the Jury, find for plaintiff the amount claimed in his account, to wit $255.49." G. H. Burden, Foreman."

Whereupon, It is ordered, adjudged and decreed by the Court here, that the said L. K. Barfield, surviving partner of the mercantile firm of Lloyd K. Barfield and James W. Stone, under the firm name and style of Barfield and Stone, do have and recover of and from the said Defendants, G. B. Moore and Silas R. Pack, late merchants and partners under the firm name of G. B. Moore & Co. the sum of Two Hundred and Fifty-Five Dollars and Forty-Nine Cents, for his debt on account with interest thereon at the rate of eight per cent. per annum from the rendition of this Judgment until paid, together with all of his costs in this behalf expended, for which Execution may issue.

Fall Term, Thursday, Nov 2d A.D. 1854.

350 Klein & Ritchie vs. G.R. Moore & C. — Plaintiffs — Defendants — Judgment Conf.

And now on This day came The parties To The above entitled cause by their Attorneys, and announced Themselves ready to proceed to The Trial of said cause

And Thereupon came a jury of good and lawful men of Travis county, to wit: Hugh [illegible] Jackson, Leander Brown, Alexander Cannes, [illegible] James C. Parker, John R. Hopkridge, Joseph Warren, [illegible] W. Riley, A.H. Cook, James Gibson, John H. Cocke, who being duly empanneled and [illegible] according to law, after hearing the evidence introduced by the parties, plaintiffs and defendants, and the argument of counsel and Thereon, retired under the charge of the Court to consider of their verdict; And Thereupon said Jury returned into Court the following verdict, Viz: "We the Jury, find for the Plaintiffs the sum of Two Hundred and Twenty Dollars and Five Cents. J.H. Cocke, Foreman."

It is Thereupon ordered adjudged and decreed by the Court, that the plaintiffs, John Klein and John Ritchie, under the firm name and style of Klein & Ritchie, do have and recover of and from the Defendants, G.R. Moore and Miles Oak, under the firm name and style of G.R. Moore & Co. the sum of Two Hundred and Twenty Dollars and Five Cents, for their debt, with lawful interest Thereon from this date until paid, together with all costs of this suit, in this behalf laid out and expended, for which execution may issue, &c

357 C.R. Cox, et. al. vs. S.C. Blanton. — Plaintiffs — Defendant — Sequestration

In this cause, It is ordered by the Court That the Defendant have leave to amend.

The State of Texas, County of Travis — And now on this day came and appeared in open Court the Grand Jury for said County of Travis and State of Texas, duly elected, empanelled and sworn for the present Term of this Court, and by their Foreman, Adolphus G. Hair, presented to the Court the following Bills of Indictment, as follows, to wit:

Fall Term, Thursday, November 2nd A.D. 1854.

459.	The State of Texas vs. Elijah Rawles.	Plaintiff. Defendant.	"Permitting Slave to hire his own time."
460	The State of Texas vs. William N. Fowler.	Plaintiff Defendant.	"Keeping House for Slave to hire his own Time."
461	The State of Texas vs. David F. Waddle	Plaintiff Defendant.	"Defaulting Juror."
462	The State of Texas vs. John A. Peks.	Plaintiff Defendant.	"Defaulting Juror."
463	The State of Texas vs. Jacob Rodgers	Plaintiff Defendant.	"Horse Stealing."
464	The State of Texas vs. John L. Tallie	Plaintiff Defendant.	"Assault and Battery."
465	The State of Texas vs. William Burnet	Plaintiff Defendant.	"Horse Stealing."
466	The State of Texas vs. Cook, commonly called Eli Cook	Plaintiff Defendant.	"Defaulting Juror."
467	The State of Texas vs. Saml A. Rundell.	Plaintiff Defendant.	"Betting at Faro."
468.	The State of Texas vs. Charles C. Travis	Plaintiff Defendant.	"Betting at Faro."
469.	The State of Texas vs. John Moran.	Plaintiff Defendant.	"allowing Banking games to be exhibited in his house."

Fall Term, Thursday, Nov. 2nd A. D. 1854.

470	The State of Texas vs. John Horan	Plaintiff. Defendant.	"Allowing gaming Banks to be exhibited in his house."
471	The State of Texas vs. Joseph Wright	Plaintiff Defendant.	"Allowing man slave to hire his own time."
472	The State of Texas vs. Francis Dieterich	Plaintiff Defendant.	"Permitting Slave to hire his own time."
473.	The State of Texas vs. William Kelley.	Plaintiff Defendant.	"Cutting timber on land not his own, without consent of owner."
474	The State of Texas vs. Gray Bennets.	Plaintiff Defendant.	"Playing cards in a house for retailing spirituous liquors."
475	The State of Texas vs. Paul A. Burdett.	Plaintiff Defendant.	"Betting on Election."
476	The State of Texas vs. Raphael Mathe	Plaintiff. Defendant.	"Assault with intent to kill."
477	The State of Texas vs. James Monroe Morris	Plaintiff Defendant.	"Murder."
478.	The State of Texas vs. William Barnett.	Plaintiff. Defendant.	"Swindling."
479.	The State of Texas vs. Terry O'Neal.	Plaintiff Defendant.	"Playing cards in a house for retailing spirituous liquors."
480	The State of Texas vs. George Robinson & John Robinson.	Plaintiff Defendants.	"Allowing gaming Banks to be exhibited in their House."

Fall Term, Thursday, 1st Dec A. D. 1854

481	The State of Texas vs. Newton Jackson	Plaintiff Defendant		"Exhibiting Faro"
482	The State of Texas vs. George Robinson & John Robinson	Plaintiff Defendants		"Allowing gaming Bank to be exhibited in their House."
483	The State of Texas vs. George Robinson & John Robinson	Plaintiff Defendants		"Allowing Gaming Bank to be exhibited in their House."
484	The State of Texas vs. Wiley Marshall	Plaintiff Defendant		"Betting at Faro."
485	The State of Texas vs. James T. Gillis	Plaintiff Defendant		"Betting at Faro."
486	The State of Texas vs. Henry Vines	Plaintiff Defendant		"Betting at Faro"
487	The State of Texas vs. John T. Ford	Plaintiff Defendant		"Betting at Monte."
488	The State of Texas vs. Arthur S. Lee	Plaintiff Defendant		"Betting at Faro."
489	The State of Texas vs. George Robinson & John Robinson	Plaintiff Defendants		"allowing Gaming Bank to be exhibited in their House."
490	The State of Texas vs. Joseph Lee	Plaintiff Defendant		"For not performing duties of Coroner."
491	The State of Texas vs. George Robinson and John Robinson	Plaintiff Defendants		"allowing Gaming Bank to be exhibited in their House."

Fall Term, Thursday Nov. 2nd A.D. 1854.

492.	The State of Texas vs. George Robinson & John Robinson	Plaintiff. Defendants.	"Allowing gaming Bank to be established in their House"
493.	The State of Texas vs. John Horan.	Plaintiff. Defendant.	"Allowing Gaming Bank to be established in their House."
494	The State of Texas vs. William Wyatt.	Plaintiff Defendant.	"Betting at Faro"

And Thereupon the said Grand Jury, through their Foreman, Adolphus G. Sher, suggested to the Court that there was further business before them; And Thereupon the Court ordered the said Grand Jury to retire upon a further discharge of their duties, incumbent upon them

And Thereupon it is ordered by the Court that Court do now adjourn until Friday Morning November the Third, Anno Domini, 1854.

Fall Term, Friday, Nov. 3rd A.D. 1854

Friday Morning, November the Third, Anno Domini 1854.

Court Convened at 9 o'clock A.M. pursuant to adjournment. Present the Hon. Amasa Lincoln Judge of the Third Judicial District, and of said State, Frank Brown, Clerk of the District Court, and George W. Scott, Sheriff of the County of Travis

The State of Texas } And now on this day appeared in open
County of Travis. } Court, the Grand Jury for said County of Travis and State of Texas, duly elected, empannelled and sworn for the present Term of this Court, and by their Foreman, Josephus G. Muir, presented to the Court the following Bills of Indictment, to wit:

✓ 495	The State of Texas vs. Henry P. Brewster.	Plaintiff	Defendant.	"Betting at Faro."
✓ 496	The State of Texas vs. Henry P. Brewster	Plaintiff	Defendant.	"Playing Poker."
✓ 497	The State of Texas vs. Joseph Warren	Plaintiff	Defendant.	"assault & Battery"
✓ 498.	The State of Texas vs. Samuel G. Stowell.	Plaintiff	Defendant.	"Betting at Faro."
✓ 499.	The State of Texas vs. Charles A. Harmon	Plaintiff	Defendant.	"Betting at Faro"
✓ 500.	The State of Texas vs. Samuel G. Stowell.	Plaintiff	Defendant.	"Playing Poker in Income"
✓ 501	The State of Texas vs. Thomas Carter	Plaintiff	Defendant.	"Betting at Faro."
✓ 502.	The State of Texas vs. Henry H. Sublett	Plaintiff	Defendant.	"Betting at Faro."

Fall Term, Friday Nov 3rd A.D. 1854

And Thereupon the said Grand Jury, Through their Foreman Adolphus G Hill, suggested to the Court that there was further matters before them. And Thereupon the Court ordered the said Grand Jury to retire upon further discharge of the duties incumbent upon them

3/11 | Perry Humphries vs. Sherman Case. | Plaintiff | Defendant | Recovery of Note and for Damages.

In this cause, It is ordered by the Court that the Demurrer of Defendant be overruled. And Thereupon it is further ordered, that the Defendant herein have Leave To amend.

403 | James Park vs. W. S. Alabaw, Adm. | Plaintiffs | Defendant. | Possession of Land and Damages.

And now on this day comes the Defendant, by Attorneys, and filed his answer herein

And Thereupon It is ordered by the Court that the Defendants herein have leave to amend

406 | Sebron G. Freed vs. Claiborne Arrington. | Plaintiff | Defendant. | Attachment.

And now on this day comes the Defendant, by Attorney, and filed his answer herein

407 | Aldham, Marshall & Tancil vs. Claiborne Arrington. | Plaintiffs | Defendant. | Attachment.

And now on this day comes the Defendant, by Attorney, and filed his answer herein.

408 | R. M. McAlpin & Co vs. Michael Diller. | Plaintiffs | Defendant. | Debt on Account.

And now on this day comes the Defendant by his Attorney, and filed his answer herein

409 | Thomas Glascock vs. Andrew J Hamilton | Plaintiff | Defendant. | Trespass and Damages to Try Title.

And now on this day comes the Defendant, and by his Attorney filed his answer herein.

Fall Term, Friday, Nov. 3rd A. D. 1854.

415 Benjamin Roach vs. Nathaniel Townsend — Plaintiff / Defendant. — Debt on Judgment.

And now on this day comes the Defendant herein by his Attorneys and files his answer

423 The State of Texas vs. Andrew Yager — Plaintiff / Defendant. — Scire Facias

And now on this day comes the Defendant by his Attorney and files his answer herein

427 Robert H. Tyner vs. Andrew H. Robbins — Plaintiff / Defendant.

And now on this day comes the Defendant by his Attorney and files his answer herein

433 Nathaniel Townsend vs. Allen C. Brown — Plaintiff / Defendant. — Injunction

And now on this day comes the Defendant by his Attorneys and files his answer herein

434 The State of Texas vs. John R. Woodridge — Plaintiff / Defendant. — Scire Facias

And now on this day comes the defendant by his Attorney and files his answer herein

437 Springfield, Price & Co. vs. Hugh Nelson — Plaintiff / Defendant. — Debt on Note

And now on this day comes the Defendant by his Attorney and files his answer herein

439 John Bremond vs. Wm. F. Horne et. als. — Plaintiff / Defendants. — Debt on Note

And now on this day comes the Plaintiff to the above entitled cause by his Attorney and moves the Court that the cause be dismissed. And thereupon It is ordered by the Court that the same be dismissed at the cost of the Defendant

Fall Term, Thursday, Nov. 9th A. D. 1854

441 Isaac Smithwick Plaintiff
vs. Debt on Note.
Thomas Glascock et. al. Defendants.

And now on this day comes the Defendant Thomas Glascock, by Attorney, and filed his answer herein

444 Nathaniel Townsend Plaintiff
vs. Damages for non-performance of Contract.
Coleman & De Frate Defendants

And now on this day comes the Plaintiff by his Attorney, and upon motion. It is ordered by the Court that the same be continued until the next Term of this Court, and that alias process issue herein

446 William Clark Plaintiff
vs. Debt.
Andrew N. Hopkins Defendant.

And now on this day comes the Defendant by his Attorney, and filed his answer herein

And thereupon It is ordered by the Court that the Defendant herein have leave to amend.

447 Henry N. Burdett Plaintiff
vs. Debt on Notes.
Nimrod W. Burdett Defendant.

And now on this day comes the Defendant by his Attorney, and filed his answer herein

And thereupon It is ordered that the Defendant have leave to amend

452 Sneed & Smith Plaintiffs
vs. Debt on Note
Walton & Walton Defendants.

And now on this day comes the defendants and filed their answers herein

453 John Wolvenberger Plaintiff
vs. Sequestration.
James L. Gillen & D. W. Bickness. Defendants.

And now on this day comes the defendant D. W. Bickness and by his Attorney, filed his answer herein

Fall Term, Friday, November 9th A. D. 1854

454 Heirs of Geo. M. Dabson, Dec'd Plaintiffs To try Title and for
Joseph H. Robertson vs. Defendant Damages.

And now on this day comes the Defendant, by his Attorney, and files his answer herein

458 Sugar M. Cain Plaintiffs
Thomas Pitt, et. als vs. Defendants Damages.

And now on this day comes the Plaintiff to the above entitled cause by his Attorney, and moves that the same be dismissed, And Thereupon It is ordered by the Court that the same be dismissed at the cost of the Defendants.

461 R. M. McAlpin & Co Plaintiffs
Cassidy & Timmins vs. Defendants. Debt on Account.

And now on this day comes the defendants by Attorneys, and files their answer herein. And Thereupon It is ordered by the Court that the Defendants herein have leave to amend.

464 John D. Johnson Plaintiff
George Turner vs. Defendant. Damages

And now on this day comes the Defendant, by his Attorney, and files his answer herein

477 Yancey Pledger Plaintiff
Thomas Pants vs. Defendant. Debt on Note.

And now on this day comes the Defendant by his attorney, and files his answer herein

483 Baldridge, Sparks & Co. Plaintiffs.
Eggen & Royce vs Defendants. Debt on Note

And now on this day comes the Plaintiff in this cause by his Attorney, and moves the Court that the same be continued until the next Term of this Court. And Thereupon It is ordered by the Court that the same be continued until the next Term of this Court, and that the Clerk of this Court issue Alias Attachm to Stephen Royce, one of the defendants herein.

Rule Day. Friday, Nov. 3rd A. D. 1854

484 Benjamin W. Shaw vs. Amen A. Hopkins — Plaintiff, Defendant — Damages

And now on this day comes the Defendant by his Attorney, and files his answer herein

488 Thomas P. Niles, Jr. Adm. vs. James D. Shaw Asst. & Jno. M. Swisher, Auditor — Plaintiff, Defendants — Mandamus

And now on this day comes the defendants, by their Attorneys, and files their answer herein; And thereupon It is ordered by the Court that the Defendants herein have leave to amend

490 S. Bridget Britton vs. Nathaniel Townsend — Plaintiff, Defendant — Debt on Judgment.

And now on this day comes the Defendant by his Attorney, and files his answer herein

491 John Fremont vs. G. B. Moore et. al. — Plaintiff, Defendants — Debt on Note and for foreclosure of Lien

And now on this day comes the Defendants herein by their Attorneys, and files their answers.

Recs

492 T. R. Morris vs. F. L. Roy & Hatton & Hatton — Plaintiff, Defendants — Debt on Note.

And now on this day comes the Defendants by their Attorneys, and files their answers herein

493 Thomas Glascock vs. Nathaniel L. Blakey — Plaintiff, Defendant — Division of Negroes

And now on this day comes the Defendant by his Attorney, and files his answer herein, And Thereupon It is ordered by the Court that the Defendant herein have leave to amend

494 John H. Young vs. Calhoun, Swisher & Wynne — Plaintiff, Defendants — Decree of Title to Land and Injunction.

And now on this day comes the Plaintiff

Fall Term, Friday, Nov. 3rd A.D. 1854

to the above entitled cause by his Attorney, and moves the Court that the same be continued until the next Term of this Court; And Thereupon It is ordered by the Court that the same be continued until the next Term of this Court, and that Alias Letters issue to Dallas and Clayton

495 William F. Cook Plaintiff
vs.
Thomas Glascock, et al Defendants Debt on Note

And now on this day comes the Defendants by their Attorneys, and filed their answer herein

498 Jacob A. Burden Plaintiff
vs.
Newell W. Burden Defendant Debt

And now on this day comes the Defendant by his Attorney, and filed his answer herein; And Thereupon It is ordered by the Court that the Defendant herein have leave to amend.

499 John F. & Sarah H. Cook, Plaintiffs
vs.
Brown and Farrar Defendants Debt on Note

And now on this day comes the Plaintiffs by their Attorneys, and moves the Court that the same be continued for cause; And Thereupon It is ordered by the Court that the same be continued until the next Term of this Court, and that Alias Letters issue to John F. Brown, one of the Defendants herein

502 Newell W. Burden Plaintiff
vs.
G. W. Moore Defendant Debt on Note.

And now on this day comes the Defendant in this cause, and filed his answer herein

503 James and Mary Doyle Adms Plaintiffs
vs.
James G. Swisher & Lucilla S. Nichols Defendants Debt on Note

And now on this day comes the Defendants in this cause by their Attorneys, and filed their answer herein.

504 R. H. Peck & Co. Plaintiffs
vs.
John M. Eastley Defendant Debt on Account.

And now on this day comes the

Fall Term, Friday, Apr. 3rd A.D. 1854.

Defendant by his Attorney and files his answer herein

✓ 578	James A. Raymond vs. G. W. Moore et. als.	Plaintiff	Defendants.	For Debt and Foreclosure of Lein

And now on this day comes the Defendants by their Attorneys and files their answer herein

✓ 579	Rebecca D. Peard & Miriam Leach vs. Thomas Adams et. als.	Plaintiff	Defendants.	Debt on Note.

And now on this day comes the Defendant, and by their Attorneys files their answer herein. And Thereupon It is ordered by the Court that the Defendants herein have leave to amend.

✓ 580	Martin Moore vs. John M. Castley	Plaintiff	Defendant	Debt on Account.

And now on this day comes the defendant, and by his Attorney files his answer herein

✓ 582	George W. White vs. Case and Monroe	Plaintiff	Defendants	Debt on Note.

And now on this day comes the Defendants herein, and by their Attorneys filed their answer.

575 ✓	Spence & Freeman vs. Ann F. Wooldridge	Plaintiff	Defendant.	Debt on the case.

And now on this day comes the Defendant by her Attorney, and files her answer herein And Thereupon It is ordered by the Court that the Defendants herein have leave to amend.

✓ 577	William F. Cock vs. Thomas Cassidy & Edward Fenin	Plaintiffs	Defendants.	Debt on Note.

And now on this day comes the Defendants by their Attorneys and filed their answer herein

✓ 579	Timothy McKean vs. Wm C. Cabinswith	Plaintiff	Defendant	Debt on Note

And now on this day comes the

Fall Term. Friday, Nov 3rd A.D. 1854

defendant by his attorney, and files his answer herein

√ 522.	James Wall vs. Mary Ann Wall	Plaintiff Defendant.		Divorce

And now on this day comes the Plaintiff to the above entitled cause by his attorney, and moves that the same be dismissed; And thereupon it is ordered by the Court that this cause be dismissed at the cost of the Plaintiff.

√ 523	Moore and Burdett vs. A. H. Mooney & C. C. Travis	Plaintiffs Defendants.		Damages.

And now on this day comes the Defendants by their attorneys and files their answer herein; And thereupon It is ordered by the Court that the Defendants herein have leave to amend.

√ 524.	Mary C. Pitt vs. Thomas J. Pitt.	Plaintiff Defendant.		Divorce.

And now on this day comes the Defendant by his Attorney, and files his answer herein

√ 525	John Brennand vs. Thomas Cassidy.	Plaintiffs Defendant.		Debt on Note.

And now on this day comes the Plaintiff to the above entitled cause by his Attorney, and moves the Court that the same be dismissed; And thereupon It is ordered by the Court that the same be dismissed at the cost of the Plaintiff.

√ 314	James B. Shaw vs. Heirs of James A Caldwell	Plaintiff Defendants.		For Partition of Land.

In this cause, It is ordered by the Court that John F. Costa, attorney and counsellor at law and a member of this Bar be appointed to defend the interests of the unknown heirs, defendants.

√ 410	Albert H. Blue vs. The Heirs of Sam'l H. Bishop Dec'd	Plaintiff Defendants.		Decree of Title to Land

And now on this day came the

Fall Term, Friday, Nov. 3rd A.D. 1854

Plaintiffs to the above entitled cause by his Attorney: And it appearing that this suit was brought by citing the Heirs by publication. It is ordered by the Court that the cause be continued until the next Term of this Court

438 ↓

F. O. Payne & Susan C. Payne } Plaintiffs
vs. } Suit for Land.
David G. Dunn. } Defendant

And now on this day came the plaintiffs to the above entitled cause by their Attorneys; And it appearing that this suit was brought by citing the Defendant by publication, It is ordered by the Court that the cause be continued until the next Term of this Court.

445 ↓

Henry Greaner } Plaintiff
vs. } Attachment.
Charles L. Taylor. } Defendant.

And now on this day came the plaintiff to the above entitled cause by his Attorney; And it appearing that this suit was brought by citing the defendant by publication; It is ordered by the Court that the cause be continued until the next Term of this Court.

435 ↓

George Hames & } Plaintiffs
vs. } Debt on Note
J. R. Eggen. } Defendant.

And now on this day comes the plaintiff in the above entitled cause by his Attorneys, John A. & R. Green, And Thereupon the said plaintiff by his Attorney moved the Court to change the Venue of said cause; And Thereupon the said Plaintiff by his said Attorneys filed his motion in Terms of the law in such case made and provided, for said change of Venue, setting forth therein his reasons for the change thereof. And the Court having said motion and the question of law therein arising, Doth order, adjudge and decree that the Venue of said cause be changed, and the same is hereby adjourned to the County of Williamson in the State of Texas, to the county seat thereof, to wit: Georgetown; it being the nearest county seat to that of the County of Travis, where said cause is now pending, and out of the Second Judicial District of the State of Texas as prescribed by Law; And that said cause stand for trial at the next Term of the Honorable District Court of the County of Williamson,

Fall Term, Friday, Nov. 3rd A.D. 1854

to be begun and holden at the Courthouse thereof in the Town of Georgetown, the County seat of said County of Williamson; And it is further considered, ordered, adjudged and decreed by the Court here, that the Clerk of this Court make entry and according to law, in such case made and provided, all the original entries in said cause as are of Record in this Court and transmit the same, together with all of the original Papers in said cause to the said District Court of Williamson County, on or before the first day of the next Term thereof, so that such proceedings may be had as to right and justice may appertain.

520 ✓ Frederick H. Chandler vs. James R. Jackson and George W. Glasscock — Plaintiffs — Defendants — Debt on Note. Judgment and Decree.

And now on this day came the plaintiff to the above entitled cause by his attorneys; and it appearing to the satisfaction of the Court that the defendants failed to appear and file their answer in this cause within the time provided by law, but wholly made default; It is therefore ordered adjudged and decreed by the Court, that the Plaintiff, Frederick H. Chandler, do have and recover of and from the Defendants, James R. Jackson and George W. Glasscock according to the prayer of petition

Therefore, It is considered, ordered, adjudged and decreed by the Court, that the said Plaintiff, Frederick H. Chandler, do have and recover of and from the Defendants, James R. Jackson and George W. Glasscock the sum of Four Hundred and Eighty-one Dollars and Twenty-Six Cents, the amount of his principal debt and interest up to this date, together with interest thereon at the rate of eight per cent per annum until paid, together with all costs in this behalf expended, for which execution may issue, &c

4167 ✓ Frederick H. Chandler vs. Thomas Cassidy & William R. Cannon — Plaintiff — Defendants — Debt on Note. Judgment.

And now on this day comes the plaintiff in the above entitled cause by his attorneys And it appearing to the satisfaction of the Court here that the defendant has failed to appear and file his answer herein within the time prescribed by law, but wholly made default. It is therefore ordered, adjudged and decreed by the Court that the plaintiff, Frederick H. Chandler recover of and from the defendants Thomas Cassidy and William R Cannon, according to the prayer of his Petition

It is therefore ordered, adjudged and decreed that the plaintiff, Frederick H. Chandler, do have and recover of and

Fall Term, Friday, Nov. 2nd A. D. 1854

from the defendants, Thomas Cassidy and William R. Cannon, the sum of One Hundred and Thirty Dollars and Twenty-Seven Cents, ($130.27) the amount of his principal debt and interest up to this date, together with interest thereon at the rate of eight per cent per annum until paid, together with all costs in this behalf expended, for which Execution may issue, &c

411 ↓ William H. Whitehead vs. John T. Alexander. Plaintiff Defendant. Debt on Note. Judgment.

And now on this day comes the plaintiff to the above entitled cause by his attorneys, And it appearing to the satisfaction of the Court that said defendant has failed to appear and file his answer in this cause within the time prescribed by law, but wholly made default. It is therefore ordered, adjudged and decreed by the Court, that the plaintiff, William H. Whitehead recover of and from the defendant, John T. Alexander according to the prayer of his said petition

It is therefore ordered, adjudged and decreed by the Court that the said plaintiff William H. Whitehead, do have and recover of and from said defendant, John T. Alexander, the sum of Four Hundred and Fifty-one Dollars and Eighty-Six Cents, ($451.86) the amount of his principal debt and interest up to this date, together with interest thereon at the rate of eight per cent per annum until paid, together with all costs in this behalf laid out and expended, for which execution may issue.

414 ↓ James Ennis vs. John H. Cocke. Plaintiff Defendant. Debt on Note. Judgment.

And now on this day comes the plaintiff in the above entitled cause by his attorneys; And it appearing to the satisfaction of the Court that the said defendant, has failed to appear and answer in this cause within the time prescribed by law, but wholly made default. It is therefore ordered adjudged and decreed by the Court that the plaintiff, James Ennis, do recover of and from the defendant, John H. Cocke, according to the prayer of his said Petition.

Hall Term, Friday, Nov. 3rd A.D. 1854.

It is therefore ordered, adjudged and decreed, that the plaintiff, Samuel Innis, do have and recover of and from the defendant, John R. Cocke, the sum of One hundred and Forty-One Dollars and Two Cents, ($141.02) the amount of his principal debt and interest up to this date, together with interest thereon at the rate of eight per cent. per annum until paid, together with all costs in this behalf expended, for which execution may issue.

078 Timothy McKean — Plaintiff — Debt on Note
vs.
James H. Robertson. — Defendant. — Judgment.

And now on this day comes the plaintiff in the above entitled cause by his attorneys, and it appearing to the satisfaction of 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 plaintiff, Timothy McKean, do have and recover of and from the said defendant, James H. Robertson, according to the prayer of his Petition.

It is therefore ordered, adjudged and decreed that the plaintiff, Timothy McKean, do have and recover of and from the defendant, James H. Robertson, the sum of Three Hundred and Three dollars and Fifty Five Cents, the amount of his principal debt and interest up to this date, together with interest at the rate of eight per cent. per annum thereon until paid together with all costs in this behalf expended, for which execution may issue.

466 Morgan A. Hamilton — Plaintiff — Debt on Note
vs.
James H. Mathews. — Defendant. — Judgment.

And now on this day comes the plaintiff in the above entitled cause by his attorneys, and it appearing to the satisfaction of the Court here that said 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 plaintiff, Morgan A. Hamilton, do have and recover of and from the defendant, James H. Mathews, according to the prayer of his Petition.

It is therefore ordered, adjudged and decreed by the Court, that the plaintiff, Morgan A. Hamilton do have and recover of and from the defendant, James H.

Fall Term, Friday, Nov. 3rd A.D. 1854.

Mathews, the sum of Three Hundred and Sixty-Three dollars and Seventy-nine Cents, ($363.79) the amount of his principal debt and interest up to this date, together with interest thereon at the rate of eight per cent. per annum until paid, together with all costs in this behalf expended, for which execution may issue.

414 ✓ John C. McKean vs. John R. McBee — Plaintiff — Defendant — Debt on Note — Judgment.

And now on this day comes the plaintiff in the above entitled cause by his attorneys, and it appearing to the satisfaction of the Court that said defendant has failed to appear and file his answer in this cause, within the time prescribed by law but wholly made default. It is therefore ordered, adjudged and decreed by the Court that the plaintiff, John C. McKean, recover of and from the defendant, John R. McBee, according to the prayer of his said petition.

It is therefore ordered, adjudged and decreed by the Court that the said Plaintiff, John C. McKean do have and recover of and from said defendant, John R. McBee, the sum of one hundred and Forty-Eight dollars, and seven Cents ($148.07) the amount of his principal debt and interest up to this date, Together with interest thereon at the rate of eight per cent. per annum until paid, Together with all costs in this behalf expended, for which execution may issue.

458 ✓ George E. Deats & John W. Blue vs. Sherman Base — Plaintiff — Defendant — Debt on Note — Judgment.

And now on this day comes the plaintiffs in the above entitled cause by their attorneys, and it appearing to the satisfaction of the Court that said defendant has failed to appear and file his answer in this cause within the time prescribed by law but wholly made default.

It is therefore ordered, adjudged and decreed by the Court that the Plaintiffs, George E. Deats and John W. Blue, recover of and from the defendant, Sherman Base, according to the prayer of his said petition.

Fall Term, Friday, Nov. 3rd A.D. 1854

It is therefore ordered, adjuaged and decreed by the Court that the said Plaintiffs, George S. Deats and John W. Blue, do have and recover of and from the said defendant Thereon base, the sum of One Hundred and Fifty-Six Dollars and Ninety-Six Cents ($156.96) the amount of his principal debt and interest up to the rendition of this Judgment, together with interest thereon at the rate of eight per cent. per annum until satisfied together with all costs in this behalf laid out and expended, for which execution may issue.

457 George S. Deats & John W. Blue Plaintiffs Debt on Note
vs.
Michael De Raumes Defendant Judgment.

And now on this day comes the plaintiffs to the above entitled cause by their attorneys. And it appearing to the satisfaction of the Court that said defendant has failed to appear and file his answer in this cause within the time prescribed by law, but wholly made default. It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, George S. Deats and John W. Blue recover of and from the defendant, Michael De Raumes, according to the prayer of his said petition

It is therefore ordered, adjuaged and decreed by the Court that the said Plaintiffs, George S. Deats and John W. Blue do have and recover of and from the said defendant, Michael De Raumes the sum of One Hundred and Fifty-Three Dollars and Eighty-Five Cents, the amount of his principal debt and interest up to the rendition of this Judgment, together with interest thereon at the rate of eight per cent. per annum until satisfied, together with all costs in this behalf expended, for which execution may issue

357 Christopher R. Cox & Mary Jane Cox, His wife Plaintiffs Segnestrain
vs.
Sanford C. Blanton Defendant.

And now on this day come the plaintiffs and defendants to the above entitled cause, by their attorneys, and announced themselves ready to proceed to the trial of said cause, and thereupon moved the Court for a Jury. After hearing Whereupon came a Jury, to wit: Thomas Pitt, Allen C. Brown, Edward Christian, Jenkins Davis, Silas Jones, Henry Johnson, Jonathan Vandeveer, A. B. Downsend, Giles H. Burdett, W. Houston, James Baker, Jacob Miner, Twelve good and

Fall Term, Friday, November 3rd A.D. 1854.

lawful men of the county of Travis, who, being duly elected, empannelled and sworn to try said cause, after hearing the evidence adduced in said cause, and the argument of counsel had thereon, retired under the charge of the Court to consider of their verdict, whereupon said Jury returned into Court the following verdict, to wit:

"We, the Jury, find the boy George to rest
" entirely in the plaintiffs, O. R. Cox and Mary Jane,
" his wife, Robert O. and Zachary Cleveland and
" the value to be $600.00
" Hire from commencement of suit 70.00
" $670.00
" "J. H. Burdett, Foreman."

351

Perry Humphries . Plaintiff
vs. Damages.
Sherman Case Defendant.

In this cause, the parties, plaintiff and defendant, appeared by their attorneys, and announced themselves ready for trial, Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: Hugh Finnin, J. R. Jackson, Leander Brown Jenkins Davis, Benjamin Choate, James C. Harper, John R. Waldridge, Joseph Warren, James H. Riley, A. H. Cook, James Gibson, John H. Locke, who being duly tried, empannelled and sworn according to law, to try the issues between the parties, who after hearing the evidence introduced by the parties plaintiff and defendant, and the argument of counsel had thereon, and being charged by the Court, retired to consider of their verdict; and thereupon returned into Court the following verdict, To wit:

" We, the Jury find that Case, Deft. is entitled To $200.00
" for the keeping of the Horse; That Humphreys, Plff. is
" entitled to recover $240.00 for the hire and use of the
" Horse. That the Horse is the property of Plff. and worth
" $125.00. J. H. Locke, Foreman."

It is therefore, ordered, adjudged and decreed by the Court, that the plaintiff, Perry Humphries do have and recover of and from the defendant, Sherman Case, the sum of Two Hundred and Forty-Five Dollars for his damages, with interest thereon at the rate of

Fall Term, Friday, Nov 3rd A.D. 1854

eight per cent. per annum after this date, until paid, together with all the costs of this suit, for which execution may issue

It is further ordered, adjudged and decreed by the Court, that one hundred and Twenty-Five dollars of said amount, so found by the Jury aforesaid may be discharged by the Defendant delivering the horse in controversy to the plaintiff or his attorneys, within twenty days from the date hereof, or in default thereof that execution issue for the full amount of this Judgment.

James B. Shaw Complainant
vs.
Heirs of James A. Caldwell

✓ 314

The State of Texas Plaintiff
vs.
John B. Stone,
Thomas D. Pitt & J. A. Burdett Defendants

420

✓

Judgment on Forfeiture of Recognizance

In this cause this day comes the plaintiff by the District Attorney; and it appearing to the satisfaction of the Court that the said defendants have been duly and legally served by Scire Facias; and it further appearing that the said Defendants have failed to appear and file their answers herein, to show cause why Judgment nisi heretofore rendered against them (within the time prescribed by Law) should not be made final against them It is therefore ordered, adjudged and decreed by the Court that the said Judgment nisi heretofore rendered in this cause against said Defendants be and the same is hereby made final. And it is further ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of and from the said Defendants, John B Stone, Thomas D. Pitt and J. A. Burdett the sum of One Hundred Dollars, the amount of said Judgment nisi, with interest thereon at the rate of eight per cent per annum from the rendition of this Judgment, until paid, together with all costs of suit in this behalf expended, and that execution issue therefor

Fall Term, Friday, Nov. 3rd A.D. 1854

429 ↓

The State of Texas vs. Horace L. Upshur John S. Ford and C. Finnin — Plaintiff — Defendants — Judgment on Forfeiture of Recognizance

In this cause this day comes the Plaintiff; and it appearing to the satisfaction of the Court here that the said Defendants have been duly and legally served by writ of Scire Facias; and it further appearing that the said Defendants have been duly and failed to appear and file their answers to show cause why Judgment nisi heretofore rendered against them (within the time prescribed by law) should not be made final against them It is therefore considered, ordered, adjudged and decreed by the Court that the said Judgment nisi heretofore rendered against the said Defendants in this cause, is hereby made final

And it is further considered, ordered and decreed by the Court that the said State of Texas do have and recover of and from the said Defendants, Horace L Upshur, John S. Ford and C. Finnin the sum of One Hundred Dollars the amount of said Judgment nisi with interest thereon at the rate of eight per cent. per annum until paid together with all costs in this behalf expended and that execution issue therefor &c

430 ↓

The State of Texas vs. Gray Clements William Clements and Thomas J. Pitts. — Plaintiff — Defendants — Judgment on Forfeiture of Recognizance

And now on this day comes the Plaintiff by her Attorney, and it appearing to the satisfaction of the Court that the said Defendants have been duly served by Writ of Scire Facias; and it further appearing that the said defendants have failed to appear and file their answers herein within the time prescribed by law, (but wholly made default) to show cause why the Judgment nisi heretofore rendered against them should not be made final against them, It is therefore decreed that the said Judgment nisi heretofore rendered

Fall Term, Friday, Apr. 3rd A.D. 1857

against the said Defendants herein is hereby made final. And it is further considered ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of and from the said Defendants, Gray Clements, William Clements and Thomas J. Pitts, the sum of One Hundred Dollars the amount of said Judgment viz with interest thereon at the rate of eight per cent per annum until paid, together with all costs in this behalf expended, and that execution issue therefor.

404 ✓ Rid. Sprague & Company Plaintiffs Debt on Note
vs.
Timothy McKean Defendant Judgment.

In this cause now comes the plaintiffs by his attorneys, and claims a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed by law And it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing

Therefore, It is ordered, adjudged and decreed that the said plaintiffs, Rid Sprague and Company, do have and recover of and from the defendant, Timothy McKean, the sum of Four Hundred and Two Dollars and Seventy-Four cents ($402.74) the amount of his principal debt and interest to this date, together with interest thereon at the rate of ten per cent. per annum until paid, together with all costs in this behalf had and recovered, and that execution issue therefor

431 ✓ Veghte & Bergh Plaintiffs Debt on Note
vs.
Peter D. Lowe Defendant Judgment.

And now on this day comes the plaintiffs to the above entitled cause by their attorneys; and it appearing to the satisfaction of the Court here that the said Defendant has failed to appear and file his answer within the time prescribed by law, but wholly made default. It is therefore considered ordered and decreed that the plaintiffs Rymir Veghte and George R. Bergh, under their firm name of Veghte &

Fall Term, Friday Nov. 3rd A.D. 1854

Bugh, recover of defendant, Peter B. Lowe, according to the prayer of their petition

Whereupon, It is ordered, adjudged and decreed by the Court, that the plaintiffs, Lymon Veghte and George R. Bugh, under their firm name of Veghte & Bugh, do have and recover of and from the Defendant, Peter B. Lowe, the sum of One Hundred and Forty-Seven Dollars and Thirty-Six cents, the amount of their principal debt and interest up to this date, together with interest at the rate of eight per cent. per annum until paid, together with all costs in this behalf expended, for which execution may issue.

436 J. A. Seale vs. Shad. R. Eggers. Plaintiff Defendant Debt on Note Judgment

In this cause now comes the plaintiff by his attorneys, and claims a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed; And it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing

Wherefore, It is ordered adjudged and decreed by the Court that the said Plaintiff J. A. Seale, do have and recover of the defendant, Shad. R. Eggers, the sum of One Hundred and Seventy-Four Dollars and Seventy-One cents, the amount of the principal and interest to this date, together with all his costs in this behalf had and recovered, and that execution issue therefor

443 Samuel J. Haynie vs. Timothy McKean Plaintiff Defendant Debt on Note Judgment.

In this cause now comes the plaintiff by his attorneys, and claims a Judgment final by default. And it being here shown to the Court that due service of the process in

Fall Term, Friday, Nov. 3rd A. D. 1854.

This cause has been made, and that said defendant has failed to file his answer within the Time prescribed by law; And it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing

Wherefore, It is ordered, adjudged and decreed that the said plaintiff, Samuel G. Kayne, do have and recover of and from the Defendant, Timothy McKean, the sum of One Thousand and Thirty-Eight Dollars and Sixty-Seven Cents ($1038.67 the amount of his principal debt and interest up to the rendition of this Judgment, Together with all costs in this behalf had and accrued, and that Execution issue therefor.

449 Francis Dutenich vs. Charles C. Travis — Plaintiffs — Defendant — Debt on Note — Judgment.

In this cause now comes the plaintiff by his attorneys, and claims a Judgment final by default And it being here shown to the Court that the service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed by law; And it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing.

Wherefore, It is ordered, adjudged and decreed that the said Plaintiff, Francis Dutinich, do have and recover of and from the said Defendant, Charles C. Travis, the sum of One Hundred and Eighty-Nine Dollars, the amount of his principal debt and interest up to the rendition of this Judgment, and interest at the rate of eight per cent. per annum until satisfied Together with all his costs in this behalf expended, and that Execution issue therefor.

456 John Kearn vs. James H. Mathews — Plaintiff — Defendant — Debt on Note — Judgment.

In this cause now comes the plaintiff by his attorneys, and claims a Judgment finally by default And it being here shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed

Fall Term, Friday, Nov. 3rd A.D. 1854.

to file his answer within the time prescribed by law, And it being further shown to the Court that ~~due service of the~~ the cause of action in this cause is liquidated and proved by an instrument of writing

Wherefore, It is ordered adjudged and decreed that the said Plaintiff, John Hearn do have and recover of and from the defendant, James H. Mathews, the sum of Two Hundred and Five Dollars and Seventy-Nine Cents, ($205.79) the amount of his principal debt and interest up to the rendition of this Judgment, together with interest at the rate of eight per cent. per annum until paid, Together with all his costs in this behalf had and recovered, and that execution issue therefor.

460

Wilson T. Davidson vs. John Marshall and Williamson S. Oldham. Plaintiff Defendants. Debt on Note Judgment.

In this cause now comes the Plaintiff by his Attorney, and claims a Judgment final by default. And it being shown to the Court that due service of the process in this cause has been made, and that the said Defendants have failed to file their answer within the time prescribed by law; and it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing.

Wherefore, It is ordered, adjudged and decreed by the Court, that the said Plaintiff, Wilson T. Davidson, do have and recover of and from the Defendants, John Marshall and Williamson S. Oldham, the sum of Two Hundred and Thirty-Seven Dollars and Ninety-One Cents, ($237.91) the amount of his principal debt and interest to this date, Together with interest thereon at the rate of ~~Eight~~ per cent. per annum until paid, and all of his costs in this behalf laid out and expended, and that execution do issue therefor, &c

Fall Term, Friday, Nov. 2nd A.D. 1854

468 ✓ Henry Sampson as Benjamin F. Johnson and James F. Johnson — Plaintiffs — Debt on Note — Defendants — Judgment.

In this cause comes the Plaintiff by his attorneys, and dismisses his suit as to the defendant, James F. Johnson, It is therefore ordered adjudged and decreed by the Court that the Defendant, James F. Johnson go hence without day.

And it appearing to the satisfaction of the Court that the Defendant, Benjamin F. Johnson, has failed To appear and file his answer within the time provided by law, but made default.

It is therefore ordered, adjudged and decreed by the Court that the Plaintiff, Henry Sampson, recover of and from the Defendant, Benjamin F. Johnson, according to the prayer of his said Petition.

It is therefore ordered adjudged and decreed by the Court, that the Plaintiff, Henry Sampson, do have and recover of and from the Defendant, Benjamin F. Johnson, the sum of Five Hundred and Two Dollars and ~~Ninety~~ Eight Cents ($502.98) for his principal debt and interest up to this date, with interest at the rate of ten per cent. per annum until paid. Together with all costs of suit in this behalf expended. for which execution may issue.

478 ✓ Cowan & I. S. Sullivan — Plaintiffs — Debt on Note — Defendant — Judgment.
as Charles C. Travis

In this cause now comes the Plaintiffs by their attorneys, and claims a Judgment final by default. And it being here shown to the Court that the service of the process in this cause has been made, and that said defendant has failed to file his answer within the time prescribed by law, And it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing,

Therefore It is ordered, adjudged and decreed that the said Plaintiffs + Cowan and I. S. Sullivan, do have and recover of and from the defendant Charles C. Travis, the sum of One Hundred and Twenty-Two Dollars and Forty-Six Cents, ($122.46) the amount of

their principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum until satisfied, together with all costs in this behalf laid out and expended, and that execution issue therefor.

Mads O. Dimon vs. Hiram Chapin, Kenneth A. Keener, Fielding L. Rector & Nelson F. Rector Abner A. Cook & Andrew J. Herron — Plaintiff / Defendants — Debt on Note and Draft. — Judgment

And now on this day comes the plaintiff to the above entitled cause by his Attorney, and claims a Judgment finde by default. And it being here shown to the Court that due service of the process in this cause has been made, and that the said Defendants have failed to file their answer within the time prescribed by law; and it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing,

Therefore, It is ordered, adjudged and decreed, that the said plaintiff, Mads O. Dimon, do have and recover of and from the Defendants, Hiram Chapin, Kenneth A. Keener, Fielding L. Rector, Nelson F. Rector, Abner A. Cook, and Andrew J. Herron, the sum of Three Hundred and Sixty-Five Dollars and Sixty-One Cents, the amount of the principal and interest to this date, and with interest thereon at the rate of ten per cent. per annum until satisfied, together with all costs in this behalf had and recovered, and that Execution issue therefor.

480 Frederick W. Chandler vs. Joseph A. Smith — Plaintiff / Defendant — Debt on note — Judgment.

In this cause now comes the plaintiff by his attorney, and claims a Judgment finde by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed by law,

Fall Term, Friday Nov. 2nd A.D. 1854.

And it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing

Wherefore, It is ordered, adjudged and decreed, that the said Plaintiff, Frederick W. Chandler do have and recover of and from the Defendant, Joseph A. Smith, the sum of One Hundred and Seven Dollars and Twenty-Eight Cents, the amount of his principal debt and Interest up to the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum until satisfied, Together with all costs in this behalf laid out and expended, and that execution issue therefor.

500 ✓

John D. Grumbles vs. Samuel K. Jennings, Junior — Plaintiff — Defendant — Debt on Note — Judgment.

And now on this day comes the plaintiff to the above entitled cause by his attorneys, and claims a Judgment final by default. And it appearing to the satisfaction of the Court that due service of the process in this cause has been made, and that the defendant has failed to file his answer within the time prescribed by law. and it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing,

Wherefore, It is ordered, adjudged and decreed by the Court, that the Plaintiff, John D. Grumbles, do have and recover of and from the Defendant, Samuel K. Jennings, Junior, the sum of One Hundred and Ninety-Five Dollars and Sixty-Four Cents, the amount of the principal and interest to this date, with interest thereon at the rate of ten per cent. per annum until satisfied. Together with all costs in this behalf laid out and expended, and that execution issue therefor.

For value received I assign this account to Geo. H. Lee. June 10th 1855. John D. Grumbles

501 ✓

John D. Allan vs. Fielding L. Roy — Plaintiff — Defendant — Debt on Note — Judgment.

And now on this day comes the plaintiff to the above entitled cause by his attorney, and claims a Judgment bindby default. And it appearing to the satisfaction of the Court that due service of the process in this cause has been made, and that the Defendant has failed to file his answer within the time prescribed by law but wholly made default. And it being further shown

Fall Term, Friday, Nov 3rd A.D. 1854

to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing.

Wherefore, It is ordered, adjudged and decreed by the Court that the said Plaintiff John T. Allan, do have and recover of and from the Defendant, Fielding L. Roy, the sum of Two Hundred and Eighty-One Dollars and Twenty-Eight Cents, the amount of his principal debt and interest up to the rendition of this Judgment with interest thereon at the rate of eight per cent. per annum until satisfied, Together with all of his costs in this behalf laid out and expended, and that execution issue therefor.

506 ✓ Wade Henry vs. Samuel K. Jennings Jr. — Plaintiff — Defendant — Due on Note — Judgment

And now on this day comes the plaintiff to the above entitled cause by his attorney, and claims a Judgment finde by default And it appearing to the satisfaction of the Court that due notice of the process in this cause has been made, and that said defendant has failed to file his answer within the time prescribed by law. And it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing

Wherefore, It is ordered, adjudged and decreed by the Court that the said Plaintiff, Wade Henry, do have and recover of and from the defendant, Samuel K. Jennings Junior, the sum of One Hundred and Nineteen Dollars and Seven Cents, the amount of his principal debt and interest up to the rendition of this Judgment with interest thereon at the rate of ten per cent. per annum until satisfied, Together with all costs in this behalf laid out and expended, and that execution issue therefor.

507 ✓ Wade Henry & William M. Fowler vs. Samuel K. Jennings, Junior — Plaintiffs — Defendant — Due on Note — Judgment

And now on this day come the Plaintiffs to the above entitled cause by their attorneys,

and claim a Judgment finde by default. And it appearing to the satisfaction of the Court that the said Defendant has been duly cited to appear at this term of the Court, and it further appearing that the said defendant has failed to appear and file his answer within the time prescribed by law; and it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing

Wherefore, It is ordered adjudged and decreed by the Court, that the said Plaintiffs, Wade Henry and William M. Fowler, under their firm name of Henry & Fowler do have and recover of and from the Defendant, Samuel K. Jennings Junior, the sum of One Hundred and Five Dollars and Sixty-Four cents, the amount of their principal debt and interest up to this date with interest thereon at the rate of ten per cent. per annum until satisfied, together with all of their costs in this behalf laid out and expended, and that execution issue therefor.

513 ✓ George H. White vs. Sherman Case — Plaintiff, Defendant — Debt on Note — Judgment

And now on this day comes the Plaintiff to the above entitled cause by his attorneys and claims a Judgment finde by default. And it appearing to the Satisfaction of the Court that due service of the process in this cause has been made, and that said defendant has failed to file his answer within the time required by law; And it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing

Wherefore, It is ordered, adjudged and decreed by the Court that the said Plaintiff, George H. White, do have and recover of and from the Defendant Sherman Case the sum of One Hundred and Thirty One Dollars and Eighty-Two cents, the amount of his principal debt and interest up to this date, with interest thereon at the rate of eight per cent. per annum until paid Together with all costs in this behalf had and recovered and that Execution issue therefor

Fall Term, Friday, Nov. 8th A.D. 1854.

574. Jael Miner vs. John Marshall and Wm S. Oldham — Plaintiffs — Debt on Note — Defendants — Judgment.

And now on this day comes the Plaintiff to the above entitled cause by his Attorney and moves the Court for a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made and that said Defendants have failed to file their answer within the time required by law; and it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing

Wherefore, It is ordered, adjudged and decreed by the Court, that the said Plaintiff, Jael Miner, do have and recover of and from the Defendants, John Marshall and William S. Oldham, the sum of Two Hundred and Seventy-Three Dollars and Ninety-Eight cents, the amount of his principal debt and interest up to this date, with interest thereon at the rate of eight per cent. per annum until satisfied, together with all costs in this behalf had and recovered, and that execution issue therefor.

5th Francis Dieterich, Administrator of the Estate of Wm H. Cushney, Dec'd vs. Sherman Case & Jael A. Burdett — Plaintiff — Debt on Note — Defendants — Judgment.

And now on this day comes the plaintiff to the above entitled cause, by his Attorneys, and claims a Judgment final by default. And it being shown to the Court that due service of the process in this cause has been made, and that said Defendants have failed to file their answer within the time prescribed by law; And it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing

Wherefore, It is ordered, adjudged and decreed by the Court, that the said Plaintiff, Francis Dieterich, do have and recover of and from the Defendants, as administrator of the estate of William H. Cushney, deceased, the sum of One Hundred and Twenty Dollars and Eighty-

Eight cents, the amount of his principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum until satisfied, Together with all costs in this behalf laid out and expended, and that execution issue Therefor.

521 John L. Spence & Thomas Freeman Plaintiffs Debt on Note
vs.
Charles C. Travis Defendant Judgment

And now on this day come the Plaintiffs to the above entitled cause by their attorney, and claim a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed by law; And it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing

Wherefore, It is ordered, adjudged and decreed by the Court, that the said Plaintiffs, John L. Spence and Thomas Freeman, under their firm name of Spence & Freeman, do have and recover of and from the defendant, Charles C. Travis, the sum of One Hundred and Seventy-Two Dollars and eighty-eight cents, the amount of their principal debt and interest up to this date, with interest thereon at the rate of eight per cent per annum until satisfied, together with all costs in this behalf laid out and expended and that execution issue therefor.

528 John Remond Plaintiff Debt on note
vs.
H. S. Roy Defendant. Judgment.

In this cause now comes the plaintiff by his attorneys, and claims a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said defendant has failed to file his answer within the time prescribed. And it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing.

Wherefore, It is ordered, adjudged and decreed, that the said Plaintiff, John Remond, do have and recover of the defendant, H. S. Roy, the sum of Four Hundred and ninety-Five Dollars

Fall Term, Friday. Nov. 8th A. D 1854.

and Seventy-four cents, the amount of the principal and interest to this date, with interest thereon at the rate of ten per cent. per annum until satisfied, together with all his costs in this behalf had and recovered, and that execution issue therefor.

469. Richard H. Peck and Edward Ten Eyck vs. Hugh Nelson — Plaintiffs — Defendant — Debt on Note. Judgment.

And now on this day come the plaintiffs to the above entitled cause by their attorneys, and claim a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said defendant has failed to file his answer within the time prescribed, And it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing.

Therefore, It is ordered, adjudged and decreed by the Court, that the said Plaintiffs, Richard H. Peck and Edward Ten Eyck, under their firm name of R. H. Peck and Company do have and recover of and from the defendant, Hugh Nelson, the sum of One Hundred and Fifty-Six Dollars and Fourteen Cents, the amount of their principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of Ten per cent. per annum until satisfied, Together with all their costs in this behalf had and recovered, and that execution issue therefor.

470 R. H. Peck & Company vs. Joseph W. Robertson. — Plaintiffs — Defendant. — Debt on Note. Judgment.

And now on this day come the Plaintiffs to the above entitled cause by their attorneys, and claim a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed by law; And it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing,

Wherefore, It is ordered, adjudged and

decreed by the Court, that the said plaintiffs, Richard H. Peck and Edward Ten Eyck, under their firm name of R. H. Peck & Co., do have and recover of and from the Defendant, Joseph W. Robertson, the sum of Two Hundred and Sixty-Nine Dollars and Ninety Seven Cents, the amount of their principal debt and interest up to this date, with interest thereon at the rate of ten per cent. per annum until satisfied, Together with all costs had and incurred, and that execution issue therefor

471 R. H. Peck & Co vs. Thomas Cassidy — Plaintiffs — Defendant — Bro Debt on Note & Judgment

And now on this day come the plaintiffs to the above entitled cause by their attorneys, and claim a Judgment final by default. And it being shown to the Court that due service of the process in this cause has been made, and that said defendant has failed to file his answer within the time prescribed; And it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing

Therefore, It is ordered, adjudged and decreed by the Court, that the said Plaintiffs, Richard H. Peck and Edward Ten Eyck, under their firm name of R. H. Peck & Company, do have and recover of and from the Defendant, Thomas Cassidy, the sum of Two Hundred and Fifty-Five Dollars and Seventy-Three Cents the amount of their principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of ten per cent. per annum until satisfied, together with all costs in this behalf laid out and expended, and that execution issue therefor

472 R. H. Forbes, Surviving Partner, &c vs. Henry D. Brewster — Plaintiff — Defendant — Debt on Note — Judgment.

And now on this day comes the plaintiff to the above entitled cause by his attorneys, and claims a Judgment final by Default. And it being shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed; and it being further shown to the Court that the cause of action in this cause is liquidated and proved by an in-

strument of writing; Wherefore It is considered, ordered, adjudged and decreed by the Court, that the said Plaintiff, R. M. Fordis, Surviving Partner of the firm of R. M. Fordis and Company, do have and recover of and from the Defendant, Henry P. Brewster the sum of One Hundred and Thirty-Five Dollars and Fifty-Eight Cents, the amount of his principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of ten per cent. per annum until satisfied, Together with all costs in this behalf had and recovered, and that Execution issue therefor.

493. R. A. Peck & Company Plaintiffs Debt on Note.
vs.
Josiah Fisk Defendant. Judgment.

And now on this day come the Plaintiffs to the above entitled cause by their Attorneys and claim a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed; and it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing

Wherefore, It is considered, ordered, adjudged and decreed by the Court, that the said Plaintiffs, Richard A. Peck and Edward Den Eyck, under their firm name of R. A. Peck & Company, do have and recover of and from the Defendant, Josiah Fisk, the sum of One Hundred and Seventy-One Dollars and Sixty Cents, the amount of their principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of ten per cent. per annum until satisfied, together with all costs in this behalf laid out and expended, and that execution issue therefor.

494 William H. Darryl Plaintiff Debt on note.
vs.
Eli Kirk Defendant. Judgment.

And now on this day comes the plaintiff to the above entitled cause by his Attorneys and claims a Judgment final by default. And it being here shown to the

Hill Term, Friday, Mar 8th A.D. 1854.

Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed; and it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing

Wherefore, It is considered ordered, adjudged and decreed by the Court, that the said William H. Carroll, do have and recover of and from the Defendant Eli Kirk, the sum of Three Hundred and Ninety-Six Dollars and Eighty-Five Cents, the amount of his principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum until satisfied, together with all costs in this behalf laid out and expended, and that execution issue therefor.

4th ✓

R. H. Peck & Company Plaintiffs Debt on Note

vs.

Sidney P. Broun. Defendant. Judgment

And now on this day come the plaintiffs to the above entitled cause by their attorneys, and claim a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed by law; and it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing

Wherefore, It is ordered, adjudged and decreed by the Court, that the said Plaintiffs, Richard H. Peck and Edward Sen Eyck, under their firm name of R. H. Peck and Company, do have and recover of and from the Defendant, Sidney P. Broun, the sum of One Hundred and Eight Dollars and Fifty-Four Cents the amount of their principal debt and interest up to this date, with interest thereon at the rate of ten per cent. per annum until satisfied, together with all costs in this behalf laid out and expended, and that execution issue therefor.

481 ✓

William M. Rice & Co. Plaintiffs Debt on Note

vs.

A. B. Burleson. Defendant. Judgment

In this cause now come the plaintiffs by their attorneys, and claim a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said

Fall Term, Friday, Nov. 8th A. D. 1854.

Defendant has failed to file his answer within the time prescribed, And it being further shown to the Court that the cause of achin in this cause is liquidated, and proved by an instrument of writing

Whereupon, It is ordered, adjudged and decreed that the said Plaintiffs, William M. Rice and C. B. Nichols, under their firm name of Wm M. Rice & Co do have and recover of and from the Defendant, A. B. Burlison, the sum of One Hundred and Sixty Dollars and Thirty-three Cents, the amount of their principal debt and interest up to this date, with interest thereon at the rate of eight per cent. per annum until satisfied, Together with all costs in this behalf had and incurred, and that execution issue therefor.

R. H. Peck & Co. Plaintiffs Debt on Note

486 vs.

Drusilla Bowles Defendant. Judgment.

And now on this day come the Plaintiffs to the above entitled cause by their attorneys and claim a Judgment final by default. And it being here shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed to appear and file her answer within the time prescribed by law, And it being further shown to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing

Whereupon, It is ordered, adjudged and decreed by the Court, that the said Plaintiffs, Richard H. Peck and Edward Ten Eyck, under their firm name of R. H. Peck and Company do have and recover of and from the Defendant, Drusilla Bowles, the sum of Three Hundred and Seventy Dollars and Twenty-four Cents the amount of their principal debt and interest up to the date of the rendition of this Judgment with interest thereon at the rate of ten percent. per annum until satisfied, Together with all costs in this behalf laid out and expended, and that execution issue therefor.

Fall Term, Friday, Nov 3rd A.D. 1854.

487 ✓

Roland M. Lucket — Plaintiff — Debt on Note
vs.
Sherman Case — Defendant. — Judgment.

And now on this day comes the Plaintiff to the above entitled cause by his Attorney, and claims a Judgment finaly default. And it appearing to the satisfaction of the Court that due service of the process in this cause has been made and that said Defendant has failed to appear and file his answer within the time prescribed by law; and it further appearing to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing

Wherefore, It is ordered adjudged and decreed by the Court, that the said Plaintiff, Roland M Lucket, do have and recover of and from the Defendant, Sherman Case, the sum of Three Hundred and Eight Dollars, and Eighty-Seven Cents, the amount of his principal debt and interest up to the rendition of this Judgment with interest thereon at the rate of eight per cent. per annum until satisfied, together with all costs in this behalf had and incurred and that execution issue therefor

505 496 ✓

Alfred Ten Eyck — Plaintiff — Debt on Note
vs.
Hugh Nelson — Defendant. — Judgment.

And now on this day comes the Plaintiff to the above entitled cause by his Attorneys, and claims a Judgment final by default. And it appearing to the satisfaction of the Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time required by law; And it further appearing that the cause of action in this cause is liquidated and proved by an instrument of writing:

Wherefore, It is ordered, adjudged and decreed by the Court, that the said Plaintiff, Edward Ten Eyck, do have and recover of and from the defendant, Hugh Nelson, the sum of One Hundred and Nineteen Dollars and Sixty Cents, the amount of his principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum until satisfied, together with costs of suit and that execution issue therefor

Fall Term, Friday, Sept. 3rd A.D. 1854.

511. Thomas J. Pitts as. Jas A. Burdett and Washington Hammett — Plaintiff — Debt on Note — Defendants — Judgment.

And now on this day comes the plaintiff to the above entitled cause by his attorney, and claims a Judgment final by default. And it appearing to the satisfaction of the Court that due service of the process in this cause has been made, and that said defendants have failed to file their answer within the time prescribed by law

Therefore, It is adjudged and decreed by the Court, that the said Plaintiff, Thomas J. Pitts, do have and recover of and from the defendants, Jas A. Burdett and Washington Hammett, the sum of Two Hundred and Four Dollars and Sixty-Nine Cents, the amount of his principal debt and interest up to this date with interest thereon at the rate of ten per cent. per annum, until paid, together with all costs in this suit laid out and expended and that execution issue therefor.

462 William Rodgers as. Sherman Base — Plaintiff — Defendant — Debt on Account — Judgment.

In this cause now comes the plaintiff by attorney, and claims a Judgment by default and it being shown to the Court that due service of the process in this cause has been made, and that said Defendant has failed to file his answer within the time prescribed by law; and it further appearing that the cause of action in this cause is unliquidated; It is therefore ordered, adjudged and decreed that the said Plaintiff, William Rodgers, do have and recover of the defendant, Sherman Base, according to the prayer of his petition. It is further ordered and adjudged that a Jury be empannelled to assess the damages in this cause by the said Plaintiff had and sustained

Fall Term, Friday, November 3rd A.D. 1854

496 F. S. Stockdale, Surviving Partner, &c. vs. Timothy McKean & Wm. P. Bailey — Plaintiff — Defendants — Debt on Note

Judgment

And now on this day comes the Plaintiff to the above entitled cause by attorney, and moves the Court for a Judgment final by default. And it appearing to the Satisfaction of the Court that due service of the process in this cause has been made, and that said Defendant Timothy McKean failed to file his answer within the time prescribed. and that said cause is liquidated and proved by an Instrument of writing; And thereupon the plaintiff dismisses his suit as to William P. Bailey; and it is ordered by the Court that the said William P. Bailey go hence without day

And thereupon, It is considered, ordered, adjudged and decreed by the Court, that the said Plaintiff, Fletcher F. Stockdale, Surviving partner of the firm of Lytle and Stockdale, do have and recover of the defendant, Timothy McKean, the sum of Five Hundred and Ninety-Seven Dollars and Seventy-Five Cents, the amount of his principal debt and interest up to this date, with interest thereon at the rate of ten per cent. per annum until paid, together with all costs in this behalf laid out and expended, and that execution issue thereon

413. R. D. McAnelly vs. Simon Pardon — Plaintiff — Defendant — For Land

In this cause, It appearing to the Court that the Defendant was cited by publication. It is ordered that the same be continued until the next Term of this Court.

419 Charles F. Compton vs. Wm Clark, et. als. — Plaintiff — Defendants — Trespass and Damages.

And now on this day comes the plaintiff by attorney, and dismisses his suit as to S. W. Kittrey. And thereupon It is ordered by the Court that S. W. Kittrey go hence without day. And thereupon said plaintiff, by attorney, claims a Judgment final by default as to William Clark and Jackson Clark And it being here shown to the Court that due service of the process has been, in this cause, made upon William Clark and Jackson Clark, and it being further shown to the Court that said defendants have failed to file their answer within the time prescribed

Fall Term, Friday Nov. 3rd A.D. 1854

It is therefore ordered and decreed, that the said Plaintiff, Charles D. Compton, do have and recover of the defendants, William Clark and Jackson Clark, according to the prayer of his said petition. It is further ordered and adjudged that a Jury be empannelled to assess the damages in this cause by the said plaintiff had and sustained.

412 James W. Wilson vs. Andrew N. Hopkins — Plaintiff — Defendant — Debt on Note — Judgment

And now on this day comes the plaintiff to this cause, and claims a Judgment final by default. And it appearing that due service of the process in this cause has been made, and that said defendant has failed to file his answer within the time prescribed; and it further appearing that the cause of action is liquidated. Wherefore, It is adjudged and decreed that the plaintiff, James W. Wilson, recover of the defendant, Andrew N. Hopkins, the sum of One Hundred and Sixty-Five Dollars and Thirty-Three Cents, the amount of his principal debt and interest to this date, with interest thereon at the rate of eight per cent. per annum until paid, together with all his costs had and recovered, and that execution issue therefor.

440 Alfred Wallace vs. Williamson S. Oldham — Plaintiff — Defendant — Debt on Notes. — Judgment

In this cause now comes the plaintiff by attorney and claims a Judgment finally by default. And it appearing to the Court that due service of the process has been made, and that said defendant has failed to file his answer within the time prescribed; and it further appearing that the cause of action herein is liquidated and proved by an instrument of writing;

Wherefore, It is adjudged and decreed by the Court, that the said Plaintiff, Alfred Wallace, do have and recover of the defendant, Williamson S. Oldham, the sum of Two Hundred and Forty-Seven Dollars and thirty Cents, the amount of the principal and interest to this date, with interest thereon at the rate of eight per cent. per annum until paid, together with all his costs in this behalf had and recovered and that execution issue therefor

485 Richard M. Johnson vs. Williamson S. Oldham et al — Plaintiff — Defendants. — Debt on Note — Judgment.

In this cause now comes the plaintiff and claims a Judgment final by default through his attorney. It appearing to the Court that due service of the process in this cause has been made, and that said defendants have failed to file their answer within

the time prescribed; and it further appearing that this cause of action is liquidated and proved by an instrument of writing. Therefore, It is adjudged and decreed by the Court that the said Plaintiff, Richard M. Johnson, do have and recover of the defendants, Williamson S. Oldham and M. C. Hamilton, the sum of Three Hundred and Thirty-Four Dollars and Thirty Cents, the amount of his principal debt and interest up to this day, with interest thereon at the rate of twelve per cent. per annum until paid, together with all his costs in this behalf had and incurred, and that execution issue therefor.

489

R. H. Peck & Company vs. W. S. Oldham. } Plaintiffs. } Defendant. } Deut on Note Judgment

In this cause now come the plaintiffs by their attorneys, and claim a Judgment final by default. It appearing to the Court that due service of the process in this cause has been made, and that said defendant has failed to file his answer within the time prescribed; and it being further shown that the cause of action in this cause is liquidated and proved by an instrument of writing. Wherefore, It is adjudged and decreed by the Court that the said Plaintiffs, Richard H. Peck and Edwin Ten Eyck, under their firm name of R. H. Peck & Co, as recovers of the defendant, W. S. Oldham, the sum of Three Hundred and Eighty-Four Dollars and Seventy-Two Cents, the amount of their principal debt and interest to this date, with interest thereon at the rate of ten per cent. per annum until paid, Together with all his costs in this behalf had and incurred, and that execution issue therefor.

And thereupon the Court appointed John T. Price as a Special Bailiff, who, after being duly and legally sworn, entered upon the discharge of his duties by virtue of his said appointment

And thereupon, It is ordered by the Court that Court do now adjourn until Nine o'clock, Saturday Morning, November the Fourth Anno Domini One Thousand Eight Hundred and Fifty-Four

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Saturday Morning, November the Fourth, A.D. 1854.

Court Convened at nine o'clock, a.m. pursuant to adjournment. Whereupon the following proceedings were had by said Court, as follows, to wit:

Fall Term, Saturday Nov. 4th A.D. 1854.

313 C. S. Mathews vs. Charles K. Reese — Plaintiff — Damages — Defendant.

In this cause the plaintiff and Defendant appeared by their attorneys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of the County of Travis, to wit: Wm Patterson, Wm Wood, Lewis Beardsley, A. C. Brown, Edward Christian, Jenkins Davis, Silas Jones, Henry Johnson, Jonathan Vandeve, A. B. Townsend W. Hanston and James Baker, who being duly Tried, empannelled and sworn, after hearing the evidence adduced by the parties plaintiff and Defendant, and the argument of Counsel, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict to wit

"We, the Jury find for the plaintiff, and assess the damages $350.00. I. Vandeve, Foreman."

It is therefore ordered, adjudged and decreed by the Court that the Plaintiff, C. S. Mathews, do have and recover of and from the Defendant, C. K. Reese, the sum of Three Hundred and Fifty Dollars for his damages, with interest at the rate of eight percent. per annum from this date until paid, together with all costs in this behalf expended, for which execution may issue

21 James B. Shaw vs. The Heirs of James A. Caldwell — Plaintiff — Defendants — Decree of Partition

Now on this day come the plaintiff by attorney and the said Defendants by their attorney appointed by the Court, and the Court proceeded to an examination of the title to the Land in controversy whereby it appears that the Plaintiff is the legal owner of Two-Thirds of one-quarter league of Land in the petition described, being part of the headright league granted to Geo. W. Spear, situated in the County of Travis on the East Bank of the Colorado River immediately above and adjoining the Austin City tract, and the said defendants, the unknown heirs of James A. Caldwell, are the legal owners of the other third of the said fourth of a league. And it appearing to the Court that partition of said Land ought to be made,

Fall Term, Saturday, Nov. 4th A.D. 1854.

It is therefore ardered, adjudged and decreed, that Robert Crenshaw, John O. DuVal, and P. De Cordova, citizens of said county, be appointed Commissioners for the partition of said land, whose duty it shall be to go, to walk round and over said Land; to ascertain the true boundaries and quantity thereof, and impartial partition thereof to make; setting aside for the said Plaintiff according to quantity and quality the number of acres equal to the value of two-thirds of the land, and to the said Defendants the number of acres according to quality and quantity, equal to one-third thereof; and it be the duty of the Clerk of this Court to issue a writ of partition directed to said Commissioners requiring them to execute this decree and make due return thereof within ten days from this day.

362 Hunter & Benton, for use of Frederick W. Chandler vs. Thomas Banks — Plaintiffs — Debt on Note — Defendant. — Judgment.

And now on this day come the parties by their attorneys, and announced themselves ready for trial; And thereupon the Defendant, Thomas Banks by his attorneys withdraws the plea, by him heretofore pleaded in this cause, and makes no further defence in this said action. It is therefore ordered adjudged and decreed by the Court, that the said Plaintiff, Frederick W. Chandler, do have and recover of and from the said defendant, Thomas Banks according to the prayer of his said Petition

Whereupon, It is ordered, adjudged and decreed by the Court, that the said Plaintiff, Frederick W. Chandler, do have and recover of and from the said Defendant, Thomas Banks, the sum of Six Hundred and Two Dollars and ninety-Six Cents the amount of his principal debt and interest up to this date, together with interest thereon at the rate of eight per cent. per annum until paid, together with all cost in this behalf laid out and expended, for all which execution may issue

363 Morgan C. Hamilton vs. Leonard S. Friend — Plaintiff — Debt on Note. — Defendant. — Judgment.

And now on this day comes the plaintiff in the above entitled cause, by his Attorneys; And it appearing to the satisfaction of the Court, that the Defendant, Leonard S. Friend, has failed to appear and file his answer in this cause within the time prescribed by law but has wholly made default. It is therefore ordered, adjudged and decreed by the Court, that the said Plaintiff, Morgan C. Hamilton, do have and recover of

Fall Term, Saturday, Nov. 4th A.D. 1854.

and from the Defendant, Leonard E. Friend, according to the prayer of his said Petition.

Whereupon, It is ordered, adjudged and decreed by the Court, that the said Plaintiff, Morgan C. Hamilton, do have and recover of and from the said Defendant, Leonard E. Friend, the sum of Three Hundred and Sixty-Nine Dollars and Sixty Cents, the amount of his principal debt and interest up to this date together with interest thereon at the rate of twelve per cent. per annum until paid, together with all costs in this behalf laid out and expended, for which execution may issue, &c &c

375 W. D. Cooper & Co. Plaintiffs
vs. Judgment.
Thomas Banks Defendant.

In this case the parties plaintiff and Defendant, appeared by their attorneys, and announced themselves ready for trial. Thereupon the parties waived a Jury, and submitted the matters in controversy to the Court. After hearing the evidence introduced by the parties, plaintiffs and defendant, It is ordered, adjudged and decreed by the Court, that the plaintiffs, W. D. Cooper, Duncan Frierson and J. Sweet, under the firm name and style of W. D. Cooper & Co, do have and recover of and from the Defendant, Thomas Banks, the sum of One Hundred and Eighty-Seven Dollars, for their debt, with interest at the rate of eight per cent. per annum until paid, with all costs of this suit in this behalf expended, and that execution issue therefor.

384. W. H. Burdett & Co. Plaintiffs Debt on
vs. Note.
Wade A. Morris Defendant. Judgment.

And now on this day come the plaintiffs to the above entitled cause by their attorney, and claim a Judgment final by default. And it appearing to the Court that due service of the process in this cause has been made, and that said defendant has failed to file his answer within the time prescribed by law; and it further appearing to the satisfaction of the Court that the cause of action in this cause is liquidated and proved by an instrument of writing

Fall Term, Tuesday, Nov. 4th A.D. 1854.

Wherefore, It is considered, ordered, adjudged and decreed by the Court, that the said Plaintiffs, Newell W. Burdett, Jesse Burdett and Giles H. Burdett, under their firm name of N. W. Burdett & Company, do have and recover of and from the Defendant, Wade A. Morris, the sum of Two Hundred and Two Dollars, the amount of their principal debt and interest up to the date of the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum until satisfied, Together with all costs in this behalf laid out and expended, and that execution issue therefor.

389 ✓

Joseph A. Davis — Plaintiff — Debt on Note
vs.
John T. Alexander — Defendant — Judgment.

And now on this day comes the plaintiff to the above entitled cause by his attorneys, and claims a Judgment final by default. And it appearing to the Court that due service of the process in this cause has been made, and that said defendant has failed to file his answer within the time prescribed, And it being further shown to the Court that the cause of action in this cause is liquidated and proved by an instrument of writing

Wherefore, It is considered, ordered, adjudged and decreed by the Court, that the said Plaintiff, Joseph A. Davis, do have and recover of the defendant, John T. Alexander, the sum of Four Hundred and Nine Dollars and Sixty Cents, the amount of his principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum until paid, Together with all his costs had and incurred, in this behalf, and that execution issue therefor.

395 ✓

George Hancock — Plaintiff — Injunction.
vs.
John D. Smith, et als — Defendants

And now on this day comes the plaintiff to the above cause by his attorney, and moves that the same be dismissed. And thereupon it is ordered by the Court that the above cause be dismissed at the cost of the plaintiff.

404 ✓

Alaham, Marshall and Tirrell — Plaintiffs — Attachment.
vs.
Claiborne Arrington — Defendant

In this cause, It is ordered by the Court that the Plaintiffs have leave to amend.

Fall Term, Saturday, Nov. 4th A.D. 1854.

364 E. E. Sneed — Plaintiff — Debt on Note
vs.
John M. Brite, et. als. — Defendants — Judgment.

And now on this day comes the plaintiff to the above entitled cause by attorney, and dismisses his suit as to John M. Brite, Henry Brite, and Thos R. Brite. And thereupon, It is ordered by the Court that the said John M. Brite, Henry Brite and Thos R. Brite go hence without day.

And thereupon comes the plaintiff by attorney, and moves the Court for a Judgment final by default as to Joseph Duty; And it appearing to the satisfaction of the Court, that the said defendant, Joseph Duty has failed to file his answer within the time prescribed by law, and that said Defendant has been duly cited to appear at this Term of the Court; And it further appearing to the satisfaction of the Court that the said cause of action is liquidated, and proved by an Instrument of writing

Wherefore, It is considered, ordered, adjudged and decreed by the Court, that the said Plaintiff, E. E. Sneed, do have and recover of and from the defendant, Joseph Duty, the sum of Four Hundred and Eighty-Eight Dollars and Twelve Cents, the amount of his principal debt and interest up to the date of the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum until satisfied, together with all his costs in this behalf had and incurred, and that execution issue thereon.

518 Timothy McKean — Plaintiff
vs.
James H. Robertson — Defendant. — Debt on Note.

And now on this day comes the plaintiff to the above entitled cause by his attorney, and moves the Court that a Judgment heretofore rendered in this cause be set aside, and thereupon It is ordered by the Court, that said Judgment rendered on the fifth day of the present Term of this Court, be set aside and held for naught; And it is further ordered by the Court that alias citation issue to said defendant.

Fall Term, Saturday, Nov. 4th A.D. 1854.

482 John A. Green, Admr of Lamar Moore, Dec'd Plaintiff For
v
vs.
Gustavus Kerchburg. Defendant

And now comes the plaintiff in this cause, and moves the Court for a Judgment by default. And it appearing that process had been regularly issued upon the said defendant, and that he had failed to answer within the time prescribed by law; And it further appearing that the Judgment was rendered as recited in the plaintiffs petition, and that no execution had been issued thereon for more than one year after the rendition of the same,

It is therefore ordered, adjudged and decreed, that the Judgment mentioned in said petition be revived; and that the plaintiff, John A. Green, administrator of Lamar Moore, do have and recover of the Defendant, Gustavus Kerchburg, the sum of Three Hundred and Twenty Dollars and Seventeen Cents being the principal and interest in said Judgment, together with all costs of the former as well as of this Judgment, for all which execution may issue, &c.

The State of Texas
County of Travis

And now on this day appeared in open Court, the Grand Jury for the County of Travis, duly elected, empannelled and sworn to serve as such terms for the present Term of this Court; and through their Foreman, Adolphus G. Wein, presented to the Court the following Bills of Indictment to wit:

√ 503 The State of Texas vs. "Jim", a Mulatto Slave. Plaintiff Defendant "Arson."

√ 504 The State of Texas vs. Joseph A. Smith Plaintiff Defendant. "Betting at Faro"

√ 505 The State of Texas vs. Green B. Moore, called "Bony Moore" Plaintiff Defendant. "Assault and Battery."

√ 506 The State of Texas vs. John Wilson Plaintiff Defendant. "Assault and Battery."

Fall Term, Saturday, Nov. 4th A.D. 1854.

567	The State of Texas vs George W. Sale.	Plaintiff / Defendant	"Betting at Faro."
568	The State of Texas vs Hunt Clements.	Plaintiff / Defendant	"Assault and Battery."
569	The State of Texas vs James R. Jackson.	Plaintiff / Defendant	"Playing Poker for money in Grocery."
570	The State of Texas vs Alfred Smithand J. B. Tannehill	Plaintiff / Defendants	"Affray."
571.	The State of Texas vs Isley a negro Slave.	Plaintiff / Defendant	"Arson."
572	The State of Texas vs Irving D. Bonner, called Easton Bonner.	Plaintiff / Defendant	"Assault with intent to Kill and Murder."
573	The State of Texas vs William Powers & Jacob Powers.	Plaintiff / Defendant	"Cutting Timber."
574	The State of Texas vs O. R. Pick	Plaintiff / Defendant	"Betting at Faro."

And thereupon the Foreman of said Grand Jury. Douglas L. Weir, made known to the Court here that said Grand Jury had dispased of all matters before them, and moved the Court that they be discharged from further attendance in said Court. And thereupon the Court discharged said Grand Jury

And thereupon. It is ordered by the Court that Court do now adjourn until Monday Morning, November the Sixth, A. D. 1854.

Fall Term, Monday, Nov 6th A.D. 1854.

Monday Morning, November the Sixth, Anno Domini One Thousand Eight Hundred and Fifty-Four.

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

1490 Webb Reid vs. M. C. Hamilton & Levy I. Reid — Plaintiff — Defendants — Consummation of Agreement.

In this cause, It is ordered by the Court that the parties have leave to amend their pleadings.

4[illegible] Isaac Miller vs. Andrew S. Berry et als — Plaintiff — Defendants — Change of Venue from Williamson County.

In this cause, It is ordered by the Court that the cause be dismissed for want of prosecution, at the cost of the Plaintiff

359 Wile R. Riding vs. Jane C. Tyson, et. als — Plaintiff — Defendants

In this cause, It is ordered by the Court that the Plaintiff have leave to amend his Petition.

371 James A. Gillespie, Admr. vs. Leonard S. Freeman — Plaintiff — Defendant. — Debt on Note.

And now on this day comes the Plaintiff to the above cause by his Attorney, and moves the Court that the same be dismissed. And thereupon It is ordered by the Court that the said cause be dismissed at the cost of the plaintiff

429 The State of Texas vs. Horace L. Upshur — Plaintiff — Defendant — Scire Facia

And now comes the Plaintiff by attorney, and moves the Court that a Judgment rendered at a former day of the present Term of this Court, be set aside. And thereupon it is ordered by the Court that the said Judgment heretofore rendered in this cause be set aside and held for nought, at the cost of the Defendant.

Fall Term, Monday, Nov. 5th A.D. 1866

494

John A. Young Plaintiff Decree of Title to land and Injunction
vs.
Thomas C. Collins et. als. Defendants.

And now on this day comes the Plaintiff to this cause by his attorneys, and moves the Court that an order heretofore made continuing this cause for sevice be set aside; And thereupon It is ordered by the Court that the order made on the 26th day of the present Term of this Court, continuing this cause for service on Thomas C. Collins and R. A. Wynne be set aside and held for naught

And now comes the plaintiff herein by attorneys, and moves the Court that this suit be dismissed as to Thomas C. Collins; And thereupon, It is ordered by the Court, that the said Thomas C. Collins go hence without day.

And now again comes the plaintiff to the above entitled cause by his attorneys and claims a Judgment final by default. And it appearing to the satisfaction of the Court that due sevice of the process in this cause has been made upon J. M. Swisher and R. A. Wynne, and that said Defendants have failed to file their answer within the time prescribed by law It is ordered, adjudged and decreed by the Court, that the said Plaintiff, John A. Young, do have and recover of and from the said Defendants, J. M. Swisher and R. A. Wynne, according to the prayer of his said petition

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And Thereupon, It is ordered by the Court that a fine heretofore imposed, on the first day of the present Term of this Court, upon P. W. Rowlin be remitted.

X

William Leigh Chalmers

V

And now at this day comes William Leigh Chalmers, and petitions in open Court that he be examined touching his qualifications to practice Law in the District Courts of this State; and the said William Leigh Chalmers being duly and fully examined in the presence of the Court, and all the requisites of the law in this behalf being complied with; and it appearing to the Court that the said William Leigh Chalmers is duly and fully qualified to practice

Fall Term, Monday, Nov. 5th A.D. 1854

Law in the District Courts of this State; It is therefore ordered by the Court that the said William Leigh Chalmers be allowed to practice as an attorney and counsellor at Law in the District Courts of this State; and it is further ordered by the Court that the Clerk of this Court do furnish the said William Leigh Chalmers with a duly certified copy of this Decree upon his paying the proper and legal fees thereon, and taking the oath prescribed; and that a License issue accordingly

Thomas C. Sneed.

And now at this day comes Thomas C. Sneed, and petitions in open Court that he be examined touching his qualifications to practice Law in the District Courts of this State, and the said Thomas C. Sneed being duly and fully examined in the presence of the Court, and all the requisites of the law in this behalf being complied with; and it appearing to the Court that the said Thomas C. Sneed is duly and fully qualified to practice Law in the District Courts of this State; It is therefore ordered by the Court that the said Thomas C. Sneed be allowed to practice Law as an attorney and counsellor at Law in the District Courts of this State; and it is further ordered by the Court that the Clerk of this Court do furnish the said Thomas C. Sneed with a duly certified copy of this Decree, upon his paying the proper and legal fees thereon, and taking the oath prescribed, and that a License issue accordingly.

A. Y. Fowler.

And now at this day comes A. Y. Fowler, and petitions that he be examined touching his qualifications to practice Law in the District Courts of this State; And the said A. Y. Fowler being duly and fully examined in the presence of the Court, and all the requisites of the law in this behalf being complied with; and it appearing to the Court that the said A. Y. Fowler is duly and fully qualified to practice Law in the District Courts of this State; It is therefore ordered by the Court that the said A. Y. Fowler be allowed to practice as an attorney and counsellor at law in the District Courts of this State, and it is further ordered that the Clerk of this Court do furnish the said A. Y. Fowler with a duly certified copy of this Decree, upon his paying the proper fees thereon, and taking the oath required by law; And that a License issue accordingly.

Jesse Marshall.

And now on this day comes Jesse Marshall, and presents to the Court his petition praying to be admitted to practice as an attorney and counsellor at law in the several District and inferior Courts of this State and the said Jesse Marshall having presented to the Court sufficient evidence of good moral character and honorable deportment; And it appearing to the Court that the said Jesse Marshall has been legally admitted to practice as an attorney and counsellor at law in the

Fall Term, Monday, Nov. 6th A.D. 1854

several Courts in the State of Tennessee. It is therefore ordered and decreed by the Court, that the said Jesse Marshall be admitted to practice as an attorney and counsellor at law in the several District and inferior Courts of the State of Texas, upon the taking of the oath prescribed by law, and that a License issue according ly.

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday Morning, November the Seventh A.D. 1854.

Fall Term, Tuesday, Nov. 7th A. D. 1854.

Tuesday Morning, November Tha Seventh, A. D. 1854

Court convened at Nine O'Clock, A. M. pursuant to adjournment, Whereupon the following proceedings were had by said Court, as follows, To wit:

1 47 Isaac Miller vs. Andrew J. Perry, et al. } Plaintiff / Defendants. } Change of Venue from William-son County.

And now come the parties plaintiff and Defendants by their attorneys, and the Plaintiff by his Attorney dismisses his Suit. It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff, Isaac Miller, Take nothing by his suit; that the Defendants, Andrew J. Perry and E. L. Stickney, go hence without day

It is further ordered, adjudged and decreed, by the Court that the Defendants, Andrew J. Perry and E. L. Stickney, do have and recover of and from the Plaintiff, Isaac Miller, all the costs of this Suit in this behalf laid out and expended, for which execution may issue.

And thereupon, It is ordered by the Court that Court do now adjourn until Wednesday Morning, November the Eighth, Anno Domini One Thousand Eight Hundred and Fifty-Four

Fall Term, Wednesday, Nov. 8th 1854

Wednesday Morning, November the Eighth, Anno Domini, One Thousand Eight Hundred and Fifty-Four.

Court convened at Nine O'clock, A. M. pursuant to adjournment. Whereupon the following proceedings were had by said Court, as follows, to wit:

Ordered by the Court that a fine of Ten Dollars be imposed upon John R. Wooldridge, James R. Jackson and D. M. Hundley. For failing to attend in their places on the Petit Jury.

1 Nancy M. Tanner, Mary C. Tanner, Catherine C. Tanner, and George R. Tanner, Infant Heirs of Susan C. Tanner and of Joseph R. Tanner, by their Guardian, James R. Tanner, — Plaintiffs

134 vs.

Philip Claiborne, Williamson S. Oldham, Clement A. Oatman and John Oatman — Defendants.

And now on this day came the Plaintiffs by their Guardian and the Defendants by their Attorneys; And thereupon came a Jury, to wit: L. A. Wacks, Leander Brown, Hugh Finnin, Abner A. Cook, John R. Wooldridge, R. W. Johnson, Alexander Cains, Benjamin Choate, James C. Tanner, Joseph Warren, Pierce M. Riley and James Gibson twelve good and lawful men, who being duly elected, tried and sworn, after hearing the evidence, the arguments of counsel, and the charge of the Court, retired to consider of their verdict; and after some time spent in deliberating thereon, returned the following verdict, to wit:

"We find the Land purchased by Mrs. Tanner,
" on the 6th day of May, A.D. 1841.
"That the sum of Twenty-Two Hundred Dollars
" was paid for the Land.
"That the Negro Boy Fred and a yoke of
" Oxen was paid in discharge of the aforesaid sum of
" Twenty-Two Hundred Dollars.

Fall Term, Wednesday, Nov. 8th A.D. 1854.

"That the aforesaid Negro Boy Fred, was the sepa-
" rate property of Mrs. Susan C. Tanner, and the Yoke of Oxen
" was community Property.
" We find the Sum of Five Hundred and Twenty
" Dollars was due upon the Land purchased, the evidence of such
" indebtedness being found in the Note given by Joseph R.
" Tanner to Wm. Wallace & A. C. & Co. Freeman."

And the Court proceeding to decree upon the said verdict, the Readings and Evidence in the Cause, whereby it appears that on the 12th day of May, A. D. 1841, the Land in Controversy was conveyed by James A. Hayne to the said Susan C. Tanner, by Deed of Conveyance of that date, and that said Land is situated on the West side of the Colorado River in the County of Travis aforesaid, containing Six Hundred Acres, and described as follows: to wit: Beginning at a Stake on the Colorado River, the same being the South East corner of a Tract of Land conveyed by John Caldwell to James A. Hayne, on the 31st day of March, A. D. 1841, Thence South 30° W. 9128 varas to a Stake; Thence South 60° E. 374 varas to a Stake; Thence North 30° E. 9128 varas to a Stake on the bank of the Colorado River; Thence up said River to the place of beginning. That the whole price paid and agreed to be paid for said land was Two Thousand Seven Hundred and Twenty Dollars, of which there was paid with the Negro Boy Fred, the separate Property of the Wife, Two Thousand and Fifty-Three Dollars Thirty-Three and One Third Cents, and with a Yoke of Oxen, the community property of the said Joseph R. and Susan C. Tanner, the sum of One Hundred and Forty-Six Dollars Sixty-Six and Two Third Cents; And that the said Joseph R. Tanner executed his Note, which was binding upon the community Property for Five Hundred and Twenty Dollars whereby it appears that the said Land cost the sum of Four Dollars Fifty-Three Cents and Three Mills per Acre, making the separate interest of the said Susan C. Tanner in said Tract of Land equal to Four Hundred and Fifty-Two Acres and Four Sixths of an Acre; And the community interest equal to One Hundred and Forty-Seven Acres and Five Sixths of an Acre; And that upon the death of the said Susan C. Tanner, there descended to the said Plaintiffs, as Tenants in common, her said separate interest, and one undivided half of the said community interest (subject, however to the payment of the said community debt of Five Hundred and Twenty Dollars, the interest and costs thereon,) which together made the interest of the said heirs equal to Five Hundred and Twenty-Six Acres and One Sixth

Full Term. Wednesday Nov. 8th A.D. 1854.

of an Acre, leaving to the said Joseph R. Tanner an undivided interest of Seventy-Three Acres and Five-Sixths of an Acre. And it being proven that the said Note was sued to Judgment on the 5th day of April A.D. 1843, amounting to Six Hundred and Ten Dollars Thirteen and One Third Cents, which Judgment was afterwards revived and Execution issued thereon on the 11th day of April, A.D. 1849, (and after the death of the said Susan C. Tanner) against the said Joseph R. Tanner, for the sum of Nine Hundred and Forty-One Dollars and Twenty-Five Cents, Principal and Interest, besides costs which Execution was levied upon the said Land, and under which the whole of said Land was sold, on the 22nd day of July, A.D. 1850 for the sum of Nine Hundred Dollars; And that the said Philip Claiborne, and Williamson F. Oldham became the Purchasers thereof, and on the same day and year received the Sheriffs deed therefor; And that they afterwards Conveyed the same to the said Clement A. and John Tatman.

It therefore appears to the Court that the said Plaintiffs are entitled to an undivided interest of Five Hundred and Twenty-Six and One Sixth Acres in said Tract of Land, upon their paying into Court here, within ninety days from the date of this Decree, the One Half of the full amount of the Principal, interest and costs of said Execution; And that the Defendants, the said Clement A. and John Tatman are, as Tenants in common, entitled to an undivided interest in Seventy-Three Acres and Five-Sixths of an Acre of said Land.

Whereupon, It is ordered, adjudged and decreed that Joseph Rowe, William Ballingall and Wm. A. Hutchins citizens of said County, be appointed Commissioners, whose duty it shall be To go to, around and over said Land, and make impartial Partition thereof, according to quantity and quality, assigning to the said Plaintiffs an interest equal to Five Hundred and Twenty-Six and One-Sixth Acres, and to the said Tatmans an interest equal to Seventy-Three and Five-Sixth Acres. And that if the said Plaintiffs shall, within the Ninety days aforesaid, pay into Court here the One-Half of said Execution, then the Clerk shall issue his Writ of Partition directed to the said Commissioners, for the execution of this Decree, directing them to report their Proceedings to the next Term of this Court.

It is further ordered, adjudged and decreed, that if the Defendants shall file in Court here a Quit Claim Release, unto said Plaintiffs, of all their right, title, interest and claim in and to said Land, Then the Plaintiffs shall, within ninety days, thereafter, pay into Court here the full amount //

Fall Term, Wednesday, Nov. 8th A. D. 1854.

of the Principal, Interest and Costs of the said Execution; or in case of their failure to do so, if such release shall be filed, then the Clerk shall issue an Execution for the said Sum of Nine Hundred and Forty-One Dollars, Twenty-Five Cents, Together with all interest and costs thereon since the 11th day of April, A. D. 1849, directing the Sheriff to Sell said Land or so much thereof as shall be necessary to pay said sum, interest and costs, Together with the costs of Execution and sale.

It is further ordered, adjudged and decreed, that the Plaintiff recover of the Defendants Seven-Eighths of the Costs up to this time, expended in this cause; And that the Defendants recover of the Plaintiff, to be paid by their Guardian, One Eighth of such costs up to this time expended.

And Thereupon, It is ordered by the Court that Court do now adjourn until Thursday Morning, November the Ninth, A. D 1854.

Travis County, Thursday, Nov. 9th A.D. 1854.

Thursday Morning, November The Ninth, Anno Domini One Thousand Eight Hundred and Fifty-Four.

Court convened at Nine O'Clock, A.M. pursuant to adjournment. Whereupon the following Proceedings were had by said Court, as follows to wit:

Edward A. Pierson, Administrator with the will annexed of the Estate of Albert Pilsby, Deceased, — Plaintiffs

vs.

2116 Giles A. Burdett, William Oliver, Oliver Mays. — Defendants.

Archibald Pilse, Howard Pilsbe, P. C. McGonigal — Intervenors.

And now at this day come the Parties, Edward A. Pierson, Administrator of Albert Pilsbe, Deceased, and Giles A. Burdett, William Oliver, Oliver and Mays, to the above entitled cause, by their Attorneys; And also the Intervenors, Archibald Pilsbe, and Howard Pilsbe, and the Intervenor P. C. McGonigal, each by their Attorneys, And a Jury being waived, and the cause submitted to the Court, And the Demurrers and Exceptions being disposed of by said Court, and the cause coming on to be heard, And the Pleadings, the Evidence, and the Arguments of Counsel, thereon being heard, And it appearing to the Court that the matters and things set forth in said Plaintiffs Petition are True,

Therefore, It is considered by the Court that the said Plaintiff, Edward A. Pierson, as Administrator of Albert Pilsbe, Deceased, do have and recover of the said Giles A. Burdett, the Land in said Plaintiffs Petition described, and set forth as follows:

One Third of a League of Land situated in Travis County, on Walnut Creek, East of the Colorado River, Beginning at a Stake on the North Boundary line of Tannehill's League, 715 varas from the North East corner where the line of said League crosses Walnut creek, from which a Pecan bears N. 50° E. 4 Varas. Thence N. 60° W. 1050 varas to a corner at a Stone mound. Thence N. 30° E. 700 varas to a corner at a stone mound. Thence

Fall Term, Thursday, Nov. 9th A. D. 1854.

N. 60° W. 2078 varas to a corner, Thence S. 30° W. 2900 varas to a Stake, and mound. Thence S. 60° E. 3128 varas to the place of beginning

And it is further ordered, that a Writ of Possession issue, commanding the Sheriff of Travis County to put the said Plaintiff, Edward A. Pearson, Administrator as aforesaid, in Possession of the Land and Premises as above described.

It is further ordered that the said Plaintiff do have and recover of the said Defendants all his costs and expenses in this Suit expended; And further, that the said Defendants, do have and recover his costs expended on behalf of the said Intervenors, Archibald Fisher and Howard Fisher, and the Intervenor J. C. McGuire, for all which Executions may issue &c

And Thereupon said Defendants and Intervenors by their Attorneys, gave notice in open Court of their intention to appeal said cause to the Supreme Court.

And Thereupon, It is ordered by the Court that Court do now adjourn until Friday Morning December the Tenth, Anno Domini One Thousand Eight Hundred and Fifty-Four

Fall Term, Friday, Nov. 10th A. D. 1854.

Friday Morning, November the Tenth. Anno Domini One Thousand Eight Hundred and Fifty-Four.

Court convened at Nine o'clock A. M. pursuant to adjournment. Whereupon the following Proceedings were had by said Court, as follows to wit.

448. William A. McGehee Guardian, &c. Plaintiff
vs.
John W. Phillips and others Defendants.

And now on this day come the parties by their Attorneys, and the Judge of this Court having recused himself upon the ground that he is related by consanguinity to the said Defendant Linda J. Nichols, the Parties agreed that A. J. Young Esq. a person learned in the law should sit as Special Judge in this cause. And it appearing from the pleadings in the cause that an examination of accounts and the investigation of vouchers is necessary, the Court by consent, determined to appoint an Auditor to examine and state the accounts. And thereupon came the parties, and by consent, agreed upon the following orders, viz:

In the above entitled cause, It is ordered by the agreement of parties, that the said cause be submitted to John F. Costa as Auditor, to determine the following issues, and to take and return proof on all contested points of difference between the Parties:

1st When and where did Charles L. McGehee die?
2d Of what Property was he owner at the time of his death as his own separate Property?
3d What Property did he own in common with his children, Mary, Charles L. and Sarah; and when and where, and with what funds was the same acquired, and to what of his, Charles L. McGehees debts was it subject?
4th What Property did said children own as their separate Property? And from when and where did they derive title, And to what debts of their deceased ancestors was it subject?
5th What Property did said deceased own in partnership with Linda J. Nichols; And what amount of interest

did said Nichols have therein, And to what debts, and charges and expenses was it subject? And what portion of the expenses of administration should it bear? And what are the evidences of Nichols interest?

5th That Property, if any, did said Martha Phillips take possession of and appropriate to her own use after the death of the deceased which belonged to him at the time of his death? And under what circumstances and by what authority?

6th To audit the individual account of Linda J. Nichols with said estate, having reference also to the 5th item

7th To audit the account of the Administrator, James A. Gillespie and D. J. Nichols with said estate, showing fully all assets which have come to their hands, and on what account it has been paid?

8th That separate Property of said children did Charles E. McGehee sell in his lifetime, if any and what was its value? And to what charges was it subject when sold either for community debts or expenses of maintenance?

9th That will of his Property did the said deceased make, if any? And what was the full value of his estate at the time, subject to and independent of his debts?

10th That said Auditor make a full Tableau or Exhibit of all debts allowed against said succession, giving dates, amounts, interest, and, as far as possible, the consideration of the indebtedness, and distinguishing between those which are community debts with either of his wives; and those which were contracted while he was single? And showing payments and balances due?

12th That he state an account between said C. E. McGehee and his children, since the death of their mother, including therein support and maintenance?

The said Court shall have power to call before him, and examine the Parties, and any other witnesses necessary to a correct decision of the above issues, and to file his report thereon during this Term of the District Court, if practicable. And it is agreed that after the Report of said Auditor, the parties respectively have the right to amend their pleadings.

The Auditor shall report the evidence upon the respective issues, as well as his conclusions; but his conclusions shall not bar any legal question; but the Parties respectively shall have the right to present any issue of law or fact by exceptions.

R. J. Downes District
Judge

1

Fall Term, Friday, Nov. 10th A.D. 1854.

John Harper vs. Rhoda Harper — Plaintiff — Defendant — Divorce.

Answer

And on this day comes the Plaintiff by his Attorney, and the Defendant having been duly served with the process, failed to appear and answer said Petition within the time required by law; And thereupon the Court appointed Edward R. Peck, an Attorney of this Court, to represent her; and the issue being made up the case was submitted to a Jury, to wit: James M. Riley, Martin James, Geo. W. Glasscock, R. H. Page, L. H. Packer, Thomas Ward, Thos. Ward, A. McDonald, Patrick A. Monroe, William Ainsworth, James T. McInvin, Charles Riepenhoff, John Stanley, Freeholders and Lawful men of the County of Travis, who being duly sworn in the manner prescribed by law, and having heard the evidence, 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 the allegation of Adultery, as charged by the Plaintiff established by the proof.

J. M. Glasscock, Foreman."

It is therefore Ordered, Adjudged and Decreed by the Court, that the Bonds of Matrimony entered into by and between the said John Harper and Rhoda Harper, formerly Rhoda Rose, be and is hereby annulled, set aside and held for naught; And that the said John Harper be and is hereby restored to all the rights and privileges of a single man.

And it is further Ordered Adjudged and Decreed by the Court, that said Defendant have and recover of and from the said Plaintiff, all the costs in this behalf laid out and expended, for which Execution may issue.

271

Lemuel Sims, Admr of A. F. Sims, Decd — Plaintiff — Mandamus

vs.

Wm. Phillips and James E. Gillett, Adjutant General — Defendants — Judgment.

And now at this day comes the Plaintiff, Lemuel Sims, Administrator of the estate of A. F. Sims, Deceased, by his Attorneys; And the said

Fall Term, Friday, Nov. 10th A.D. 1854.

James S. Sweet, Adjutant-General, having duly returned into Court certified copies of all the Papers in his office as required by Plaintiffs Petition. And it appearing to the Court that just and legal notice had been perfected upon the said Defendant, Mose Phillips, and that the requisites of the Law concerning Suits against non-residents, by publication had been complied with, and the said Phillips appears not, but makes default. And the cause coming on to be heard, And a Jury of lawful and good men, to wit: James H. Riley, Martin James, George W. Glasscock, E. A. Page, L. A. Pickett, Thomas Wood Ward, S. McDonald, Patrick A. Monroe, William Ainsworth, James T. McLaurin, Charles Richardson and John Tracy, being duly empannelled and sworn, And the Pleadings, the Evidence, the Argument of Counsel, and the Charge of the Court, all being heard, retired to consider of their verdict, And returned into Court the following Verdict, to wit:

"We, the Jury, find for the Plaintiff. G. W. Glasscock, Foreman."

And thereupon, It appearing to the Court that the allegations in Plaintiffs Petition and Amended Petition are true,

It is therefore Ordered, Adjudged and Decreed, that the Patent heretofore issued from the General Land Office for Six Hundred and Forty Acres of Land, surveyed by virtue of Bounty Warrant No. 2117, issued by William S. Cook, Adjutant General, to Jacob De Cordova, as assigned to said B. F. Shivers, Deceased, on the 8th day of May 1847, said Patent on said Certificate being issued to said Mose Phillips as assignee aforesaid, located on a Tract of Land in the said County of Travis, known as Survey No. 531, lying 20 miles West of the City of Austin, lying on the Waters of Spring Creek. That the said Patent, as above discribed, be cancelled and declared Null and Void.

It is further Ordered, Adjudged and Decreed, That a Writ of Mandamus do issue, commanding the said Gilbert to issue to the said Lambert Shivers, as Administrator, the said Duplicate Certificate for Six Hundred and Forty Acres of Land, as prayed for in said Plaintiffs Petition.

It is further ordered, that the Clerk do file the Statement of the Facts in this cause among the papers thereof.

It is further ordered, That the costs of this Suit be paid by Plaintiff, for which Execution may issue &c.

And thereupon, It is ordered that Court do now adjourn until Saturday Morning, November the 11th with Anno Domini One Thousand Eight Hundred and Fifty-Four.

Old Term, Saturday, Nov. 11th A.D. 1854.

Saturday Morning, November the Eleventh, Anno Domini, One Thousand Eight Hundred and Fifty-Four.

Court convened at Nine O'Clock A.M. pursuant to adjournment. Whereupon the following Proceedings were had by said Court as follows, to Wit:

393. William A. Fowler, for the use &c. vs. Henry F. Brewster — Plaintiff. Defendant. — Judgment.

And now on this day came the Parties to the above entitled cause by their Attorneys and a Jury being waived, submitted the cause to the Court.

And thereupon the Court decreed that the Plaintiff, William A. Fowler, for the use of D. J. Willis, do have and recover of the Defendant, Henry F. Brewster, according to the prayer of his said Petition, after allowing the offsets recited in Defendants answer.

It is therefore Ordered, Adjudged and Decreed by the Court that the Plaintiff, William A. Fowler, for the use of D. J. Willis, do have and recover of the Defendant, Henry F. Brewster, the sum of Two Hundred and Eighty-Six Dollars and Eighty-Two Cents, the amount of his principal debt and interest up to the date of the rendition of this Judgment with interest thereon at the rate of eight per cent. per annum until satisfied, Together with all costs in this behalf laid out and expended, and that execution issue therefor

452. Sims and Smith — Plaintiffs. vs. Walton and Walton — Defendants. — Debt on Note.

And now on this day comes the plaintiffs to the above entitled cause by Attorneys; and moves the Court for leave to file an amended Petition. And thereupon, It is ordered by the Court that the Plaintiffs herein have leave to amend.

Fall Term, Saturday, Nov. 11th A.D. 1854.

315 John B. Banks Plaintiff
vs
Lucilla I. Nichols & Arthur I. Lott. Defendants. Def'd.

And now on this day comes the Plaintiff by his Attorneys, T. J. Hudson and William Bora, and the said Defendants by their Attorneys, S. C. Blanton and W. L. Graham, And the Judge of this Court having recused himself upon the ground that he is related by consanguinity to the said defendant, Lucilla I. Nichols, the parties agreed that John B. Costa an attorney of this Court, should sit as Special Judge in this cause.

And the said Costa having Taken his seat as such, the Defendants, by their said Attorneys, confessed and agreed that Judgment be rendered against said Defendants by the Court, without the intervention of a Jury, for the amount claimed by said Plaintiff in his Petition in this cause, and that execution be stayed on said Judgment until the first of February, 1855,

And it appearing to the Court, that the claim sued on is founded on a Bill of Exchange, drawn by said Nichols on the 10th of January, 1854, in favor of said Lott, for the sum of Four Hundred Dollars on A. L. Cook, and by said Lott endorsed to said Plaintiff, which gives to the Court sufficient evidence, in addition to said confession, and the agreement of indebtedness of the said Defendants.

It is therefore considered, adjudged and decreed by the Court, that the said Plaintiff, have and recover of and from the said Defendants the sum of Four Hundred and Twenty Six Dollars for his debt and interest due on said Bill of Exchange, Together with all of his costs in this behalf laid out and expended; And that execution be and is hereby stayed on this Judgment until the first day of February A. D. 1855.

134 Joseph R. Tunno, Guardian, &c Plaintiff
vs. For Land.
Philip Claiborne, et. als. Defendants.

And now on this day come the Parties to the above entitled cause by Attorneys, And the motion for a new trial coming on to be heard, heretofore filed by Defendants, The Court doth order, adjudge and decree that said motion be overruled, And thereupon said Defendants in open Court, give notice of an appeal to the Supreme Court.

Tuesday Term, Saturday, Nov. 11th A.D. 1854.

351 E. A. Bousfield Surviving Partner, &c. Plaintiff
vs.
G. B. Moore & Company Defendants

And now on this day come the Parties to the above entitled cause by Attorneys; And the Court considering the motion heretofore filed in this cause for a new trial, Doth order and decree that the same be overruled. And thereupon said Defendants in open Court give notice of an appeal to the Supreme Court.

350 Klein & Kirchner Plaintiffs
vs.
G. B. Moore & Co. Defendants.

And now on this day come the Parties to the above entitled cause by Attorneys; and the motion heretofore filed in this cause coming on to be heard the Court doth order and decree that said motion be overruled. And thereupon said Defendants in open Court, give notice of an appeal to the Supreme Court

131 Wm. H. Miller Plaintiff
vs. Fi. Fa. From Lot.
Abner H. Cook Defendant

In this cause, the Court doth order, adjudge and decree, that a motion heretofore filed for a new trial, be and the same is hereby overruled.

313 O. L. Mathews Plaintiff
vs. Damages
Charles K. Linn Defendant

And now on this day come the parties to the above entitled cause by their Attorneys, and the Court considering the motion heretofore filed in said cause for a new trial, Doth order adjudge and decree that the same be overruled. And thereupon said Defendant in open Court gives notice of an appeal to the Supreme Court.

311 Perry Hamphries Plaintiff Recovery
vs. of a
Sherman Case Defendant. Force.

And now come the parties to this cause by attorneys; And the Court considering the motion heretofore filed in said cause for a new trial, Doth order adjudge and

Fall Term, Saturday, Nov. 11th A.D. 1854.

decree that the same be arrested. And thereupon said Defendant, by attorneys, gives notice of an appeal to the Supreme Court.

324 John Harper Plaintiff
vs. Divorce.
Rhoda Harper Defendant.

In this cause, It is ordered, adjudged and decreed by the Court, that a motion heretofore filed herein, be and is hereby overruled.

And thereupon, It is ordered that Court do now adjourn until Monday Morning, November the twelfth, A.D. 1854

Monday Morning, November the Twelfth, Anno Domini 1854

Court convened at Nine O'clock, A.M. pursuant to adjournment, Whereupon the following proceedings were had by said Court, as follows, to wit:

524 Mary C. Pitt Plaintiff.
vs. Divorce
Thomas J. Pitt Defendant

And now on this day comes the said Mary C. Pitt by her Attorneys, Sneed & Trenet, and also comes the said Defendant by A. J. Hamilton, Esq. motion of the said Attorneys for the said Plaintiff, It is ordered, adjudged and decreed that the said defendant pay to the Clerk of this Court, subject to the order of the said plaintiff, the sum of Twenty Five Dollars per month, for the support and maintenance of the said Plaintiff during the pendency of this suit, that said sum be paid quarterly or once in three months reckoning from the date of this order, And it is further ordered and decreed that in case the said sum or any part thereof shall remain in arrear or unpaid at the time the same shall become due, that the said Plaintiff have execution therefor, as upon Judgment at law.

Fall Term Monday Nov. 13th 1854.

414 George Hancock Plaintiff Debt on Note
vs.
Samuel K. Jennings Jr Defendant

And now on this day comes the Plaintiff in this cause by his Attorney T. J. Andrews, and the Defendant by his Attorney Mr. F. Meshaw, And the Judge of this Court having recused himself upon the ground that he is related to the Plaintiff, George Hancock, by consanguinity, the parties agreed that John B. Costa, an Attorney of this Court, should sit as Special Judge in this cause; And the said Costa having taken his seat as such, the defendant by his said Attorney confessed and agreed that Judgment be rendered against said Defendant by the Court without the intervention of a Jury for the amount claimed by said Plaintiff in his Petition in this cause

And it appearing to the Court that the cause of action is liquidated and proved by an instrument of writing. It is considered, ordered, adjudged and decreed that the Plaintiff, George Hancock, do have and recover of the Defendant Samuel K. Jennings Jr. the sum of Six Hundred and Nineteen Dollars and Ninety-Eight cents, the amount of his principal debt and interest up to this date, with interest thereon at the rate of twelve per cent per annum until paid together with all costs in this behalf laid out and expended, and that execution issue therefor.

359 Wiley R. Riding Plaintiff
vs. Judgment
Jane C. Tyson et al. Defendants

And now on this day come the parties to the above entitled cause by their Attorneys and the parties waiving a Jury submitted the cause to the Court. After the argument of counsel, the Court found and a Judgment for the Defendants. And thereupon, It is considered, adjudged and decreed by the Court that the Plaintiff Wiley R. Riding take nothing by his suit, and that the Defendants, Jane C. Tyson go hence without day.

It is further ordered, adjudged and decreed that the Defendants have and recover of the Plaintiff all costs in this behalf laid out and expended, for which execution may issue. And thereupon the Plaintiff by attorney, gave notice in open Court, of an appeal to the Supreme Court—

Fall Term Monday Nov. 13th A.D. 1854

	The State of Texas vs. Juan Jose Gonzales	Plaintiff Defendant	Larceny	
135	The State of Texas vs. William Finley	Plaintiff Defendant	Living in Fornication	
139	The State of Texas vs. Henry W. Sadler	Plaintiff Defendant	Assault and Battery	
140	The State of Texas vs. Josephus Cowan	Plaintiff Defendant	Malicious Mischief.	
141	The State of Texas vs. Josephus Cowan	Plaintiff Defendant	Malicious Mischief	
145	The State of Texas vs. Solon Owen	Plaintiff Defendant	Larceny	
148	The State of Texas vs. M. M. Parkerson	Plaintiff Defendant	Assault and Battery	
148	The State of Texas vs. John H. Cowan	Plaintiff Defendant	Betting at a Monte Bank	
241	The State of Texas vs. David F. Crosby	Plaintiff Defendant		
251	The State of Texas vs. Robt. Powon.	Plaintiff Defendant		

And now on this day comes the District Attorney and enters a Nolle Prosequi in the above and foregoing ten cases. And thereupon It is ordered by the Court that the said Defendants go hence without day /

Fall Term, Monday, Nov. 13th 1854

255	The State of Texas vs Charles Reinstraw	Plaintiff / Defendant	Assault
254	The State of Texas vs Isaac Gibson	Plaintiff / Defendant	Assault with intent to Kill
214	The State of Texas vs Wm R. Taylor.	Plaintiff / Defendant	Betting at Cards
219	The State of Texas vs Robt Caruss	Plaintiff / Defendant	Betting at Cards
280	The State of Texas vs S. F. Parks	Plaintiff / Defendant	Betting at Cards.
284	The State of Texas vs Jack Robertson	Plaintiff / Defendant	Betting at Cards
289	The State of Texas vs James Dickens	Plaintiff / Defendant	Betting at Cards.
307	The State of Texas vs William F. Weeks	Plaintiff / Defendant	Betting at Cards
319	The State of Texas vs William C Young.	Plaintiff / Defendant.	Betting at Cards
311	The State of Texas vs Ironbridge Ward	Plaintiff / Defendant	Betting at Cards.

And now on this day comes the District Attorney, A. H. Chalmers, who prosecutes for the State, and enters a Nolle Prosequi in the foregoing Ten Cases. And thereupon, It is ordered by the Court that said Defendants go hence without day.

Fall Term, Monday, Nov. 13th A.D. 1854.

✓ 312 The State of Texas vs. Wm. F. Kirk — Plaintiff — Defendant — Betting at Faro.

✓ 314 The State of Texas vs. Charles Stutenveland — Plaintiff — Defendant — Betting at Faro

District Attorney A. H. Chalmers and on this day comes the the State, and enters a State Prosecuting the foregoing two cases. And Thereupon, It is ordered by the Court, that the said defendants go hence without day.

✓ 143 The State of Texas vs. M. Needham — Plaintiff — Defendant — Murder.

✓ 152 The State of Texas vs. C. C. Hawkins — Plaintiff — Defendant — Larceny

✓ 153 The State of Texas vs. R. L. Thompson — Plaintiff — Defendant — Murder

✓ 181 The State of Texas vs. W. H. W. Jones — Plaintiff — Defendant — Playing Cards

✓ 182 The State of Texas vs. W. H. W. Jones — Plaintiff — Defendant — Betting at Faro Bank

✓ 183 The State of Texas vs. Simon Kosley — Plaintiff — Defendant — Betting at Faro Bank

✓ 184 The State of Texas vs. Simon Kosley — Plaintiff — Defendant — Exhibiting a Faro Bank

In the above and foregoing seven cases It is ordered by the Court that the same be continued, and that Alias Capias issue in each case, returnable to the next Term of this Court.

Fall Term, Monday, Nov. 13th 1854

198	The State of Texas vs. P. O. Davis	Plaintiff's Defendant.	Betting at
211	The State of Texas vs. Ironbridge Ward	Plaintiff's Defendant.	Betting at Monte
242	The State of Texas vs. Stanley Autry	Plaintiff's Defendant	Dealing Faro
302	The State of Texas vs. George Faro	Plaintiff's Defendant.	Horse Stealing
303	The State of Texas vs. George Faro.	Plaintiff's Defendant	Arson Larceny

On the above and foregoing five causes It is ordered by the Court that the same be continued and that Alias Capias issue to each of said Defendants returnable to the next Term of this Court.

215	The State of Texas vs. Antonio Menchaca	Plaintiff's Defendant	Betting at Faro

In this cause It is ordered by the Court that alias Capias issue to Bexar County for the Defendant.

244	The State of Texas vs. O. Fennell	Plaintiff's Defendant.	Dealing Monte

In the above cause It is ordered by the Court that the same be continued, and that Alias Capias issue to said Defendant returnable to the next Term of this Court.

Fall Term, Monday, Nov. 13th A.D. 1854.

✓ 5	The State of Texas vs Joshua Haldon	Plaintiff Defendant		Murder
✓ 111	The State of Texas vs Amon Jackson	Plaintiff Defendant		Murder
✓ 131	The State of Texas vs. Amon I. Snider	Plaintiff Defendant		Forgery
✓ 132	The State of Texas vs. Blake Thompson	Plaintiff Defendant		Account with intent to Steal
✓ 140	The State of Texas vs. C. C. Travelstead	Plaintiff Defendant		Larceny
✓ 141	The State of Texas vs C. C. Travelstead	Plaintiff Defendant		Larceny
✓ 294	The State of Texas vs. John Stone	Plaintiff Defendant		Betting at Rondo
✓ 295	The State of Texas vs. P. Prichard	Plaintiff Defendant		Betting at Rondo
✓ 306	The State of Texas vs James Prevatt	Plaintiff Defendant		Betting at Rondo
313 ✓	The State of Texas vs R. Jackson.	Plaintiff Defendant		Betting at Rondo

On the above and foregoing cause It is ordered by the Court that the same be continued until the next Term of this Court.

Fall Term, Monday, Nov. 13th A.D. 1854.

222 The State of Texas vs Simeon W. Burden — Plaintiff / Defendant — Assault with a deadly weapon.

And now on this day came the Plaintiff in this cause by the District Attorney, and also the defendant in proper person and by attorney; And thereupon the said parties announced themselves ready to proceed to the trial of said cause. And thereupon the said Defendant was arraigned and pleaded guilty to the Indictment and the allegations therein contained Whereupon came a Jury to wit. James W. Riley Wm T. Pannan R. A. Page, L. A Pickett, Thomas W. Ward, A. McDonald, D. T. McLaurin, Wm C Armstrong, John Forbis. D W. Degnan, J. B. Simson, George Saunders Twelve good and lawful men of the County of Travis, who being duly elected, empannelled and sworn to try said cause, And after hearing the evidence in the cause and the argument of Counsel thereon, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit." We, the Jury, find the Defendant guilty of Assault and Battery, and assess him at $20. Thomas W. Ward, Foreman.

It is therefore considered ordered, adjudged and decreed, that the said State of Texas do have and recover of the Defendant, Simeon W. Burden, the sum of Twenty Dollars the amount of fine so assessed by the Jury, with all costs of this suit had and expended And it is further ordered that the said defendant remain remain in the custody of the Sheriff until said fine and costs are paid

228 The State of Texas vs John H Conner — Plaintiff / Defendant — Playing Poker.

And now on this day came the parties to the above entitled cause by attorneys, And thereupon the said parties announced themselves ready to proceed to the trial of said cause. And thereupon the said Defendant was arraigned and plead guilty to the Indictment and the allegations therein contained. Whereupon came a Jury, to wit: I. H. Cockand eleven others,

Fall Term, Monday, Nov. 13th A.D. 1854

twelve good and lawful men of Travis County, who being duly elected and impannelled to try said cause, after hearing the evidence and the argument of counsel, retired under the charge of the Court to consider of their verdict: And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine ten dollars. J. H. Locke Foreman.

It is therefore ordered adjudged and decreed, that the said State of Texas do recover of the defendant, John H. Oldham, the sum of Ten Dollars the amount of the verdict of the Jury aforesaid, together with all costs in said cause expended. And it is further ordered that the said defendant remain in the custody of the Sheriff until said fine and costs are paid

304 ✓ The State of Texas as Plaintiff vs John H. Oldham as Defendant } Betting at Cards

And now on this day comes the Plaintiff by A. H. Oldham District Attorney, and the Defendant also by Attorney

And thereupon the said parties announced themselves ready to proceed to the trial of said cause. And thereupon the said Defendant was arraigned and plead guilty to the Indictment and the allegations therein contained. Whereupon came a Jury, to wit: Green Adkins, Augustus M. Lawrence, Henry N. Burdett, N. W. Burdett, Robert Mays, Byj. W. Shaw, Jenkins Davis, Thomas Stanley, John H. Locke, Jasper Warren, Augustus Forrand, John H. Stanley, twelve good and lawful men of the County of Travis, who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and the argument of Counsel retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit "We the Jury assess the fine ten dollars. J. H. Locke, Foreman

It is therefore ordered, adjudged and decreed by the Court, that the said State of Texas do have and recover of the Defendant, the sum of Ten Dollars, the amount of the Fine assessed by the Jury, with all the costs in this suit expended; And it is further ordered by the Court that the said defendant remain in the custody of the Sheriff until said fine and costs are paid

Fall Term, Monday Nov. 13th A.D. 1854

318 The State of Texas vs. James H. Scott — Plaintiff — Defendant — Betting at Keno

And now on this day comes the Plaintiff by the District Attorney; and the Defendant also by Attorney; And thereupon the said parties announced themselves ready to proceed to the trial of said cause. And thereupon the said Defendant was arraigned and plead guilty to the Indictment and the allegations therein contained. Whereupon came a Jury to wit Owen Adkins, A. McLamin, Henry N. Burdett, N. W. Burdett, Robert Mayo, Benjamin W. Shaw, Jenkin Davis, Thomas Stanley, John H. Locke, Joseph Warren, Augustus Fore and D. H. Stanley twelve good and lawful men of the County of Travis who being duly elected, empannelled and sworn to try said cause, after the evidence and the argument of Counsel retired under the charge of the Court to consider of their verdict, And thereupon said Jury returned into Court the following verdict to wit "We the Jury assess the fine two dollars. D. H. Locke, Foreman."

It is therefore ordered, adjudged and decreed, by the Court, that the said Plaintiff do have and recover of the Defendant, James H. Scott, the sum of Ten Dollars the amount of the fine assessed by the Jury as aforesaid, together with all of the costs in this suit expended, and that said Defendant remain in the custody of the Sheriff until said fine and costs are paid

356 The State of Texas vs. Horace L. Upshaw — Plaintiff — Defendant — Betting at Keno

And now on this day comes the Plaintiff, by the District Attorney, Alexander H. Chalmers, who prosecutes for the State and the said Defendant also by Attorney. And thereupon said parties announced themselves ready to proceed to the trial of said cause. And thereupon the said Defendant was arraigned and plead guilty to the Indictment and the allegations therein contained. Whereupon came a Jury to wit: Owen Adkins, A McLamin, H. N. Burdett, N. W. Burdett, R. Mayo, B. W. Shaw, Jenkin Davis, Thomas Stanley, John H. Locke, Joseph Warren, Augustus Fore and D. H. Stanley, — Twelve good and lawful men of

Fall Term, Monday, Nov. 13th A.D. 1854

the County of Travis who being duly elected, empannelled and sworn to try said cause; after hearing the evidence in the cause and the argument of Counsel thereon, which under the charge of the Court, to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury assess the fine ten dollars. S. H. Locke, Foreman."

It is therefore considered, ordered, adjudged and decreed that the said State of Texas do have and recover of the Defendant, Anna L. Upshaw, the sum of Ten Dollars the amount of the fine assessed by the Jury aforesaid for which with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

315 / The State of Texas vs. Jury Summons, et. al. — Plaintiff — Defendants — Summons

In this cause, It is ordered by the Court that a Special Venire issue instanter, commanding the Sheriff to summon Thirty Six Jurors, to be in attendance on Thursday Morning, November the Sixteenth, A. D. 1854.

122 / The State of Texas vs. Abraham Allen — Plaintiff — Defendant — Assault and Battery

232 / The State of Texas vs. Michael Dunin — Plaintiff — Defendant — Assault and Battery

In the above two cases, The Defendants of the Defendants was suggested to the Court, and thereupon It is ordered by the Court that said causes stand

215 / The State of Texas vs. Antonio Manchaca — Plaintiff — Defendant — Betting at Faro

And now on this day come the Plaintiff to this cause by the District Attorney who prosecutes for the State; and the said defendant, Antonio Manchaca, being three times solemnly called, came not, but made default. And it appearing to the Satisfaction of the

Fall Term, Monday, Nov. 13th A.D. 1854

Court here doth the said defendant, Antonio Manchaca, who signs his name Antonio Menchaca, as principal, with J. M. Rodriguez, who signs his name J. M. Rodriguez and G. Anto. G. Navarro, who signs his name G. Anto. G. Navarro, had executed their joint and several bond payable unto the State of Texas in the sum of One hundred Dollars dated the 28th day of August, A. D. 1854 conditioned that the said defendant, Antonio Manchaca, make his personal appearance before the Honorable District Court for said County of Travis, to be begun and holden at the Courthouse thereof in the City of Austin, on the eighth Monday after the first Monday in September, A.D. 1854, then and there to answer an indictment pefered against him by the Grand Juors of the said County of Travis at the Spring Term of the District Court. A.D. 1853 for "Exhibiting Monte". And that he then remain from day to day and from term to term of said Court, and that he do not depart the Court without leave, And the said Antonio Manchaca being three times solemnly called again, and required to come into Court and answer said charge, which he wholly failed to do. And the said sureties being also three time solemnly called and required to bring with them into Court the body of the said Antonio Menchaca 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, Antonio Manchaca, and the said J. M. Rodriguez and the said J. Anto. G. Navarro, be and the same is hereby forfeited; And that the said State of Texas do have and recover of and from them jointly and severally, the sum of One Hundred Dollars the amount of their said Bond. And that Scire Facias do issue to them jointly and severally returnable to the next Term of this Court, commanding them then and there to appear and show cause, if any they may have, why this Judgment should not be made final against them as aforesaid

Fall Term, Monday, Nov. 13th A.D. 1854.

944

The State of Texas } Plaintiff
vs. } Judgment nisi
Edward Bennett. } Defendant

And now on this day comes the Plaintiff by the District Attorney. And the said defendant, Edward Bennett having three times solemnly called, came not, but made default. And it appearing to the Satisfaction of the Court here that the said defendant, Edward Bennett, who signs his name E. A. Bennett, and S. G. Norvell, who signs his name S. G. Norvell, and J. D. Jackson, who signs his name J. D. Jackson, had executed their joint and several bond payable unto the State of Texas in the sum of One Hundred Dollars dated the 11th day of October A.D. 1854; conditioned that the said defendant, Edward Bennett, make his personal appearance before the Honorable District Court for said County of Travis to be begun and holden at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September A.D. 1854, then and there to answer an indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term thereof, A.D. 1853 for "Dealing "Monte" And that he there remain from day to day and from Term to Term of said Court, and that he do not depart the Court without leave. And the said Edward Bennett being three times solemnly called again and required to come into Court and answer said charge, which he wholly failed to do. And the said securities being also three times solemnly called and required to bring with them into Court the body of the said Edward Bennett, to answer said charge, which they wholly failed to do.

It is therefore ordered, adjudged and decreed that the said Bond of the said defendant, Edward Bennett, and the said S. G. Norvell and the said J. D. Jackson be and the same is hereby forfeited, and that the said State of Texas do have and recover of and from them jointly and severally, the sum of One Hundred Dollars, the amount of their said Bond And that Scire Facias do issue to them jointly and severally returnable to the next Term of this Court, Commanding them then and there to appear, and show cause, if any they may have, why this Judgment should not be made final against them as aforesaid.

And thereupon, It is ordered by the Court that Court do now adjourn until Tuesday Morning, November the Fourteenth A.D. 1854.

Fall Term, Monday, Nov. 14th A.D. 1854

Tuesday Morning, November the Fourteenth, A.D. 1854

Court Convened at Nine o'clock, A. M. pursuant to adjournment. Whereupon the following proceedings were had by said Court, as follows to wit.

359	The State of Texas vs. Thomas Cains	Plaintiff / Defendant		Betting at Faro
360	The State of Texas vs. Hugh Canes	Plaintiff / Defendant		Betting at Faro
374	The State of Texas vs. Andrew Jagin	Plaintiff / Defendant		Marking Cards not his own.
387	The State of Texas vs. Samuel G Stovall	Plaintiff / Defendant		Betting at Monte.
391	The State of Texas vs. x Arnold, called the Human Shark	Plaintiff / Defendant		Betting at Faro
392	The State of Texas vs. x Arnold, called the Human Shark	Plaintiff / Defendant		Betting at Faro

In the above and foregoing six causes, this day appears the District Attorney, and enters a Nolle Prosequi thereon. And thereupon it is ordered by the Court that said defendants go hence without day.

352	The State of Texas vs. Perry Grambles	Plaintiff / Defendant		Betting at Faro

In the above cause it is ordered by the Court that alias capias issue to said defendant, returnable to the next Term of this Court.

Full Term, Tuesday, Nov. 14th A.D. 1854.

✓ 393	The State of Texas vs. Ben F. Hill	Plaintiff / Defendant		Betting at Faro
✓ 394	The State of Texas vs. Ben F. Hill	Plaintiff / Defendant		Betting at Faro
✓ 395	The State of Texas vs. Thadeus Beck	Plaintiff / Defendant		Exhibiting Monte
✓ 396	The State of Texas vs. Thadeus Beck alias Thad Beck	Plaintiff / Defendant		Exhibiting Monte
✓ 397	The State of Texas vs. Thadeus Beck alias Thad. Beck	Plaintiff / Defendant		Betting at Faro
✓ 398	The State of Texas vs. Thomas J. Moore	Plaintiff / Defendant		Exhibiting A.B.C.
✓ 399	The State of Texas vs. Thomas J. Moore	Plaintiff / Defendant		Exhibiting A.B.C.
✓ 400	The State of Texas vs. × Weaver	Plaintiff / Defendant		Exhibiting Monte.
✓ 405	The State of Texas vs. Lafayette Irwin	Plaintiff / Defendant		Dealing Monte.
✓ 406	The State of Texas vs. Lafayette Irwin	Plaintiff / Defendant		Dealing Monte.

In the above and foregoing en causes, It is ordered by the Court that the same be continued until the next Term of this Court, and that Alias Capias issue to each of said Defendants.

Fall Term, Tuesday, Nov. 14th A.D. 1854.

408	The State of Texas vs Pleasant Barnhill	Plaintiff Defendant	Playing cards in Grocery
409	The State of Texas vs Pleasant Barnhill	Plaintiff Defendant	Gaming.
410	The State of Texas vs William Clopton	Plaintiff Defendant	Gaming.
411	The State of Texas vs. William Clopton	Plaintiff Defendant	Gaming.
412	The State of Texas vs. William Clopton	Plaintiff Defendant	Gaming.
413	The State of Texas vs Elijah Tucker	Plaintiff Defendant	Making near Coute

In the above and foregoing six causes, It is ordered by the Court that the same be continued until the next Term of this Court, and that alias Capias issue to each of said defendants, returnable to said Term.

245	The State of Texas vs. Weaver	Plaintiff Defendant	Exhibiting Rentue.

And now on this day come the parties to the above entitled cause by their attorneys, and announced themselves ready to proceed to the trial of said cause. And thereupon said defendant was arraigned, and plead guilty to the Indictment and the allegations therein contained. Whereupon came a Jury, to wit. J. A. Locke, and eleven others, twelve good and lawful men of Travis County, who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and argument of Counsel, retired under the charge of the Court to Consider of their verdict. Whereupon said Jury returned into

Court the following verdict, to wit "We, the Jury, assess the fine of ten dollars. J. H. Cocke, Foreman. And thereupon, It is considered, ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of the Defendant + Weaver, the sum of Ten Dollars, the amount of the fine assessed by the Jury aforesaid, with all the costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

3/12 ✓ The State of Texas vs. Gray Clements — Plaintiff vs. Defendant — Exhibiting Kind

And now on this day come the parties to the above entitled cause by their attorneys; and thereupon said parties announced themselves ready to proceed to the trial of said cause; And the Defendant being arraigned plead guilty to the Indictment and the allegations therein contained a Jury of twelve good and lawful men of Travis County, to wit: D. W. Dignan and eleven others, were duly elected, empannelled and sworn to try said cause; And after hearing the evidence and argument of Counsel, retired under the charge of the Court 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 assess the fine of ten dollars. D. W. Dignan, Foreman." And thereupon It is considered, ordered, adjudged and decreed that the said State of Texas do have and recover of the defendant, Gray Clements, the sum of Ten Dollars the amount of the fine assessed by the Jury as aforesaid, together with all costs in this Suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid

320 ✓ The State of Texas vs. James K. Jackson. — Plaintiff vs. Defendant — Scire Facias

On motion of defendants attorney, A.W. Hudson, it is ordered and decreed by the Court, that the motion filed by said attorney at the last Spring Term of this Court to set aside the final Judgment by default in said cause, be considered overruled; And that said defendant take nothing by his said motion, and that this order take effect from the date of the informal order refusing said motion, at the last Term of this Court.

Fall Term, Tues day, Nov. 14th A.D. 1854.

313 The State of Texas vs. George W. Scott — Plaintiff — Defendant — Betting at Keno

And now on this day come the parties to the above entitled cause by their attorneys, and thereupon said parties announced themselves ready to proceed to the trial of said cause; And thereupon said defendant was arraigned and plead not guilty to the Indictment and the allegations therein contained Whereupon came a Jury of twelve good and lawful men of Travis County, to wit. Thomas W. Ward and eleven others, who, being duly elected, empannelled and sworn to try said cause, after hearing the evidence and the argument of counsel thereon, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find Scott guilty of betting at Keno, and assess a fine of fifteen dollars. Thomas. W. Ward, Foreman." And thereupon, It is considered, ordered, adjudged and decreed by the Court, that the said State of Texas do have and recover of the defendant, George W. Scott, the sum of Fifteen Dollars, the amount of the fine as assessed by the Jury aforesaid, together with all costs in this suit expended

314 The State of Texas vs. William Stone — Plaintiff — Defendant — Exhibiting Faro.

And now on this day come the parties to the above entitled cause by their attorneys, and announced themselves ready to proceed to the trial of said cause, And thereupon the defendant was arraigned and plead not guilty to the Indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis County, to wit: H.D. Edwards and eleven others, who, being duly elected, empannelled and sworn to try said cause, after hearing the evidence and the argument of counsel thereon, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess a fine of ten dollars. H.D. Edwards, Foreman" And thereupon, It is considered, ordered, adjudged

Fall Term, Tuesday, Nov. 14th A.D. 1854

and decreed by the Court, that the said State of Texas do have and recover of the Defendant, William Stone, the sum of Ten Dollars, the amount of the fine as assessed by the Jury aforesaid, together with all costs in this suit expended, and that the said Defendant remain in the custody of the Sheriff until said fine and costs are paid.

377 The State of Texas vs. James K. Jackson. Plaintiff Defendant Exhibiting Fals.

And now on this day come the parties to the above entitled cause by their Attorneys, and the parties hereto announced themselves ready to proceed to the trial of said cause; And thereupon said defendant was arraigned and plead guilty to the indictment and the allegations therein contained. Thereupon came a Jury, to wit: J. H. Locke and eleven others, Twelve good and lawful men of the County of Travis, who, being duly elected, empannelled and sworn to try said cause, after hearing the evidence and the argument of Counsel thereon, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury assess the fine of ten dollars. J. H. Locke, Foreman." And thereupon, It is considered, ordered adjudged and decreed by the Court, that the said State of Texas do have and recover of the defendant the sum of Ten Dollars the amount of the fine assessed by the Jury aforesaid, together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff of Travis County until said fine and costs are paid.

384 The State of Texas vs. + Cook, commonly called "Pet. Cook" Plaintiff Defendant Betting at Fals

And now on this day come the parties to the above entitled cause by their attorneys, and announced themselves ready to proceed to the trial of said cause. And thereupon said Defendant was arraigned, and plead guilty to the Indictment and the allegations therein contained. Thereupon came a Jury of good and lawful men of the county of Travis, to wit: J. H. Locke and eleven others, who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and the argument of Counsel thereon,

Fall Term, This day, Nov. 14th A.D. 1854.

retired, under the charge of the Court to consider of their verdict: And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine of ten dollars. J. H. Cocke, Foreman." And thereupon, It is considered, ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of the defendant Cook, commonly called "Pet. Cook," the sum of Ten Dollars, the amount of the fine assessed by the Jury aforesaid, together with all costs in this behalf expended, and that said Defendant remain in the custody of the Sheriff until said fine and costs are paid.

386 The State of Texas vs Samuel G. Norvell — Plaintiff — Defendant — Betting at Par.

And now on this day come the parties to the above entitled cause by their attorneys and announced themselves ready to proceed to the trial of said cause. And thereupon said defendant was arraigned, and plead guilty to the Indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of the County of Travis, to wit: J. H. Cocke and eleven others, who, being duly elected, empannelled and sworn to try said cause, after hearing the evidence and argument of Counsel, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine of ten dollars. J. H. Cocke, Foreman." And thereupon, It is considered, ordered, adjudged and decreed, that the said State of Texas do have and recover of the Defendant, Samuel G. Norvell, the sum of Ten Dollars, the amount of the fine assessed by the Jury aforesaid, together with all costs in this suit expended and that said defendant remain in the custody of the Sheriff until said fine and costs are paid

402 The State of Texas vs Alexander Cases — Plaintiff — Defendant — Betting at Monte

And now on this day come the parties to the above entitled cause by their attorneys, and announced themselves ready to proceed to the

trial of said cause. And thereupon the said defendant was arraigned and plead not guilty to the indictment and the allegations therein contained. Whereupon came Jury of Twelve good and lawful men of the County of Travis, to wit: N. W. Burdett and eleven others, who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and the argument of Counsel, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find not guilty of Betting at Monte. N. W. Burdett, Foreman. And thereupon, It is ordered and decreed by the Court that the said defendant, Alexander Canes, go hence without day, fully acquitted of said charge.

403 The State of Texas vs. Alexander Canes } Plaintiff / Defendant } Betting at Faro.

And now on this day come the parties to the above entitled cause by their attorneys, and announced themselves ready to proceed to the trial of said cause. And thereupon said defendant was arraigned, and plead not guilty to the indictment and allegations therein contained. Whereupon came a Jury of Twelve good and lawful men of Travis County, to wit: R. H. Page and eleven others, who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and the argument of Counsel, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find the Defendant not guilty. R. H. Page, Foreman. And thereupon, It is ordered and decreed by the Court that the said defendant, Alexander Canes go hence without day, fully acquitted of said charge.

407 The State of Texas vs. Aaron Barleson, Jr. et al } Plaintiff / Defendants } Affray

And now on this day come the parties to the above entitled cause by their Attorneys, and announced themselves ready to proceed to the trial of said cause. And thereupon the Defendant, Aaron Barleson, Jr. was arraigned and plead guilty to the Indictment and the allegations therein contained. Whereupon came a Jury of Twelve good and lawful men of Travis county, to wit: I. H. Cooke and deven others, who being duly elected,

Fall Term, Tuesday, Nov. 14th A.D. 1854.

empannelled and sworn to try said cause, retired under the charge of the Court to consider of their verdict: Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury assess the fine of one cent against Aaron Burleson, Jr." J. A. Locke, Foreman." Whereupon, It is considered, ordered, adjudged and decreed by the Court, that the said State of Texas do have and recover of the defendant, Aaron Burleson, Jr, the sum of One Cent, the amount of the fine assessed by the Jury aforesaid, together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

407 The State of Texas vs. Hugh Miller et al. — Plaintiff / Defendants. — affray

In this cause, It is ordered by the Court that the same be continued, and that Pluries Capias issue to the Defendant, Hugh Miller.

385 The State of Texas vs. Charles O. Travis — Plaintiff / Defendant — Betting at Faro.

In this cause, It is ordered by the Court that the same be continued, and that pluries capias issue to the defendant.

372 The State of Texas vs. Gray Clements — Plaintiff / Defendant — Gaming

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

Ordered by the Court that a fine of five dollars be entered against L. A. Puckett for failing to attend in his place on the Petit Jury.

367 The State of Texas vs. John R. Wooldridge, et al — Plaintiff / Defendant — Disturbing Public Worship

And now on this day came the parties to the above entitled cause by their attorneys, and the Defendant Wooldridge, and the State, by attorneys,

announced themselves ready to proceed to the trial of said cause. And thereupon the Defendant, Wooldridge, was anaigned, and plead not guilty to the indictment and the allegations therein contained. Thereupon came a Jury of twelve good and lawful men of Travis County, to wit, R. H. Page and eleven others, who being duly elected, empannelled, and sworn to try said cause, after hearing the evidence in the cause and the argument of Counsel, retired, under the charge of the Court, 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 assess a fine of fifteen dollars. R. H. Page, Foreman." Whereupon, It is considered, ordered, adjudged and decreed by the Court, that the said State of Texas do have and recover of the Defendant, John R. Wooldridge, the sum of fifteen dollars, the amount of the fine assessed by the Jury aforesaid, together with all costs in this suit expended, and that the said defendant remain in the custody of the Sheriff until said fine and costs are paid

3/54

The State of Texas vs. John R. Wooldridge et.al. | Plaintiff | Defendant | Disturbing Public Worship

And now on this day comes the Plaintiff to this cause by the District Attorney, and the defendant, Owen Adkins, by attorney also, and announced themselves ready to proceed to the trial of said cause; And thereupon said defendant was anaigned, and plead guilty to the indictment and the allegations therein contained. Thereupon came a Jury of twelve good and lawful men of Travis County, to wit: I. H. Locke, and eleven others, who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and the argument of Counsel, retired under the charge of the Court to consider of their verdict. Thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine of ten dollars. I. H. Locke, Foreman." Whereupon, It is ordered and decreed by the Court, that the said State of Texas do have and recover of the defendant, Owen Adkins, the sum of ten dollars assessed by the Jury aforesaid, together with all costs in this suit expended, and that the said defendant remain in the custody of the Sheriff of Travis County until said fine and costs are paid.

Fall Term, Tuesday, Nov 14th A.D. 1854

The State of Texas vs Charles C. Travis — Plaintiff — Defendant — Betting at Faro.

385

And now on this day comes the Plaintiff to the above entitled cause by the District Attorney; And it appearing to the satisfaction of the Court here that the said defendant, (having been previously three times solemnly called) Charles C. Travis, who signs his name Chas. C. Travis, as principal, and Thomas P. Bates, who signs his name Tom P. Bates, and G. C. Robinson, who signs his name G. C. Robinson, 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 7th day of September A. D. 1854, conditioned that the said defendant, Charles C. Travis, do make his personal appearance before the Hon. 3rd District Court of Travis County, to be begun and holden at the Courthouse thereof in the City of Austin, on the eighth Monday after the first Monday in September, A. D. 1854, then and there to answer an indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term thereof, A. D. 1854, for "Betting at Faro", and that he there remain from day to day and from Term to Term thereafter of said Court, and that he do not depart the Court without leave. And the said defendant being also three times again solemnly called, and required to answer said charge, which he wholly failed to do. And the said securities being also three times solemnly called, and required to bring with them into Court the body of the said defendant, Charles C. Travis, to answer said charge which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court here, that the said Bond of the said defendant, Charles C. Travis, and the said Thomas P. Bates and the said G. C. Robinson, be and the same is hereby forfeited, and that the said 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, returnable to the next Term of this Court, commanding them then and there to appear and show cause if any they may have, why this Judgment should not be made final against them.

Fall Term, Tuesday, Nov. 14th A.D. 1854

409

The State of Texas vs. Hugh Miller & A. Burleson, } Plaintiff / Defendants } Affray

And now on this day come the parties to the above entitled cause by Attorneys, And the said defendant, Hugh Miller, being three time solemnly called, came not but wholly made default. And it appearing to the satisfaction of the Court that the said Defendant, Hugh Miller, who signs his name Hugh Miller, as principal, and Traily Moore, who signs his name Traily Moore, and F.M. Fleming, who signs his name F. M. Fleming, 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 25th day of September, A.D. 1854, conditioned that the said Defendant, Hugh Miller do make his personal appearance before the Honorable District Court of Travis county, to be begun and holden at the Court house thereof in the City of Austin, on the eighth Monday after the first Monday in September, A.D. 1854, then and there to answer an indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term thereof A.D. 1854 for an "Affray" and that he there remain from day to day and from Term to Term thereafter of said Court, and that he do not depart the Court without leave. And the said defendant being again three times solemnly called and required to answer said charge, which he wholly failed to do. And the said securities being also three times solemnly called, and required to bring with them into Court the body of the said defendant, Hugh Miller, to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, here, that the said Bond of the said Defendant, Hugh Miller, and the said Traily Moore and the said F.M. Fleming, be and the same is hereby forfeited, and that the said 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, returnable to the next Term of this Court, commanding them then and there to appear and show cause, if any they may have, why this Judgment should not be made final against them as aforesaid.

And thereupon, It is ordered by the Court that Court do now adjourn until Wednesday Morning, November the fifteenth A.D. 1854

Fall Term, Wednesday, Nov. 15th A.D. 1854

Court met at 9 o'clock A.M. whereupon the following proceedings were had, to wit:

414 The State of Texas } Plaintiff } Making
vs
Thomas Pickett } Defendant } Cause

And now on this day come the parties to the above entitled cause by their Attorneys and announced themselves ready to proceed to the trial of said cause. And thereupon said Defendant was arraigned and plead not guilty to the Indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis County to wit: Thomas W. Ward and eleven others, who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and the argument of counsel thereon, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit "We the Jury find the Defendant not guilty. Thos W. Ward Foreman." And thereupon It is considered, ordered, adjudged and decreed by the Court that the said Defendant, Thomas Pickett go hence without day, fully acquitted of said charge

Ordered by the Court that a fine heretofore imposed upon L. A. Pickett, for failing to attend in his place as the Petit Jury, be remitted at his cost

And thereupon It is ordered by the Court that a fine of Ten Dollars be imposed upon A. McDonald for failing to attend in his place as the Petit Jury.

The State of Texas
390 vs.
John S. G

The State of Texas } Plaintiff } Assault
366 vs. with intent
Gray Clements } Defendant } to Kill

And now on this day comes the District Attorney, A. H. Chalmers, and moves the Court that Martin Jones, John Forbes and S. G. Swift witnesses duly summoned on behalf of the plaintiff in the above cause, be recognized for their appearance

Fall Term, Wednesday, Jan. 15th A.D. 1854.

in said cause to testify therein as aforesaid. And thereupon the Court fixed the amount of recognizance of said witness in the sum of Two Hundred Dollars each. And thereupon the said Witness, Martin James, John Forbes and S.G. Sneed, came into open Court and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of Two Hundred Dollars each, to be levied of their respective Goods, Chattels, Lands and Tenements, But to be void upon condition that the said Martin James, John Forbes and S.G. Sneed do make their personal appearance before the Honorable District Court of said County of Travis at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in March, A.D. 1855 then and there to testify and the truth to speak on behalf of the Plaintiff in a certain cause in said District Court pending wherein The State of Texas is plaintiff, and Ray Clements is Defendant, charged with an "Assault with intent to Kill," and that they then remain from day to day and from term to term thereafter, and that they do not depart the Court without leave thereof.

And thereupon, It is ordered by the Court that Court do now adjourn until Thursday Morning 9 o'clock, A.M. November the Sixteenth, A.D. 1854

Fall Term, Thursday, Nov. 15th A.D. 1854.

Thursday Morning, November the Sixteenth A.D. 1854. Court Convened at nine o'clock, A.M. pursuant to adjournment. Thereupon the following Proceedings were had by said Court as follows, to wit:

418 Cinderilla Adkins vs. Owen Adkins } Plaintiff / Defendant } Divorce.

And now on this day come the parties to the above entitled cause by their Attorneys and announced themselves ready to proceed to the Trial of said cause Thereupon came a Jury of Twelve good and lawful men of Davis County, to wit. John H. Cocke and eleven others, who being duly elected, empanneled and sworn to try said cause after hearing the evidence in the cause and the argument of counsel thereon, retired under the charge of the Court to consider of their verdict. Thereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the charge of abandonment contained in the petition to be true." J. H. Cocke, Foreman." Thereupon it is considered, adjudged and decreed by the Court, that the Bonds of Matrimony heretofore existing between the Plaintiff, Cinderilla Adkins and the defendant, Owen Adkins, be and the same are hereby annulled, dissolved, and held for naught, and that the said Plaintiff, Cinderilla Adkins, be and is hereby restored to all the rights and privileges of a single woman.

It is further adjudged and decreed by the Court, that the said Plaintiff, Cinderilla Adkins, do have and recover of the defendant Owen Adkins, all of her costs in this suit herein and incurred, for which execution may issue.

215 Benj. Grumbles vs. John T. Grumbles. } Plaintiff / Defendant } Motion for new Trial

In this cause, It is ordered by the Court, that a motion heretofore filed in said cause for a new trial, be and the same is hereby overruled, And thereupon said Defendant, in open Court, gives notice of an appeal to the Supreme Court

Fall Term, Thursday, Nov. 15th A.D. 1854.

350 The State of Texas vs James R. Jackson — Plaintiff — Defendant — Biting at Kino

And now on this day appears the District Attorney, and moves the Court that J. M. W. Hall, a witness on behalf of the Plaintiff in this cause, duly summoned, be recognized for his appearance in said cause, to testify therein as aforesaid. And thereupon the Court fixes the amount of recognizance of said witness in the sum of One Hundred Dollars. And thereupon the said Witness, J. M. W. Hall, came into Open Court and acknowledged himself to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars, to be levied of his goods, chattels, lands and tenements, But to be void upon condition that he do make his personal appearance before the Honorable District Court of Travis County, to be begun and holden at the Courthouse thereof in the City of Austin, on the eighth Monday after the first Monday in March, A.D. 1855, then and there to testify and the truth to speak on behalf of the Plaintiff in a certain cause in our said District Court pending, wherein The State of Texas is Plaintiff and James R. Jackson is Defendant, upon a charge of "Biting at Kino" and that he there remain from day to day and from Term to Term thereafter and that he do not depart the Court without leave thereof.

351 The State of Texas vs George W. Logan — Plaintiff — Defendant — Biting at Kino

And now on this day comes the District Attorney, and moves the Court that J. M. W. Hall, a witness duly summoned on behalf of the State be recognized for his appearance in said cause, to testify therein as aforesaid. And thereupon the Court fixed the amount of the recognizance of said witness in the sum of One Hundred Dollars, and thereupon said witness, J. M. W. Hall, came into open Court and acknowledged himself to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars, to be levied of his goods, chattels, lands and tenements. But to be void on condition that he do make his personal appearance before the Honorable District Court of said County of Travis, to be begun and holden at the Court-house thereof in the City of Austin, on the eighth Monday after the first Monday in March, A.D. 1855, then and there to testify and the truth to speak on behalf of the Plaintiff in a certain cause in our said District Court pending, wherein the State of Texas is Plaintiff and

Fall Term, Thursday, Nov. 16th A.D. 1854

George H. Logan is Defendant, charged with "Betting at Kno." and that he there remain from day to day and from Term to Term thereof, and that he do not depart the Court without leave thereof

365 The State of Texas vs. Perry Grumbles, J. J. Grumbles, Augustus Fore, Gray Clements, Henry Sims and John A. Mexican — Plaintiffs — Defendants — Murder.

And now on this day comes the District Attorney, and enters a Nolle Prosequi in the above cause, except as to Perry Grumbles. And thereupon It is ordered by the Court that the said Defendants John J. Grumbles, Augustus Fore, Gray Clements, Henry Sims and John A. Mexican, go hence without day, and case stand continued as to Perry Grumbles.

366 The State of Texas vs. Gray Clements — Plaintiff — Defendant — Assault with intent to Kill.

And now on this day comes the District Attorney who prosecutes for the State in this behalf and moves the Court that the defendant, Gray Clements, be recognized for his appearance to answer said charge, of an Assault with intent to Kill, at the next Term of this Court. And thereupon the Court fixed the amount of said Recognizance in the sum of One Thousand Dollars. And thereupon came into Court the said defendant, Gray Clements, as principal, and Augustus Fore and Mathew Brown, as sureties, and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of One Thousand Dollars to be levied each of their respective goods, chattels, lands and tenements But to be void upon condition that the said Gray Clements do make his personal appearance before the Honorable District Court of Travis County, to be begun and holden at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in March A.D. 1855, and then to answer said charge of an "Assault with intent to Kill", and that he there remain from day to day and from Term to Term of said Court thereafter, and that he do not depart the Court without leave thereof.

Tau Term, Thursday, Nov. 16th A.D. 1854.

390 The State of Texas Plaintiff Assault with
vs. intent to kill
John L. Grumbs. Defendant and Murder.

And now on this day come the parties to the above entitled cause by attorneys and announced themselves ready to proceed to the trial of said cause and thereupon said defendant was arraigned and plead not guilty to the indictment and the allegations therein contained Whereupon came a Jury of Twelve good and lawful men of Travis county, to wit: Wm O. Ainsworth and eleven others, who, being duly elected, empannelled and sworn to try said cause, after hearing the evidence adduced in the cause and the argument of counsel had thereon, withdrawn the charge of the Court, to consider of their verdict. And thereupon said Jury returned into Court the following verdict to wit: "We the Jury find the defendant not guilty. Thos W. Ward, Foreman. And thereupon It is considered, ordered, adjudged and decreed by the Court, that the said defendant, John L. Grumbs, go hence without day, fully acquitted of said charge.

And thereupon It is ordered, that Court do now adjourn until Friday morning, November the Seventeenth, A. D. 1854

Friday (Fall Term,) Nov. 17th A.D. 1854

Friday Morning, Nov. the 17th A.D. 1854. Court met at Nine o'clock, A.M. pursuant to adjournment. Whereupon the following proceedings were had by said Court as follows, to wit:

211 Benj. Grumbles, Sr. Plaintiff
vs. Negroes.
John F. Grumbles Defendant.

In this cause now comes Edward Grumbles and asks leave of the Court to intervene in this cause, Whereupon It is considered by the Court that the said intervenor have leave as asked

216 Benj. Grumbles, Sr. Plaintiff
vs. Negroes
John F. Grumbles Defendant.

And now comes the parties in 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: James W. Riley, Geo. W. Glascock, R. H. Page, E.A. Packett, Thomas W. Ward, Neal McDonald, P.A. Monroe, Wm C. Ainsworth, James F. McLaurin, W. W. Atwood, William Wicks, John Hendrickson, who being duly elected, empannelled and sworn in said cause, and having heard the evidence and the charge of the Court, retired to consider of their verdict. And thereupon returned into Court the following verdict, to wit

And it appearing to the Court, that the intervenor, Edward Grumbles, sets up title to the slave Maria, in the pleadings mentioned and prays to be quieted in his title thereto, and it appearing by the above verdict of the Jury that the said slave Maria is the property of the said Edward Grumbles,

It is therefore ordered adjudged and decreed, that Edward Grumbles, the intervenor, do have and recover the slave mentioned in the pleadings, and that he be quieted in the enjoyment of his title thereto. And it is further ordered, adjudged and decreed, that the defendant, John F. Grumbles, and the intervenor, Edward Grumbles do have and recover of the plaintiff, Benjamin Grumbles, all their costs in this suit had and received, for which execution may issue.

Fall Term, Friday, Nov. 17th A.D. 1854.

✓ 415	The State of Texas vs. Thomas Pucket	Plaintiff / Defendant		Making bonds
✓ 416	The State of Texas vs. Thomas Pucket	Plaintiff / Defendant		Making bonds
✓ 428	The State of Texas vs. William Stone	Plaintiff / Defendant		Exhibiting Fans
✓ 429	The State of Texas vs. William Stone	Plaintiff / Defendant		Dealing Faro
✓ 449	The State of Texas vs. + Moraney, whose christian name is unknown	Plaintiff / Defendant		Exhibiting Faro
✓ 451	The State of Texas vs. William Stone	Plaintiff / Defendant		Exhibiting Fans
✓ 452	The State of Texas vs. William Stone	Plaintiff / Defendant		Exhibiting Faro
✓ 457	The State of Texas vs. William Foster	Plaintiff / Defendant		Exhibiting Monte.

In the above and foregoing eight causes, this day appears the District Attorney, and enters a Nolle Prosequi therein. And thereupon It is ordered by the Court that the said defendants go hence without day.

✓ 417	The State of Texas vs. D. C. & D. Gwinn	Plaintiff / Defendant		Permitting Poker to be played in their House.

In the above cause It is ordered by the Court that the same be continued, and that alias process issue to the said defendants returnable to the next Term of this Court.

Fall Term, Friday, Nov. 17th A.D. 1854.

418	The State of Texas vs D. C. & D. Quinn	Plaintiff / Defendants	Permitting card playing in their house
419	The State of Texas vs D. C. & D. Quinn	Plaintiff / Defendants	Allowing Gaming.
434	The State of Texas vs Chin Casner	Plaintiff / Defendant	Gaming
435	The State of Texas vs Chin Casner	Plaintiff / Defendant	Gaming
436	The State of Texas vs Chin Casner	Plaintiff / Defendant	Gaming
437	The State of Texas vs James Casner	Plaintiff / Defendant	Gaming
438	The State of Texas vs James Casner	Plaintiff / Defendant	Gaming
439	The State of Texas vs James Casner	Plaintiff / Defendant	Gaming
461	The State of Texas vs George W. McCoy	Plaintiff / Defendant	Gaming
462	The State of Texas vs William Hinds	Plaintiff / Defendant	Gaming

In the above and foregoing ten causes, It is ordered by the Court that the same be continued and that Pluries Capias issue to each of said Defendants, returnable to the next Term of this Court

Fall Term, Friday, Nov. 17th A.D. 1854.

463 The State of Texas vs William Kinds — Plaintiff / Defendant — Gaming

464 The State of Texas vs William Kinds — Plaintiff / Defendant — Gaming

465 The State of Texas vs Fleming — Plaintiff / Defendant — Gaming

In the above and foregoing three causes, It is ordered by the Court, that the same be continued unto the next Term of this Court, and that Plures Capias issue to each of said Defendants, returnable to the next Term of this Court

425 The State of Texas vs William Stone — Plaintiff / Defendant — Exhibiting Fals

And now on this day come the parties to the above entitled cause by their attorneys and announce themselves ready to proceed to the trial of said cause. And thereupon said defendant was arraigned, and plead guilty to the Indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: A. N. Burdett and eleven others, who being duly empanelled and sworn, retired, under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine at Twenty Dollars. A. N. Burdett, Foreman." And thereupon, It is decreed by the Court, that the said State of Texas do have and recover of the defendant, William Stone, the sum of Twenty Dollars, the fine assessed by the Jury aforesaid, together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff of Travis county until said fine and costs are paid

426 The State of Texas vs William Stone — Plaintiff / Defendant. — Dealing Faro

And now on this day come the parties to the above

entitled cause by their attorneys, and announced themselves ready to proceed to the trial of said cause. And thereupon said Defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis County, to wit: J. H. Locke and eleven others, who being duly elected, empannelled and sworn, after hearing the evidence and the argument of counsel, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine of Ten Dollars. J. H. Locke, Foreman." Whereupon, It is considered, ordered, adjudged and decreed by the Court, that the said State of Texas do have and recover of the Defendant, William Stone, the sum of Ten Dollars, the amount of the fine assessed by the Jury aforesaid, together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

427 The State of Texas vs. William Stone — Plaintiff / Defendant — Dealing Faro.

And now come the parties to this cause, and announced themselves ready to proceed to the trial of said cause. And thereupon said defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: J. H. Locke and eleven others, who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and argument of counsel, retired under charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine of Ten Dollars. J. H. Locke, Foreman." Whereupon, It is decreed by the Court that the State of Texas recover of the defendant, William Stone, the sum of Ten Dollars, the amount of the fine assessed by the Jury as aforesaid, together with all costs in this suit had and incurred, and that said defendant remain in the custody of the Sheriff of Travis County, until said fine and costs are paid.

Fall Term, Friday, Nov. 17th A.D. 1854.

446 The State of Texas vs × Maroney, whose christian name is unknown } Plaintiff } Defendant } Exhibiting Faro

And now on this day come the parties to this cause and announced themselves ready to proceed to the trial of the same. And thereupon said defendant was arraigned, and plead not guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: William C. Ainsworth and eleven others who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and argument of counsel, retired under the charge of the Court 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 assess a fine of $25.00. W. C. Ainsworth." Whereupon, It is ordered and decreed by the Court, that the State of Texas recover of the Defendant × Maroney, whose christian name is unknown the sum of Twenty-Five Dollars the fine assessed by the Jury aforesaid, together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

447 The State of Texas vs × Maroney, whose christian name is unknown. } Plaintiff } Defendant. } Exhibiting Faro.

And now come the parties to this cause by attorneys, and announced themselves ready to proceed to the trial of said cause. And thereupon said defendant was arraigned, and plead not guilty to the indictment and the allegations therein contained. Whereupon came a Jury of Twelve good and lawful men of Travis county, to wit: L. A. Puckett and eleven others, who, being duly empannelled and sworn, after hearing the evidence and argument of counsel, received 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 defendant. L. A. Puckett, Foreman." And thereupon It is decreed by the Court that the said defendant × Maroney, go hence without day, fully acquitted of said charge

Fall Term, Friday, Nov. 17th A. D. 1854.

448 The State of Texas vs. + Maroney, whose christian name is unknown. Plaintiff. Defendant. Exhibiting Fact.

And now on this day come the parties to this cause, and announced themselves ready to proceed to the trial of the same. And thereupon said defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. Whereupon came a jury of twelve good and lawful men of Travis county, to wit: J. A. Locke and eleven others, who, being duly empannelled and sworn to try said cause, after hearing the evidence and the argument of counsel, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit "We, the Jury, assess the fine of Ten Dollars. J. A. Locke, Foreman". Whereupon, It is ordered and decreed by the Court that the said State of Texas do recover of the Defendant, + Maroney whose christian name is unknown, the sum of Ten Dollars, assessed by the Jury aforesaid, together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff of Travis County, until said fine and costs are paid.

453 The State of Texas vs. William Wyatt. Plaintiff. Defendant. Exhibiting Fact.

And now on this day come the parties to this cause by attorneys, and announced themselves ready to proceed to the trial of the same. And thereupon said defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of Twelve good and lawful men of Travis county, to wit: J. A. Locke and eleven others, who, being duly elected, empannelled and sworn to try said cause, after hearing the evidence and the argument of counsel, retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine of Ten Dollars, J. A. Locke, Foreman." Whereupon, It is ordered and decreed by the Court, that the said State of Texas do have and recover of the Defendant, William Wyatt, the sum of Ten Dollars, assessed by the Jury aforesaid, together with all costs in and about this

suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

454 The State of Texas vs. William Wyatt — Plaintiff — Defendant — Exhibiting Fare.

And now on this day come the parties to this cause by attorneys, and announced themselves ready to proceed to the trial of said cause. And thereupon said defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: J. H. Locke and eleven others, who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and argument of counsel, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine of Ten Dollars. J. H. Locke, Foreman." And thereupon It is ordered and decreed by the Court, that the said State of Texas do have and recover of the Defendant, William Wyatt, the sum of Ten Dollars, the amount assessed by the Jury aforesaid together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

455 The State of Texas vs. William Foster — Plaintiff — Defendant — Exhibiting Monte.

And now on this day come the parties to this cause, and announced themselves ready to proceed to the trial of the same. And thereupon said defendant was arraigned and plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: J. H. Locke and eleven others, who being duly elected, empannelled and sworn to try said cause, after hearing the evidence and argument of counsel, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine of Ten Dollars J. H. Locke, Foreman." Whereupon, It is ordered and decreed by the Court that

Fall Term, Friday, Nov. 17th A.D. 1854.

the said State of Texas do recover of the defendant, William Foster, the sum of Ten Dollars, assessed by the Jury aforesaid, together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

456 The State of Texas vs. William Foster } Plaintiff } Defendant } Exhibiting Monte.

And now on this day come the parties to this cause by attorneys, and announced themselves ready to proceed to the trial aforesaid cause, and thereupon said defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis County, to wit: J. H. Cocke and eleven others, who, being duly elected impannelled and sworn, after hearing the evidence and argument of counsel, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine of Ten Dollars J. H. Cock, Foreman" Whereupon, It is decreed by the Court that the said State of Texas do have and recover of the Defendant, William Foster, the sum of Ten Dollars assessed by the Jury aforesaid, together with all costs in this behalf laid out and expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid

433 The State of Texas vs. Martin K. Ryan. } Plaintiff } Defendant } "Assault with intent to kill."

In this cause, It is ordered by the Court, that the same be continued

494 The State of Texas vs. William Ryan } Plaintiff } Defendant. } Exhibiting Fact.

And now on this day comes the District Attorney, and enters a Nolle Prosequi in this cause. And Thereupon It is ordered by the Court that the said defendant go hence without day.

Fall Term, Friday, Nov. 17th A.D. 1854.

The State of Texas

495 vs.
William F. Cock Plaintiff

495 vs.
Thomas Glascock, et. al Defendant.

And now on this day comes the plaintiff to this cause by attorneys and claims a Judgment final by default. And it appearing to the satisfaction of the Court here that due service of the process has been made in this cause, and that said Defendants have failed to file their answer within the time prescribed, and it being further shown to the Court, that the cause of action in this cause is liquidated, and provably an instrument of writing, Therefore It is decreed by the Court, that the said Plaintiff, William F. Cock, do have and recover of the Defendants, Thomas Glascock and George W. Glascock, the sum of Three Hundred and Four Dollars and Twenty-Five Cents, the principal and interest are up to the date of the rendition of this Judgment, together with interest thereon at the rate of eight per cent. per annum until satisfied, and all costs in this suit laid out and expended, and that execution issue therefor.

459 The State of Texas Plaintiff Permitting
vs. Slave to
Elijah Rawls Defendant hire herself
In this cause, It is ordered by the Court, that a motion filed in arrest of Judgment, be and the same is hereby overruled.

459 The State of Texas Plaintiff Permitting Slave
vs. to hire her
Elijah Rawls. Defendant own time.
And now on this day comes the Plaintiff to this cause, & & by attorneys, and moves the Court to grant a new trial therein. And thereupon It is ordered by the Court, that said motion be overruled and thereupon said Plaintiff, by attorney, gives notice in open Court, of an appeal to the Supreme Court.

Fall Term, Friday, Nov 17th A.D. 1854

James W. Smith — Plaintiff
vs.
Elizabeth B. Smith,
Alfred Smith,
253. John F. Smith,
Mary C. Smith,
Susan A. Smith,
Caroline P. Brown and
Sidney P. Brown, her husband — Defendants

And now on this day come the parties, the Plaintiff, and the said Elizabeth B. Smith, Alfred Smith, Brown and wife, by their attorneys, and the said infant heirs by their Guardian ad litem, A. W. Terrell

And the parties having agreed upon R. T. Downes, a puson learned in the law, as Special Judge, the Plaintiff, and also the Defendant, Elizabeth B. Smith, and the said infant heirs by their Guardian ad litem, filed special exceptions to the Report of the Auditor.

And thereupon the Court proceeded, by consent of parties, to hear said cause, upon the bill, amended bill, answers, auditor's report, and the evidence by him returned, and the exceptions to said report; and after argument of counsel, the Court overruled all of the exceptions of the complainant and of the Guardian ad litem, and also all the exceptions of the said Elizabeth B. Smith, with the exception that the Court finds the property in the Town of Bastrop, hereinafter described, to have been the community property of the said Elizabeth B. and James Smith, and not the separate property of the said James Smith, deceased, as by the said auditor reported. And the Court also finds that the negro woman Hannah and her children were not, at the time of said James Smith's death, his property, but the property of the said Alfred Smith, and that the same had not been given to him as an advancement, and the said Elizabeth B. Smith is precluded by time from controverting his title thereto. and said nuncupative will is hereby declared valid; And the Court also confirm the Report of the Auditor

in regard to the said nuncupative will. And the Court now proceeds to decree upon said cause.

And it appearing to the Court that the said James Smith departed this life on the 26th January, 1845, and at the time of his death he was seized and possessed of certain lands, Tenements, slaves, and personal property, which descended to his heirs aforesaid, of which partition ought to be made. The Court now proceeds from the said Auditor's reports, and proofs, to ascertain the value of said estate, from which it appears that the estate subject to partition is as follows: viz: X Community Property.

Lots No. 1, 7, 12, 12, 18, 22, 25, 28, 31, 34, 37, 40, 43, 46, 49, and 53, Lots 4, 5 and 8; 10 acres off No. 9, Taken from the S.E. end. Also, a large farming Lot No. 1, containing 96 acres, according to the plan of the Survey of the old Town of Monopolis; also 254, 277 square yards, being a fraction less than 45 acres, which the said Alfred and Elizabeth B. Smith, hold in trust for said succession. Also an undivided third of 96 As. held in common with I. G. Tannehill and Thomas Smith, and 18 acres off of Lot No. 11, purchased from James Wood, all of which are more particularly described by the title papers which will be furnished the Commissioners. X Also Lot No. 7, in the Town of Bastrop, being the N.E. quarter of Lot No. 3, E. of Water street. Also No. 30, 40 and 41, in Division A. in the City of Austin making 50 acres. 3 Also Lot No. 2 in Division C. of said city, being 10 acres, all which said real estate is more fully described in the Auditor's Report and in the deeds of conveyance constituting the evidences of title; and which property by consent of the parties, was reported by the Auditor to be of the following value, viz:

96 acres, forming Lot purchased of Tannehill, at $11 per acre	$1056.00
10 acres, Lot No. 2 in Division C. city of Austin $60 per acre	600.00
148 acres, the Homestead improved place as per auditor's report $30	4440.00
45 acres, as per Auditor's Report $20	900.00
18 acres, as per Auditor's Report, $20	360.00
15 acres, as per auditor's Report $12	180.00
Bashop City Lot. do	50.00
	$7,586.00

It is therefore ordered, adjudged and decreed, that the Commissioners hereinafter named proceed to go out and around said land, and admeasure to the said Elizabeth B. Smith, at the foregoing rates, a quantity of said land and improvements thereon,

Fall Term, Friday, Nov. 17th A.D. 1854

equal in value to $3793, in estimating which they are to be governed by the quality and advantages, so as to make the moities as nearly equal as possible, localities, improvements and quality considered, and the Commissioners will set off the other moiety in value of said land to said heirs, and estimate the same in the general division among them; and partition it among said heirs, so far as necessary at the aforesaid value.

And it further appearing to the Court that there still remains in the hands of Elizabeth B. Smith, the following sums in cash, as reported by the auditor:

Balance of Rents as per account	$ 3664 55		
Balance of personal assets, from sales of Community property,	1422 88		
and in the hands of Alfred Smith of Community assets, in estimating which his charge for $640 paid for prosecuting Baker, is not allowed as against her, it having been agreed that each party should pay one seventh of said fees	1672 30	$ 6759	73
To one half of which the said Elizabeth B. Smith is entitled as her community interest,	3379 86		
And the other half to the credit of the six heirs	3379 86	6759	73
Which leaves a cash balance from the community assets due the heirs, by Mrs. Smith	1704 54		
To which add her balance shown due the heirs for negro hire	5765 50	7473	07
And there is, in addition, for division among the heirs, in the hands of Alfred Smith, deducting the amount paid by him for prosecuting Baker, (which is one seventh each) $640	1033 30		
And balance of negro hire in the hands of A. Smith, as per his account	3821 33	4853	63
Balance of Rent and negro hire in the hands of S.P. and Caroline A. Brown		333	45
Making Total amount of cash	$	12604	45
From which is to be deducted amount due I. W. Smith		620	00
Leaving cash for division,		$ 11984	45

Fall Term, Friday. Nov. 17th A. D. 1854.

To which add - Walnut Creek land
102 acres in possession of J. W. Smith, val. at $8 pr acre $16.00
102 acres in possession of Alfred Smith, val. at $6 pr acre 612.00
252 acres in possession of C. B. and Caroline Brown, @ $50 1134.00 2562.00
To which add Slaves in possession of Alfred Smith
George, valued at $11.00. Isaac, Sr. valued at $8.00
Obadiah valued at 8.00 Byrns valued at 1000
David valued at 1000 Sarah, valued at 900
Winnie valued at 900 Viah valued at 350 6500.00
To which add Negroes in the hands of C. B. Smith
Lute $300, Amos, $1100, Sandy $1200, Tom, $1100
Sylvia $800, Eny $900, Aaron $600. 6000.00
To which add the moiety of the heirs in the community Land 3793.00
Making to be divided among the heirs in six equal shares. $30.895.45

It is therefore ordered, adjudged and decreed that the said Alfred Smith, do pay to the said James W. Smith, out of the cash in his hands, the said sum of Six Hundred and Twenty Dollars a/c. allowed him by the Auditor 620.00 620.00

It is further ordered, adjudged and decreed that the said Elizabeth Smith, and the said Alfred Smith respectively, account to the said heirs for the said balances so stated against them; and the said James W. Smith, Caroline A. Brown, John F. Smith, Mary A. Smith, and Susan C. Smith, respectively, be charged with amounts found to be due by them to the said Elizabeth B. and Alfred Smith, that is to say, the said J. W. Smith, to Alfred Smith 2000.00 2000.00
and the said Caroline A. Brown to C. B. Smith 1375.00 1375.00
And the said John F. Smith to C. B. Smith 2250.00 2250.00
And the said Mary A. Smith to C. B. Smith 2000.00 2000.00
And the said Susan A. Smith to C. B. Smith 1800.00 1800.00
which makes a credit to the said C. B. Smith of $7.425.00 $7425.00
And leaves a cash balance in her hands 48.09 48.09
$7473.09

It is further ordered, adjudged and decreed, that the $30.895.45, be divided among the heirs as follows:
To Alfred Smith, a quantity of land, money and negroes, equal to $5.149.24
To James W. Smith, a quantity of land, negroes and money, equal to 5.149.24
To Caroline A. Brown, 5.149.24
To John F. Smith, 5.149.24
To Susan A. Smith 5.149.24
To Mary C. Smith 5.149.25 $30.895.45

Fall Term, Friday, Nov. 17th A. D. 1854.

It is further ordered, adjudged and decreed, that in estimating the division, the Commissioners will take into the account the respective sums accounted for to the said James H. Smith, Caroline A. Brown, John H. Smith, Susan C. Smith, and Mary A. Smith, and deduct the same from the shares they are to receive; and they will so divide the said property, as inequitable, to let each one retain the interest in the Walnut Creek land, of which they are in possession at the value aforesaid, and charge them accordingly; and report the field-notes and surveys thereof in their report, and so divide the negroes as to keep families together as nearly as possible; and with a view to bring the infant heirs a certain cash income well secured; charging the balance in the hands of Elizabeth B. Smith, namely, $48.09, in favor of some one of the heirs; and the balance in the hands of Alfred Smith after paying said James H. Smith $620.00, namely, $4.233 63/100 in favor of such heirs as they shall deem equitable, against property at the aforesaid valuation; and they will report to the Court how the said infant heirs shall be secured in the payment of said sum, when they shall attain their majority and the certain payment of the annual interest and at what rate per centum per annum; and should the said Commissioners deem it most to the interest of the parties interested, (from the fact that any of the said land is unsusceptible of fair division) that any of such land should be sold, they will report the fact to the Court, together with the terms of sale.

And it is further ordered, adjudged and decreed, that the said Alfred Smith be forever quieted in the possession of the four hundred acres off of the Walnut creek land, including his homestead, to be so laid out as to correspond with the possession of the parties to partions of the said land, hereinbefore referred to; and for the purpose of division the Commissioners may be allowed to adapt the field notes reported by the Auditor and the Record of the proceedings of the County Court

And it is further ordered, adjudged and decreed, that the said Alfred Smith be forever quieted in the possession of the Slave Hannah and her

Fall Term, Friday, Nov. 17th A.D. 1854

children, and son and Sarah, and the parties be perpetually enjoined from asserting title thereto.

And it is further ordered, adjudged and decreed, that Aaron Bullson, Ashford B. Megill and Thomas F. McKinney be, and are hereby appointed Commissioners of partition to carry out said decree with power to call before them witnesses, to prove the quantity and quality of the lands to be divided, and also of any other fact not ascertained in the Auditors Report and this Decree, and that the Clerk issue to them a Writ of Partition, and furnish them with the papers in the cause, including the Rough Draft of the Decree.

It is further ordered, adjudged and decreed, that Elizabeth B. and Alfred Smith produce said negroes before the Commissioners, but be allowed to retain possession of the same until the 1st of January, next, without further charge for hire, and until the further order of this Court, subject to hire after that time

And it is further ordered, adjudged and decreed, that the said Commissioners proceed immediately to discharge their duties, and report to the Court as early as possible.

It is further ordered, adjudged and decreed by the Court here that the partition rendered in the Probate Court of Davis County, on the 16th day of January, 1848, be cancelled, and declared a nullity; and the parties respectively are hereby perpetually enjoined from setting up or asserting any interest or claim under the said pretended partition

And it is further ordered, adjudged and decreed, that should the land certificates which have not been discovered, or any property not included in this Decree and Auditors Report be hereafter found and established, or discovered in the hands of either of said parties, then all such property not embraced in this partition shall be brought to the notice of this Court, and accounted for to the parties entitled to it, and divided among them in a summary manner, and by a summary proceeding in this Court as part of this proceeding

And it is further ordered, adjudged and decreed, that the administration granted to Sidney P. Brown, be cancelled, and that he be enjoined from further acting as the administrator of said James Smith.

Fall Term, Friday, Nov 17th A. D. 1854

It is further ordered, adjudged and decreed, that the clerk proceed to Tax the cost in this cause, and report the same to the Court at the time the Commissioner's Report.

R. J. Young Presd
Lindsey Sr

A. H. Bean vs. Thomas Cassidy and Edward Finnin. — Plaintiff — Defendants — Debt on Note. Judgment.

525

And now on this day come the parties by their attorneys, and announced themselves ready for trial. And thereupon said defendants withdrew the plea by them heretofore pleaded in this behalf and say nothing further in defence of this said action. Whereupon, it is considered by the Court, that the plaintiff A. H. Bean, do have and recover of the defendants, Thomas Cassidy and Edward Finnin, under their firm name of Thomas Cassidy and Edward Finnin, according to the prayer of his said petition.

It is therefore ordered, adjudged and decreed, by the Court, that the said plaintiff A. H. Bean, do have and recover of the said defendants, Thomas Cassidy and Edward Finnin the sum of Three Hundred and Twenty-Three Dollars and Eighty-Three Cents, (under their firm name of Cassidy and Finnin,) for his principal debt and interest up to this date, together with interest thereon at the rate of eight per cent. per annum until paid, and all costs in this suit expended, for all which execution may issue.

Fall Term, Friday, Nov. 17th A.D. 1854.

417 The State of Texas vs. D. C. & D. T. Gwin — Plaintiff — Defendants — Running Faro in their house.

In this cause this day comes the District attorney, who prosecutes for the State in this behalf, and the said Defendants, D. C. Gwin and D. T. Gwin, being three times solemnly called, came not, but made default. And it appearing to the Court that the said Defendants D. C. Gwin and D. T. Gwin, as principal, and

445 The State of Texas vs. + Fleming — Plaintiff — Defendant — Gaming

In this cause, this day comes the District attorney, A. H. Chalmers, who prosecutes for the State in this behalf, and the said Defendant, T. M. Fleming, being three times solemnly called, came not, but made default. And it appearing to the Court that the said defendant T. M. Fleming as principal, and J. M. Grisham, by the name of J. M. Grisham, and S. B. Sawyer, by the name of S. B. Sawyer, 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 23d day of September, A. D. 1854, conditioned that the said Defendant, T. M. Fleming 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 September, A. D. 1854, 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 "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, T. M. Fleming, 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 the said defendant, T. M. Fleming, 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, T. M. Fleming and the said J. M. Grisham and the said S. B. Sawyer, 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

Fall Term, Friday, Nov. 17th A.D. 1854

them then and there to show cause, if any they can, why this Judgment should not be made finde against them as aforesaid.

459 The State of Texas vs. Elijan Rawles } Plaintiff } Permitting slave to hire her own Time. Defendant.

And now comes the plaintiff to this cause by the District Attorney, and the defendant in his own proper person, and also by attorneys and announced themselves ready to proceed to the trial of said cause. And thereupon said defendant was arraigned and plead not guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: J. M. W. Hall and eleven others, who being duly elected, empannelled and sworn, after hearing the evidence adduced in the cause, and the argument of counsel, retired and on the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find the prisoner guilty, as charged, and assess the fine at Twelve Dollars and Fifty Cents. J. M. W. Hall, Foreman." Whereupon, It is adjudged and decreed by the Court, that the said State of Texas do have and recover of the Defendant, Elijan Rawles, the sum of Twelve Dollars and Fifty cents, the fine assessed by the Jury aforesaid, together with all costs in this suit expended, and that said Defendant remain in the custody of the Sheriff of Travis County until said fine and costs are paid.

459 The State of Texas vs. Elijan Rawles } Plaintiff } Permitting slave to hire her own time. Defendant

And now on this day comes the District Attorney, and moves the Court that the defendant, Elijan Rawles, be recognized for his appearance at the next Term of the District Court of Travis County. And thereupon the Court fixed the amount of said recognizance in the sum of One Hundred Dollars. And thereupon came into open Court, Elijan Rawles, as principal, and Thomas Freeman and Thomas J. Pitt, as his securities,

Fall Term. Saturday, Nov. 18th A.D. 1854.

and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars, to be levied each of their respective goods, chattels, lands and Tenements, But to be void upon condition that the said Elijah Rawles do make his personal appearance before the Honorable District Court of Travis county, to be held at the Courthouse thereof in the city of Austin on the eighth Monday after the first Monday in March, A. D. 1855, and there to remain from day to day and from Term to Term of said Court, to abide whatever decision may be made by the Supreme Court, in the cause wherein The State of Texas is plaintiff and Elijah Rawles is Defendant, charged with allowing a negro girl slave to go at large hiring her own time.

And Thereupon, It is ordered by the Court, that Court do now adjourn until Saturday Morning, November the Eighteenth, A. D. 1854

Saturday Morning, November the Eighteenth, A. D. 1854. Court met at nine o'clock, A. M. pursuant to adjournment. Whereupon the following proceedings were had by said Court as follows, to wit:

401 The State of Texas vs. John P. Grumbles — Plaintiff — Defendant — Assault with intent to Kill.

In this cause now comes the District Attorney, and enters a Nolle Prosequi therein. And Thereupon, It is ordered by the Court that ~~Court do~~ ~~adjourn~~ said Defendant go hence without day.

460 The State of Texas vs. William H. Fowler — Plaintiff — Defendant. — Allowing slave to hire her own time.

In this cause, It is ordered by the Court that the same be continued, and that Alias Capias issue to the Defendant, William H. Fowler

Fall Term, Saturday, Nov. 18th A. D. 1854.

464	The State of Texas vs. John L. Jacobs	Plaintiff Defendant	Assault and Battery.
465	The State of Texas vs. William Barnet	Plaintiff Defendant	Swindling
467	The State of Texas vs. Jacob A. Burdett	Plaintiff Defendant	Betting at Faro.
468	The State of Texas vs. Charles C. Travis	Plaintiff Defendant	Betting at Faro
475	The State of Texas vs. Jacob A. Burdett	Plaintiff Defendant	Betting on Election.
477	The State of Texas vs. James Monroe Morris	Plaintiff Defendant	Murder
478	The State of Texas vs. William Barnet	Plaintiff Defendant	Swindling
479	The State of Texas vs. Terry O'Neal	Plaintiff Defendant	Playing Cards.

In the above and foregoing eight causes. It is ordered by the Court, that the same be continued, and that alias Capias issue to each of said Defendants, returnable to the next Term of this Court

470	The State of Texas vs. John Horan	Plaintiff Defendant	allowing gaming bank to be maintained in his house
473	The State of Texas vs William Nelley	Plaintiff Defendant	Cutting Timber

It is ordered by the Court that the above two causes be continued

Fall Term, Saturday, Nov. 18th A.D. 1854

461 ✓

The State of Texas vs. David F. Wadde — Plaintiff — Defendant — Ousser

And now come the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon said defendant was arraigned and plead not guilty to the indictment and the allegations therein contained. Whereupon came a Jury of lawful good and lawful men of Travis county, to wit: L.A. Pucket and eleven others, who being duly empannelled and sworn, after hearing the evidence in the cause and the argument of counsel, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury find the Defendant guilty, for not putting up sign boards, and assess the fine of five dollars. L.A. Pucket, Foreman." Whereupon, It is considered, ordered adjudged and decreed, that the State of Texas do have and recover of the Defendant, David F. Wadde, the fine of five dollars assessed by the Jury aforesaid, together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid

466 ✓

The State of Texas vs. x Cook, commonly called "Pet Cook" — Plaintiff — Defendant — Betting at Faro

And now come the parties to this cause, and announced themselves ready for trial. And thereupon said defendant was arraigned and plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: R. H. Page and eleven others, who being duly elected, empannelled and sworn, after hearing the evidence and argument of counsel, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury find the Defd. guilty, and assess the fine of Ten Dollars. $10.00 R.H. Page, Foreman." Whereupon, It is decreed by the Court that the State of Texas do recover of the Defendant x Cook, commonly called "Pet Cook" the sum of ten dollars the fine assessed by the Jury aforesaid, together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

Fall Term, Saturday, Nov. 18th A.D. 1854

469 The State of Texas vs. John Horan. Plaintiff Defendant. Allowing gaming Bank to be exhibited in his house.

And now on this day come the parties to this cause by attorneys, and announced themselves ready for trial. And thereupon said defendant was arraigned, and plead guilty to the Indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: B.W. Shaw and eleven others, who, being duly elected, empannelled and sworn, after hearing the evidence and argument of counsel, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, assess the fine of Two Hundred Dollars. B. W. Shaw, Foreman." Whereupon, It is ordered, and decreed by the Court, that the said State of Texas do have and recover of the said defendant, John Horan, the sum of Two Hundred Dollars assessed by the Jury as aforesaid, together with all costs in this behalf laid out and expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

474 The State of Texas vs. Gray Clements Plaintiff Defendant Playing cards in a house for retailing spirituous liquors.

And now on this day come the parties to this cause, and announced themselves ready for trial. And thereupon said defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: R. H. Page and eleven others, who being duly elected, empannelled and sworn, after hearing the evidence and the argument of counsel, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find the Defendant guilty, and assess the fine at Ten Dollars. R. H. Page, Foreman." Whereupon, It is decreed by the Court, that the State of Texas do have and recover of the defendant, Gray Clements, the sum of Ten Dollars assessed by the Jury aforesaid, together with all costs in this suit expended, and that said Defendant remain in the custody of the Sheriff until said fine and costs are paid.

Fall Term, Saturday, Nov. 18th A.D. 1854.

481 ✓ The State of Texas vs. Newton Jackson — Plaintiff — Defendant — Exhibiting Fare.

And now on this day come the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon said defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: L. A. Puckett and eleven others, who being duly elected, empannelled and sworn, after hearing the evidence and argument of counsel, retired under the charge of the Court to consider of their verdict and thereupon said Jury returned into Court the following verdict, to wit: "We, the Jurors, assess the fine of Ten Dollars. L. A. Puckett, Foreman." Whereupon, It is considered, ordered, adjudged and decreed, that the State of Texas do have and recover of the Defendant, Newton Jackson, the sum of Ten Dollars, assessed by the Jury aforesaid, Together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

486 ✓ The State of Texas vs. Henry Vines — Plaintiff — Defendant — Betting at Faro.

And now on this day come the parties to this cause, and announced themselves ready for trial. And thereupon said defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: L. A. Puckett and eleven others, who being duly elected, empannelled and sworn, after hearing the evidence and argument of counsel, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jurors, find the defendant guilty, and assess the fine $10. L. A. Puckett, Foreman." And thereupon, It is adjudged and decreed by the Court, that the said State of Texas do have and recover of the defendant, Henry Vines the sum of Ten Dollars assessed by the Jury aforesaid, Together with all costs in this suit expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

Fall Term, Saturday, Nov. 18th A.D. 1854.

502

The State of Texas vs. Henry W. Sublett — Plaintiff — Defendant — Betting at Faro

And now come the parties to this cause, and announced themselves ready for trial. And said defendant being arraigned, plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: L. A. Puckett and eleven others, who being duly empannelled and sworn, after hearing the evidence and argument of counsel, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jurors, assess the fine of ten dollars. L. A. Puckett, Foreman." And thereupon, It is decreed by the Court that the said State of Texas do have and recover of the defendant, Henry W. Sublett, the sum of Ten Dollars, assessed by the Jury aforesaid, together with all costs in this suit laid out and expended, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

514

The State of Texas vs. C. R. Peck — Plaintiff — Defendant — Betting at Faro.

And now on this day come the parties to this cause, and announced themselves ready for trial. And thereupon said defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: L. A. Puckett and eleven others, who being duly elected, empannelled and sworn, after hearing the evidence and argument of counsel, retired under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jurors, assess the fine of ten dollars. L. A. Puckett, Foreman." And thereupon, It is decreed by the Court, that the State of Texas recover of the Defendant, C. R. Peck the sum of ten dollars, assessed by the Jury aforesaid, together with all costs of this suit, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

Fall Term, Saturday, Nov. 18th A.D. 1854.

463 The State of Texas vs. Jasenn Hodges — Plaintiff — Defendant — Horse stealing

And now comes the District Attorney, and moves the Court that James Manor, Geo. D. Glascock and Jesse Burdett, witnesses duly summoned on the part of the plaintiff in this cause, be recognized for their appearance at the next Term of this Court. And thereupon the Court fixed the amount of said recognizance in the sum of Two Hundred and Fifty Dollals each. And thereupon came into open Court, Jesse Burdett, Geo. D. Glassecck and James Manor, and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of Two Hundred and Fifty Dollars each, to be levied of their respective goods, chattels, lands and Tenements, But to be void upon condition that the said James Manor, Geo. D. Glasscock and Jesse Burdett, do make their personal appearance before the Honorable District Court of Travis county, to be begun and held at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in March A.D. 1855 then and there to testify in a cause wherein The State of Texas is Plaintiff and Joseph Hodges is Defendant, charged with "horse stealing," and that they there remain from day to day and from Term to Term of said Court, and that they do not depart the Court without leave thereof.

476 The State of Texas vs. Raphael Muthe. — Plaintiff — Defendant — Assault with intent to Kill.

And now on this day comes the District Attorney, and moves the Court that the defendant to this cause be recognized for his appearance at the next Term of this Court. And thereupon the Court fixed the amount of said recognizance in the sum of Five Hundred Dollars. And thereupon came into open Court, Raphael Muthe, as principal, and John Dougherty and A. H. Cook as sureties, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars, to be levied of their respective goods, Chattels, lands and Tenements, but to be void upon condition that the said Raphael Muthe do make his personal appearance before the

Fall Term, Saturday, Nov 18th A.D. 1854.

Honorable District Court of Travis county, to be begun and holden at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in March, A.D. 1855, then and there to answer an indictment prefered against him for "an assault with intent to kill" and that he there remain from day to day and from Term to Term of said Court, and that he do not depart the Court without leave thereof.

378 ✓ The State of Texas vs Thomas Glascock — Plaintiff — Defendant — Retiring at this Term. In this cause, It is ordered by the Court that the same be continued

✓ 460 The State of Texas vs William H. Fowler — Plaintiff — Defendant — allowing negro slave to hire her own time. And in this cause this day comes the District Attorney, A. H. Chalmers, who prosecutes for the State in this behalf, and the said defendant, William H. Fowler, being three times solemnly called, came not, but made default; And it appearing to the Court that the said defendant, William H. Fowler, as principal, and J. M. Litten, by the name of J. M. Litten, and W. L. Robards, by the name of W. L. Robards, 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 3d day of November, A.D. 1854, conditioned that the said defendant, William H. Fowler, 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 September, A.D. 1854 (then in session) to answer the indictment prefered against him by the Grand Jurors of Travis county at the Fall Term, A.D. 1854, of said District Court, for "allowing woman slave to hire her own time", 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, William H. Fowler, being three times solemnly called and required

Fall Term, Saturday Nov. 18th A. D. 1854

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 William A. Fowler, 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, William A. Fowler, and the said J. M. Litten, and the said W. L. Rabuds 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 this Judgment should not be made final against them as aforesaid.

467

The State of Texas as Jael A. Burdett — Plaintiff — Defendant — Betting at Faro

In this cause this day comes the District attorney, who prosecutes for the State in this behalf, and the said defendant, Jael A. Burdett, being three times solemnly called, came not, but made default; and it appearing to the Court, that the said defendant, Jael A. Burdett, as principle, A. Foe, by the name of A. Foe, and Wm M. Grumbles, by the name of Wm M Grumbles, 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 3d day of November, A. D. 1854, conditioned that the said Defendant, Jael A. Burdett, make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against him by the Grand Jurors of Travis county, at the Fall Term, A. D. 1854, of said District Court, for "Betting at Faro," 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, Jael A. Burdett, 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

Fall Term, Saturday, Nov. 18th A.D. 1854

Court the body of said defendant, Jas A. Burdett, 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, Jas A. Burdett, and the said A. Roe and the said W. M. Grumbles, 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 this Judgment should not be made final against them as aforesaid.

468

The State of Texas vs. Charles C. Travis — Plaintiff — Defendant — Betting at Faro.

In this cause this day comes the District Attorney, A.H. Chalmers, who prosecutes for the State in this behalf, and the said defendant, Charles C. Travis, being three times solemnly called came not, but made default; And it appearing to the Court that the said Defendant, Charles C. Travis, as principal, and Jams A. Beveridge, by the name of Jas. A. Beveridge, and Wiley Marshall, by the name of Wiley Marshall, 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 3d day of November, A.D. 1854, conditioned that the said defendant, Charles C. Travis, make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Fall Term, A.D. 1854, of said District Court, for "Betting at Faro," 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 C. Travis, 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, Charles C. Travis, 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 C. Travis and the said Jas. A. Berridge and the said Wiley Monshack, 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 this Judgment should not be made final against them as aforesaid.

475

The State of Texas vs. Jael A. Burdett — Plaintiff — Defendant — Betting on Election.

In this cause this day comes the District Attorney, who prosecutes for the State in this behalf, and the said Defendant, Jael A. Burdett, being three times solemnly called, came not, but made default; and it appearing to the Court, that the said defendant, Jael A. Burdett, as principal and A. Hore, by the name of A. Hore, and W. M. Grambles, by the name of W. M. Grambles, 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 3d day of November, A. D. 1854, conditioned that the said Defendant, Jael A. Burdett, make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against him by the Grand Jurors of Travis county, at the Fall Term, A. D. 1854, of said District Court, for "Betting on Election," 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, Jael A. Burdett, 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, Jael A. Burdett to answer said charge, which they wholly failed to do. It is therefore

Fall Term, Saturday, Nov. 18th A.D. 1854.

considered, adjudged and decreed by the Court, that the said Bond of the said defendant Jacob A. Burdett, and the said A. Hope, and the said W. M. Grumbles, 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 this Judgment should not be made final against them as aforesaid

417 The State of Texas vs D. C. & D. T. Gwin } Plaintiff Defendants } allowing Poker to be played in their house

In this cause, this day comes the District Attorney, A. H. Chalmers, who prosecutes for the State in this behalf, and the said Defendant, Davis C. Gwin, being three times solemnly called, came not, but made default; And it appearing to this Court that the said Defendant, Davis C. Gwin as principal, and David T. Gwin by the name of D. T. Gwin, and M. K. Ryan, by the name of M. K. Ryan, 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 20th day of October, A.D. 1854, conditioned that the said Defendant, Davis C. Gwin, make his personal appearance at the District Court of said County of Travis, to be began and holden at the Courthouse of said county, in the City of Austin, on the eighth Monday after the first Monday in September, A. D. 1854, 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 "Permitting Poker to be played in their house for money," 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, Davis C. Gwin, being three times solemnly called and required to answer said charge, came not, but wholly made default; and the said securities also

Fall Term, Saturday, Nov. 18th A. D. 1854.

being again three times solemnly called, and required to bring with them into Court, the body of said defendant, Davis O. Gwin, 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, Davis O. Gwin, and the said David T. Gwin and the said M. K. Ryon, 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 this Judgment should not be made final against them as aforesaid.

41½

The State of Texas vs. D. O. & D. T. Gwin — Plaintiff — Defendants. — Permitting Poker to be played in his house for money

In this cause this day comes the District attorney, A. H. Chalmers, who prosecutes for the State in this behalf, and the said Defendant, David T. Gwin, being three times solemnly called, came not, but made default. And it appearing to the Court that the said defendant, David T. Gwin, as principal and Davis O. Gwin, by the name of D. O. Gwin, and M. K. Ryon, by the name of M. K. Ryon, had 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 20th day of October, A. D. 1854, conditioned that the said defendant, David T. Gwin, 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 September, A. D. 1854, 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 "Permitting Poker to be played in his house for money," 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 David T. Gwin, being three times solemnly called and required to answer said charge, came not, but wholly made default, and the said securities also being

Fall Term, Saturday, Nov. 18th A.D. 1854

again three times solemnly called, and required to bring with them into Court the body of said defendant, David T. Gwin, 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, David T. Gwin, and the said Davis C. Gwin, and the said M. K. Ryon, 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

418 The State of Texas vs. D. C. & D. T. Gwin — Plaintiff — Defendant — Permitting card playing for money in their house.

In this cause this day comes the District Attorney, A. H. Chalmers, who prosecutes for the State in this behalf; and the said Defendant, Davis C. Gwin, being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant, Davis C. Gwin, as principal, and David T. Gwin, by the name of D. T. Gwin, and M. K. Ryon, by the name of M. K. Ryon, 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 20th day of October, A. D. 1854, conditioned that the said defendant, Davis C. Gwin, make his personal appearance at the District Court of said county of Travis, to be begun and holden at the District Courthouse of said county in the City of Austin on the eighth Monday after the first Monday in September, A. D. 1854, 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 "Permitting card playing in their house for money." 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, Davis C. Gwin,

Fall Term, Saturday, Nov. 18th A.D. 1854.

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, Davis C. Gwin, 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 Davis C. Gwin, and the said David T. Gwin, and the said M. K. Ryon, 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 this Judgment should not be made final against them as aforesaid

418

The State of Texas vs. D. C. & D. T. Gwin — Plaintiff — Defendant. — Permitting card playing for money in their House.

In this cause this day comes the District Attorney, A. H. Chalmers, who prosecutes for the State in this behalf, and the said defendant, David T. Gwin, being three times solemnly called, came, not, but made default. And it appearing to the Court that the said Defendant, David T. Gwin, as principal, and Davis C. Gwin, by the name of D. C. Gwin, and M. K. Ryon, by the name of M. K. Ryon, 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 20th day of October, A.D. 1854, conditioned that the said Defendant, David T. Gwin 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 September, A.D. 1854 to answer the indictment prefered against him by the Grand Jurors of Travis county, at the Spring Term, A.D. 1854, of said District Court, for "Permitting card playing for money in his house," 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, David T. Gwin, being three times solemnly called, and required to answer said

Fall Term, Saturday, Nov. 18th A.D. 1854.

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, David T. Gwin, to answer said charge, which they wholly failed to do. It is therefore considered, adjudged and decreed by the Court, that the said Bond of the said defendant, David T. Gwin, and the said Davis C. Gwin, and the said M. K. Ryon, 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 this Judgment should not be made final against them as aforesaid.

419 The State of Texas vs D. C. & D. T. Gwin — Plaintiffs vs Defendants — Permitting card playing in their house for money.

In this cause this day comes the District Attorney, A. H. Chalmers, who prosecutes for the State in this behalf, and the said Defendant, Davis C. Gwin, being three times solemnly called, came not, but made default; And it appearing to the Court that the said Defendant, Davis C. Gwin, as principal, and David T. Gwin, by the name of D. T. Gwin, and M. K. Ryon, by the name of M. K. Ryon, 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 20th day of October, A.D. 1854, conditioned that the said Defendant, Davis C. Gwin, 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 September, A.D. 1854, 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 "Permitting Card playing in their house for money," and there remain from day

Fall Term, Saturday, Nov. 18th A. D. 1854.

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, Davis C. Gwin, 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, Davis C. Gwin, 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, Davis C. Gwin, and the said David T. Gwin and the said M. K. Ryon, 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 this Judgment should not be made final against them as aforesaid.

419

The State of Texas } Plaintiff
vs. } Permitting card playing in their
D. C. & D. T. Gwin. } Defendants. House for money.

In this cause this day comes the District Attorney, A. H. Chalmers, who prosecutes for the State in this behalf, and the said defendant, David T. Gwin, being three times solemnly called, came not, but made default, and it appearing to the Court that the said Defendant, David T. Gwin, as principal, and Davis C. Gwin, by the name of D. C. Gwin, and M. K. Ryon, by the name of M. K. Ryon, 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 20th day of October, A. D. 1854, conditioned that the said Defendant, David T. Gwin, 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 September, A. D. 1854, to answer the indictment preferred against him by the Grand Jurors of Travis

Fall Term, Saturday, Nov. 18th A.D. 1854.

County, at the Spring Term, A.D. 1854, of said District Court, for "Permitting and playing in their house for money," 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, David T. Gwin, 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, David T. Gwin, 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, David T. Gwin, and the said David C. Gwin and the said M. K. Ryon, 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 this Judgment should not be made final against them as aforesaid.

And Thereupon, It is ordered by the Court, that Court do now adjourn until Monday Morning, November the Twentieth, Anno Domini One Thousand Eight Hundred and Fifty-Four.

Fall Term, Monday. Nov. 20th A.D. 1854.

Monday Morning, November the Twentieth, A.D. 1854. Court convened at nine O'clock, a.m. pursuant to adjournment. Whereupon the following Proceedings were had by said Court, as follows, to wit:

406 ✓ Sebron G. Sneed vs. Claiborne Arrington — Plaintiff, Defendant — Attachment.

It is ordered by the Court that the parties to the above cause have leave to amend their pleadings.

✓ 407 Aldham, Marshall & Fenelle vs. Claiborne Arrington — Plaintiffs, Defendant — Attachment.

It is ordered by the Court that the parties to the above cause have leave to amend their pleadings.

o/o 3b7 ✓ John C. Hyde vs. Francis Kelley — Plaintiff, Defendant — Recovery of a lot of Land.

In this cause, It is ordered by the Court, that the same be revived in the name of Thomas Freeman, administrator of the estate of John C. Hyde, deceased, Defendants attorney being present and accepting notice of such revivor.

✓ 406 G. G. Sneed vs Claiborne Arrington — Plaintiff, Defendant — Attachment.

It is ordered by the Court that a motion heretofore filed in this cause to quash the attachment, be and the same is hereby refused.

✓ 407 Aldham, Marshall & Fenelle vs. Claiborne Arrington. — Plaintiffs, Defendant — Attachment.

And now come the parties to this cause by attorneys, and the Court considering the motion heretofore filed in said cause to quash the attachment, Doth order, adjudge and decree that the same be overruled.

Fall Term, Monday, Nov. 20th A.D. 1854.

433 Nathe Townsend Plaintiff
vs. Injunction
Allen E. Brown Defendant

In this cause, the parties plaintiff and defendant appeared by their attorneys, and the plaintiff submitted his motion for an order to sell the corn seized by the Sheriff under and by virtue of the Writ of Sequestration issued in this case, alleging it was perishable property and that it would cost a large portion of it to preserve it until the Termination of this suit. After hearing the evidence introduced by the parties and argument of counsel, It is ordered, adjudged and decreed by the Court that the Sheriff of the County sell the corn seized by him by virtue of the Writ of Sequestration in this suit, to be paid for when this suit shall be finally decided, Taking bond and security as required by the statute in such cases made and provided.

433 Nathe Townsend Plaintiff
vs. Injunction
Allen E. Brown Defendant

This day appeared the parties plaintiff and Defendant by their attorneys, and the defendant submitted his motion to dissolve the injunction in the above stated cause upon the petition and answer, and the argument of counsel, the petition and answer being read and fully considered by the Court, It is ordered, adjudged and decreed by the Court that the defendant have the right to take and use so much of the wood that is not fit to be made into rails, as will be sufficient for him to burn for his own family use and no more, until he has performed on his part all the conditions of the original contract between him and the plaintiff, as set forth in the original petition and not before When that has been done, It is ordered, adjudged and decreed by the Court that the defendant be permitted to take all the wood not fit to be made into rails, off of the Twenty acres described in said contract, as the portion to be cleared by the defendant.

Fall Term, Monday, Nov. 20th A.D. 1854.

340 ✓

James G. Swisher Plaintiff
vs. Injunction
John T. Granules Defendant

In this cause the parties plaintiff and defendant appeared by their attorneys, and the defendant submitted to the Court his motion to dissolve the Injunction in this cause. and the same having been fully considered, It is ordered, adjudged and decreed by the Court, that the motion be and the same is hereby sustained, and the injunction of the plaintiff in all things dissolved and held for naught.

469 ✓

The State of Texas Plaintiff
vs. Motion
John Horan Defendant

And now come the parties to this cause; and the Defendant having submitted his motion for a new trial, by attorney; and argument of counsel being heard by the Court, It is ordered adjudged and decreed that the same be overruled

And thereupon, It is ordered by the Court that the Sheriff summon twenty-four good and lawful men of Travis county, to serve as Jurors, to be in attendance on the Court on the Fourth Monday in January, A.D. 1855

✓ Samuel A. Penick.

and now on this day comes Samuel A. Penick, and petitions the Court to be admitted to practice as an attorney and counsellor at law. And the said Samuel A. Penick having been examined in open Court touching his qualifications. and it appearing to the Court that the said Samuel A. Penick is qualified fully to practice as an attorney, and having produced satisfactory evidence of good moral character, It is ordered and decreed by the Court that the said Samuel A. Penick be and is hereby admitted to practice as an attorney and counsellor at law in all the district and inferior Courts of this State, upon his taking the oath prescribed by law, and that a License issue to him accordingly

Fall Term, Monday, Nov. 20th A.D. 1854.

3/7

James B. Shaw — Plaintiff
vs.
The Heirs of James A. Caldwell. — Defendant. — Decree.

And now on this day came the plaintiff by his attorney, and the defendants by their attorney appointed by the Court, and by consent of the Court the Commissioners heretofore appointed to make partition of land between the above named parties, now make their report thereof in words and figures following, to wit:

In pursuance of a writ from the Honorable district Court, Travis county, State of Texas, dated at Austin city, the 4th day of November, A. D. 1854, for the division of a certain tract of land, being the lower part of the Spear league, situated west of and adjoining the Government tract of Austin city; by which writ P. de Cordova, John C. Duval and R. Leonhard, were appointed Commissioners to make said division - said writ allotting to the heirs of James A. Caldwell one third of said tract in value, and to James B. Shaw two-thirds in value; the undersigned, after being duly sworn, proceeded without delay to perform the duties assigned to them; and beg herewith respectfully to report and submit the result of their action in the premises.

We first ascertained and traced the lower and upper original lines of the Spear Survey, thus:

The lower line of the Spear survey we traced by many old marks from 16 to 17 years old, (having chopped out chips and counted the growth;) We found the same to correspond with the old plots and field notes, regarding its course, age and direction with and across Shoal creek, and found the same to run N. 30° E. at a variation with the compass we used of 10° 30' East. From about 3/4 of a mile back from the river, this old line bears off to the eastward, making near the River a difference of near 56 links. We paid no regard to that eastward turn in the line, and continued a straight course by us blazed, on to the River; the bearing tree called for as a corner near the River we could not find;

Fall Term, Monday, Nov. 20th A. D. 1854.

they are probably washed a cut away;
The bearing trees of the upper corner of the Spear Survey, are washed away; the upper line of said survey we identified by the field notes of the Gibert survey; adjoining the Spear survey above, which Gibert survey calls for one of the bearing trees of the Spear survey, and for a particular hole in the rock bluff opposite the corner; which we identified; also by a corner made for the upper corner of the upper half front of said Spear survey; (now claimed by Adams); also by the age of the marks on line trees (there are three different set of marks on this line - one the Spear survey the next adjust the upper half front survey on said Spear survey, and the third a sub division of the latter;) We found this line to run N. 29° 14' E. by the same variation and compass.
The field notes of the tract hyn divided, are these: The following notes were taken at a variation of 10° 30'; the line trees are marked with a blaze, a chop above, and a chop below on the sides in the direction of the line; side line trees are marked with two chops when small, and when large with two chops on each side quartering towards the direction of the line.
Situated in Travis county, on the Colorado River, above and immediately adjoining the Government tract of the City of Austin.
Beginning at the lowest river bank of the Colorado River, about 8 feet above low water mark, S. 30° W. from the corner established on the high bank free from overflow, here below mentioned. Thence N. 30° E. 12.50 chains (four pole chains) left the sand beach, 16.96 chains, brow of high bottom, a few steps back of which established a corner near the West bank of a deep cut or creek, thus: a stake from which an elm 11 ins. dia. mkd. X brs. N. 41° W. 13¼ links, and a Pecan 30 ins. dia. mkd. X brs. S. 84° W. 27 links; continued on N. 30° E. 19.72 chains (from beginning) cross said creek, 23.76 ch. road, 26.71 ch. road, 36.46 ch. brow of hill, 57.46 ch. enter mesquit prairie 70.00 ch. brow of Shoal creek valley, 164.64 ch. cross Shoal creek, 175.11 ch. a square stake, and stone mound (W. corner of Outlot No. 72) 186.81 chains to the N.E. corner of this survey, from which an elm 5 ins. dia. mkd. X brs. N. 66° 45' W. 18 links; a Post oak 9 ins. dia. mkd X brs. N. 88° 30' E. 58½ links, and a Post oak 11" mkd. X brs. N. 40° 30' E. 1.22½ chains. This corner brs. S. 30° W. 29.01 chs. from the N.E. cor. of a tract of about 53 acres deeded to Louisa Sexdens, part of a tract deeded by Spears to Gideon White, and S. 60° 30' E. 41.13 from the S.W. corner of said White tract.

Fall Term, Monday, Aug. 20th A.D. 1854

thence N. 60° 30' W. along the S. line of the said White survey, well marked, crossing shoal creek, 24.76 ch. to brow of high land 41.13 chains to a stake and stone mound in the South line of said White survey, one chain from his S.W. corner (The S.W. corner of said White tract is a stake in a stone mound, from which a L.O. 10 ins. dia. mkd. by us under the ald mark X bears S. 43° 25' E. 2.66 chains, and a mesquit 13 ins. dia. mkd by us under the ald mark X bears N. 46° 15' E. 2.09 chains, both of which are bearing trees mentioned in the deed to said White tract, and the stone mound by us omit is precisely over the old stake, the point of which we found in the ground.)

Thence S. 29° 37' W. through prairie and through Post Oak, at 40.62 chains entered mesquit prairie, and crossing a creek sundry times as exhibited in the accompanying sketch, the line being well marked, and leaving an old line (starting from the S.W. corner of said White survey) about one chain to the westward 177.58 chains to the river bank. Established a corner on the high bank above overflow, a stake, from which a hackberry 10" bears N. 0° 53' W. 17 1/4 links, mkd. X and an elm 10 ins. dia. mkd. X bears N. 52° 02' E. 22 links. This line strikes the River 1.16 chains east from a line and corner established formerly, supposed to be done by the claimants of the upper front of the Spear survey

Thence down the River along its bank S. 47° E. 4.90 chains cross creek, 40.80 chains to the beginning. Containing 937 63/100 acres. The west line of the above survey was arrived at by running a line between said original Spear lines, equidistant from both

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Note.—After fully ascertaining the old original upper line of the Spear survey, we proceeded to remark the same near the river, thus: Began on the high bottom at a cedar 16 ins. dia. mkd. as above and obt line tree, marks from 16 to 17 years old; then runs S 30° W. at 1.78 chains, a hackb'y mkd. X 13 ins. dia. brs. S. 30½° E. 19 links, and a hackb'y mkd. X 16 ins. dia. brs. S. 30. links, Thence down into low bottom, at 4.21 chs. pass 4 links to east of a hackb'y 13 ins. dia. with an ald fore and abt mark, and 10 links to eastward of a Cottonwood 5 feet. dia. mkd by us on the East. x x, at 6.89 to East bank near Waters edge.

Fall Term, Monday, Nov. 20th A.D. 1854

We then traced a line through the middle of the survey above described, to ascertain the exact proportionate value of its different parts, whereupon we placed an estimate on such parts and then divided the whole in accordance thereto, so that the heirs of James A. Caldwell receive one-third of the whole in value, and James B. Shaw two-thirds all of which will more fully appear from the accompanying sketch.

We allotted to the heirs of James A. Caldwell out of the said 737.63 acres, two separate tracts - one of 251.94 acres fronting on the river, and one of 87.28 acres on the extreme back part of said survey, amounting to 339.22 acres; the field-notes of which are as follows:

251 94/100 Acres, fronting on the Colorado River, allotted to the heirs of James A. Caldwell

Beginning on the Colorado River S. 30° W. from a corner established on the high bank above overflow, near the W. bank of a creek, which corner is a stake, from which an elm 11 ins. dia. mkd. X brs. N. 41° W. 13 1/4 varas, and a Pecan 30 ins. dia. mkd X brs. S. 84° W. 27 links.

Thence N. 30° E. passing said corner 67.46 chains to a stake near the edge of the timber from which a P.O. 20 ins. dia. mkd. X brs. S. 64° E. 38 l. and a P.O. 5 ins. dia. mkd. X brs. S. 53° 30' W. 76 1/2 links

Thence N. 60° W. mostly through young Timber, 40.29 chains to the West line of the above described 737.63 a. Survey, a stone corner on the E. bank of a rocky creek, a Sp. Oak 4 ins. dia. mkd. X brs. S. 72° W. 5 links, and an elm 10 ins. dia. mkd. X brs. N. 9° 8' W. 35 links.

Thence S. 29° 37' W. 58.26 chains to the River bank, passing by a corner established on the brow of the high bottom above overflow, which corner is a stake from which a hackb 10 ins. dia. mkd. X brs. N. 0° 53' W. 17 1/4 links, and an elm 10 ins. dia. mkd X brs. N. 52° 02' E. 22 links.

Thence down the River S. 47° E. 4.90 chains cross a creek, 40.80 chains to the beginning

Eighty-Seven 28/100 Acres, allotted to the heirs of James A. Caldwell. Beginning at the N. corner of the above described 737.63 a. tract, a stake from which an elm 5 ins. dia. mkd. X brs. N. 66° 45' W. 18 links, and a P.O. 9 ins. dia. mkd. X brs. N. 88° 30' E. 58 1/2 links, and a P.O. 11 ins. dia. mkd. X brs. N. 40° 3' E. 1.22 1/2 chains.

Fall Term, Monday, Nov. 20th A.D. 1854.

Thence N. 60° 30' W. along the old marks of a Survey formerly made for G. White, crossing Shoal creek 24.76 to brow of high land, 41.13 chains to a stake and stone mound in prairie, in the E. line of said White tract, one chain from its S.W. corner (which S.W. corner is a stake and stone mound, from which a L.O. 10 ins. dia. mkd. by us under the old mark X brs. S. 43° 25' E. 2.66 chains, and a mesquit 13 ins. dia. mkd. by us under the old mark X brs. N 46° 15' E. 2.09 chains)

Thence S. 29° 34' W. 22 chains, a P.O 6" ins. in dia. mkd A, brs. S. 85° W. 34 links; and a black jack 9 ins. in dia. mkd V brs N. 34° W. 38 links.

Thence S. 60° E. 23.18 chains to a corner from which a black jack 13 ins. in dia. mkd U. brs S. 68° 40' E. 43½ links; and a b. jk. 12 ins. dia. mkd A S. 20° 25° W. 35½ links.

Thence N. 30° E. 2.42 chains, stake and stone mound for corner, a P.O. 12 ins dia. mkd. X N. 84° E. 15½ l. & a P.O. 13 ins. mkd. X N. 62° E. 30 links

Thence S. 60° E. crossing Shoal creek, 16.82 chains to the East line of said 737.63 a. Survey. Stone mound for corner, a Sp.OK. 4 ins. dia. mkd X brs N. 17° 10° E. 11 links & a Sp. O. 5 ins dia. mkd X brs. S. 76° 50' E. 16½ links

Thence N. 30° E. with the E. line of said survey 19.93 chains to the beginning

We allotted to James B. Shaw out of said 737.63 a. Survey, 398.41 acres including his improvements, in one Survey, thus: ++

Beginning in the E. line of said Survey, East of Shoal creek, 19.93 chains S. 30° W. from the N.E. corner of said 737.63 a. tract, a

Thence S. 30° W. 2.24 chains cross Shoal creek 99.42 chains to corner, a stake in the edge of the timber, from which a P.O 20 ins. dia. mkd. X brs. S. 64° E. 38 links, and a P.O. 5 ins. dia. mkd. X brs. S. 53° 30' W. 76½ links.

Thence N. 60° W. mostly through young timber, 40.29 chains to the W. line of said 737.63 acre Survey, a stone corner on the E. bank of a rocky creek, a Sp. Oak 4 ins. dia. mkd. X brs. S. 72° W. 5 links;

Thence N. 29° 34' E. 97.32 chains to

Fall Term, Monday, Nov. 20th A.D. 1854.

Thence S. 60° E. 23.18 chains to

Thence N. 30° E. 2.42 chains

Thence S. 60° E. 14.82 chains, crossing Shoal creek to the beginning

Review.

Lands allotted to the Heirs of James A. Caldwell

14.8	acres of Sand beach, valued at $3.00	$50.40
85.9	acres, timbered bottom, subject to overflow, and high lands adjacent to a small high bottom, valued at $10.00 per acre	859.00
149.24	acres of rolling thin land, heavy timber, mostly cut off, generally covered with young timber, valued at $7.00	1044.68
33.2	acres of good prairie and rich Post oak, valued at $20.00	664.00
54.08	acres of good Post oak, and other land at $15.00 per acre	811.16
336.22	acres, average value $10.11, amounting to	$3.429.24

Lands allotted to James B. Shaw.

29.4	acres of rolling thin land, heavy timber mostly, cut off; generally covered with young timber, at $7.00	$205.80
37.16	acres of rich mesquit Flat and other lands $20.00	743.20
90.56	acres of mesquit land, some poor broken land, and fine building sites, valued at $20.00	1811.20
119.13	acres, mesquit, live oak and elm Flats, broken towards Shoal creek, and thin stony land, about the middle, without proportionate amount of timber; valued at $15.00 per acre,	1786.95
95.78	acres of rich cedar and elm flats, mesquit flats and other lands, valued at $20.00	1915.63
26.38	acres of poor Post Oak Land, at $15.00	395.70
398.41	acres, average value $17.21, amounting to	$6.858.48

All of which is respectfully submitted

Austin City, November the 20th A.D. 1854.

Robert Cruzbaur
John C. Duval
P. De Cordova

Full Term, Monday, Nov. 20th A.D. 1854

Fall Term, Monday, Nov. 20th A.D. 1854

Charges:

Creighan was engaged during nine days, in the field, acting as Surveyor and Commissioner, and Two and a Half Days at office work, making all necessary calculations, drawing Report and Sketch, at $7.00 $70.50

Duval was engaged five days as commissioner, and part of the time assisting in surveying, at $5.00 per day 25.00

DeCordova was engaged as Commissioner, three days, at $5.00 per day 15.00

Peter . . . . principal chainman, was engaged during eight days, at $1.25 per day 10.00

Other assistants, amounting in all to ten days 10.00

$140.50

It is therefore ordered, adjudged and decreed by the Court, here, that the said two-thirds of the said tract of land, so allowed by the Commissioners aforesaid to the said James B. Shaw, be held and enjoyed by him in severalty, and that all the right, title, interest and claim of the unknown heirs of the said James A. Caldwell, be divested out of them, and vested in the said James B. Shaw; and that this decree stand as a conveyance of the said part of said tract of land so allotted to him; by the metes, bounds and field notes in said Report set forth.

It is further ordered, adjudged and decreed, that the one third of said Tract of Land so allotted, in two several parcels, to the heirs of said Caldwell, be held and enjoyed by them in severalty, and that all the right, title, interest and claim of the said James B. Shaw in and to said parcels of land, be divested out of him and vested in the heirs of said James A. Caldwell, and that this decree stand as a conveyance to said heirs of the said tracts of land so allotted to them, by the metes, bounds and field notes in said Report set forth and described.

And it is further ordered, adjudged and decreed, that the said James B. Shaw pay all the

Fall Term, Monday, Nov. 20th A.D. 1854

costs in this case, including the costs of John B. Costa, Esq, Guardian ad litem $25.00
And the costs of Robt Crenshaw 80.50
John C. Du Val 25.00
P. De Cadwa 15.00
Peter Smith $100 10.00

And also including the copy of this Decree to be recorded in the office of the Clerk of the District Court of Travis county.

459 John Marshall. Plaintiff
vs. Judgment.
Thomas F. Chapman Defendant.

And now on this day come the parties to this cause by their attorneys, and the defendant having filed his answer not verified by oath, by which the motion of plaintiff's attorney the answer was ordered to be stricken out, and Judgment ordered for want of a plea. And it appearing to the Court from the said plaintiff's petition, that for the purpose of securing the faithful performance by the said defendant of his said covenants in the said indenture entered into by and between the said plaintiff and the said defendant as in said petition specified, he the said defendant thereby agreed to forfeit and pay to said plaintiff, his executors, administrators and assigns, the full sum of ~~xxxxx~~ five hundred dollars, as liquidated, fixed and settled damages. and also to refund the said sum of Two Thousand dollars; and it further appearing to the Court that the said defendant had failed to comply with the said covenants in said deed specified,

It is therefore ordered, adjudged and decreed by the Court, that the said John Marshall do have and recover of the defendant, Thomas H. Chapman, the sum of Two Thousand dollars, his principal debt, ~~xxx~~ Three hundred and sixty dollars, balance of liquidated damages ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ with interest at the rate of eight per cent. per annum until satisfied, and all costs of suit, and that Execution issue therefor.

Fall Term, Monday, Nov. 20th A.D. 1854

459 John Marshall Plaintiff
vs. Injunction.
Thomas F Chapman Defendant

In this cause, It is ordered by the Court that a motion for a new trial filed in this cause, be overruled. And thereupon the Defendant, by attorneys, in open Court, gives notice of an appeal to the Supreme Court

Examined and approved. And ordered that the Court do now adjourn until the Fourth Monday in January, A.D. 1855, & ~~xxxx~~ this 23d day of November, A. D. 1854.

John Hancock, Judge
2nd Jud. Dist. &c

Test Thos Brown, Clk
District Court Travis County
Texas

Fall Term, Monday, January 22nd A. D. 1855

The State of Texas } Be it remembered, that on This The
County of Travis } 22nd day of January, A. D. 1855,
the Honorable the District Court of Travis county con-
vened at the Courthouse thereof in the City of Austin,
pursuant to adjournment. Present the Honorable
John Hancock, Judge of the Second Judicial District
and of said State; Thos Arrow, Clk of the District
Court, and A. A. Hopkins, Deputy Sheriff of Travis
county.

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

And thereupon, It is ordered by the Court that
Court do now adjourn until 9 o'clock, A. M.
Tuesday, the 23d of January, A. D. 1855.

Tuesday Morning, January The 22nd A. D. 1855.

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

25 ✓ Jno C. Stephenson, et al. Admrs } Plaintiffs
as
Samuel Craft Jr Admr } Defendants

And now on this day comes the
Plaintiffs to the above entitled cause and moved
the Court to amend their pleadings. And thereupon
It is ordered by the Court that the plaintiffs in
this cause have leave to amend

25 ✓ James C. Stephenson and Mary
Jane Stephenson, his wife, Ad-
ministratrix of the Estate of Wayne Aus-
ten, deceased } Plaintiffs

vs.

Samuel Craft, Jr. Admr de bonis non
with the will annexed of Wm. Barton, Dec'd. et. al. } Defendants
William A. Dass, Wiliam A. Carter and
Minerva Carter. } Intervenors.

and now at this Term came the parties
by their Attorneys, and the infants by their
xxxxxxx Guardian ad litem; and the parties all
agreed that because the Judge of this Court has

Fall Term, Tuesday, January 23rd, A. D. 1855.

keen of counsel, in the case, the Honorable Robert P. Tooms a person learned in the law, shall try the case as special Judge.

And thereupon the Court proceeded to consider the law arising upon the Demurrer of the Defendants arising upon the petition of the plaintiffs, and the Court overruled said Demurrer

And thereupon the Court proceeded to consider the law arising upon the Demurrer of the Plaintiffs and Defendants, to the intervening of William A. Doss, William Clayton and Minerva Cather; And after argument the Court decided the said plea of Intervention insufficient in law, sustaining the grounds of demurrer, and ordered that said Bill of Intervention be dismissed at the cost of the plaintiff. It is therefore considered by the Court that the plaintiffs and Defendants as to said Intervention go hence without day; and recover of the said Intervenors all their costs caused by said Intervention. And by agreement of the Plaintiffs and Defendants the case is set for trial on Thursday next.

John A. Anderson

and now on this day came and appeared in open Court John A. Anderson, and petitioned the Court to be admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of this State. And the said John A. Anderson having produced to the Court satisfactory evidence of good moral character, and having made affidavit of being regularly admitted Attorney and Counsellor at Law in the States of Mississippi and Tennessee and it is adjudged and decreed by the Court that the said John A. Anderson be and he is hereby admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of this State, upon his taking the oath prescribed by law, and that a license issue accordingly.

Geo. M. Flournoy

And now on this day came and appeared in open Court Geo. M. Flournoy, and petitioned the Court to be admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of this State. And the said Geo. M. Flournoy having produced to the Court good and satisfactory evidence of his moral character and a honorable deportment, and having produced license as an Attorney and Counsellor in the Circuit Court

Fall Term, Tuesday, January 23rd A.D. 1855.

of Macon County, Alabama, and all inferior Courts of that State.

It is therefore ordered adjudged and decreed by the Court that the said George M. Bonnin, be and he is hereby admitted to practise as an Attorney and Counsellor at Law in the several District and inferior Courts of the State of Texas, upon his taking the oath prescribed by law, and that a license issue accordingly.

Kinchen K. Harrelson

And now on this day came and appeared in open Court, K. K. Harrelson, and petitioned to be admitted to practise as an Attorney and Counsellor at law in the several District and inferior Courts of this State. And the said K. K. Harrelson having presented to the Court here good and sufficient evidence of moral character and honorable deportment, and it appearing that the said K. K. Harrelson was a regularly admitted Attorney and Counsellor at law and Solicitor in Chancery in the State of Georgia.

It is therefore considered, ordered and decreed, that the said K. K. Harrelson be and he is hereby admitted to practice as an Attorney and Counsellor at Law in the several District and inferior Courts of this State, upon his taking the oath prescribed by law, and that a license issue to him accordingly.

And thereupon, It is ordered by the Court that Allen C. Horton be fined one hundred dollars for failing to attend in his place on the Jury when called by the Sheriff.

And thereupon, It is ordered by the Court that Court do now adjourn until Wednesday Morning Nine o'clock A. M. January the 24th A.D. 1855.

Fall Term, Wednesday, January 24th 1855.

Wednesday Morning, Ravenhu The 24th A.D 1855. Court convened at Nine o'clock A.M. pursuant to adjournment. Present The Hon. John Hancock, Judge of The Second Judicial District and of said Court, Frank Arnow, Clerk of said Court, and A. A. Hopkins, Deputy Sheriff of Travis county.

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

106	Martin Moore vs. William Rowles, et al	}	Plaintiff Defendants	} Damages.
110	William Rowles vs. Martin Moore	}	Plaintiff Defendant	} Certiorari

In the foregoing two causes, It is ordered by the Court that the same be continued as consolidated.

170	Webb Kidd vs. Mayan & Hamilton & Huey & Kidd	}	Plaintiff Defendants	} Consummation of Agreement.

In this cause it is ordered by the Court that the same be continued

189	Robert Mitchell vs. M. C. & D. Brooks	}	Plaintiff Defendants	} For Decree of Land.

In this cause, It is ordered by the Court that the same be set for trial on Thursday, January 25th 1855.

201	William Bonnie & Wife vs. John Rucks Heirs	}	Plaintiffs Defendants	} For Sale of Land.

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

286	John Wooldridge vs. Spence & Freeman	}	Plaintiff Defendants	} Damages

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

Fall Term, Wednesday, Jan. 24th 1855

296 Giles Burdett } Plaintiff
vs. } Damages
R. Platt & S. Casey } Defendants.

In this cause, This day came by the Court that the same be continued.

367 John C. Hyde } Plaintiff
vs. } Recovery of Lot of
Francis Kelley } Defendant. } Land.

And now on this day comes the Plaintiff to this cause by attorneys, and moved the Court that the same be set for trial on Friday, February 2d. 1855.

And thereupon, It is ordered by the Court that the above entitled cause be continued for trial on Friday, February 2d 1855.

And thereupon, It is ordered by the Court that James A. Beveridge be fined the sum of Ten Dollars for failing to attend in his place on the Jury.

And thereupon It is ordered by the Court that the fine heretofore imposed upon Allen C. Arrowsmith be reduced to five dollars

And thereupon appeared in Court James A. Beveridge, and tendered to the Court, under oath his excuse, for failing to respond when called by the Sheriff, which appearing satisfactory to the Court, It is ordered that the fine heretofore on this day imposed upon James A. Beveridge be remitted at his cost.

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow morning, Thursday, January 25th A.D. 1855.

Thursday January 25th A.D. 1855

Thursday Morning January the 25th A.D. 1855

The Court convened at Nine oclock A.M. pursuant to adjournment Present The Hon. John Hancock Judge of the Second Judicial Distict and of said Court. Frank Brown Clerk of said Court and A.S. Hopkins Deputy Sheriff of Travis County

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

575 Spence & Truman } Plaintiffs.
Ann E. Woodridge } Defendant } Debt on Sc

And now on this day comes the Defendant to the above entitled cause by her attorney, and moves the Court for leave to file an amended answer in said cause And thereupon It is ordered by the Court that the defendant in this cause have leave to file an amended answer

275 Daniel Pratt and Samuel Gazzald composing the Firm of Pratt & Company } Plaintiffs
as
Richard P. Lloyd } Defendant

And now on this day came the parties to the above entitled cause by their attorneys and announced themselves ready for trial. And thereupon came a Jury, to wit: John C. Hampton William Wicks Benj. Simmons Oscar Allen, Jenkins Davis Wm A Hamilton, Steve Mathews, S.K. Jennings, Dr. Wm Pattison John Daly, C.F. Compton Reuben Burns, Twelve good and lawful men of the County of Travis and State of Texas who being duly tried, empanelled and sworn, well and truly to try the issue joined between the parties, retired under charge from the Court to consider of their verdict after hearing the evidence and argument of counsel and returned into Court their verdict as follows: "We the Jury find for the plaintiffs, and assess damages at eight per cent interest to date. J.C. Hampton, Foreman."

Hill Term, Thursday, Jan. 25th A.D. 1855.

It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, Daniel Pratt and Samuel Griswold, under their firm name of Pratt & Co. do have and recover of and from said defendant, Richard P. Lloyd the sum of One Hundred and Seventy Five Dollars, their principal debt, as also the further sum of Twenty Six Dollars and forty three cents, interest on said principal debt, together making the sum of Two Hundred and One Dollars and forty three cents, with interest thereon at the rate of eight per cent. per annum until paid, and also all their costs in this behalf expended, for all which execution may issue &c

222

Benjamin Grumbles & Wife
John S. Grumbles, et al
} Plaintiffs
} Defendants

In this cause appeared the parties plaintiffs and defendants by their attorneys, and the plaintiffs dismiss their suit. It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, Benjamin Grumbles and Isabella Grumbles, his wife, take nothing by their suit, that the defendants, John S. Grumbles and Benjamin Perry Grumbles, go hence without day. It is further ordered, adjudged and decreed by the Court that the defendants John S. Grumbles and Benjamin Perry Grumbles, do have and recover off and from the plaintiffs, Benjamin Grumbles and Isabella Grumbles his wife, as principals ~~and~~ all costs in this behalf laid out and expended for which execution may issue.

Fall Term, Thursday, January 25th A.D. 1855

257

James C. Stephenson and Mary Jane Stephenson his wife, as administrators of Wayne Barton, deceased William C. Barton and Ann Barton, as heirs at law of Wayne Barton, deceased who sue by their next friend said James C. Stephenson, Garden G. Rudison, as heir at law of John Rudison, deceased, Sarah E. Rudison and Joseph Rudison, as well in their own rights as administrators of Edward Rudison deceased, Gracia Kyle and Felix H. Kyle her husband, Edward Rudison David C. Rudison and Elizabeth Rudison, the last two of whom sue by their next friend James A. Plage

Plaintiffs

versus

Samuel Craft, Jr. in his own right and as administrator de bonis non with the will annexed of William Barton deceased, Jesse Craft and William S. Craft, sons of Eliza Craft, who sue by their Guardian ad litem, John B. Castin, Richard T. Lloyd and his wife, Parthenia Lloyd, and Wilford Barton

Defendants

And now on this day come the parties by their attorneys next friends and guardians ad litem respectively and the Defendants, Crafts by leave of the Court filed their amended answer and the Plaintiffs by leave of the Court filed their Demurrer to the amended answer of the defendants filed on the 16th day of May 1846; and also their Replication and amended Petition to said amended answer in the nature of a cross Bill; and the Court set down said demurrer for argument and after considering the Law arising thereon does overrule the same: and thereupon after discussion the Defendants withdrew said cross Bill and the Plaintiffs withdrew their Replication thereto

And neither party requiring a jury the Court proceeded to try the said cause upon the pleadings the exhibits set forth in the petition and the evidence of the parties. And the Court finds the facts as to the will of William Barton deceased, the probate thereof and the partition decreed by the Probate Court and the proceedings thereon as well as the refusal of the defendants to deliver the property to the Commissioners to be true as averred in the Petition.

The Court also finds that by the will of William Barton there remains to be disposed of among the children named in the will and their heirs the following property viz. A tract of land

Tell Tom, Thursday, Jan. 25th A.D. 1855

lying upon Spring Creek on the west side of Colorado river, containing one Labor of Land, located by virtue of William Barton's Certificate No. 191 issued by the board of Land Commissioners of Bastrop County, Beginning at an elm at the mouth of Spring Creek and running according to the field notes of the survey thereof.

And also the following slaves proved to be in the hands of Wilford Barton

Elijah of the value of - - - - -	$1200 00	
Ede of the value of - - - - - -	1300 00	
Isaac of the value of - - - - - -	800 00	
		$3300 00

Also slaves in the hands of said Richard J. Lloyd and Parthinia Lloyd -

Wade of the value of - - - - - -	$800 00	
Katy of the value of - - - - - -	500 00	
Celia of the value of - - - - - -	700 00	
And her child of the value of - - - - - -	500 00	
		$2500 00

And in the hands of the said Samuel Craft

Jane and her two children of the value of - - -	$1350.00	1350.00
Making total of - - - - - -		$7150 00

And it was also proven to the Court that Taxes due by the said Wilford Barton the following sums for the hire of slaves in his possession since the date of the last account of S. Craft in the Probate Court to wit: the 1st day of January 1853 viz:

The hire of Hampton from the 15th day of January 1853 to the 1st day of April 1854 13 months, at $18 per month	$270 00	
Hire of Elijah from the first day of January 1853 until the first day of February 1855, 25 months at $20 per month	500 00	
The hire of Ede from the same date to the same date, 25 months, @ $20	500 00	
Hire of Isaac the same time @ $5 per month	125 00	1325 00
And there is due by said Lloyd and wife for the hire of Wade 25 months @ $18 per mo	450 00	
The hire of Katy the same time @ $5 per mo	125 00	
Hire of Celia and her child 25 months @ $10 per month	250 00	825 00

Fall Term, Thursday, January 25th A.D. 1855.

And to the hands of said Samuel Craft, for the hire of Jane with her children, 25 months @ $8 per month, 100.00

Value of Slaves brought forward $2330.00
To which add balance in the hands of Samuel Craft as per his settlement with the Probate Court at the January Term, 1853, 715.00

Makes the value pursuant to Fifth 693.66
To which add the negro Lewis advanced to $3108.66
Wayne Barton by the will $400.00
The negro Lucy to Eliza Craft 400.00
The negro Peter advanced to Bethena Lloyd by the will 475.00
And the negro given to Wyatt Barton by the will (Thos) 200.00 $1475.00
Makes value besides the land $4583.66

It is thereupon ordered adjudged and decreed that John R. Banks, Josiah Pearce and George W. Davis be appointed Commissioners for the purpose of partitioning said property and that it be their duty to meet at Easton, on Thursday the first day of February and go over and around said land, and if the same be susceptible of division to divide it into five equal shares and to the plaintiffs, William C. Barton and Ann R. Barton they will assign one share; to Sarah G. Pulton, they will assign one share; to Mary F. Stephenson, Joseph Pulton, Grace Kyle, Edward Pulton and David C. Pulton and Elizabeth Pulton, they will assign one half of one share

To William S. Craft and Jesse Craft, each, they will set apart half of one share

To Bethena Lloyd, for her sole use and benefit they will assign one share

But if said land be found unsusceptible of division without injury to the value thereof, and in the opinion of the Commissioners said land had best be sold, the Commissioners will report the fact to the Court

It is further ordered adjudged and decreed that the said Wilford Barton on the said first day of February next, produce the said negroes at Easton to the said Commissioners to wit: Elijah, Joe and

Fall Term, Thursday, July 25th A.D. 1855.

Isaac and wife the said Richard B. Lloyd and Pa-
thenia Lloyd produce at the same time and place
the negroes Hide, Ashy, Ada and her child in his
possession, and the said Samuel Craft produce the
negroes Jane and her two children in their possession
and that they all deliver said negroes to the Com-
missioners, and then and there account for the
said sums respectively, the hire thereof.

And the said Commissioners will then and
there, upon a view of said negroes, proceed to value
the same, and they will add to the said valuation
the respective amounts of hire aforesaid and also of
the said four negroes advanced under the will; and
the balance aforesaid in the hands of Craft upon his
account.

And the said negroes and money so produced
they will divide into five equal shares, and to the afore-
said William C. Barton and Ann R. Barton they will
assign one share, that is to each one, half share or one-tenth
of said amount, counting in their share the negro
man Lewis at $400, and making up the balance in
negroes or negroes and money.

And to the said Sarah G. Anderson they will
set apart the half of one share, that is, one-tenth of
said estate, charging her towards the same the one-
half of the value of Mary, advanced by the will to Ayleff
Anderson.

And to Mary Jane Stephenson, Gracia Kyle,
Edward Anderson, David C. Anderson and Elizabeth
Anderson, they will set apart jointly the half of
one share; that is, one-tenth of said estate, or severally
to each one-fifteenth part of one share, charging them
with one-half of Mary at $100. And to Peter Craft
and William T. Craft they will set apart one
share, or to each one half share, that is one-tenth
of said estate, the negro Lucena to be charged to
them at $400 and the balance to be made up
out of the cash or negroes and cash.

To Pathenia Lloyd, for her sole use and
benefit they will set apart one share, that is
one-fifth of said estate, charging her the negro
Isaiah at $400, and making up the balance of
the negroes or money.

Fall Term, Thursday, January 25th A.D. 1855.

And to the said Wilford Patton they will assign one share that is one fifth part of said estate.

And unless the parties aforesaid in whose hands the cash is found, produce the same to the Commissioners. The Commissioners will, as far as practicable, charge it against them, and value negroes to the plaintiffs at a fair cash valuation.

And Ricard Edmond Pinson and wife on the 20th April 1849 conveyed the negro Mary advanced to Eliza Pinson to the said Samuel Craft and Eliza Craft his wife; now with the consent of said Samuel Craft, the title of said negro and her increase is forever quieted in the said William S. Craft and Rose Craft, children of the said Eliza Craft.

It is further ordered, adjudged and decreed that the clerk proceed to tax the costs and report the same to the Court.

Ordered that the clerk forthwith issue the necessary writs to enforce this decree, and that the parties respect it under the penalties of Sequestration and Attachment.

The Court finds that the negro Hampton was killed by a fall from a horse about the first of April, 1853, while in the possession of Wilford Patton who had received him from Craft, and the Court refuses to allow said negro to be charged against either party in making up the account for partition but only charges for the hire as hereinbefore set forth.

And thereupon, It is ordered by the Court that Court do now adjourned until to-morrow morning January the 26th A.D. 1855, 9 o'clock a.m.

R. J. Jones Special Judge &c

Tuesday Term, Friday, January 26th A.D. 1855.

Friday Morning January 26th A.D. 1855. Court met at nine o'clock, A.M. pursuant to adjournment. Present the Hon. John Hancock Judge of the Second Judicial District and of said Court. Frank Strong, Clerk of said Court, and A.A. Hopkins, Deputy Sheriff of Travis County.

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

258	Edward Grumbles vs. Ruf. Grumbles Sr. & Isabella Grumbles	Plaintiff / Defendants	For the Recovery of two Negroes.	

In this cause, It is ordered by the Court that the same be continued until the next Term of this Court.

259.	Edward Grumbles vs. Williamson S. Oldham.	Plaintiff / Defendant.	For the Recovery of two negroes.	

In this cause, It is ordered by the Court that the same be continued

260	Benjamin Grumbles Sr Wellan vs. Williamson S Oldham	Plaintiff / Defendant	For Recovery of one negroe	

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

261	Benjamin Grumbles vs. Gideon G Reed	Plaintiff / Defendant	For Recovery of a certain negro	

It is ordered by the Court that the above entitled cause be continued until the next Term of this Court

282	Wm. B. Clark, et. als. vs. Sherman Case	Plaintiffs / Defendant	Trespass.	

In this cause this day appeared the parties by attorneys. And thereupon the plaintiffs dismiss their suit. And thereupon It is ordered by the Court that the said plaintiffs Wm. B. Clark, Amyra Lavinia Clark Martha Hicks, Mary C. Hicks, Wm. H. Hicks, John P.

Fall Term, Friday, January 26th A.D. 1855.

Hutchinson, Isabella J. Young and Benjamin F. Young, take nothing by their suit; And it is further ordered that the defendant, Sherman Case go hence without day. And thereupon it is further ordered by the Court that the defendant, Sherman Case, do have and recover of the plaintiff, Wm B. Clark, C.L. Clark, Martha Hicks, Mary C. Hicks, Wm H. Hicks, John P. Hutchinson, Isabella J. Young, Benjamin F. Young, all he cost in this suit laid out and expended, for which execution may issue, &c.

333 / R. A. Peck & Co. } Plaintiff
W. P. McNamara & P. W. McNutt } Defendants } Attachment.

It appearing to the Court that the above cause was brought by publication, It is ordered that the same be continued.

411 / Benjamin Roach, } Plaintiff
vs. } Debt on Judgment
Nathaniel Townsend } Defendant

And now comes the plaintiff to this cause and moves the Court, by attorney ~~xxx~~ for leave to file an amended petition. And thereupon It is ordered by the Court that the plaintiff to this cause have leave to amend

367 / John C. Hyde } Plaintiff
as } Recovery of Lot of Land
Francis Kelley } Defendant

In this cause upon motion of plaintiff by attorney It is ordered by the Court that the plaintiff have leave to file an amended petition

453 / John Wahnenegon } Plaintiff
as } Sequestration
James L. Gillen and } Defendant
O. M. Picknell

On this day comes the defendant, O.M. Picknell by attorney, and moves the Court for leave to amend. And thereupon It is ordered by the Court that the said defendant have leave to amend.

Fall Term, Saturday, January 27th A.D. 1855.

419

Charles P Compton } Plaintiff
vs
Wm Clark et Als. } Defendants } Damages.

And now on this day came the parties, Plaintiff and Defendant to the above entitled cause by their Attorneys, and announced themselves ready to proceed to the trial of said cause. And thereupon came a Jury to wit: S. C. Taylor, Oscar Allen, George Davis, P. D. Timm, Allen C. Lynn, N. M. Lockett, William Simpson, Wm A Hamilton, James A. Thompson, Azum Wilcox, Elijah Armstrong and A. [illegible] Pendridge twelve good and lawful men of the County of Travis, who being duly elected, empaneled and sworn, after hearing the evidence and argument of counsel, retired under the charge of the Court to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury find for the plaintiff $250 damages, two hundred and fifty dollars. A. A. Pendridge, Foreman." Whereupon, It is adjudged and decreed by the Court that the plaintiff, Charles P Compton do have and recover of the defendants, William Clark and Jackson Clark, the sum of Two Hundred and Fifty Dollars assessed by the Jury aforesaid, with eight per cent. interest until paid, together with all costs expended in this suit for all which execution may issue.

And thereupon, It is ordered by the Court that Court do now adjourn until, to-morrow morning nine o'clock A.M. Saturday the 27th A.D. 1855.

Saturday Morning, January 27th A.D. 1855. Court convened at Nine o'clock, A. M. pursuant to adjournment. Present the Hon. John Hancock, Judge of the Second Judicial District and said State, Travis Brown, Clerk of said Court and George W. Tates, Sheriff of Travis County. Whereupon the following proceedings were had by said Court as follows to wit:

Hill Term, Saturday, January 27th A.D. 1855.

357	O. R. Cox Mary Jane Cox Robert C. Cleveland, who sue by their next friend	Plaintiffs	Recovery of Negro Boy George
	vs.		
	Sanford C. Blanton	Defendant	

And now on this day come the parties to the above entitled cause by their attorneys and having announced themselves ready for trial, and a Jury of twelve good and lawful men of Tyler county, to wit: Silas D. Linden and eleven others, being duly impannelled and sworn, and the pleadings, the evidence and the argument of counsel, and the charge of the Court being all heard, which was considered of their verdict, and thereupon returned into Court the following verdict, to wit:

"We the Jury find the boy George to be of entirely in the plaintiffs, O. R. Cox and Mary Jane his wife Robert C. and Zachary Cleveland and the value of the

Hire from commencement of suit $600.00
$1200
$1800

"J. A. Linden, Foreman"

Whereupon came the plaintiffs, and in open Court entitled to the said defendant one-fourth of the value of said boy and one-fourth of the hire of said boy ascertained by said verdict, and the same being accepted by the defendant.

It is therefore ordered, adjudged and decreed that the said plaintiffs do have and recover of the said S. C. Blanton the said boy George in the said plaintiffs petition described, and that the right to said boy do vest absolutely in the said plaintiffs, and the Sheriff is hereby ordered to deliver the said boy to the said plaintiffs.

It is further ordered and decreed that the said Plaintiffs do have and recover of the said S. C. Blanton all the costs of this suit in this behalf expended for which execution may issue.

334	John A. Bennett, Admr of Wm Akes & Benjamin Hankshorn, deceased	Plaintiffs	Certiorari
	vs.		
	John A. Akes & Sarah A. Akes	Defendants	

And now at this day come the parties to the above entitled cause by their attorneys, and having announced themselves ready for trial, a jury of twelve

Fall Term, Saturday, Jan. 27th A.D. 1855.

good and lawful men to wit: J. C. Taylor Oscar Cullen, George Davis P. E. Brown, Alex C. Brown A. M. Knight, William Simpson Wm. A. Hamilton Silas J. Thompson, A. Wilcox, Elijah Armstrong, and J. C. Robinson, who being duly sworn and empannelled, and the pleadings, the evidence and the argument of counsel, and the charge of the Court fully being heard 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, Sarah H. Cocks. Elijah Armstrongh, Foreman"

And it appearing to the Court that the said boy Stephen is the property of the said Sarah H. Cox, and not liable to the debts of the said John H. Cox.

It is ordered, adjudged and decreed by the Court that the said levy on said boy by virtue of the Executions against John H. Cocks, in said plaintiff's petition set forth, be released

It is further ordered that the defendants, John A. Cocks and Sarah H. Cocks, do have and recover of the said John H. Bennet, administrator of Benjamin Hall and Benjamin Hartshorn, deceased of H. G. Emmels, and J. Shackelford Sureties on the bond of the said John H. Bennet, administrator and all costs in this behalf expended

It is further ordered that the petition of said Bennet be dismissed, that the parties go hence without day, and that execution do issue against the said Bennet and his said sureties for the costs of this suit.

386

William Wallace et al, Minors, by William O'Connell, Guardian } Plaintiffs
vs.
Josiah Fisk, Adm. &c } Defendant } Decree

And now at this day come the parties in the above entitled cause, the said plaintiffs by their attorney, and the said defendant in his own proper person; also come the Commissioners heretofore appointed by a decretal order of this Court to partition and set off the respective interests of the parties to the several parcels of land mentioned in said order and make this their report in the words and figures following, to wit:

Fall Term, Saturday, January 27th A.D. 1855.

State of Texas, District Court, Travis County.

William Wallace, John C. Wallace and Mary C. Wallace, minor heirs of Wm C. Wallace, deceased, by William O'Connell, their Guardian vs Josiah Fisk, Admr of the estate of James Reid, deceased. } Plaintiffs / Defendant } Report of Commissioners.

To the Honorable John Hancock, Judge of the Second Judicial District in and for said State:

&c &c &c In pursuance of and in obedience to a decree & order in the above entitled cause, issuing out of and under the seal of this Court, and delivered to the undersigned commissioners therein named, made at the Spring Term of this Court, A.D. 1854, a copy of which said order, proceeding in said cause, and judgment therein is hereto annexed. We the said commissioners do hereby respectfully report and return:

That we have carefully examined the several tracts of land and premises described in said order and record, and called to our aid in the premises, Horace L. Upshur, District Surveyor of Travis County, and have made partition thereof between the said parties according to their respective rights and interests therein, as the same have been ascertained, declared and determined by said Court, as we were in and by said order directed, in manner following

We divided the whole of the tract of land described in said Record as Survey No. 122, in three hundred and Twenty acres, in two equal allotments each of which is, in our opinion of equal value, and that being the one as near the most beneficial division, all circumstances considered, that could be made of said tract, and we have set off to the heirs of the said Wm C. Wallace deceased, the allotment of the Southern half of said tract, described as follows, viz: Beginning at the S.E. corner of Survey No. 123, a stake from which a mesquite bears N. 82 E. 40 varas, another bears N. 32 W. 32 varas. Thence East 950 varas to the S.W. corner of Survey No. 121 - a stake from which a mesquite bears S. 80 E. 90 varas; another bears N. 5 W. 15 varas. Thence South 950 1/2 varas to a corner and the S.E. corner of the northern half. Thence West 950 varas to the S.W. corner of said northern allotment of one half of said tract. Thence South 950 1/2 varas to the place of beginning, containing one hundred and Sixty Acres of land.

And we have also set off to the heirs of the

Fall Term, Saturday, January 27th A. D. 1855.

said Wm S. Wallace the whole of the Tract of Land of Six Hundred and Forty acres, mentioned in said Judgment and also as Survey No 58, in Section No 8, more particularly described as follows to wit:

To Wit Situated on the South bank of the San Saba River about 19 miles above its junction with the Colorado River. Beginning at the N.W. Corner of Survey No 57, a stake in the bank of said River from which a Pecan bears S. 86° W. 4 varas, another bears N. 86° E. 2 varas. Thence South with the W. line of said Survey at forty three hundred and four varas, a stake from which a mesquite bears A. 80° W. 30 varas. Thence West at nine hundred and fifty varas a stone mound on the E. boundary of Survey No 60.

Thence North with said Survey at thirty four hundred and forty four varas, a stake on the bank of said River, from which a cotton bears N. 24° W. 6 varas, an Elm bears S. 87° E. 4 varas. Thence down the River with its meanders to the beginning. Bearing marked X = making in the aggregate eight hundred acres of land, laid off for the heirs of the said Wm S. Wallace plaintiff by us, agreeable to command and directed in the said Judgment and decree.

In witness whereof we, the said Commissioners have hereto set our hands to this our Report, this 25th day of January A. D. 1855.

Leg Hancock
A Bennett
Francis T Ruffin
} Commissioners

And the said Report having been accepted by the said Defendant, and received by the Court, no exceptions thereto being made, It is therefore ordered, adjudged and decreed that the said Report be confirmed, and that the said partition made by the said Commissioners of Partition in this cause, be in all respects ratified and confirmed, and the same is hereby approved and ratified. And it is further ordered and decreed that the said partition be firm and effectual forever.

And it is further ordered, adjudged and decreed that all the right, title and interest of the estate of the said James Reid, deceased, and of the heirs and legal representatives thereof in and to the said tracts and parcels of land so set off and partitioned to the heirs of said Wm S.

Fall Term, Saturday, January 27th 1855

Wallace, and he and the same is hereby ratified, and it is further ordered, adjudged and decreed that all the right title and interest of the said estate and of the heirs and legal representatives thereof, of in and to the said lots and parcels of land so set off and partitioned aforesaid be vested in fee simple in the said William Wallace, John C. Wallace, and Mary C. Wallace, minor heirs of Wm C. Wallace, deceased, and this decree and proceeding touching the same is hereby declared a muniment of their title to the same.

And it is further ordered, adjudged and decreed that the costs of the parties hereto, shall be equally divided, that is to say, one moiety thereof shall be paid by the Plaintiffs, the remaining moiety by the said defendant, the amount of which adjudged by the Clerk of this Court. The said Wm O'Connor, Esq as Guardian of said minor heirs and the said Lazian Fisk as Administrator of said estate are hereby directed and authorized to pay out of the funds belonging to their respective estates.

401 ✓ The German Emigration Company for the use &c vs. Stephen Crosby, Commissioner } Plaintiffs / Defendant } Injunction

It is ordered by the Court that the above entitled cause be continued unto the next Term of this Court

403 ✓ James Park vs. W. S. Oldham, et als } Plaintiff / Defendants } Possession of Land and Damages

It is ordered by the Court that the above entitled cause be continued.

405 ✓ Blake & Thompson et al vs. Michael Zeller } Plaintiffs / Defendant } Certiorari

And now on this day come the parties to the above entitled cause by their attorneys, and announced themselves ready to proceed to the trial of said cause Whereupon came a jury of twelve good and lawful men of Travis county to wit: James A. Berridge and eleven others, who being duly elected, empannelled and sworn to try said cause after hearing the evidence and argument

The Term, Saturday, January 27th A.D. 1855.

assumed, retired under charge of the Court to consider of their verdict. Thereupon said Jury returned into Court the following verdict to wit: "We the Jury find for the plaintiffs fifty dollars, principal, and twelve dollars and fifty three cents interest. $62.53. J.A. Beveridge, Foreman."

Whereupon It is ordered adjudged and decreed by the Court that the plaintiffs Blake & Thompson and Augustus Bay do have and recover of the defendant Michael Zeller, the sum of Sixty-Two dollars and fifty-three cents, the principal and interest assessed by the Jury aforesaid, together with all costs in this suit expended, and that execution issue therefor, &c. and the beginning of his contract with R. Gurney and &c. upstairs

408 R.M. McAlpin & Co } Plaintiffs
as } } Debt on &c.
Michael Zeller } Defendant

In this cause It is ordered by the Court that the same be continued until the next Term of this Court

437 Wingfield, Trice & Co } Plaintiffs
as } } Debt on Notes
Hugh Nelson } Defendant

In this cause the Clerk of this Court moved that the plaintiffs here be required to give Cond and security for costs of suit. And thereupon It is ordered by the Court, that the plaintiffs, Wingfield, Trice & Co. be required to give bond and security for costs of suit, on or before the first day of the next Term of this Court, otherwise the said cause will be dismissed at their cost, the said plaintiffs attorneys being present and noticed.

And thereupon It is ordered by the Court that the above cause be continued.

441 Noah Smithwick } Plaintiff
as } } debt on Note
Thomas Glascock et. als. } Defendants

And now on this day comes the plaintiff in this cause by attorney, and dismisses his suit as to the defendant, Thomas Glascock and thereupon It is ordered by the Court that

Fall Term, Sunday, January 27th A.D. 1855.

the defendant, Thomas Glasscock go hence without day. And thereupon, again comes the plaintiff and claims a Judgment final by default as to the defendants defendants Smith, F.S. Roy and S. S. Reed. And it appearing to the Court that the cause of action in this cause is liquidated and proved by an instrument in writing

It is ordered, adjudged and decreed by the Court that the plaintiff, Noah Smithwick, do have and recover of the defendants, Alfred Smith, F.S. Roy and S. S. Reed the sum of Two Thousand Eight Hundred Dollars, the principal aforesaid, together with the further sum of Three hundred and thirty nine dollars and Sixty four cents, interest on said principal, to this date, together with interest at the rate of eight per cent. per annum on said amount of principal and interest aforesaid, (being $3.139.64) until the same shall be satisfied; and that the said plaintiff, Noah Smithwick, pursue recourse of the defendants Alfred Smith F.S. Roy and S. S. Reed, for the costs in this suit expended, for all of which execution may issue. &c

And Thereupon It is ordered by the Court that Court do now adjourn until 9 o'clock Monday morning January 29th A.D. 1855.

Monday Morning, January 29th A.D. 1855. Court met at Nine o'clock A.M. pursuant to adjournment Present the Hon. John Hancock Judge of the Second Judicial District and said Court, Thos. Arrington, Clerk of said Court and N. Hopkins, Deputy Sheriff of Travis County. When upon the following proceedings were had by said Court to wit:

459 The State of Texas } Plaintiff } allowing negro
for } to have
Elijah Landes } Defendant } his own time

Whereas in this cause after the coming in of the Jury a motion for a new trial and also a motion in arrest of the Judgment in this cause were filed with the clerk at the same time, and argued simultaneously and whereas the motion to arrest Judgment precedes the motion for a new trial upon the Records of the case

It is therefore ordered that the order in which

Fall Term, Monday, January 29th 1855

the said motions appear upon the Records be changed, and that a copy of this order be certified to the Supreme Court

978	The State of Texas vs Thomas Hancock	}	Plaintiff Defendant	} Dismissed at Defts

In this cause the death of the Defendant may suggested to the Court and thereupon it is ordered by the Court that the above cause abate

458	The State of Texas vs George W. Paschal	}	Plaintiff Defendant	} Dismissed and Nothing
484	The State of Texas vs Wiley Marshall	}	Plaintiff Defendant	} Retired at Term

It is ordered by the Court that the two last preceding causes be continued

404	The State of Texas vs Thurman Case	}	Plaintiff Defendant	} Taking up and moving Stray Horse.
450	The State of Texas vs James Jackson	}	Plaintiff Defendant	} Retired at Term
462	The State of Texas vs John H. Cocks	}	Plaintiff Defendant	} Defaulting Bondsmen
471	The State of Texas vs Joseph Wright	}	Plaintiff Defendant	} allowing cause to be heard next time

Upon motion of A. W. Chalmers, District Attorney, It is ordered by the Court that the Appearance Bonds taken by the Sheriff in the last four causes be quashed, and it is ordered that the said causes be continued until the next Term of this Court, and that Alias Capias issue to each of said defendants returnable to the next Term of this Court

Fall Term Monday, Jnuary 29th A.D. 1855.

472	The State of Texas as Franas Dutnch	}	Plaintiff Defendant	} Granting leave to bail his own time
480	The State of Texas as Jeggo Robinson & John Robinson	}	Plaintiff Defendants	} allowing gaming bank to be exhibited in their house
482	The State of Texas as Jeggo Robinson & John Robinson	}	Plaintiff Defendants	} allowing gaming in their house
483	The State of Texas as Jeggo Robinson & John Robinson	}	Plaintiff Defendants	} allowing gaming Bank to be exhibited in their house
485	The State of Texas as James S. Guien	}	Plaintiff Defendant	} Betting at Faro
487	The State of Texas as John S. Ford	}	Plaintiff Defendant	} Betting at Manc.
488	The State of Texas as Arthur S. Ford	}	Plaintiff Defendant	} Betting at Faro
489	The State of Texas as Jeggo Robinson & John Robinson	}	Plaintiff Defendants	} allowing Gaming in their house

On motion of A. H. Chalmers Disimd attorney. It is ordered by the Court that the appearance Bonds taken by the Sheriff in the preceding eight causes be quashed, and on motion, It is further ordered that the said causes be continued until the next Term of this Court, and ordered further by the Court that alias Capias do issue to each of said last preceding defendants, returnable to the next Term of this Court.

Tall Term, Saturday, January 20th 1855.

490	The State of Texas vs Joseph Lee	}	Plaintiff Defendant	} Defaulting Answer
491	The State of Texas vs Jane Robinson & John Robinson	}	Plaintiff Defendant	} Allowing gaming in their house.
492	The State of Texas vs Jane Robinson & John Robinson	}	Plaintiff Defendants	} Allowing gaming in their house
493	The State of Texas vs John Karan	}	Plaintiff Defendant	} Allowing gaming in his house.
495	The State of Texas vs Henry P. Kreuster	}	Plaintiff Defendant	} Betting at Faro
496	The State of Texas vs Henry P. Kreuster	}	Plaintiff Defendant	} Playing Faro
497	The State of Texas vs Joseph Warren	}	Plaintiff Defendant	} Assault and Battery
498	The State of Texas vs Samuel J. Fowler	}	Plaintiff Defendant	} Betting at Faro

an motion of A. Chalmers, District Attorney It is ordered by the Court that the appearance Bonds Taken by the Sheriff during the present Term of this Court be quashed, and upon motion, It is in the above and preceding eight causes, be and the same are hereby quashed, and ordered further that the said causes be continued until the next Term of this Court. And ordered further that Alias Alias do issue to each of said defendants in the preceding eight causes returnable to the next Term of this Court

The Term Monday January 29th A.D. 1855.

499	The State of Texas vs. Charles K. Hanson	} Plaintiff } Defendant	}	Betting at Faro
500	The State of Texas vs. Samuel S. Howell	} Plaintiff } Defendant	}	Playing Pakaten Groeny.
501	The State of Texas vs. Thomas Coates	} Plaintiff } Defendant	}	Betting at Faro.
504	The State of Texas vs. Joseph A. Smith	} Plaintiff } Defendant	}	Betting at Faro
505	The State of Texas vs. Geo B. Maupeaux "Geo Moore"	} Plaintiff } Defendant	}	Assault and Battery
509	The State of Texas vs. James K. Pierson	} Plaintiff } Defendant	}	Playing Poker in Groeny
510	The State of Texas vs. Alfred Smith and P. C. Tannehill	} Plaintiff } Defendants	}	affray
513	The State of Texas vs. Wm Sowers & Theodore Sowers	} Plaintiff } Defendants	}	Cutting Timber

On motion of A. W. Chalmers, District Attorney, It is ordered by the Court that the appearance Bonds taken by the Sheriff in the last preceding eight causes, during the present Term of this Court, be and the same are hereby quashed, and upon further motion, It is ordered by the Court that the said causes be continued until the next Term of this Court. And ordered further, that Alias Capias do issue to each of said defendants in the last preceding eight causes, returnable to the next Term of this Court.

Fall Term, Monday, January 29th 1855.

✓ 503	The State of Texas vs. Jas "a mulatto Slave"	}	Plaintiff Defendant	} Arson
✓ 506	The State of Texas vs. John Wilson	}	Plaintiff Defendant	} Assault and Battery.
✓ 507	The State of Texas vs. George W. Scott	}	Plaintiff Defendants	} Biting at Fair
✓ 508	The State of Texas vs. Monet Clements	}	Plaintiff Defendant	} Assault and Battery
✓ 512	The State of Texas vs. Ewing F. Bonner, called "Faster Bonner"	}	Plaintiff Defendant	} Assault with intent to kill and murder.

It is ordered by the Court that the preceding five causes be continued until the next Term of this Court and that alias Capias issue to each of said defendants returnable to the next Term of this Court.

296	The State of Texas vs. Thomas Burchard	}	Plaintiff Defendant	} Betting at Cards.

And now on this day come the parties plaintiff and defendant respectively by their attorneys, and announced themselves ready to proceed to the trial of said cause. And thereupon said defendant was arraigned, and plead guilty to the indictment and the allegations therein contained. Whereupon came a jury of twelve good and lawful men of the county of Travis, to wit: James A. Beveridge and eleven others, who being duly elected, empannelled and sworn, after hearing evidence, and argument of counsel, retired under charge of the Court to consider of their verdict. Whereupon said jury returned into Court the following verdict, to wit "We, the Jury, assess the fine at ten dollars J. A. Beveridge Foreman. Jan. 29, 1855"

Tuesday, January (Monday) 29th 1855.

And thereupon, It is ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of the said defendants Thomas Bunchard and his sureties, Josiah Fisk and Thornell Bachal, the fine of Ten Dollars assessed in the sum aforesaid, together with all costs in this cause laid out and expended.

And it is further agreed by the parties that execution be stayed for the space of sixty days.

257. D. C. Stephenson and Wife } Plaintiffs } For Partition
vs.
Saunee Craft and others } Defendants }

And now on this day come the parties by their attorneys, and also the defendant, Craft whose agent filed an affidavit, and the plaintiffs and said Craft moved the Court for the appointment of a Receiver, for a writ of Sequestration and for a Sequestration to seize said property in the Decree mentioned, and also for an Attachment against the defendant Wilford Barton, which motion is allowed by the Court, and Robinson White is appointed Receiver, with power to summon assistance, and take said negroes wheresoever to be found and bring them before the Court for further order.

Also ordered that an attachment issue for the arrest of Wilford Barton, in order that he may show cause if he can, why an attachment should not issue, and he be compelled commitled until he purge himself of the contempt of this Court. R. F. Townes Special Judge, &c

John C. Crans.

And now on this day comes John C. Crans and petitions to be admitted to practice as an attorney and counsellor at law in the several District and Inferior Courts of this State. And the said John C. Crans having produced to the Court satisfactory evidence of moral character and honorable deportment, and having produced to the Court his License as an admitted attorney and Solicitor in the several Courts of law and equity of the State of Georgia. It is therefore ordered adjudged and decreed by the Court that the said John C. Crans be and he is hereby admitted to practice as an attorney and counsellor at law, in the several District and Inferior Courts of this State, upon his taking the oath prescribed by law, and that a License issue therefor.

Fall Term, Monday, January 29th A.D. 1855.

377. The State of Texas as Newell W. Burdett, et als } Plaintiff / Defendant } Scire Facias

And now on this day comes the District Attorney, and moves the Court that the Forfeiture in the above entitled cause be set aside, as to the exit of the defendant. And Thereupon, It is ordered by the Court that the defendants, Newell W. Burdett, C. R. Peck and O. A. Burdett, go hence without day; and that Thereupon, It is adjudged and decreed by the Court that the said State of Texas do have and recover of the Defendants, Newell W. Burdett Giles A. Burdett and Edward R. Peck, all costs in this suit laid out and expended, for which execution may issue

457 Sarah Wells as Thomas Pitt, et. als } Plaintiffs / Defendants } Damages

And now at this day comes the plaintiff by attorneys and dismisses her suit, And Thereupon, It is ordered by the Court that the said plaintiffs, Sarah Wells Take nothing by her said action; that the defendants Thomas Pitt, Monroe Pitt and John Pitt, go hence without day. And Thereupon, It is adjudged and decreed by the Court that the said plaintiffs, Sarah Wells do recover of the defendants, Thomas Pitt, Monroe Pitt and John Pitt, all costs in this suit expended, for which execution may issue.

524 Mary C. Pitt as. Thomas J. Pitt } Plaintiff / Defendant } Divorce

And now on this day comes the plaintiff to this cause by attorney and dismisses her suit. And Thereupon It is adjudged and decreed by the Court that the plaintiff, Mary C. Pitt, Take nothing by her suit; that the defendant, Thomas J. Pitt, go hence without day. And Thereupon it is adjudged and decreed by the Court that the plaintiff recover of the defendant, Thomas J. Pitt, all costs in this suit expended, for which execution may issue.

Fall Term, Monday, January 29th A.D. 1855.

421 ✓ The State of Texas as. Phineas Bunard et al } Plaintiff Defendants } Scire Facias

In this cause, It is ordered by the Court that the forfeiture be set aside, and the Defendants go hence without day

422 ✓ The State of Texas as. George W. Logan et al } Plaintiff Defendants } Scire Facias

And now comes the District Attorney, and dismisses this suit. And Thereupon It is adjudged and decreed by the Court that the defendants in this cause go hence without day.

423 ✓ The State of Texas as. Andrew Yager et. als. } Plaintiff Defendants } Scire Facias

And now comes the plaintiff by the District Attorney, and dismisses said action. And Thereupon, It is adjudged and decreed that the said defendants go hence without day.

424 ✓ The State of Texas as. Samuel G. Nowell James R. Jackson & G. C. Robinson } Plaintiff Defendants } Scire Facias

And now on this day comes the plaintiff by the District Attorney, and dismisses said action as to the defendant, Robinson. And Thereupon, It is adjudged and decreed that the defendant, G. C. Robinson, go hence without day. And Thereupon, the said plaintiff, by the District Attorney, claims a Judgment final by default. And it appearing to the Court that the said defendants, Samuel G. Nowell and James R. Jackson, have failed to file their answer within the time prescribed by law It is ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of the defendants, Samuel G. Nowell and James R. Jackson the sum of Two Hundred Dollars, the amount of the Judgment nisi heretofore rendered in said cause, together with all costs in this suit expended, and that execution issue therefor.

Fall Term, Monday, January 29th 1855.

425 The State of Texas vs. Samuel G. Norvell, James R. Jackson & G. C. Robinson } Plaintiff / Defendants } Scire Facias

And now on this day comes the District Attorney and dismisses this suit as to the defendant, G. C. Robinson. And Thereupon, It is ordered by the Court that the defendant, G. C. Robinson, go hence without day. And now again comes the said plaintiff by the District Attorney, and claims a Judgment final by default as to the defendants, Samuel G. Norvell and James R. Jackson. And it appearing to the satisfaction of the Court that the said defendants have been duly served by Scire Facias, commanding them, to appear at this Term of the Court, and to show cause, if any they might have, why the Judgment nisi heretofore rendered in said cause should not be made final against them; and it further appearing that the said defendants have failed to file their answer in said cause within the time prescribed by law,

It is Therefore considered, ordered, adjudged and decreed by the Court, that the Judgment nisi heretofore rendered in this cause be made final, and that the said State of Texas do have and recover of the defendants, Samuel G. Norvell and James R. Jackson, the sum of Two Hundred Dollars, the amount specified in said Judgment nisi, together with all costs in this behalf laid out and expended, for all which execution shall issue, &c &c.

426. The State of Texas vs. George Haas, et. als. } Plaintiffs / Defendants } Scire Facias

And now on this day comes the plaintiffs by the District Attorney and dismisses this suit as to the defendants.

Fall Term, Monday, January 29th 1855.

Michael Finnin and George Haas. And Thereupon It is ordered by the Court that the defendants, Michael Finnin and George Haas go hence without day. And now again comes the said plaintiff the District Attorney, and claims a Judgment final by default, as to the defendants, Henry Vines, Sherman Case and D A. Burden. And Thereupon, It appearing to the Court that the defendants have been duly served with Scire Facias, commanding them to appear and show cause why the Judgment nisi heretofore rendered in said cause should not be made final against them, and it further appearing to the Court that said defendants, have failed to appear and file their answer within the time prescribed,

It is therefore considered, ordered, adjudged and decreed by the Court that the Judgment nisi heretofore rendered in this cause be made final, and that the said State of Texas do have and recover of the said defendants, Henry Vines, Sherman Case and D. A. Burden, the sum of Seven Hundred Dollars ($700) the amount of said nisi Judgment, together with all costs in this cause expended, and that execution issue therefor.

✓ 432 The State of Texas } Plaintiff } Scire Facias
as
Thomas Glasscock, et al Defendants

And now comes the District Attorney and suggests to the Court the death of the defendant, Thomas Glasscock, And Thereupon, It is ordered by the Court that the above cause abate

434 ✓ The State of Texas } Plaintiff } Scire
as
John R. Houldridge, et als Defendants } Facias

It is ordered by the Court that the Judgment nisi heretofore rendered in this cause be set aside and it is further ordered that the said State of Texas do recover of the defendants, John R Houldridge, John W. Haynie and Allen C. Brown, all costs in this suit expended, for which execution may issue, &c

All Term, Tuesday, January 30th 1855.

and Thereupon It is ordered by the Court that Court do now adjourn until to-morrow morning, 9 o'clock, a. m, January 30th A.D. 1855

Tuesday Morning, January 30th 1855.
Court met at nine o'clock A.M. pursuant to adjournment. Present the Hon. John Hancock, Judge of the Second Judicial District and of said Court; Frank Brown, Clerk of said Court, and A. N. Hopkins, Deputy Sheriff of Travis County Whereupon the following proceedings were had by said Court, as follows, to wit:

415 ✓ Benjamin Roach vs. Nathaniel Townsend } Plaintiff / Defendant } Debt on Judgment

And now on this day came the parties, plaintiff and defendant, respectively by their attorneys. And the Court considering the matters of law arising upon the demurrer presented by the defendant to the plaintiffs original bill, and hearing the argument of counsel thereon, It is ordered and decreed that the said demurrer be overruled. And thereupon the Court considering the application for a continuance by the defendant, under affidavit, It is adjudged and decreed that the said cause be continued until the next Term of this Court

427 ✓ Robert N. Tyner vs. Andrew N. Hopkins } Plaintiff / Defendant }

And now comes the defendant by attorney, and moves the Court that the plaintiff in this cause be required to give bond and security for costs of suit. And thereupon It is ordered and decreed by the Court that the said plaintiff, Robert N. Tyner, be required to enter into bond and security for costs of suit on or before the first day of the next Term of this Court, otherwise the same will be dismissed at his cost. Plaintiffs attorney present and notified

Fall Term, Tuesday, January 30th 1855.

433 ✓ — Nainaniel Townsend } Plaintiff
as } Injunction &c
Allen O. Brown } Defendant

And now comes the defendant and files an affidavit for a continuance and the Court considering the same, doth order that the above cause be continued until the next Term of this Court

426 ✓ — William Clark } Plaintiff
as } Debt
Andrew N. Hopkins } Defendant

It is ordered by the Court that the above entitled cause be continued until the next Term of this Court

452 ✓ — Sneed & Smith } Plaintiffs
as } Debt on Note
Walton & Walton } Defendants

And now comes the parties to this cause and announced themselves ready for trial. And the parties waiving a Jury submitted the cause to the Court. And it appearing that the cause of action is liquidated, it is decreed that the plaintiffs recover of the defendants according to the prayer of their said petition

It is therefore considered, ordered adjudged and decreed by the Court that the said plaintiffs, S. G. Sneed and Alfred Smith, do have and recover of the defendants, George L Walton and William M Walton, the sum of Fourteen Hundred and Forty-Three Dollars and Forty-Three cents, the amount of their principal debt and interest to this date, with interest thereon at the rate of eight per cent. per annum until paid, Together with all costs in this behalf laid out and expended, for all which execution may issue

454 ✓ — Geo. M. Dubois's Heirs } Plaintiffs
as } Try Title and Damages
Joseph H. Robertson } Defendant

It is ordered by the Court that the above cause be continued

Fall Term, Tuesday, January 30th 1855.

453 John Wahrenberger } Plaintiff } Debt
vs.
James S. Gillet and } Defendants }
D.W. Bicknell.

It is ordered by the Court that this cause be continued, as upon consent of parties

461. R.M. McAlpin & Co. } Plaintiffs } Debt
vs.
Cassidy & Firmin } Defendants }

And now come the defendants and file an affidavit for a continuance and the same being considered by the Court. It is ordered that the above cause be continued

1462 William Rogers } Plaintiff } Debt and d/c
as
Sherman Case. } Defendant }

It is ordered by the Court that the above cause be continued

1464 John S. Johnson } Plaintiff } Damages.
vs.
George Turner } Defendant }

And now comes the defendant by attorney and moves the Court that the plaintiff be required to give bond and security for costs of suit, Plaintiffs attorney being present and notified. and thereupon It is adjudged and decreed by the Court that the plaintiff, John S. Johnson, be required to enter into bond and security for costs of suit on or before the first day of the next Term of this Court & ensuing the same, the said suit, will be dismissed at his cost.

465 John Kinnickson } Plaintiff } Certiorari
as.
James Sims } Defendant }

It is ordered by the Court that the said cause be continued

Fall Term, Tuesday, January 30th 1855.

484 ✓ Benjamin H. Shaw } Plaintiff } Damages
vs.
Andrew N. Kapkins } Defendant }

And now on this day comes the said plaintiff and dismisses his said action by his attorney. And thereupon it is decreed that the plaintiff take nothing by his suit and that the defendant go hence without day. It is further decreed that the defendant, Andrew N. Kapkins pay all costs in this suit expended, for which execution may issue.

497 ✓ William Baker, admr } Plaintiff } Debt on Note
vs.
Sammuel K. Jennings, Jr. } Defendant }

It being shown that the plaintiff Wm Baker, admr aforesaid is related to the Judge of this Court, the parties agreed that George W. Paschal, an attorney of this Court sit as Special Judge in this cause. And thereupon the defendant having made no defence and not having filed an answer in said cause, It is ordered that the plaintiff recover of the defendant according to the prayer of his said petition

It is ordered, adjudged and decreed that the said plaintiff William Baker, administrator of the estate of Sam's Baker, deceased, do have and recover of the defendant, Sammuel K. Jennings Jr, the sum of one hundred and forty-four dollars and sixty nine cents ($144.69) the amount of his principal debt and interest to this date, together with ten per cent. interest thereon until paid, and all costs expended in this suit, for all which execution may issue.

510 ✓ Martin Moore } Plaintiff } Debt
vs.
John M. Castray } Defendant }

And now come the parties by their attorneys; and waiving a jury, submitted the cause to the Court. And the Court considering the same, doth order and decree that the said plaintiff, Martin Moore,

Fall Term Tuesday January 30th 1855

to have and recover of the defendant, Dahn M. Cuddy the sum of one hundred and thirty dollars ($130.00) the amount of his said debt and all costs in this suit expended, for all which execution may issue

572 George W. White } Plaintiff } Debt on
as. } defendants } Note
Case & Manrae }

and now come the parties to this cause by their attorneys, and announced themselves ready to proceed to the trial of said cause. And the parties waiving a jury submitted the cause to the Court. And it appearing to the Court that the cause of action in this cause is liquidated, and proved by an instrument of writing,

It is therefore considered, ordered adjudged and decreed by the Court that the said George W. White do have and recover of the defendants Sherman Case and P. A. Manrae the sum of Two Hundred and Seventy-Four Dollars and forty-six cents ($274.46) the amount of his principal debt and interest to this date, together with interest at the rate of eight per cent. per annum until paid together with all costs in this suit expended, for all which execution may issue, &c.

515 Spence & Freeman } Plaintiffs } Debt on Ag
as. } defendant }
Ann D. Wauldridge }

And now come the parties to this cause by their attorneys, respectively, and agreed that said cause be continued. And thereupon, It is ordered by the Court that this cause be continued until the next Term of this Court.

Fall Term, Tuesday, January 30th 1855.

531½ Meggins on & Rabards } Plaintiffs. } Arbitration.
vs.
Joseph Rowe } Defendant }

and now on this day came the plaintiffs to this cause by their attorneys; and it appearing to the Court that the above suit was instituted for the purpose of adjusting certain matters in controversy between said plaintiffs and defendant; and it further appearing to the Court here that the said parties, in order to settle said matters in controversy, agreed to submit the same to arbitration in accordance with the statute in such cases made and provided, and to submit the same to the arbitration of A. P. Blocker and James G. Swisher, said agreement being in the words and figures following, to wit

The State of Texas } In dist Ct. } agreement to arbitrate
Travis county } Spring T. 1855

This agreement, drawn up between Meggins on & Rabards on one part & Joseph Rowe, on the other, witnesseth: That whereas a controversy has arisen between Meggins on & Rabards & the said Rowe, as to the fee to be paid by the said Rowe to the said Meggins on & Rabards as attorneys for said Rowe in a certain suit for the partition of land, in which suit the said Meggins on & Rabards were retained in his behalf by the said Rowe, an account setting forth which fee is hereunto annexed, amounting to the sum of one hundred and fifty dollars, credited with the sum of forty dollars.

In order, therefore, to arrange the same without recourse to protracted and expensive litigation, the said Meggins on & Rabards & the said Rowe do hereby agree to leave the amount of said fee to be determined by two men legally qualified to act as arbitrators, and that they will abide their decision, one to be selected by each party, & in case the two arbitrators cannot agree among themselves, they shall select a third person as umpire, who shall decide the matter

And the said Meggins on & Rabards do hereby select Abner P. Blocker as arbitrator on their behalf. And the said Rowe does hereby select James G. Swisher as arbitrator on his behalf, to determine the amount of said fee, and they bind themselves to abide by the decision of the same

It is further agreed that Joseph Rowe shall represent his wife & her children in this arbitration,

Fall Term, Tuesday, January 30th 1855.

that is to say that though legally the wife & the children of the wife of said Rowe may be legally bound yet for the purpose of avoiding the expense & trouble consigneit on making so many parties to an arbitration & for the purpose of more easily ascertaining the amount really due, that Joseph Rowe will alone be made a party and he alone will be bound with Miggins on & Rabards to abide the decision of this suit. It is further agreed that this arbitration be conducted in conformity with the statute as near as possible. Dated 13th 1855.

Pest } Miggins on & Rabards. Plaintiffs
C. S. West } Jos Rowe. Defendant

And it further appearing to the Court herein by said agreement that the said arbitrators Abner P Blockner and James G. Swisher were duly and legally appointed by said parties to said cause, the said arbitrators being good and lawful men of the county of Travis, over the age of twenty-one years, competent to serve as jurors, and not related to either of said party by consanguinity or affinity, and disinterested in said cause as such arbitrators. the said Miggins on & Rabards having elected Abner P Blocker and the said Rowe having elected James G. Swisher. And it further appearing to the Court that the said arbitrators were duly and legally sworn by the Clerk of this Court, and it further appearing that the said arbitrators have examined and heard all the testimony concerning said controversy; and have rendered and returned into Court their award in the words and figures following, to wit

State of Texas } Whereas a difference has arisen
Travis County } between Miggins on & Rabards, & Joseph Rowe as to the fee to be paid by the said Rowe to the said Miggins on & Rabards for their services in a certain case for partition between Thos Jones and Joseph Rowe, and others; and whereas, the same were submitted to Jas G. Swisher and Abner P. Blocker, arbitrators duly chosen by agreement heretofore filed, sworn and qualified according to law to sit in the same, and the parties being duly and regularly summoned & being present at the day

Fall Term, Tuesday, January 30th A.D. 1855

appeared, and the evidence of parties being duly heard and argument thereon being considered, we do herby award that the said Rowe do pay to the said Muggins on & Rabards the sum of one hundred and Ten dollars, being the balance due by said Rowe to said Muggins & Rabards for fee in this case, which money is hereunto to by said Rowe paid, & the costs of this arbitration be paid by each party. And in Testimony where of we have hereunto set our hands & seals. this 18th day of January A.D. 1855.

Test C. S. Hart. } James G Swisher (L.S.)
Abner P Blocker (L.S.)
Arbitrators

Whereupon it is considered, adjudged and decreed that the award of the said arbitrators be in all things confirmed, the said plaintiffs, Muggins & Rabards recovering of the defendant, Joseph Rowe as aforesaid the sum of One hundred and Ten Dollars, the balance due on the account of One hundred and fifty dollars. and that the costs of this suit be paid equally by said parties

502 Newell H. Burdett, assignee of Giles H. Burdett as G. B. Moore } Plaintiff / Defendant } Debt

And now on this day come the parties by their attorneys, and by consent a jury was waived and the case submitted to the Court; and the Court having heard the evidence and the same being duly considered for that the said defendant is indebted to said plaintiff in the sum of fifteen hundred dollars ($1500.00) debt, and one hundred and fifteen dollars and seventy-five cents ($115.75) interest; and it appearing also that the note sued on is a lien for the amount due on the same upon an undivided half of Lot No. 9 in Block No. 84 in the City of Austin and the living trader property thereon, the same being for the purchase money of said property.

It is therefore ordered, adjudged and decreed by the Court that the said plaintiff, Newell H. Burdett, assignee of Giles H. Burdett, have and recover of the said defendant, G. B. Moore, the said sum of Sixteen hundred and fifteen dollars and seventy-five cents, for his debt and interest, together with all of his costs in this behalf laid out and expended.

Hall Term, Tuesday, January 30th 1855.

And it is further ordered, adjudged and decreed by the Court that said lien be and is hereby foreclosed, and that said undivided half of Lot No. 3 in Block No. 84, and improvements thereon be sold to satisfy said debt, for all which execution may issue.

491 John Kremand } Plaintiff
v. } Debt
G. R. Moore, et al. } Defendants

And now comes the plaintiff by his attorneys, and thereupon the said plaintiff suggests the death of Thomas Glascock, one of the defendants to this suit, and it appearing to the Court that the said Thomas Glascock has died since the institution of this suit; and it further appearing that H. G. Blakey was made a party suit to enforce the lien of the note sued on upon the property therein mentioned, and it appearing that the said Blakey was not a party to the note sued on in this cause. Therefore upon motion of the plaintiff by his attorney, the said cause is dismissed as to the said Thomas Glascock and the said H. G. Blakey

And it appearing to the Court that the other defendants to this suit, to wit: G. B. Moore and G. W. Glascock had been regularly summoned to appear and answer the petition in this cause, and that They had wholly failed so to do, but had made default; and it appearing that the demand of the plaintiff is liquidated

It is Therefore ordered, adjudged and decreed that the said plaintiff John Kremond, do have and recover of the defendants, G. B. Moore, and George W. Glascock the amount of his debt as shown by the said note, to wit: the sum of four hundred and fourteen 0/100 dollars, the amount of his principal and interest at eight per cent, Together with all costs in this behalf laid out and expended, for which execution may issue.

At a Term, Tuesday, January 31st A. D. 1853.

James A. Raymond } Plaintiff
v.
508. D. D. Maure, Thomas Glasscock & A. A. Bleaky. } Defendants

In this case now comes the plaintiff and suggests the death of Thomas Glasscock, since the institution of this suit, and prays for scire facias to make his representative a party to this suit. And thereupon Frances Litterier, administrator of the said Thomas Glasscock, appears into Court and asks to be made a party hereto; which is done accordingly

And thereupon, It is agreed that this cause stand continued until the next regular Term of this Court

William A. Parker } Plaintiff
v.
328. A. M. Gallie. } Defendant } Suit by publication

And now on this day comes the plaintiff by his attorney, and announced himself ready for trial, and the defendant came not, but made default by failing to plead, answer or demur to this said action in the time required by law.

And it appearing fully to the satisfaction of the Court that service had been perfected on said defendant, he being a non-resident of the State of Texas, and notice given him of the existence and purposes of this suit by due and legal publication of the writ of citation and brief statement of the original petition in accordance with the statute in such case made and provided, in the Texas State Gazette, a weekly newspaper published in the City of Austin, Travis county, State of Texas, for four successive weeks prior to the return day of said citation; and also that due and legal notice had been given said defendant, in accordance with the statute in such case provided, of the time and place of taking the testimony of Arthur Smith (a witness in said suit) to be used on the trial of the same. And thereupon came a jury of twelve good and lawful men of the county of Travis and State of Texas, to wit: [illegible] George Reese, A. Brown, J. G. Taylor, J. C. Robinson, M. M. Duckett, A. Wilcox, P. L. Devine, and [illegible], who being duly [illegible] empannelled and sworn, well and truly to try the facts

Fall Term. Tuesday January 30th 1855.

between the parties, retired under the charge of the Court, after hearing the evidence adduced on the trial, and returned into Court their verdict as follows: "We the Jury find for the plaintiff. G. W. Davis, Foreman."

It is therefore ordered, adjudged and decreed by the Court that all the right, title and interest of the said defendant H. M. Sallie in and to the following described certificate, to wit: A Bounty Land Warrant for six hundred and forty acres of land, issued from the office of the Secretary of War of the Republic of Texas, on the 27th day of December, 1837, No 1320, be and the same is hereby divested from the said H. M. Sallie, and the same by virtue of this Judgment and decree, vested in said plaintiff, William A. Parker, and that the right, title and interest in and to said certificate by this decree vested in the said William A. Parker, be and the same is hereby fully and completely confirmed, to him and his heirs forever. And it is further ordered, adjudged and decreed by the Court, that said plaintiff, William A. Parker, pay all the costs in this behalf expended, for which execution may issue.

490 J. Blodget Britton vs. Nathaniel Townsend } Plaintiff / Defendant } Judgment.

And now at this term of the Court come the said parties, plaintiff and defendant, by their respective attorneys, and announced themselves ready for the trial of said cause. And thereupon a Jury, by consent of parties being waived and the cause submitted to the Court; and it appearing to the satisfaction of the Court that the said J. Blodget Britton, on the 31st day of March, A. D. 1854, obtained a Judgment against the said Townsend in the Fourth District Court of New Orleans, for the sum of two hundred dollars, as well as for his costs of suit, which amounted to the sum of seventeen dollars and fifteen cents; and it further appearing to the satisfaction of the Court that said sum of Two

Fall Term, Tuesday, January 30th 1855

Hundred and Seventeen Dollars and sixteen cents, is due and owing said Riviere. It is therefore ordered, adjudged and decreed, that the said P. Bledget Riviere do have and recover of and from the said Nathaniel Townsend the sum of Two Hundred and Seventeen Dollars and sixteen cents, together with all costs in this suit expended, for which execution may issue.

271

Elizabeth Lloyd
William Lloyd
John W. Lloyd
Benj. W. Lloyd
John C. Lee
Jesse J. Davis, and his wife, Biddy Davis
vs.
Richard T. Lloyd
Washington Lloyd
Alexander C. McKra
& Robert T. McKra

} Plaintiffs

} Defendants

And now on, this day came the parties, plaintiffs and defendants, by their attorneys, and announced themselves ready for trial, and waiving a Jury, submitted the issues made and matters in controversy to the Court; and after hearing the issues, proofs and argument of counsel, the Court determines the issues in favor of the plaintiffs so far as they claim respectively, and adjudges the relief prayed for. It is therefore ordered, adjudged and decreed that the tract of land described in plaintiffs petition and by the title papers offered in evidence as one hundred league of land situate in Travis county on the Colorado River, the same having been granted in October, eighteen hundred and thirty-two, by Arciniega, Commissioner, &c to Joseph Denny, lying east of the Colorado River, containing two thousand two hundred and twenty-two acres, and bounded as follows: commencing at Jacob Burleson's corner on the Colorado River, running thence along said Burleson's line North thirty degrees East to a corner. Thence westward to Reuben Hornsby's line. Thence South to the Colorado River; Thence down the River with the meanders thereof to the place of beginning, be partitioned among the said plaintiffs and defendants according to their respective legal rights, in and to

Fall Term Tuesday January 30th 1855.

partion thereof no fractions to wit: To the plaintiff Elizabeth Lloyd one equal tenth of said half league; to the plaintiff William Lloyd one equal tenth of said half league; to the plaintiff John H. Lloyd one equal tenth of said half league; to the plaintiff Benjamin W. Lloyd one equal tenth of said half league; to the plaintiff John O. Lee two equal tenths or one fifth of said half league; to Jesse I Davis and his wife Riddy Davis in right of the said Riddy one equal tenth of said half league; to the defendant Richard I. Lloyd one equal tenth of said half league; to the defendant Washington Lloyd one equal tenth of said half league; and to the defendants Alexander McKra and Robert McKra one equal tenth that is to say one twentieth each of said half league.

It is further ordered and decreed that for the purpose of effecting the partition among said plaintiffs and defendants according to the foregoing order and decree the following named persons to wit: Orson Johnson, Joshua Albert and Wesley Smith are hereby made Commissioners whose duty it shall be to cause a survey of said half league of land ascertaining first the number of acres contained therein, and then cause the same to be subdivided by surveys according to the foregoing order, having regard to quality as well as to quantity, so that the respective shares or tenths shall be as nearly as may be of equal value; and for the purpose aforesaid the said Commissioners shall cause the Surveyor of the County of Travis to accompany them and make the necessary surveys; and when the same shall have been made, then to allot for the parties respectively their shares according to the foregoing order, that is to say: to Elizabeth Lloyd, one tenth; to William Lloyd, one tenth; to John H. Lloyd one-tenth; to Benjamin W. Lloyd one-tenth; to John O Lee two-tenths; or one fifth; to Jesse I Davis and his wife, Riddy Davis, in right of the said Riddy, one-tenth; to Richard I. Lloyd one-tenth; to Washington Lloyd one-tenth; and to Alexander McKra and Robert McKra

Fall Term, Tuesday, January 30th 1855.

one-tenth, or one Twentieth each; And it is further ordered that said Commissioners in causing said partition to be made between said parties, where it practicable, set off to the defendant, Richard S. Lloyd, his equal tenth as said land lies, so as to include his improvements, without reference to the value of said improvements, and the said Commissioners are hereby required to make return of their said partition to the next Term of this Court.

It is further adjudged and decreed by the Court that the defendant, Richard S. Lloyd, pay all the costs of this suit up to the rendition of this decree (for which execution may issue); and that the several parties among whom partition is directed to be made pay the costs of said partition in proportion according to their several interests, except the said Alex. McKra and Richard McKra, who shall recover all their cost in this suit expended.

It is further ordered that the parties in this cause have leave to withdraw their respective title papers so soon as the Clerk shall have made a final Record of the cause.

187. Robert Mitchell } Plaintiff
vs. } Law Land
W. O. & Jesse Burdett } Defendants.

This cause the parties plaintiff and defendants, appeared by their attorneys, and announced themselves ready for trial, and waived a Jury, and submitted the issues of law and the facts in the case to the Court. After hearing the evidence introduced by the parties plaintiff and defendant, and the argument of counsel

It is ordered adjudged and decreed by the Court that the plaintiff, Robert Mitchell, take nothing by his suit; that the defendants, Wiens O. Burdett and Jesse Burdett, go hence without day. It is further ordered, adjudged and decreed by the Court that the defendants, Wiens O. Burdett and Jesse Burdett, do have and recover off and from the plaintiff, Robert Mitchell, all costs of this suit in this behalf laid out and expended, for which execution may issue. It is further ordered and decreed that each party have leave to withdraw his deeds.

Fall Term, Tuesday, Jany 30th 1855.

504. Rebecca A. Spears & Miriam Seamon vs. Thomas Adams, David Adams, Asphard D McGill & Gideon G. Snead } Plaintiffs / Defendants } Debt

And now on this day came the parties by their attorneys, and the plaintiffs by their attorneys dismissed this suit as to the Defendants, Asphard D McGill and David Adams. And thereupon the parties, plaintiffs and defendants, by their attorneys, announced themselves ready for trial, and by consent waived a jury and submitted the matters in issue to the Judgment of the Court. And the Court being fully informed in the premises, after hearing the evidence adduced on the trial, determines said issues in favor of the plaintiffs.

It is therefore ordered, adjudged and decreed by the Court, that the plaintiffs, Rebecca A. Spears and Miriam Seamon, do have and recover of and from said defendants, Thomas Adams and Gideon G. Snead the sum of three hundred and eighty-nine dollars and eighty-two cents, as their principal debt and interest, together with interest thereon at the rate of eight per cent. per annum until the same is paid; also, all their costs in this behalf expended, for all which execution may issue

And Thereupon, It is ordered by the Court that Court do now adjourn until to-morrow morning Wednesday January 31st A. D. 1855, 9 o'clock, a. m.

Hall Term, Wednesday, January 31st 1855.

Wednesday Morning, January 31st A.D. 1855 Court convened at nine o'clock, a.m. pursuant to adjournment. Present the Hon. John Hancock, Judge of the Second Judicial District and of said Court; Frank Brown, clerk of said Court and A.N. Hopkins, Deputy Sheriff of Travis county whereupon the following proceedings were had by said Court as follows, to wit:

427 — Henry N. Burdett as Newell W. Burdett } Plaintiff / Defendant } Debt

And now comes the defendant, and under oath prays for a continuance. And the Court considering the same, doth order that the cause be continued until the next Term of this Court.

492 — T. B. Morris as T. S. Ray, George L. Watton and William M. Watton } Plaintiff / Defendants } Debt on Note

And now come the parties respectively by their attorneys, and announce themselves ready for trial whereupon came a Jury, to wit, James A. Burridge and seven others, who being duly tried, empannelled and sworn, after hearing the evidence and argument of counsel, received 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 principal one hundred and twenty-five dollars, interest three dollars and seventy-nine cents, principal and interest $128.75. J.A. Burridge, Foreman."

Whereupon, It is adjudged and decreed by the Court that the said T. B. Morris do have and recover of the defendants, T. S. Ray, George L. Watton and William M. Watton the above said sum of one hundred and Twenty eight dollars and seventy-five cents, with eight per cent. interest until paid, together with all costs in this behalf laid out and expended, for all which execution may issue.

Fall Term, Wednesday, Jan. 31st A.D. 1855.

498 Dora A. Burdett } Plaintiff
vs
Newell W. Burdett } Defendant } Dent

And now comes the plaintiff and moves the Court for leave to amend And thereupon it is ordered by the Court that the plaintiff, D. A. Burdett, have leave to file an amended petition

And thereupon, It is ordered that the above cause be continued, upon affidavit of defendant.

504 R. M. Peck & Company } Plaintiffs
vs
John M. Castley } Defendant } Debt

And now on this day come the parties respectively by their attorneys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: Samuel C. Taylor and eleven others, who being duly tried, empannelled and sworn, after hearing the evidence, argument of counsel and charge of 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 plaintiffs one hundred and seventy-eight dollars and twenty-six cents $178.26 cts Samuel C. Taylor, Foreman"

Whereupon, It is adjudged and decreed by the Court that the plaintiffs, R.M. Peck and Edward Tenbrook receiver of the defendant, John M. Castley, the sum of one hundred and Seventy-eight dollars and Twenty-six cents ($178.26) the amount of their principal debt, together with all cost in this suit expended, for which execution may issue

Rec'm the 8th day of March 1860. in the judgment.

W. P. Ashmanden Attorney

Receipt of John T. Price one hundred dollars in the within judgment this 21st day of April 1858 W. P. Ashmanden Atty.

Satisfied in full this 12th day of April 1858 W. P. Ashmanden Atty

519 William F. Cook } Plaintiffs
vs
Thomas Cassidy & Edward Finnin } Defendants } Debt.

And now on this day come the parties, plaintiffs and defendants, by their

Fall Term, Wednesday, January 31st A.D. 1855

attorneys, and announced themselves ready for trial, and by consent of parties waive the intervention of a Jury and submit the matters in issue to the Judgment and decision of the Court. And the Court being fully informed in the premises, after hearing the evidence adduced on the trial, determine said issues in favor of the plaintiff

It is therefore ordered, adjudged and decreed by the Court that said plaintiff, William H Lock, do have and recover of and from said defendants, Thomas Cassidy and Edward Minnin the sum of three hundred and seventy eight dollars and seventy-three cents, as their principal debt and interest up to this date, together with interest thereon at the rate of eight per cent. per annum until the same is paid; also all their cost in this behalf laid out and expended, for all which execution may issue. &c

519

Timothy McKean } Plaintiff
as } }
Wm C Chamberlain } Defendant } Debt

And now on this day came the parties plaintiff and defendant, by their attorneys, and announced themselves ready for trial. and by consent of parties waived the intervention of a Jury and submitted the matters in issue to the Judgment and decision of the Court. And the Court being fully informed in the premises, after hearing the evidence adduced on the trial, determine said issues in favor of the plaintiff

It is therefore ordered, adjudged and decreed by the Court that the plaintiff, Timothy McKean, do have and recover of and from said defendant, William C Chamberlain, the sum of One hundred and sixty-six dollars as his principal debt and interest, together with cost thereon at the rate of ten per cent. per annum until the same is paid; also all his cost in this behalf expended, for all which execution may issue.

Fall Term, Wednesday, Jan. 31st 1855—

523 Moore & Burden } Plaintiffs } Damages
as
Moraney & Travis } Defendants

The plaintiffs having filed an affidavit for a continuance, and the Court considering the same, doth order that the same be continued until the next regular Term of this Court.

529 S. G. Haynie } Plaintiff } Debt on Note
as.
P. B. Cabaniss } Defendant

It is ordered by the Court that this cause be continued until the next Term of this Court.

530 James D. Ward } Plaintiff } Damages
as
F. L. Paschal, et. al. } Defendants

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

531 3/4 Lucinda Price } Plaintiff } For Freedom
as.
Rufus Gethers } Defendant.

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

And thereupon. It is ordered by the Court that Court do now adjourn until nine o'clock, a. m. Thursday, February 1st A.D. 1855.

Fall Term, Thursday, February 1st A. D. 1855.

Thursday Morning, February 1st 1855
Court convened at nine o'clock a. m. pursuant to adjournment. Present the Hon John Hancock, Judge of the Second Judicial District and of said Court, Frank Brown, Clerk of said Court and A. N. Hopkins, Deputy Sheriff of Travis county. Whereupon the following proceedings were had by said Court, as follows, to-wit:

304 ✓ The State of Texas vs John M. Crockett } Plaintiff / Defendant } Rondeau

And now comes the defendant by attorney and moves the Court that the Judgment in this cause heretofore rendered be arrested. And the counsel being heard and the Court considering the same, doth order and decree that said motion be refused.

308 ✓ The State of Texas vs James H. Lean } Plaintiff / Defendant } Billing at Rondeau.

And now come the parties by attorneys and the Court considering the motion heretofore filed in said cause in arrest of Judgment, doth adjudge and decree that the said motion be overruled.

400 ✓ The State of Texas vs William H. Fowler } Plaintiff / Defendant } Hiring Negro

The Court considering the motion heretofore filed in this cause to quash the appearance bond and dismiss the Scire facias award to be issued in said cause, doth order and decree that the said motion be allowed.

And thereupon it is ordered by the Court that alias capias issue to said defendant.

295 ✓ Pratt & Comp vs R. D. Lloyd } Plaintiff / Defendant } Debt

And now come the parties plaintiff and defendant by attorneys, and the Court, after hearing the argument of counsel on the motion for a new trial filed by defendant, and considering

Fall Term, Thursday, January 1st A. D. 1855.

the same doth order, adjudge and decree, that the said motion be overruled, and thereupon said defendant, by attorney, in open Court, gives notice of an appeal to the Supreme Court

419 — Charles F. Compton vs Wm Clark et al — Plaintiff / Defendant — Damages

It appearing that a motion for a new trial in this Cause, has been filed, the Court, after hearing argument of counsel on said, cause doth decree that said motion be overruled And Thereupon the defendant, William Clark, in open Court gives notice of an appeal to the Sup. Court.

334 — Lavina K. Bennett, admr vs Sarah H. Cock, et al — Plaintiffs / Defendant — Certiorari

And now come the parties by their attorneys; and the Court after hearing argument of counsel on a motion for new trial, and duly considering the same, doth decree that said motion be overruled. And thereupon the plaintiffs in execution, in open Court, give notice of an appeal to the Supreme Court

405 — B. H. Thompson, et al vs Michael Lilly — Plaintiffs / Defendant — Certiorari

On this day come the parties respectively by their attorneys, and after argument of counsel. It is ordered by the Court that the motion heretofore filed in said cause for a new trial be overruled. And Thereupon the said defendant, by attorney, in open Court, gives notice of an appeal to the Supreme Court

492 — D. B. Morris vs D. S. Roy & Co — Plaintiffs / Defendants — Motion for new trial

And now come the parties by their attorneys, and after hearing the argument of counsel on the motion filed in said cause for a new trial, The Court doth order and decree

Fall Term, Thursday, February 1st A.D. 1855.

that said motion be overruled. And thereupon said defendants, by their attorneys, give notice in open Court, of an appeal to the Supreme Court

492 ✓ J. B. Morris vs. F. L. Roy & Co. } Plaintiff / Defendants } Motion in arrest of Judgment.

And now on this day come the parties to this cause by their attorneys; and the Court, after hearing the argument of counsel on motion filed in said cause in arrest of judgment, and duly advised in the premises, doth adjudge and decree that said motion be overruled. And thereupon said defendants, by attorneys, give notice in open Court of an appeal to the Supreme Court

282 ✓ Wm B. Clark, Admr as Sherman Case } Plaintiff / Defendant } Motion to reinstate

And now come the parties by their attorneys, and the counsel having for the plaintiff having filed a motion to reinstate said cause, and the Court considering the same, doth order that said cause be reinstated.

465 ✓ John Mundrickson as James Sims } Plaintiff / Defendant } Contrari Motion to dismiss

The Court considering the motion filed in this cause to dismiss the same, after hearing argument of counsel thereon, doth order and decree that said motion be overruled

James P. Neal

✓ And now comes James P. Neal and petitions the Court to be admitted to practice as an attorney and counsellor at law in the several Districts and inferior Courts of this State. And the said James P. Neal having made affidavit that he has heretofore been regularly admitted as an attorney and counsellor at law in the Circuit and inferior Courts of Arkansas, but that his License has been lost or mislaid, and Sebron G. Reed and John M. Casha having testified as to his being a man of good moral character and honorable deportment, It is adjudged and decreed by the Court that the said James P. Neal be and he is hereby admitted to practice

Fall Term, Thursday, February 1st A.D. 1855

as an attorney and counsellor at law in the several Districts and inferior Courts of this State upon his taking the oath prescribed by the Constitution, and that a License issue accordingly.

Declaration of Intention To become a Citizen.

State of Texas } Lahann G. Gahlke being duly sworn
County of Travis } 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 1831 in Prussia, whence he emigrated in the year 1851, to the United States of America; and has elected 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 and of the said State of Texas, and renounce forever all allegiance and fidelity to every foreign potentate Prince, State or Sovereignty whatsoever, and particularly to the King of Prussia, Frederick Wilhelm of whom he is now a subject

Lahann G. Gahlke

Sworn to and subscribed before me in open Court February 1st 1855

Frank Brown, Clk
D.C.T.C.

503

James and Mary Doyle } Plaintiffs
as
James G. Swisher and } Defendants
Lucia P. Nichols }

Change of Venue.

And now on this day come the plaintiffs by their attorneys, and moved the Court for a change of Venue. And thereupon said Attorneys, Catron and Allen filed their motion in terms of the law for said change of venue setting forth their reasons therefor. And the Court considering the said motion, doth order, adjudge and decree that the motion of said plaintiffs be sustained, and that the said cause be and is hereby adjourned to the County of Williamson, it being the nearest adjoining the County of Travis and out of the Second Judicial District and that the said cause stand for trial at the

Fall Term, Thursday February 1st A.D. 1855.

next regular Term of the District Court of the said County of Williamson; and further ordered that the Clerk of this Court make out a complete Record of all the original entries of said cause, and transmit the same, together with all the original papers in said cause to the Clerk of the District Court of Williamson County, on or before the first day of the next Term thereof, so that such proceedings may be had thereon as to justice and equity may appertain, &c

	William B. McGehee, Guardian of Charles L and Sarah McGehee & Mary Ward and husband, A. D. Ward, Heirs of Charles L. McGehee,	Plaintiffs
448.	v.	Suit for partition
	Martha Phillips, formerly Martha McGehee, widow of Charles L. McGehee and her husband, John W. Phillips, and Quilla F. Nichols.	Defendants

In this case now come Charles L. McGehee and Sarah McGehee by their Guardian, William B. McGehee, the said Mary Ward, formerly Mary McGehee joined by her husband, A. D. Ward, by their attorneys, the said Martha Phillips, formerly widow of Charles L. McGehee, with her husband, John W. Phillips, by their attorneys, and the said Quilla F. Nichols in his own proper person.

And the said cause now coming on to be heard, a Jury being waived by consent of parties upon the bill, answers, exhibits, Report of the Auditor and exceptions of the plaintiffs and defendants Phillips' wife, And because it appears that the exceptions of the defendants, Phillips and wife, to the Report of the Auditor, are not well taken, It is ordered and adjudged that the same, all and singular, be overruled. and because the same are not well Taken It is ordered and adjudged that the sixth, second, third, fourth, sixth and seventh exceptions of the Plaintiffs be overruled, and that their fifth exception be sustained, and that the said Report of the Auditor be in all other things confirmed, excepting so far as the same is herein directed to be corrected & remodelled.

And it now appears to the Court, that on

Fall Term, Thursday, February 1st 1855.

the first day of September, 1852, Charles L McGehee departed this life leaving Three children, minors, under the age of Twenty one years, to wit: Mary, Charles and Sarah, and also leaving a widow, Martha, now wife of John W. Phillips, That the said McGehee, before his death, made a nuncupative will which has been duly probated in Travis county, the third clause of which and the only clause directing a distribution of his property is as follows:

" Thirdly, that it is the will and wish of the said " Charles L McGehee that a pair, just and equitable " division of his estate of whatever nature it might " consist of, should be made between his wife " Martha, and his Three children, Mary, Charles " and Sarah, giving apart an equal portion to " each, and in said division the property set " apart to his wife to be equal in value to the " shares of the said children, including the portion " of his Estate held heretofore as the property of " his said children, Mary, Charles and Sarah."

It further appears that the said Charles L McGehee, at the time of his death, left as his separate property, free from any interest with any one else, a large amount, both real and personal, that portion of which now remains after the sales by the administrator for the payment of debts, is as follows:

Three hundred and ninety four dollars in cash, which went into the hands of his wife, Martha. one gold watch and one set of coin silver Table ware, to wit: half a dozen large spoons, a set of small spoons, and a Silver ladle; also a negro man named Henry, a negro man named Abe, and a negro woman named Fanny. Also 1036 acres of land lying being part of the headright of Stephen F Slaughter, bought by Charles L. McGehee of William H. McGehee, less Twenty-seven acres sold in his lifetime to John McCrishon; the said land being on Onion creek in Travis county. Also. 640 acres of land, being the headright of Elizabeth McGehee on Bean River in Travis county Also, 640 acres of land,

Fall Term, Thursday, February 1st A.D. 1855.

being the headright of S. W. Allen in Travis county.
Also a certificate of 640 acres, the headright of
George Butler, part of which is located in Milam county.

It further appears that the said Charles
L. McGehee held at the time of his death, 1107 acres
of land of the headright of John J. McGehee, on Onion
creek, less the amount of 400 acres sold by him to W.
R. Reed, in the year 1851. This land it appears was com
munity property between himself and his wife, Sarah V.
McGehee; And it appearing that the said 400 acres of
land was sold after the death of said Sarah V. and
it further appearing that it was sold to pay a community
debt. It is ordered adjudged and decreed that the
said sale be confirmed, and that no charge be made
against the estate of said Charles L. McGehee for the same.

It further appears that at the time of the death
of said Charles L. he had in his possession the following
property of his children the said Mary, Charles and Sarah.
Manley, a negro woman, Eliza, Jane, Robe, Mandy, Harriet and
Jack, Jenny, Lucy, Aaron and Nick, all slaves for life,
Also the following real estate: Seven hundred and
seventy-eight acres of the James Curtis quantity of a
league on the San Marcos River in Hays County
Also two quantities of a League of land on Onion creek in
Travis county, known as the Southeast and Northwest
quarters of the League granted to S. V. D. Egglesten and
afterwards described as Lots two and four of said league.
Both the Egglesten and Curtis tracts being deeded to
Sarah V. McGehee by Thomas S. and Minerva McGehee on the
28th Nov. 1848.

It further appearing that at the
Egglesten tracts before mentioned the said Charles L.
McGehee in his lifetime had sold the following:
To Victor Likenski on the sixth day of August
three hundred acres
To William Snoddy and Matthew Alexander five
hundred and sixty-three and one half acres in the year 1850.
To Enoch Robbins in the year 1851 two hun
dred and seventy-seven acres.
To George W. Watkins in the year 1851 and 1852,
two hundred and seventy-seven acres.
All of said Tracts being sold after the death
of said Sarah V. McGehee.

Fall Term, Thursday, February 1st 1855.

It further appears to the Court that at the time of the death of said McGehee he owned a large amount of property, both real and personal, as well as debts due from various individuals in whom Charles D. Nichols had an interest of one fourth, which property and debts are specifically set forth in the Auditors Report. It further appears that there was at the time of the death of said McGehee a large partnership debt between him and the said Nichols, and that under the will of said McGehee but some time after his death that the partnership of said McGehee and Nichols was carried on and continued, and that a large amount of debts were contracted and paid and that a large amount of said partnership property was sold to pay said debts. And it further appears that there now remains of the said partnership property the following: Lots Nos 1, 2, 3, 7, 8, 9, 10, 11, & 12 in Block No 113 in the City of Austin Also, the following slaves: Spencer, John, Charles, Percy and child, Celia, Chloe, Reed, Esther, George, Amanda, Tim, Harris, Phil, Dave Lewis and Simon.

It further appears from the Auditors Report and the accounts therewith submitted, that there remains a large amount of partnership debts of the said McGehee and Nichols in the hands of the administrator to be collected, and debts to be paid. And it further appears by the accounts of the administrator of the interest of the said Nichols that there is due to him from the estate two hundred and Twenty five dollars, the same being over payments with the funds of the said Nichols of the expenses of administering the property of said Charles D. McGehee.

And it further appears that there has been in the hands of Martha Phillips ever since the death of Charles D. McGehee of the separate property of said McGehee, three hundred and ninety-four dollars, also a gold watch valued by the Auditor at one hundred and fifty dollars, also, silver Table ware, to wit: one set of large silver spoons, a set of small silver spoons and a silver ladle.

And it further appears to the Court that in the lifetime of Charles D. McGehee, that the

Feb Term, Thursday, February 1st A.D. 1855.

property herein decreed as the separate property of the children of said Charles L. was held by him as a trust estate for the benefit of his wife Sarah V. McGehee and her children, Mary, Charles L. Jr. and Sarah the plaintiffs in this suit up to the death of the said Sarah V. McGehee on the 28th December, 1848, and that after the death of their mother, the said property was held in trust for said children by the said Charles L. up to the date of his death; that during the said time he boarded, clothed and educated and maintained his said children; that he took care of their property and managed the same, and received the issues and profits therefrom. And it further appearing that the said Charles L. held in his possession the deed of his said wife, from Thomas J. McGehee and wife to a portion of said trust property, to wit: to the Southeast and northwest quarters of the J. V. R. Eggleston league in Travis county aforesaid, and which were known as quarters No. two and four of said league; and also a tract of 476 acres old the headright of James Curtis on the San Marcos)

And it further appearing that the said Charles L. failed to record the deed of his said wife to the said land but that after the death of his said wife, he procured a deed from the said Thomas J. McGehee and wife for the same land directly to himself in violation of the rights of his said children, Mary, Charles and Sarah, and that the last mentioned deed he the said Charles L. McGehee caused to be recorded, and thereupon he the said Charles L. McGehee proceeded to exercise acts of various and divers powers and parcels of the said two quarters of a league of land on Onion creek in Travis county granted to J. V. R. Eggleston as aforesaid, and to give to the purchasers warranty deeds thereto, and to place them in possession thereof. It is therefore ordered, adjudged and decreed that the account taken and stated between the children of the said Charles L. McGehee be rejected and altered so as to allow to the said father, Charles L. McGehee, the sum of five hundred dollars per annum from the date of the death of his wife, up to the death of said Charles L. for the care, management and control of the affairs of his said children's separate property,

amounting to the sum of one Thousand eight hundred and thirty-three 33/100 Dollars; and that he be charged with the present value of the said lands so said as shared by the Auditor amounting to the sum of five Thousand and fifty Three Dollars, and that the title of the said purchaser when named be fully confirmed to the lands so sold by the said Charles L. and of said league and that the title to the remainder be vested in the said children, their heirs and assigns forever.

It is further ordered that the remainder of the account of the said Auditor between the said Charles L. McGehee and his said children be in all things allowed, and that the balance due from the said father, Charles L. McGehee be charged by the Commissioners of Partition against the separate estate of the said Charles L. McGehee now to be distributed between his said widow and children.

And it appearing to the Court that the said nuncupative will was duly proved in the proper county, and that the evidence relating to the division of the said Fortune estate between his said wife and three children contemplated the giving to his said wife more than one-fourth of his property without assigning any sufficient reasons therefor, It is therefore ordered, adjudged and decreed that the said will so far as it seeks to give to give to the said Martha Phillips more than one fourth of his said property, after the payment of his debts, be set aside, cancelled and be declared null and void.

And it is further ordered, adjudged and decreed that the said will, so far as relates to the separate property of the said Charles L. McGehee, as reported by the Auditor, be fully confirmed and established, and that the said Martha Phillips do have partition thereof in one-fourth of the same or its value, subject to the payment of the debts and necessary expenses incident to the final settlement of said estate.

It is further ordered, adjudged and decreed that the estate and property herein mentioned be divided and partitioned among the parties to this suit as follows:

Held Term, Thursday, February 1st 1855.

First: In as the property herein mentioned as the partnership property of Charles L McGehee and Lucilla L Nichols, and in which the said Nichols has one fourth interest; that the Commissioners of partition do set apart and to the same to Lucilla L Nichols, the one fourth thereof as its value, and that they take the town Block 113 in the City of Austin as at the value at two thousand dollars. And it is hereby decreed that the remaining three fourths of the above mentioned property be regarded and set down in this partition as the separate property of the said Charles L McGehee.

Second: In the remaining one hundred and seven acres of the John J McGehee headright returned as community property between the said Charles L McGehee and his former wife Sarah V. McGehee, that the Commissioners of partition do set apart to the said Martha Phillips the one eighth thereof as its value and that the remainder be divided as is hereinafter directed equally between the said Mary, Charles and Sarah.

Third- In as the property before mentioned in this decree as the separate property of Charles L. McGehee as well as the three fourth interest which Nichols that the said Commissioners of partition do set apart and to the same to the said Martha Phillips the one fourth thereof as its value.

Fourth: That in ascertaining the value or amount of the separate estate of said Charles L McGehee now to be partitioned between the said Martha Phillips and the said Mary, Charles and Sarah, the said Commissioners of partition shall charge the same, with the account of the children, to wit: with $5753.50 for the sale of their land, and the sum of $2718.31 for the use and hire of their negroes, and that they credit the same with the sum of $1833.33, the value of the said Charles L McGehees services to his said children in the care and management of their separate property, and also the sum of $1973.25 for board, clothing and maintenance for his said children and also an unpaid note and interest thereon up to the time of partition, which is acknowledged by the administrator for seven hundred and Twenty dollars due to Edward McGehee for the rent of land for the benefit of said children's property.

That they do charge to the said Martha Phillips

Fall Term Thursday, Februay 1st 1855.

the said sum of three hundred and ninety dollars recvied by her of the separate property of said Charles L. McGehee at the time of his death the same being decreed by the Court to be an advancement

2dly. After the division of the separate property of said Charles L. McGehee as above directed, the said Commissioners shall regard all of the remainder of the property mentioned in this decree as the separate property of the said Mary, Charles and Sarah, and they shall proceed to divide and partition the same into three equal portions allotting to each the said Mary Charles and Sarah one share.

3rdly: That said Commissioners in dividing the lots in the City of Austin they bring the homestead of the deceased, shall set apart the same to the said Marita Phillips at the sum of two thousand dollars, if she so desire, and shall give to Luicia J. McGehee for his interest of one fourth therein, the value of said interest in other partnership property now to be divided

It is further ordered, adjudged and decreed that the said Martha Phillips deliver to the administrator in this cause as the Receiver, the said Gold watch and the said silver table ware aforesaid mentioned in this decree, that the same may be subject to this partition

And it is hereby directed, with the assent of the parties to this cause that the Commissioners hereinafter appointed shall go over, around and upon the lands hereby to be divided, so far as it may lay in their power, and shall assess the value thereof, and that as to the lands which are so distant as to make it inconvenient or too expensive to the estate, the said Commissioners shall hear evidence, and shall therefrom determine its value; but with regard to all the other property not herein specifically valued, they shall proceed to assess the just and true value thereof at the time of said partition; and that they

Fall Term, Thursday, Feburary 1st 1855.

have power to employ a competent Surveyor to survey the said lands.

(It is further ordered, adjudged and decreed with the consent of parties that Thomas A. Jones, Samuel K. Jennings, Jr. and A. M. Harris be appointed Commissioners to partition and distribute the property in this Decree mentioned between the parties to this suit, according to the directions herein given, and that they make return of their Report at the next Term of this Court.)

And it appearing to the Court that the administrator, James A. Gillespie, had duly accounted before the Auditor, and had set forth and filed his exhibits as administrator of the estate of Charles K. McGehee, and that he had also fully accounted together with Lewis A. Nichols, for the administration of the said Gillespie and Nichols, upon the said estate of McGehee, And it appearing to the Court that the said accounts have been allowed by the Auditor, John B. Costa, It is therefore ordered, adjudged and decreed, that the said account as stated therein, and reported by the Auditor, be in all things confirmed. that the said Gillespie be continued as administrator of said estate under the authority of this Court; that he have full power to administer and settle all the unfinished business of the estate of said McGehee as shown by his said account, and the Report of the Auditor; that he retain in his hands all the assets of said estate, except the property now to be divided, and that he have the powers of an administrator under the law concerning the estates of deceased persons, over the property and choses in action remaining in his hands upon said division.

That he pay all debts due and owing from said estate, which have been presented as shown by him, together with all other subsisting debts which may be shown to be due. That he pay the expenses of administration heretofore had, and that which may arise in future.

That he pay the costs of this partition according to the bill to be taxed by the Clerk, and that he pay all other necessary expenses incident or appertaining to the proper settlement of the estate.

It is further ordered, adjudged and decreed, that after the said administrator shall have paid and

and discharged the debts aforesaid, together with the other expenses herein contemplated that he shall continue to collect the assets of the said estate, and when collected shall pay the same to the parties entitled to distributive shares of said estate in the following proportion:

First: In all collections of the assets in his hands, where David S. Nichols shall have an interest, he shall pay over to the said Nichols the one-fourth thereof, first charging the said estate with whatever sum that may be found to be due to the said Nichols to make his accounts balance with the said estate.

Second: That all other collections shall be regarded as the separate property of Charles L. McGehee and shall be paid by the said Gillespie, as follows: one-fourth each to the said Martha Phillips, the said Mary Ward, the said Charles L. Jr, and Sarah McGehee, their legally authorized agent or guardian, first charging the said Mary Charles and Sarah, the balance of interest not allowed against them by the Commissioners of Partition, in a note chancery the Auditor as payable to Edward McGehee.

It is further ordered adjudged and decreed, that the said Gillespie, as Admin'r also, report his accounts to each succeeding Term of this Court.

And the said John W. Phillips and wife, desiring to appeal from this decree, now with a view that this may be done and at the same time with a view that a partition and distribution of the property may now be had according to this decree It is hereby agreed between the parties, and it is so ordered, and adjudged by the Court that said partition and distribution shall proceed to completion so far as said property is concerned upon the respective parties according to the other by themselves, their agents or guardians a bond for the forthcoming or delivery of the property now to be distributed to them or its value so far as to reimburse the party or parties for whom

Fall Term, Thursday, February 1st A.D. 1855

benefit the judgment of the Supreme Court may be revived as reformed; the value of said property to be assessed at the value now to be placed upon it by the Commissioners

It is further agreed however that the said Quillo D. Nichols shall be exempted from the operation of the above requirements, and that the shares to which he is entitled to in the partition shall be set apart to him here from any objection of the other parties to this suit, and free from the operation of an appeal.

It is further agreed that any party wishing to appeal from this decree shall be allowed to do so. by giving a bond for costs, a bond for the value of the property being waived.

It is further ordered, adjudged and decreed by the consent of parties that the costs of this proceeding be divided between the parties to this suit in proportion to the interest they may have in the property of said estate.

R. J. Timmins Special Judge &c

531 ✓

A. D. McClelland, Executor } Plaintiff. }
vs } Mandamus
John M. Swisher & James D. Shaw } Defendants }

And now on this day come the parties to the above entitled cause by their attorneys, and the demurrer of the defendants to the petition of plaintiff coming on to be heard, It is ordered by the Court that the said demurrer be sustained and the said plaintiffs have leave to amend their petition heretofore filed. And thereupon comes the plaintiff and amends his said petition. Whereupon, It is ordered that the above cause do stand continued until the next Term of this Court.

340 ✓

James G. Swisher } Plaintiff }
vs } Injunction.
John S. Granville } Defendant. }

And now on this day came the parties in the above case, by their respective attorneys, and having announced themselves ready for trial, waived a Jury, and submitted the matters in controversy to the Court. And the Court after hearing the pleadings and proofs and duly considering the same, finds

the issues in favor of the defendant and whereas the respective claims of the parties plaintiff and defendant, to the land covered by the injunction herein granted, and which is described in the pleadings as being upon the main Congress Avenue in the City of Austin, is determined by the line dividing the league of which the said disputed portion covered by said Injunction is a part granted to Isaac Decker, into two equal parts which said line is described in a deed from said Decker to Daniel Browning, dated the 11th day of July, 1839; and the said last mentioned deed requiring the partition to be so made as to give to each moiety an equal amount of the centre of the front of said League on the Colorado River and run back giving equal quantities; and an order having issued from this Court to a former Term to the Surveyor of Travis County, to make a survey of the original tract of the League, and to ascertain among other things the centre of the front on the Colorado River, and having returned into Court a Plat of said original League which is filed and marked "Exhibit No. 20." And it appearing by said plat and the field notes accompanying the same that the centre of the front of said league of land on the Colorado River is at a point designated on said plat marked E. and the respective rights of the parties to the land embraced in the said Injunction depending on the determination of said point on the river, and direction of a line running straight from the said centre of the front on the Colorado River, beginning at the letter E. on said plat and running back, (by a direct line) to the rear of said League in such direction so to divide the said league in two equal moieties; And it appearing that said line will secure to the defendant the land claimed by him in his answer.

It is therefore further ordered, adjudged and decreed that the said defendant be quieted in the title, possession and

enjoyment of the four acres of land, more or less claimed by him in his answer, to wit: commencing about one hundred or one hundred and sixty yards above the present landing of the ferry known as "Bramles Ferry" on the tract of land purchased by said Bramles from Henry Adams and by the said Adams sold to the said Bramles, being a part of the tract of one and one league of land granted by the Government of Coahuila and Texas to Isaac Decker at the second bend of Colorado standing near the Colorado River, said line to commence at the edge of said River and a line with said cotton woods thence thirty yards South 30° West, thence a straight line down the River to the aforesaid line running from the mouth on the Colorado River, beginning at the letter E on said plat, and running back so as to divide equally said league of land, thence with said last mentioned line to the Colorado River; thence up and along said River to the place of beginning.

And that it is further ordered, adjudged and decreed that the said plaintiffs be and he is hereby enjoined from setting up claim or title to said four acres of land, or from interfering in any manner with the possession use and occupation of the same, by said defendant. It is further ordered adjudged and decreed that the Injunction of the said plaintiffs heretofore granted be dissolved and his petition dismissed, and that the said defendant go hence without day. It is further ordered, adjudged and decreed, that the said defendant, John D. Bramble recover of the plaintiffs, James G. Swisher, all costs in this behalf expended for which execution may issue. And thereupon the plaintiffs in open Court, gives notice of an appeal to the Supreme Court.

288. Thomas J. Ailes, et al. } Plaintiffs } Mandamus
vs.
John M. Swisher, Auditor, & James R. Shaw, Comptroller } Defendants }

And now on this day came the parties by their attorneys, and announced themselves ready for trial, and waiving a Jury, submitted the matters in controversy to the Court. And thereupon the Court having considered of the exceptions filed by defendants to plaintiffs petition, because it

Fall Term, Thursday February 1st A. D. 1855.

seems to the Court, that they are not well taken, they are overruled

And proceeding to the consideration of the case upon the petition of said defendants and the proofs adduced, because it seems to the Court here that the testimony fully sustains the allegations in plaintiffs petition, the same are found in their favor

It is therefore ordered, adjudged and decreed that the said Defendants, as Auditor and Comptroller of the State of Texas, be commanded peremptorily by the writ of Mandamus to be issued by the Clerk of this Court and directed to them, if and as fully as contemplated by the act of 20th March, 1848. entitled "An act for ascertaining the debt of the late Republic of Texas." the interest accruing on a certain Bill of Exchange described in Plaintiffs petition to wit: a bill of exchange dated Port of Galveston, 22nd April, 1836, payable four months after the date thereof, or sooner should the drawee be in funds for the sum of five Thousand dollars; for value received by the purchase of the Steamboat Sayaga for the Republic of Texas, with ten per cent. interest per annum from the 20th January 1836, signed by Bailey Hardeman, Secretary of the Treasury, and addressed to one Robert Triplett, New Orleans, La, agent for the Republic of Texas, the said interest to be computed on said amount of five Thousand dollars from the 20th day of January 1836, until the first day of July, 1850, at the rate of Ten per cent. per annum

It is further ordered that the plaintiffs pay all the costs of this suit, for which execution may issue. And thereupon said defendants in open court, give notice of an appeal to the Supreme Court.

297

Yancey Bledsoe } Plaintiffs
vs. } Debt on Note.
Thomas Banks } Defendant

And now come the parties by their Attorneys and announced themselves ready for trial. And the parties, by consent, waived the intervention of a Jury, and submitted the cause to the

Fall Term, Thursday, February 1st A.D. 1855.

decision of the Court. And Thereupon the Court, after duly considering the cause in controversy, doth decree that the said Plaintiff recover of the defendant according to the prayer of his said petition.

It is Therefore adjudged and decreed that the plaintiff, Nancy Rudasill do have and recover of the Defendant, Thomas Banks the sum of Two Hundred and Sixty-Seven Dollars and twenty-eight cents ($267.28) the amount of his principal debt and interest to this date, also interest at the rate of eight per cent. per annum until paid and all costs in this suit expended, for all which execution may issue.

428 ✓ Deanah Guiland vs. William W. Wood } Plaintiff / Defendant } Damages

By consent of parties, It is ordered by the Court that the above cause be continued.

493 ✓ Thomas Glascock vs. Harriet C. Beaky } Plaintiff / Defendant } Division of Negroes

And now come the parties to this cause, and the death of the plaintiff was suggested to the Court. And thereupon appeared Frances Dibrell, Administrator of said estate, and makes himself a party (plaintiff) to this suit

492 ✓ J. B. Morris vs. F. S. Roy & Co. } Plaintiff / Defendants } Motion to reform Judgment.

And now on this day come the parties to the above entitled cause by their attorneys, and the Court considering the motion heretofore filed in said cause to reform the Judgment rendered therein, doth order adjudge and decree that said motion be overruled.

And Thereupon It is ordered adjudged by the Court that Court do now adjourn until tomorrow morning, nine o'clock, A.M. Friday, February 2d 1855.

Friday (Fall Term,) February 2d 1855.

Friday Morning, February 2d 1855.
Court convened at nine o'clock A. M. pursuant to adjournment, Present, The Hon. John Hancock, Judge of the Second Judicial District and of said Court, Frank Brown, Clerk of said Court, and A.N. Hopkins, Depty Sheriff of Travis county.

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

James A. Stephenson & Wife, et al. } Plaintiffs } Partition
vs. } Decree
Samuel Cradt, et. als. } Defendants }

And now on this day came the parties by their attorneys, and the Commissioners, John B. Banks, Josiah Fox, and George W. Davis, were sworn and entered upon their duties, and the said Commissioners reported to the Court that the tract of land mentioned in said decree, Beginning

Surveyed for Wm Barton one labor of land situated on the west side of the Colorado River on Spring creek, Being the quantity of land to which he is entitled by virtue of a certificate No. 191, issued by board of land commissioners for the county of Bastrop. Beginning at an elm at the mouth of the creek; thence N 60 W. 340 vs, thence N. 93 W 200 vs a stake from which is a hackberry bearing N. 53 E. 3 vs. & one N. 12 W. 2 vs, thence S. 69 W. 210 vs to a stake from which is a bearing N. 65 E. 20 vs & one S. 24 W. 30 vs; thence S. 69 E at 100 vs a cotton wood on creek 40 vs. in width at 280 vs a cedar bearing which are two others, one bearing S. 65 E 6 vs, the other N. 15 E. 9 vs; thence N. 85 E. 166 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. 10 vs; thence N 50 E with said Dickens line 550 vs to the corner on Spring creek thence N 67 E 500 vs to the beginning; containing 100 acres of arable land, the rest pasture land. Variation 10° East.

is incapable of division without impairing the value of said land, and said Commissioners recommended that said land be sold. And on the premises being seen and by the Court fully understood, It is ordered, adjudged and decreed that be appointed a Commissioner whose duty it shall be to advertise said land, for thirty days, and on a day by him in such advertisements to be named, sell the same to the highest bidder on a credit of one

and two years, and to make to the purchaser in the name of the heirs at said estate, a deed simple deed to said land, securing the payment by inserting the vendor's lien in the deed, and by taking notes with two approved personal securities.

And thereupon came the parties by their attorneys, and their guardians ad litem, and it was prayed to the Court here that since the rendering of this decree the defendant, Willard Barton, has forcibly taken the negro woman Jane and her three children from the possession of James Craft, and has also removed the negroes, Elijah Lee and Isaac, and conceals the same. And it was also prayed to the Court here, that the said Lloyd and wife, before the commencement of the suit refused to deliver the negroes in their possession, and that they have turned over to the defendant, Hamilton White, the negroes Wade, Kitty and Lilla, and her child Anthony, since the decree herein and that they are now under the control of said defendant. And it was further prayed to the Court here that the said Craft as administrator in 1853 hired the negroes Elijah, Isaac and Isaac to Willard Barton, and also Hampton, and that said Willard Barton refused to return them upon demand before the commencement of this suit; and that said Craft instituted no suit and took no means to recover the same. Whereupon, it is the opinion of the Court that said Craft is liable to the plaintiffs for their interests.

It is therefore ordered, adjudged and decreed, that the said James C. Stephenson as guardian of the said William C. Barton and Ann D. Barton recover of the said James Craft, the one-fifth part of the value of said estate, as proven, to wit: the sum of Two Thousand and Seventy-Three dollars seventy three and one fifth cents. $2.054.73 1/5

From the advancement of the negro Hampton 1.000.00

And the 1/5 of the four negroes Jane and her three children valued at 1450 1/5 is 2400.00 6000

Making the balance of $1.304.73 1/5

one thousand three hundred and sixty-four 73/5 dollars for which execution may issue.

And it is further ordered adjudged and

Fall Term Friday February 2nd 1855.

decreed that they are entitled to one fifth of the interest in the negro woman Jane and her children, should they be recovered.

It is further ordered adjudged and decreed that the said Sarah C. Rutledge recover of the said Samuel Craft the sum of one Thousand and twenty seven dollars and Thirty six and 3/5 of one cent $1027.36 3/5
less the half of the value of the negro Mary $100.00
And the one tenth interest in the negro Jane and children 145.10 245.10
$782.26 3/5
Making the balance of Seven hundred and eighty two Dollars and Thirty six and 3/5 cents for which execution may issue.

And it is further ordered adjudged and decreed that she is entitled to the one tenth interest in the negro Jane and her children.

And it is further ordered adjudged and decreed that the said Mary Jane Stephenson, Lucia Kyle, Edward Burleson, Alecia Burleson, David C. Burleson and Elizabeth Burleson, recover as equal parcener the sum of one Thousand and twenty seven dollars and Sixty-six and 2/3 cents $1027.36 2/3
less half the value of Mary $100
And one tenth of the value of the negro Jane and children 145 245.00
$782.36 2/3
Making Seven hundred and eighty-Two 36/3 dollars for which execution may issue.

And they are likewise entitled to the one-tenth of the value of Jane and her children, that is to say, each one of said nine to one tenth part of her value 99

It is further ordered adjudged and decreed, that the said Pease Craft and William S. Craft, by their guardian ad litem, recover of the said Samuel Craft the sum of two thousand and forty four dollars and seventy-three and 1/5 cents $2037.73 1/5
Less the negro advanced Lucinda 100 100
And 1/5 of Jane & children 290 69.00
$1304.73 1/5

Fall Term, Friday, February 2nd A.D. 1855.

making a balance of thirteen hundred and sixty-four
of $ 1364/100 dollars for which execution may issue.

And they are each dismissed entitled to one
tenth of the value of said Jane and children

And it is further ordered, adjudged and
decreed that said Samuel Gratt recover of the said
Richard F. Lloyd and Parthenia Lloyd the sum of eight
hundred and twenty-five dollars, the balance of hire
found in their hands, to be dedicated out
of their interest in said estate.

And it is further ordered, adjudged and
decreed that the said Samuel Gratt recover against
the said Willard Barton the sum of Six Thousand
and seventy-two dollars, being the value of Elijah,
Dave and Isaac, Jane and her three children, and the
hire of Hampton and the last three mentioned negroes

$ 6075.00

Less the interest of said Willard Barton
to wit 1/5th

2054.73 1/5

$ 4020.26 4/5

making a balance of four thousand and twenty
dollars and twenty-six and 4/5 cents, for which
execution may issue, and out of which sum when
realized he will pay to Parthenia Lloyd and the
other heirs the respective balances due them.

It is further ordered, adjudged and
decreed that if the said Samuel Gratt, Richard F. Lloyd,
and Parthenia Lloyd and Willard Barton comply
with the decree heretofore rendered, that is, produce
said negroes respectively, and the cash to the Com-
missioners, within thirty days and submit under the same
for partition, then the executions be stayed, and the Com-
missioners will proceed with the partition as directed
in the decree, and report their proceedings to the next
Term of this Court.

It is further ordered, adjudged and
decreed that the plaintiffs recover of the defendants
all their costs in and about this suit expended.
And in taxing the costs the Clerk will allow to John D.
Coxe, the guardian ad litem of Lizzie Gratt and William
F. Gratt one hundred dollars, to be paid by said Samuel
Gratt, charged against the interest of his children
aforesaid.

Tuesday, Friday, February 2nd 1855.

493. Francis Duncich, Admr estate of Thomas Glascock, Decd vs. S. F. Blakey } Plaintiff / Defendant } Division of Negroes.

And now on this day come the parties by their respective Attorneys, and announced themselves ready for the trial of this cause; and a Jury in this cause being waived by the respective parties, and the matters in litigation embraced in this suit having been submitted to the Court for final and legal adjudgment and determination. And whereas it satisfactorily appears to the Court that the sale of an undivided one half interest in the negroes mentioned in the bill of sale from the said Blakey to the said Glascock was in consideration that the said Glascock would convey a like to be conveyed unto the said S. F. Blakey, an equal undivided one-half interest in and to the land and lot number four (4) in Block No. (69) Sixty-nine in the City of Austin, and in and two billiard tables in the building situated upon the lot that the title to said undivided interest to said lands, together with the appurtenances, was to be procured by said Glascock to and for said Blakey, so that said Blakey should own one-half of one-half thereof. And whereas, it appearing satisfactory to the Court that the amount of money still remaining due the administrator of the estate of John C. Roark, from the said Glascock and Blakey, should of right and according to agreement, be paid by the said Glascock or his legal representatives, which amount is the sum of two hundred and sixty dollars and the interest thereon from twelve months after the day of the sale made by S. F. Lund as administrator of the estate of the said Roark.

Now, therefore, It is ordered, adjudged and decreed, that the negroes described in said plaintiffs petition and bill of sale from said Blakey to said Glascock, be sold agreeable to the prayer of petitioner; And it is also further ordered, adjudged and decreed that the two Billiard Tables mentioned in the answer of defendant be sold as by debt prayed for; that such sale be made under the

Austin, April 16th 1855 – Received of Francis Duncich Admr &c. twelve hundred and sixty nine dollars and fifteen cts the same being in full of his claim of the amount coming to me from the proceeds of the sale of the negroes mentioned in the annexed decree, after deducting costs

Witness, H. Bullen

D. C. T. Bullen

Fall Term, Friday February 2d A. D. 1855.

section of the Sheriff of Travis county. That such sales be made after giving four successive weeks notice in the State Gazette, specifying the day and terms of sale, that such sale take place at the Courthouse in the City of Austin between the hours of 9 A.M. and 4 P.M. of the day appointed; that the moneys be deposited with the Clerk of this Court, he first giving sufficient Bond and security thereof, to be approved by John Hancock Judge of this Court, either in term or vacation.

It is further ordered, adjudged and decreed that such sale be made upon the basis of one-half cash at the time of sale, and the balance in six months thereafter, the purchaser giving approved security therefor.

It is further ordered, adjudged and decreed that when the money shall have been made or any part thereof and paid over to the Clerk, that the Clerk is authorized to pay the one half thereof over to the said defendant Bleakley taking his receipt therefor. That the said Clerk after the receipt of the moneys arising as aforesaid, is hereby authorized to pay the said S. G. Sneed, administrator of the estate of John C. Clark deceased, the amount due him as such administrator as aforesaid, and to take from said Sneed as administrator aforesaid, a good and sufficient deed of conveyance to the heirs of the said Thos. Glasscock and said Bleakley jointly; and to pay the fees of Scott Terrell, Attorneys in this cause, for plaintiffs, out of the one half of the moneys belonging to the said Plaintiffs in said sale arising from said sale, and the balance after such fees have been paid is to be paid over to the said Francis Duttenhofer, administrator of the said Thomas Glasscock, deceased.

It is ordered, adjudged and decreed that the costs of this suit be paid out of the moneys belonging to both parties in equal parts.

This decree is specifically confined to the matters embraced herein, and shall not be prejudicial to the parties in respect to matters not herein specifically stated.

And thereupon, It is ordered that Court do now adjourn until Saturday morning February 3d 1855.

Fall Term, Saturday, February 3rd 1855.

Saturday Morning, February 4th 1855
Court convened at 9 o'clock A.M. pursuant to adjournment. Present the Hon. John Hancock Judge of the Second Judicial District and of said Court, Frank Brown, Clerk of said Court, and A. McKaskins, Deputy Sheriff of Travis county.
Whereupon the following proceedings were had by said Court as follows, to wit:

Ordered by the Court that the fine heretofore imposed upon David Cpsight, for failing to respond as a Venireman, be remitted at his cost.

406 — Simeon G. Reed v. Alexander Arrington } Plaintiff, Defendant } Injunction

The parties having gone into trial and the Jury having retired and being unable to agree upon a verdict, It is ordered by the Court that the Jury be dismissed and case stand continued until the next Term of the Court

407 — Abram, Manton & Tenison v. Alexander Arrington } Plaintiffs, Defendant } Attachment

It is ordered by the Court that the above cause stand continued

Henry Sinnigshon

The State of Texas, County of Travis } And the said Henry Sinnigshon having filed in open Court his petition praying to be admitted to become a citizen of the United States and the Court now being satisfied by the affidavits of John T. Price and William O'Connell that the said Henry Sinnigshon has been known to them for the last two years, during which time he has behaved as a man 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 Henry Sinnigshon has made his declaration to become a citizen of the United States,

in accordance with the act of Congress in such case made and provided, and the said Henry Swingshan in open Court having taken the oath prescribed by law to support the Constitution of the United States, and to absolutely and entirely renounce and adjure forever all allegiance and fidelity to every foreign prince, potentate, State or sovereignty whatsoever, and particularly to the Grand Duke of Baden Leopold of whom he was late a subject

It is therefore considered, adjudged and decreed by the Court here that the said Henry Swingshan be and he is hereby admitted a citizen of the United States of America, and that the Clerk of this Court issue to the said Henry Swingshan a certificate accordingly.

Charles Stein (Oath)

The State of Texas } And the said Charles Stein
County of Travis } having filed in open Court his petition praying to be admitted to become a citizen of the United States, and the Court here being satisfied by the affidavits of Owen O'Brien and Wm O'Connell that the said Charles Stein was well known to them for the last two years, during which time he has behaved as a man 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 Charles Stein has made his declaration to become a citizen of the United States in accordance with the act of Congress in such cases made and provided, and the said Charles Stein having in open Court taken the oath prescribed by law to support the Constitution of the United States, and to absolutely and entirely renounce and adjure forever all allegiance and fidelity to every foreign prince, potentate State or sovereignty whatsoever and particularly to the Duke of Baden Leopold of whom he was late a subject

It is therefore considered, and adjudged and decreed by the Court here that the said Charles Stein be and he is hereby admitted a citizen of the United States of America and that the Clerk of this Court issue to the said Charles Stein a certificate accordingly.

Fall Term, Saturday, February 3rd 1855.

	James W. Smith	Plaintiff	
	vs.		
	Elizabeth P. Smith		
	Alfred Smith		
253.	Caroline A. Brown and		
√	Sydney P. Brown, her husband		Partition
	John F. Smith	Defendants	
	Mary C. Smith and		
	Susan A. Smith		

And now on this day came the parties by their attorneys, and the said infant heirs by their guardian ad litem, and the Commissioners, Aaron Burleson, Thomas F. McKinney and Sheppard B. McGill, heretofore appointed to make partition of said estate made their report to the Court herein in words and figures following viz:

"To the Honorable District Court of the County of Travis:

"The undersigned, Commissioners appointed to partition the estate of James Smith, decd. have proceeded as nearly in accordance with the decree of your honorable Court as they have been able and they beg leave to report as follows:

1st That they found an error in the decree three acres of land, valued by the appraisement $12.00 per acre, making $36.00, which accounts for why they have assigned to Elizabeth P. Smith, $3775, being $18.00 less than the sum of $3793.00 and why the estate to be divided is $30.597/100 per instead of $30.595/100, and which in fact gives to each heir $5126.2/7/100

2d They assigned to Elizabeth P. Smith 125 acres of land, embracing the homestead residence at $30. per acre, making $3750.00, from which deduct her community interest $3775.00 leaves against her $25.00 to which add the balance in decree $248.17, leaves to be paid by her to the heirs $53.17.

The description of the land assigned her will be found in exhibit "A.S." and "A.S.P." hereto annexed being out lots 39, 40 and 41 of the City of Austin, and 4, 5, 8, and all that part of 9 of the town of Montopolis not conveyed to Alfred Smith.

Fall Term, Saturday, February 3d 1855.

3d Alfred Smith and James H. Smith having stated to the Commissioners they desire that Alfred Smith should receive James H Smiths share of negroes and account to said James H Smith in cash for his interest therein, and the Commissioners finding a necessity for cash balances in order to produce an equitable division, assigned to the said Alfred Smith the slaves in his possession described and valued in the decree as follows, viz: George, $1100; Isaac $800; Abraham $800; Cyrus $1000; David $1000; Sarah $900; Minnie $350; Brak $350; Making together $6,300.00

102 acres of land, Walnut creek 915.00

Bishop City lot 50.00

Balance of cash in his hands 1233 63

$ 11.395. 03¾

From which deduct the interest assigned by the Decree (as credited) 5146.24½

Leaves balance in his hands $6249. 38½

The said note and description of his 102 acres of Walnut creek land will be found hereto annexed marked "B." And the description of the Bishop City lot will be found hereto annexed marked "C."

4th The Commissioners find from said Decree that James H. Smith is indebted to Alfd Smith $2000.00

And they direct that Alfd Smith pay him the further sum of 2330.24½

And they assign to him 102 acres of the Walnut creek land at $8 per acre 816.00

which is equal to his interest of $ 5.146.24½

The said note and description of his 102 acres of Walnut creek land is hereto annexed marked "D"

5th They find the interest of Caroline A. Bunn dec $5146.24½

And that she is indebted to Elizabeth B. Smith $1375.00

And is due the Estate 333.75

And we assign to her 252 acres of Walnut creek land at $4½ per acre $1134.00

And the negro woman Sylvia $800.00

And the negro Jeffon Aman 1100.00

To be paid by Alfd Smith 1103.49½

$ 5.146.24½

The description of his 252 acres of Walnut creek land

Fall Term, Saturday, February 3rd 1855

will be found herto annexed marked "G"
6th And the Commissioners find the interest of Eliza
F Smith to be $5.146.24/6
And that he is indebted to Elizabeth B Smith
$2250.00
And they assign him the negro
Sally & Sandy 1200.00
The land described in Exhibit "F" 600.00
And that described in "J" 600.00
To be paid him by C. B Smith 53.00
To be paid him by Alfd Smith 383.17/6 $5.146.24/6
The description of the land will be found in "F" and "J"
7th And the Commissioners find the interest of Mary C Smith
to be $5.146.24/6
And that she is indebted to Eliza.
beth B. Smith $2.000.00
And they assign her 45 acres
of land, Exhibit "H", and 18
acres of land exhibit "I" 1260.00
And the two negroes Cuffy &
and Aaron " " 1500.00
To be paid her by Alfd Smith 356.24/6 $5.146.24/6
The description of her land will be found in
Exhibits "H" and "I".
8th And the Commissioners find the interest of Susan
A. Smith to be $5.146.24/6
And that she is indebted to Eliz
abeth B. Smith in the sum of $1800
And they assign her 96 acres of
land valued at $1152.00
And 12 acres " " 174.00
found in Exhibit "K.K.K."
And the negro Tom Joe 1100.00
And " " Luke 300.00
Balance to be paid her by
Alfred Smith 746.24/6 $5.146.24/6

9th The Commissioners as directed by the Decree set aside the 400 acres including her residence to Alfred Smith devised to him by the nuncupative will; and the field notes and description thereof will be found in Exhibit "K."

10th The Commissioners find that an insane child

Ill Term Saturday, February 3rd A.D. 1855

of Sylvia was not valued by the Auditor as Taken into the account in the Decree; and they fixed her value to be $150,00; and they recommend that she be assigned to Caroline A. Brown at $150, she paying each of the other heirs $25 as their interest in said negro

The foregoing Report is as nearly equitable and just as practicable

Respectfully Submitted, February 2nd 1855

A. J. McGee
Aaron Burleson
Thos J McKinney

Final Balance.

The Estate to be divided among the heirs was as follows:

Interest of the heirs in community	$			3773	00
Slaves in hands of Alfred Smith				1500	00
" " " C. B. Smith				2000	00
Walnut creek land				2562	00
Cash in hands of Alfred Smith after paying to J. W. Smith $620 allowed him				1233	93
Cash balance in hands of C. B. Smith				2013	07
Cash balance in hands of Caroline A. Brown				333	45
Which has been divided as follows:			$	30.877	45
To Alfred Smith	$	5.146	24/5		
" James K. Smith		5.146	24/5		
" Caroline A. Brown		5.146	24/5		
" John F. Smith		5.146	24/5		
" Susan A. Smith		5.146	24/5		
" Mary C. Smith		5.146	24/5		
	$			30.877	45
Final Balance — Alfred Smith's Co		D.		C.	
Payment due to Estate his balance on page 2	$	6.249	38/5		
By J. W. Smith's amt due to A. S.				2000	00
" amount due to J. W. Smith				2330	24/5
" ditto " " C. A. Brown				403	49/5
" ditto " " J. F. Smith				353	7/5
" ditto " " M. A. Smith				363	2/5
" ditto " " J. A. Smith				746	24/5
	$	6.249	38/5	6.249	38/5

Fall Term, Saturday, February 3d. 1855.

Elizabeth R. Smith &c

Amount due to above lots			$	7.473	09
" date per page				5	00
By amount due to Virginia A. Brown					1375 00
" ditto	"	" J. F. Smith			2250 00
" ditto	"	" ditto			53 09
" ditto	"	" Mary A. Smith			200 00
" ditto	"	" Susan A. Smith			150 00
			$	5.478 09	5.478 09

"A. A."

Estate of James Smith - Partition &c.

To Messrs. Thomas F. McKinney, Aaron Burdan and A. B. McGill: Commissioners &c

Gentlemen:

In obedience to your order directed to me, by one of the Commissioners to survey a portion of the lands belonging to the estate of the late James Smith, I have to state that I obeyed said order so far as practicable viz: By surveying the 96 acre tract the 18 acre forest and the 22 acre tract. The balance of the order I could not comply with.

By reference to the accompanying Map you will be better able to understand the position of the various lots of land included in the boundaries which are designated by the yellow line around them part of which are on the old Town tract of Montopolis, and part on the Austin City tract.

From this Map you will be better able to designate the lands divided, which I would suggest should be done by the Numbers of the lots of each Town tract.

Specific Field notes can be furnished for that part I have surveyed, when required.

Austin February 2d 1855

Respectfully
A. L. Wroten
Dist'd Surveyor Travis Distrct.

"A. A. A" is the Map.

Fall Term, Saturday, February 3d 1855.

And it being represented to the Court that the negro girl Cry mentioned in this decree to Mary Smith is troublesome and difficult to manage, and that it is to the interest of said Mary that the said negro be sold, It is therefore ordered adjudged and decreed that the said slave be sold by the guardian of said Mary, Mrs Elizabeth D Smith, upon a credit of one and two years in equal instalments, after giving thirty days notice thereof, at public sale to the highest bidder at Congress Avenue in the City of Austin, the said purchaser giving notes with two or more good securities, said notes bearing interest at eight per cent per annum from date of sale until paid, and that the said guardian account to this county court of Travis county, for the said sale, and the proceeds thereof when collected

Ft Bend County, Saturday, February 3d 1855.

Survey for afsd Smith of 102 acres of land, beginning on the S. W. corner of a tract of 400 acres belonging to the said afsd Smith, at a stone mound for the N. W. corner of this Survey, from which a Gum bears S. 32 W. 50 varas marked X. Thence S. 60 E. with the North Boundary line of said Survey 1180 varas to Walnut Creek runs S. E. containg 125 varas to a stake for the N. E. corner of this Survey, from which an Elm bears N. 60 W. 1 vara marked X. Thence S. 30 W. 280 varas to Walnut Creek, runs S. E. containg 415 varas to a stake for the S. E. corner of this Survey from which an Elm bears S. 85 W. 5 varas marked X. Thence N. 60 W. with the N. boundary of Survey No. 2 of one hundred and two acres. 1250 varas to a stake for the S. W. corner of this Survey from which an Elm bears S. 70 W. 1 vara and another bears N. 70 E. 8 varas, both marked X Thence N. 30 East 1250 varas to the place of beginning.

C.

Description of the Town City lot given or allowed to Alfred Smith, a lot in the town of Bastrop being the northeast quarter of Block No. 3. East of Water street, bounded by Pecan and College streets.

Survey of James W. Smith of 102 acres land Beginning on the S. W. corner of afsd Smiths 102 acres land at a stone mound for the N. W. corner of this Survey, from which an elm bears S 70 W. 1 vara marked X. And another bears N. 70 E. 8 varas marked X. Thence S. 60 E. with the N boundary line of afsd Smiths survey, 1250 varas to a stake for the N. E corner of this Survey from which an Elm bears S 85 W. 5 varas marked X Thence S. 30 W. 415 varas to a stake on the bank of the Colorado River for the S. E. corner of this Survey from which a cottonwood bears S. 50 E. 10 varas marked X Thence N. 60 W. with the N. boundary line of Survey No. 5, made for Caroline A Smith 1250 varas to a stone mound for the S. W. corner of this Survey, from which a Pastrak bears S. 47 E. 5 varas marked X. Thence N. 30 E. 415 varas to the place of beginning.

Fall Term, Saturday, February 3rd 1855.

Survey of 253 acres for Caroline A. Brown

Beginning on the bank of the River at the S.E. corner of James H. Smith survey, a stake for the N.E. corner of this survey from which a cedar brd 8 in C. 10 vrs marked X. Thence N 90 W. 1250 vrs to a stone mound for the N.W. corner of this survey, from which a post oak brd 6. 25 C. 8 vrs marked X. And another brd 8. 7 C 5 vrs mkd X. Thence S. 90 E 2436 vrs to a corner on a large cottonwood, it being the S.W. corner of this Survey. Thence down the river with its meanders to the place of beginning.

Exhibit "H" is Lot 12 of the town of Montopolis, as appears in Exhibit "A. A. A." marked John H. Smith. Exhibit "I." is the 10 acre tract Lot No 2 in Division of the Government tract adjoining the city of Austin valued at $500 by the Jurors

Exhibits "H" & "I" are found in "A A A" the initials of Mary A. Smith marked

Exhibit "K K K" will be found in the mark "A A A" and Susan A. Smiths name written "The field notes are marked "K. K. K".

K. K. K."

Field notes of a Survey of 18 acres made by H. L. Upshaw on the 2nd day of February 1855. being a part of 36 acres owned by Daniel Smith, S. C. Jarmen & and Thomas Smith. Beginning

Ad Term, Saturday, Febmary 3rd 1855.

The Field Notes of the Homestead of Asbud Smith containing four hundred acres given to said Asbud by a nuncupative will of his father. Lying on the East side of the Alabama River on Walnut creek, a branch of said River, being a part of the land purchased by said Asbud Smith of John D. Lynch: Beginning on the northeast corner of said survey at a stone mound with N. E. corner of this survey, from which an Elm bears N. 88° W. 95 varas marked X and Pecan bears S. 14° E. 65 varas marked X Thence N 60° W. 829 varas to Walnut vars South contained 1250 varas to a stone mound on the prairie for N. W. corner of this Survey from which an Elm bears 3° W. 32 varas, marked X. Thence South 30° W. 1804 varas to a stone mound in the prairie for the Southwest corner of this Survey. From which a Live Oak bears N 32° W. 20 varas marked X Thence South 60° E. 1180 varas to Walnut creek continued 1250 varas to a stake South E.C. corner of this Survey from which an Elm bears N. 60° W. 1 vara marked X Thence N. 30° E. 1804 varas to the place of beginning.

And Thereupon the said E. B. Smith and the said heirs made exceptions to said Report which were overruled by the Court, and the said report was received, examined, approved and adopted.

It is therefore ordered adjudged and decreed by the Court here, that the partition made by said Commissioners be considered the decree of this Court, and the said parties respectively be quieted in the possession and enjoyment of the property set apart to them, and the clerks be directed respectively to act file therein.

It is further ordered adjudged and decreed that said Elizabeth B. Smith pay to the said John F. Smith the sum of Fifty-Three Dollars and Seven Cents. and that said Asbud Smith pay to said John F. Smith the sum of three hundred and eighty-three 17½/100 Dollars; and to Caroline A. Brown four hundred and three 49½/100 Dollars;

Fall Term, Saturday February 3d 1855.

and to said John F. Smith three hundred and eighty-three 17/100 Dollars;

And to Mary C. Smith three hundred and eighty-six 24/100 Dollars;

And to Susan A. Smith seven hundred and forty-six 24/100 Dollars;

And to James H. Smith two thousand three hundred and thirty 24/100 Dollars and also six hundred and twenty Dollars hereof as charged

It is further ordered adjudged and decreed that the title of the infant negro Sarah be decreed to said Caroline A. Brown as recommended by the Commissioners, and that said Caroline A. Brown pay to said other children of James Smith, as their portion of the value aforesaid negro the sum of Twenty-Five Dollars

That is to James H. Smith	$25.00
Adeline Smith	25.00
John F. Smith	25.00
Mary C. Smith	25.00
Susan A. Smith	25.00
Newman Shaw	25.00
Making the Total value	$150.00

And now the Court proceeds to consider the taxation of costs in said cause, and hear the objections thereto. And allows the cost accounts $300; The cost of the Clerk, Cassey $ and A. Brown $; the costs of the Sheriff $

And the Court does order, adjudge and decree that the parties respectively pay the said costs in equal proportions thereof, and the Clerk will furnish a certified copy of this Decree, and cause the same to be recorded by the Clerk of the County Court, and tax the said two sums as part of the costs.

And it is further ordered, adjudged and decreed that Adeline Smith pay the costs of herself and the other heirs, that is, six-sevenths of all of said costs into Court, and take the Clerks receipts therefor; and that he pay the balance due to each heir respectively within sixty days; the sums due to the infant heirs to be paid to Elizabeth A. Smith, their guardian, whose returns will be a full discharge to him

Record Amelia March 6th 1855 of appeal Smith, as guardian for John F. Smith Mary C. Smith & Susan A. Smith, to which amount due the said John F. Mary C. Susan A. Smith & Eliz. A. Smith, as aforesaid by the Court in the case wherein Jno W. Smith &c. is Plff. vs. C. B. Smith &c. Defts. remains due & unpaid by 3 a/75 55, amounting to the sum of

Fall Term, Monday, February 5th 1855.

It is further ordered, adjudged and decreed that the decree be corrected as to the discription of the land by the Report of the Commissioners

And it is further ordered, adjudged and decreed, that Abner Smith be quieted in his title to and possession of the negro woman Harriet and her two children Anderson and Martha And also that he be quieted in the possession of and title to the land discribed as his homestead, as reported by the Commissioners.

R J Jones Special Judge &c

And thereupon, It is ordered that Court do now adjourn until Monday morning Nine o'clock February 5th 1855

Monday Morning February 5th 1855.

Court met at Nine o'clock A. M. pursuant to adjournment. Present the Hon. John Hancock, Judge of the Second Judicial District and of said Court; Frank Brown Clerk of said Court and A. N. Hopkins Deputy Sheriff of Travis County. Whereupon the following proceedings were had by said Court as follows to wit:

The State of Texas }
County of Travis } It is hereby ordered, adjudged and decreed by the Court that the Clerk of this Court do make a complete record of all proceedings had in each and every civil cause disposed of at this Term of the Court, that he be and is hereby authorized to charge therefor fifteen cents for each and every hundred words so recorded, to be taxed and collected as other costs of suit. It is also further ordered, adjudged and decreed by the Court that the said Clerk be and he is hereby allowed fifteen cents for each and every hundred words included in each and every interlocutory order and decree entered in this Court at this Term, the same to be taxed and collected as other costs of suit

Order for Final Record and Interlocutory orders and decrees &c

Fall Term, Monday, February 5th 1855.

494 ✓

John A Young
v
Thomas L Collins, et. al } Plaintiff / Defendants } Decree as title to land

And now comes the plaintiff by attorney and moves the Court to set aside the Judgment heretofore rendered in this case against Solomon M. Simkins Sr and R. H Wynne next aside ~~beside~~ because since was not subscribed within the six days preceding Court as required by law. And thereupon, It is ordered by the Court that the Judgment rendered in the above cause at a previous ~~day~~ day of this Court, be set aside and held for naught, and that said cause stand continued

And thereupon It is ordered by the Court that a certificate issue to John L Hampton and J. M. Blackwell, each for six days services as Bailiffs to the Grand Jury.

It is further ordered, adjudged and decreed that a certificate issue to W. G. Word for 5 days as service as Bailiff and also to Daniel Adams for ten days services as Bailiff; And ordered, further, that a certificate issue to Washington Rummell for twelve days service as Bailiff

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday morning, February 6th A D. 1855

Tuesday, February 5th A. D. 1855.

Court convened at nine o'clock A. M pursuant to adjournment: Present the Hon John Hancock, Judge of the Second Judicial District and of said Court: Frank Brown, Clerk of said Court; and A. M. Hopkins Deputy Sheriff of Travis County.

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

Fall Term, Tuesday, February 6th 1855.

The State of Texas } I, Francis Brown, Clerk of the
County of Travis } District Court in and for the
County and State above written, do hereby certify
the following to be a true and correct Statement
of all causes disposed of at the Fall Term
of the District Court, A.D. 1854, on which a
Jury Fee is receivable, to wit.

No. of case	Names of Parties		Amount
191	Wm. A. Miller	v. Abram H. Cook	$3 00
134	Jos. R. Tannr, Guardian	v. P. Clarkson, et ux	3 00
187	Robert Mitchell	v. M. O & G. A. Burden	3 00
199	Pleasant Turner	v. James M. Turley	3 00
216	Benj. Grumbles	v. J. J. Grumbles,	3 00
253	James W. Smith	v. C. D. Smith, et al	3 00
257	Jno. C. Stephenson, et al	v. Jane Cook et al	3 00
260	E. A. Pearson, Admr	v. G. H. Burden et al	3 00
270	E. Sims, Admr	v. M. Phillips, et al	3 00
271	C. Lloyd et als	v. R. S. Lloyd	3 00
275	Pratt & Company	v. R. S. Lloyd	3 00
313	E. S. McAdams	v. A. K. Rice	3 00
317	James D. Shaw	v. Caldwell Rice	3 00
329	John Harper	v. Rhoda Harper	3 00
328	Wm. A. Parker	v. H. M. Sallee	3 00
334	John R. Bennett	v. Sarah H. Cook	3 00
340	James G. Swisher	v. John A. Grumbles	3 00
350	Klein & Kopperl	v. G. B. Moore & Co	3 00
351	L. R. Barbee & Co	v. G. B. Moore & Co	3 00
357	A. R. Cox, et al	v. J. A. Blanton	3 00
359	Wiley B. Riding	v. Jane C. Tyson, et al	3 00
361	Perry Humphries	v. Sherman Case	3 00
362	Andrew J. Benton	v. Thomas Banks	3 00
363	W. C. Hamilton	v. L. S. Friend	3 00
364	L. S. Friend	v. John M. Britt, et al	3 00
365	John B. Banks	v. Nichols & Lott	3 00
375	W. D. Cooper & Co	v. Thomas Banks	3 00
384	N. W. Burden & Co	v. H. A. Morris	3 00
386	Wm. O. Conner, Guard.	v. Josiah Pick, et al.	3 00
389	Joseph A. Harris	v. John T. Alexander	3 00
393	Wm. A. Fowler, use &c	v. A. P. Reinstein	3 00
404	Reid, Sprague & Co	v. Timothy McKean	3 00
405	Thompson & Fore	v. W. Lacy	3 00
411	Wm. H. Whitehead	v. John T. Alexander	3 00
414	John A. McKean	v. John R. McCall	3 00
416	George Hancock	v. P. K. Jennings	3 00

Fall Term, Tuesday, February 6th 1855

417	James Ennis	v.	John H. Cook	3 00
418	Lindrella Adkins	v	Owen Adkins	3 00
419	C. P. Compton	v	Wm Clark, et al	3 00
1911	Voghte & Burgh	v	J. D. Lane	3 00
436	J. A. Seitz	v	J. R. Epps	3 00
440	Lloyd Wallace	v	W. S. Oldham	3 00
441	N. Smithwick	v	T. Glascock, et al	3 00
443	J. J. Haynie	v	Timothy McKean	3 00
448	Wm R. McGhee, Guardian	v.	John W. Childs & wife, et al	3 00
449	Frances Dietrich	v	O. C. Travis	3 00
450	Lea & Rice	v	Thurman Case	3 00
451	Lea & Rice	v	M. De Hammer	3 00
452	Sprue & Smith	v	Walton & Walton	3 00
456	John Ream	v	Jas H. Mathews	3 00
459	John Marchand	v	T. T. Chapman	3 00
460	W. T. Davidson	v	John Marchand & Co	3 00
466	M. C. Hamilton	v	Jas H. Mathews	3 00
467	J. H. Chandler	v	Cassidy & Cannon	3 00
468	Henry Sampson	v	R. H. & J. J. Johnson	3 00
469	R. H. Peck & Co	v	Hugh Nelson	3 00
470	R. H. Peck & Co	v	J. H. Robertson	3 00
471	R. H. Peck & Co	v	Thomas Cassidy	3 00
472	R. M. Yates & Co	v	H. P. Brewster	3 00
473	R. H. Peck & Co	v	Josiah Fisk	3 00
474	Wm H. Carnes	v	Eli Kirk	3 00
476	R. H. Peck & Co	v	J. P. Brown	3 00
477	Yancy Rhodes	v	Thomas Banks	3 00
478	Cowan & Sullivan	v	Charles O Travis	3 00
479	M. C. Hinson	v	Chapin & Co et al	3 00
480	J. H. Chandler	v	J. A. Smith	3 00
481	Wm M. Rice & Co	v	A. B. Benson	3 00
482	John A. Green, Adm	v	Gustavus Kirchberg	3 00
485	R. M. Johnson	v	W. S. Oldham, et al	3 00
486	R. H. Peck & Co	v	Ormilla Rawls	3 00
487	N. M. Inscoe	v	Sherman Case	3 00
488	Thomas P. Giles, et al	v	Swisher & Shaw	3 00
489	R. H. Peck & Co	v	W. S. Oldham	3 00
490	J. B. Ritton	v	N. Townsend	3 00
491	John Rumond	v	G. B. Moore, et al	3 00
492	T. B. Harris	v	Ray & Co	3 00
493	Thomas Glascock	v	N. G. Blakey	3 00
495	William H. Cocke	v	Thomas Glascock, et al	3 00
496	H. S. Stockdale	v	McKean & Bailey	3 00
497	William Baker, Adm	v	G. K. Jennings, Jr	3 00

Fall Term, Tuesday, Febry 6th 1855

500	John A. Grandals	v. E. K. Jennings Jr	3.00
501	John T. Allan	v H. C. Roy	300
502	Newell W. Burdett	v. J. D. Moore	300
504	A. N. Peck & Co	v. John M. Castley	300
505	Alpha Tau Chi	v Hugh Wilson	300
506	Wade Kenny	v. E. K. Jennings	300
507	Kenny & Fowler	v. E. K. Jennings	300
509	R. T. Spears et al	v. Thomas Adams et al	300
510	Martin Moore	v John M. Castley	300
511	Thomas J. Pitts	v. Burdett & Hammett	300
512	George H. White	v. Case and Monroe	300
513	George W. White	v. Sherman Case	300
514	Jack Main	v. John Hankamer	3.00
516	F. Dietrich, Admr	v. Case & Burdett	3.00
517	Wm F. Cock	v. Cassidy & Fenimi	3.00
519	Timothy McKan	v. W. C. Cullingsworth	300
520	J. H. Chandler	v. Jackson & Hancock	300
521	Shines & Freeman	v. C. C. Train	300
525	A. H. Bean	v Cassidy & Fenimi	300
528	John Burmond	v. H. C. Roy	3.00
531½	Meggerman & Pabado	v. David Ponce	3.00
			$303.00

Examined and approved this 5th day of February, A. D. 1855.

John Hancock Judge

Test: Frank Brown, Clk. D. C. T. C.

The Term, Tuesday, Feburay 6th 1855.

The State of Texas } I, Frank Brown, clerk of the District
County of Travis } Court in and for the county and State
aforesaid written, do hereby certify the following to be a correct
list of criminal causes disposed of at the Fall Term 1854 of
the District Court of Travis county, in which Fines and
Jury Fees are receivable, the Fines being in the pos-
session of George W Scott, of Travis county for the pur-
pose of being paid into the Treasury of Travis county,
and the Jury Fees being in the possession of Frank Brown
to be distributed as per rata pay among the Jurors who
served at said Term, as prescribed by law

No.	Names of Parties			Fine		Jury fee.
222	The State of Texas	v.	Newell H. Burdett	20	00	5 00
228	" "	"	John M. Connor	10	00	5 00
215	" "	"	" Weaver	10	00	5 00
304	" "	"	John M. Crockett	10	00	5 00
308	" "	"	James H. Scott	10	00	5 00
356	" "	"	A. L. Upshaw	10	00	5 00
363	" "	"	Geo. W. Scott	15	00	5 00
367	" "	"	John Wauldridge	15	00	5 00
369	" "	"	Owen Adkins	10	00	5 00
376	" "	"	William Stone	10	00	5 00
377	" "	"	James R. Jackson	10	00	5 00
384	" "	"	Jef Cook	10	00	5 00
386	" "	"	" S. J. Narrow	10	00	5 00
407	" "	"	" A. Bunnoan, Sr		01	5 00
425	" "	"	" William Stone	20	00	5 00
426	" "	"	" William Stone	10	00	5 00
427	" "	"	" William Stone	10	00	5 00
426	" "	"	" C. H. Maraney	25	00	5 00
448	" "	"	" C. H. Maraney	10	00	5 00
453	" "	"	" Wm Wyatt	10	00	5 00
454	" "	"	" Wm Wyatt	10	00	5 00
461	" "	"	" D. F. Waddle	5	00	5 00
466	" "	"	" Jef Cook	10	00	5 00
469	" "	"	" John Horan (fine remitted by Governor)	100	00	5 00
481	" "	"	" Newton Jackson	10	00	5 00
486	" "	"	" Henry Innis	10	00	5 00
502	" "	"	" A. W. Sublett	10	00	5 00
514	" "	"	" C. R. Peck	10	00	5 00
296			" P. Burchard (Executor stayed for 60 days)	10	00	5 00
				$ 410	01	245 00

Examined and "approved" this 5th February A. D. 1855. John Hancock Judge &c
Test: Frank Brown, Clk, D. C. T. C.

Fall Term, Tuesday, February 6th 1855.

The State of Texas } I Francis Brown, clerk of the
County of Travis } District Court in and for the
county and State above written, do hereby certify the
following to be a correct Statement of the names of the
Grand Jurors who served at the Fall Term of the
District Court, A D. 1854, the number of days each
Juror served, and the amounts they are entitled
to receive therefor, viz

No	Names of Jurors	No. of days	per day	Total
1	Adolphus C. Weir	6	$1.50	9.00
2	Hugh McLean	6	1.50	9.00
3	Wm O'Connell	6	1.50	9.00
4	Thomas Adams	6	1.50	9.00
5	Aaron Pendleton	6	1.50	9.00
6	Robert Crumpton	6	1.50	9.00
7	Richard H. Rice	6	1.50	9.00
8	John O Campbell	6	1.50	9.00
9	James Mahan	6	1.50	9.00
10	Truman B. Rice	6	1.50	9.00
11	C. S. Sides	6	1.50	9.00
12	Samuel J. Haynie	6	1.50	9.00
13	A. P. Slaughter	6	1.50	9.00
14	John A. P. Bean	6	1.50	9.00
15	Washington Anderson	6	1.50	9.00
16	John M. Tilbant	6	1.50	9.00
17	Sugar M. Cain	6	1.50	9.00
18	Henry D. Edwards	6	1.50	9.00
19	Lewis Knight	6	1.50	9.00
		114		171.00

Examined and Approved this 5th
February, 1855

John Hancock,
Judge, &c.

Fest. Francis Brown, Clk
D. C. T. C. Texas

Fall Term, Tuesday, February 6th A.D. 1855.

The State of Texas } The following is a list of the Jurors who
County of Travis } served at the Fall Term A. D. 1854. the
number of days each Juror served, and the amount due each.

No.	Names.	No. of Days.	per day	Total
1	Hugh Tumlin	10	$ 150	$ 1500
2	A. M. Johnson	3	" "	450
3	Leander Bowen	10	" "	1500
4	Asher L. Cook	10	" "	1500
5	James Gibson	10	" "	1500
6	Benjamin Hate	12	" "	1800
7	James C. Harlan	10	" "	1500
8	John A. Cock	18	" "	2700
9	John R. Wauldridge	12	" "	1800
10	John F. Manning	1	" "	150
11	Benjamin Saunders	6	" "	900
12	Joseph Warren	5	" "	750
13	Jesse W. Riley	10	" "	1500
14	John Tate	1	" "	150
15	Alexander Cary	5	" "	750
16	Thomas J. Pilt	10	" "	1500
17	Allen C. Brown	18	" "	2700
18	Edward Christian	8	" "	1200
19	Eakins Davis	26	" "	3900
20	Silas Hayes	10	" "	1500
21	Henry Johnson	7	" "	1050
22	Jonathan Vanderen	8	" "	1200
23	A. B. Raymond	10	" "	1500
24	Giles D. Burdett	10	" "	1500
25	Marion Hanston	4	" "	600
26	James Baker	4	" "	600
27	Lee Mayo	7	" "	1050
28	James A. Jackson	7	" "	1050
29	Louis Bentley	2	" "	300
30	W. J. Patterson	24	" "	3600
31	Wm. G. Hood	7	" "	1050
32	D. M. Stanley	2	" "	300
33	D. W. Dignan	12	" "	1800
34	Geo. W. Glasscock	3	" "	450
35	R. A. Page	9	" "	1350
36	L. A. Pickett	9	" "	1350
37	Thos. Hood Hunt	8	" "	1200
38	Neal McDonald	9	" "	1350
39	P. A. Manor	13	" "	1950

Fall Term, Tuesday, February 6th A. D. 1855

No	Names.	No. of Days.	per Day	Total.
40	Wm Simmonds	9	$1 50	$ 13 50
41	Dr. J. McLaurin	8	" "	12 00
42	W. H. Alford	3	" "	4 50
43	Wm Wilkes	1	" "	1 00
44	John Kendrickson	3	" "	4 50
45	John C. Stanley	10	" "	15 00
46	Wm M Grumbles	3	" "	4 50
47	Joseph Simmons	10	" "	15 00
48	L. D. Deason	6	" "	9 00
49	John Sykes	3	" "	4 50
50	Owen Atkins	5	" "	7 50
51	Augs M Laurin	6	" "	9 00
52	A. A. Dudley	5	" "	7 50
53	Geo. Saunders	6	" "	9 00
54	Robert Mays	6	" "	9 00
55	D. H. Shaw	8	" "	12 00
56	Thos Stanley	6	" "	9 00
57	Jas S. Payne	5	" "	7 50
58	Martin Sams	6	" "	9 00
59	Adm D. Shaw	3	" "	4 50
60	Geo D Glascock	2	" "	3 00
61	A. W. Dudley	6	" "	9 00
62	D. W. W. Lee	2	" "	3 00
63	Reuben Rainsby	1	" "	1 50
64	Chas F. McKenzie	2	" "	3 00
65	Wm H. Jyles	2	" "	3 00
66	D. S. Brown	9	" "	13 50
67	John C Hampton	10	" "	15 00
68	George David	9	" "	13 50
69	L. C Taylor	9	" "	13 50
70	J. G. Hickerson	9	" "	13 50
71	N. M. Luckie	9	" "	13 50
72	O. Willcox	9	" "	13 50
73	William Simpson	9	" "	13 50
74	James H Thompson	9	" "	13 50
75	Oscar Cullen	9	" "	13 50
76	Harvey Smith	5	" "	7 50
77	George Sisson			
78	Peter Stone	1	" "	1 50
79	Jas. A. Burridge	10	" "	15 00
80	Elijah Kinsbrough	5	" "	7 50
81	Fred Matthews	10	" "	10 50
82	S. K. Jennings	10	" "	15 00

† Shaw vacated this ticket for 84 vote of Aug 13 on motion of Elec. Banner on appeal to hearing the said Elec. Banner.

Fall Term, Tuesday, Feburary 6th 1855.

No	Names	No of Days	per Day.	Total.
83	John Daily	9	$1 50	$13 50
84	Reuben Timmer	8	" "	12 00
85	William A. Hamilton	9	" "	13 50
86	James Payne	5	" "	7 50
87	Joseph Arrington	4	" "	6 00
88	John B. Rainey	5	" "	7 50
89	Charles McAuley	5	" "	7 50
90	Lucas Kendall	5	" "	7 50
91	C. F. Compton	1	" "	1 50
92	Meredith Watson	1	" "	1 50
		66		$ 88.00

J. W. Scott, Sheriff
Travis County
By A. N. Hopkins, Deputy

Examined and Approved
This 5th February A. D. 1855
John Hancock, Judge, &c

Test: Frank Brown, Clk
D. C. T. C. Texas

222 Grumbles & Hide } Plaintiffs } Motion to set
vs } aside non suit
J. J. Grumbles, et. als } Defendants } and reinstate cause

And now come the parties by their attorneys and the Court proceeding to consider the motion heretofore filed in said cause to set aside the non suit taken in this cause and to reinstate the same, after argument of counsel, doth order, adjudge and decree that said motion be allowed, and that said cause be reinstated. And thereupon It is therefore adjudged and decreed that the defendants recover of the plaintiffs, Benjamin Grumbles Sr, and Isabella Grumbles all costs by the rendition of this Judgment, ~~xxx~~ and that execution issue therefor.

Fall Term, Tuesday, February 6th 1855.

The State of Texas } I, Frank Brown, clerk of the
County of Travis } District Court in and for the
county and State above written, do hereby make the
following Report:

That at the above stated Term of said Court there was received by me the sum of Four Hundred and Thirty-Eight Dollars as Jury Fees in Civil and Criminal cases, disposed of at said Term, and the said sum of money, authorized by law to be by me distributed among and between the Jurors who served at said Term as pro rata pay for said services; and that after deducting 2½ per cent. from said amount of Four Hundred and Thirty-Eight Dollars allowed to me by law, the amount and sum of Four Hundred and Twenty-Seven Dollars and five cents remained to be distributed as aforesaid, and that in accordance with the list of Jurors returned at said Term, there are one hundred and eleven Jurors who served in the aggregate Seven Hundred and Eighty days at the rate of One Dollar and Fifty cents per day, making in the aggregate the sum of One Thousand ~~Seven~~ One hundred and Seventy ~~Dollars~~ Dollars; and that the pro rata pay of said Jurors amounts to the sum of 54 3/4 cents per day; and that certificates have been duly issued to said Jurors, severally, for the aggregate amount due them; and that the said pro rata due each Juror severally has been allowed, paid, and the same deducted severally from the aggregate amount due each Juror, and the amount remaining unpaid stipulated therein, as will appear by reference had thereto

Frank Brown Clk
D. C. T. C. Texas.

The foregoing minutes recorded at the present Term of this Court, this day examined, and the same is hereby approved. It is therefore ordered that Court do now adjourn until the next regular Term thereof. This Sixth February, A. D. 1855

Fall Term, Tuesday, February 6th 1855

384 The State of Texas } Plaintiff
Pet Cook } Defendant } Betting at Faro

466 The State of Texas } Plaintiff
Pet. Cook } Defendant } Betting at Faro

And now comes the defendant in the two foregoing causes, and having filed an affidavit in said causes that he is unable to pay the fines, jury fees and costs adjudged against him, in prays the Court to be discharged from custody of the Sheriff. And thereupon It is ordered by the Court that the said defendant in said two causes be released from confinement; and ordered, further, that execution issue for the amount of said fine and costs.

The State of Texas }
County of Travis } It appearing to the Court that since the rendering of the statement on the opposite page (in the two preceding causes) the defendant therein J. L. M. Cook, having made affidavit of his inability to satisfy the Judgment for fine and costs in the said causes, and having prayed the Court to be released from the custody of the Sheriff; and said prayer having been granted,— the amount of the Jury fund will thereby be reduced to $217.05, from the sum of $427.05, as appears by said statement, and that the pro rata pay due said Jurors will be 52 1/4 cents per day

Examined and approved, and ordered That the Court do now adjourn till the next regular Term of this Court as prescribed by law,

John Hancock, Judge
2nd. Jud. Dist. —

The State of Texas }
County of Travis } Be it remembered, that on this day, Wednesday the twenty first day of March, Anno Domini One Thousand Eight Hundred and sixty five, there was drawn according to law in the City of Austin, in the County of Travis and State of Texas, by Frank Brown Clerk of the District Court aforesaid County and Ashford B. McNeill, Clerk of the County Court of said County and State, in the presence of Charles L. Mann, Esquire, an acting Justice of the Peace, within and for said County and State, the following named persons to serve as Jurors at the Spring Term of the District Court thereof, A.D. within and for said County and State - said Term of said Court to be begun and holden on the Eighth Monday after the first Monday in March, A.D. 1865, said persons so drawn as aforesaid, being as follows, to wit:

No	Names	No	Names
1	Dennis Walsh.	19	James Montgomery.
2	Joel Miner.	20	L. L. Warren.
3	Nathaniel Townsend	21	William C. Rager.
4	Edward Burgess	22	Alfred Cottingham.
5	William J. Miles	23	L. D. Farehand.
6	John C. McAllister	24	Marcus C. Ayling.
7	Harvey Smith	25	Abram Henricks
8	Isidore G. Pace.	26	Giles H. Burdett.
9	William W. Alwood	27	Isaac Hammett.
10	Benjamin Choate.	28	James C. Hall.
11	Joseph Rowe.	29	Thomas C. Stanley.
12	Meredith Walton.	30	Charles Cottingham.
13	Leonidas D. Carrington.	31	William McCutchan.
14	George W. Davis.	32	Wiley B. Mc Nues.
15	George W. Glascock.	33	Charles Barnes.
16	Henry A Hedgcoxe.	34	Wm. H. Hornsby.
17	John Richardson.	35	John C. Hampton.
18	Alfred Smith.	36	Wade Henry

Chas. L. Mann J.P.

Frank Brown, Clk, D.C.T.C.

A.B. McGill Clk C.C.T.C.

Spring Term, Monday, April 30th 1855.

The State of Texas } Be it Remembered, That at a
County of Travis } Term of the District Court begun and holden at the Courthouse thereof in the City of Austin, within and for the County & State aforesaid, on the Eighth Monday after the first Monday in March, A.D. 1855. the same being the time appointed by law for the convening and sessions of the District Court for the Second Judicial District for the County and State aforesaid.

Present the Honorable John Hancock Judge of the Second Judicial District and of said Court, John Thorn, Clerk and John T. Price, Sheriff of Travis County.

And thereupon, the said Court being organized the following proceedings were had by said Court as follows to wit:

The venire having been previously drawn according to law and the same issued, executed and returned, into Court ~~&c~~ in compliance with law,

The Court ordered the Sheriff to make proclamation before the Courthouse door of the names of those appearing upon the said venire, whereupon the following named persons responded to their names when proclaimed by the Sheriff, to wit:

S. Enoch, Denni Walsh, Saml Maner, Wm P. Miles, Harvey Smith, D D Pace, Benj Chate, Meredith Walton, R. H. Covington, Geo W. Davis, Geo W. Lapsley, Alfred Smith, Abram Reuniks, Isaac Hammett, Thos O Stanley, Charles Cottingham, W. W. Hornsby, John C. Hampton and Wade Henry.

The same, the said Jurors, being nineteen good and lawful men of the County of Travis and State aforesaid who, after being duly sworn

Spring Term, Monday April 30th 1855.

according to law, were by said Court duly and legally empanneled to serve as such Grand Jurors in the said County of Travis and State aforesaid, at and for the present Term of this Court

And thereupon the Court appointed said Daniel Saunders of said Grand Jury, And thereupon the said Name Foreman was by the Court duly sworn according to law to act as such Foreman.

And thereupon the Court charged said Grand Jury as to the duties incumbent upon them and after receiving the charge of the Court which to the Grand Jury Sayre in charge of S. M. Blackwell Constable of Austin Precinct, Travis County Texas, and ex officio Bailiff for said Grand Jury, was and there to enter upon the duties incumbent upon them by virtue of their said capacities

And thereupon the Court ordered the Sheriff to make proclamation of the names of those upon said Venire, who failed to answer to their names upon the first proclamation. And thereupon appeared the following Venire men to wit: Silas H Burdett, Edward Sideers, and W. H. Alward,

And thereupon the Court excused, upon good cause being shown, from further attendance upon the Court, the following Veniremen, to wit: Silas H. Burdett, ~~W. D. Atwood~~ and James Henderson

And thereupon It is ordered by the Court that the Sheriff of Travis County summon forthwith good and lawful men of said county, to serve as Jurors for and during the present Term of this Court to be in attendance at two o'clock, P. M. of this day

Spring Term. Monday April 30th 1855.

And thereupon On motion of A. H. Adams District Attorney, It is ordered by the Court that Monday next, May the Fourth A. D. 1855 be and the same is hereby set apart for the taking up and disposing of the Criminal Docket for said Court.

131 ✓ Pierce Baker Plaintiff
A. H. Cook Defendant

And now on this day come the parties to the above cause by their Attorneys, and move the Court for leave to amend their pleadings. And thereupon It is ordered by the Court that the parties have leave to amend.

215. ✓ State Away et als Plaintiff For
L. C. Cunningham et als Defendants Hand
It is ordered by the Court that the plaintiff State Away have leave to amend.

215 ✓ State Away et als Plaintiff For
L. C. Cunningham et als Defendants Hand.
And now come the clerk of this Court and moves that the plaintiff in this cause be required to give bond and security for costs of suit. And thereupon It is ordered by the Court that the plaintiff in this cause be required to give bond and security for costs of suit ~~aforesaid~~ on or before the first day of the next Term of this Court, otherwise the same will be dismissed at their cost

209 Thomas Pascoe Plaintiff Trespass
A. J. Hamilton Defendant and Damages
Upon motion, It is ordered by the Court that the above cause be dismissed. And thereupon, It is ordered by the Court that the defendant go hence without day, that the plaintiff take nothing by his suit, and that the defendant recover of the plaintiff all costs of suit, for which execution may issue.

Spring Term, Monday April 30th 1855.

410 Albert M. Blue — Plaintiff — Heirs of
Heirs of D. K. Blish, — Defendants — Land.

And now comes the plaintiff to this cause by his Attorney and moves the Court for the appointment of a Guardian ad litem to defend the interest of the unknown heirs of D. K. Blish and thereupon the Court appoints C. R. West an attorney of this Court, Guardian ad litem for the unknown heirs of the said defendant.

433. D. Durland et. als. — Plaintiffs — For Sale of
D. C. Linn, et. als. — Defendants — Negro.

Upon motion being duly made, It is ordered by the Court that C. R. Peck, an attorney of this Court, be appointed Guardian ad litem, to defend the interests of the heirs John M. Ingraham, Mary L. Moore, Elias S. Moore, M. S. Moore, N. S. Moore and Thomas W. Moore, defendants in the above cause.

442. Mirah Martin, et. als. — Plaintiffs — For
Elizabeth D. Henry, et. als — Defendants — Partition

It being suggested to the Court that the defendants to this cause are minors, It is ordered that Wm. H. Henderson, an attorney of this Court, be appointed Guardian ad litem to defend the interest of the minor heirs, defendants.

445. George Stanecek — Plaintiff — Change
v.
John Horan — Defendant — of Venue.

And now comes the plaintiff to the above entitled cause by his attorney and moves the Court for a change of Venue of said cause to the County of Williamson, by reason of the affidavit of the said plaintiff to the Judge of this Court. And the said motion being duly considered by the Court It is ordered adjudged and decreed, that the venue of said cause be changed to the County of Williamson, and that the Clerk of this Court, on or before the first day of the next Term of the District Court of Williamson county, transmit

Spring Term, Monday, April 30th 1855

and entry to the Clerk of the Justice Court of said county, all the orders in this cause, and entry the same together with all the papers in said cause, that such proceedings may be had thereon as to justice and equity may appertain.

146. Mary O. Moore, Plaintiff
v.
Heirs of Tho. A. Moore, Defendants

It is ordered by the Court, that A. W. Terrell an attorney of this Court be and he is hereby appointed guardian ad litem to defend the interests of the minor heirs, Mary L. Moore, Ruth L. Moore, Sarah J. Moore, Thomas H. Moore and Margaret S. Moore.

19 C. S. C. Robertson, adm'r, Plaintiff
v.
Jas. B. Shaw, Comptr, Defendant
Partition.

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

170. Webb Reid, Plaintiff
v.
M. O. Hamilton, et al, Defendants
Consumation of Agreement.

And now comes the Clerk and moves the Court that the plaintiff be ruled to give bond and security for costs of suit. And thereupon, It is ordered by the Court that the plaintiff enter into bond and security for costs of suit, on or before the first day of the next Term of this Court, otherwise the same will be dismissed at his cost.

209 Enoch Danes, Plaintiff
v.
James R. Pace, et al, Defendants
Mandamus.

It appearing to the Court that its last Term a motion was sustained requiring the plaintiff to enter into bond and security for cost of suit; and it further appearing that the said plaintiff has failed to comply with said rule. It is ordered, adjudged and decreed that the said cause be dismissed at plaintiff's cost

Spring Term, Monday, April 30th 1855

And thereupon, It is ordered, adjudged and decreed that the plaintiff Enoch Jones take nothing by his suit; that the defendants go hence without day; and that the defendants recover of the plaintiff all costs of suit for which execution may issue

223 Paulser Flesher vs. Heirs of Mary A. Flesher — Plaintiff, Defendants — Decree to Land

It is ordered by the Court that the above cause be continued; the plaintiff having complied with the rule for security for costs heretofore entered against him.

282 Wm B. Blank, et. als vs. Sherman Case — Plaintiffs, Defendant — Trespass

On motion of the Clerk, It is ordered by the Court that the plaintiffs enter into bond and security for costs of suit on or before the first day of the next Term of this Court, otherwise the said cause will be dismissed at their cost plaintiffs attorneys being present and notified

286 Dann Woodridge vs. Spence & Freeman — Plaintiffs, Defendants — Damages

And now comes the plaintiffs by attorney and moves the Court to dismiss said cause. and thereupon, It is adjudged and decreed by the Court that the defendants go hence without day; that the plaintiffs take nothing by his suit, and that the defendants, Spence and Freeman, recover of the plaintiffs, John R. Woodridge, all costs of suit, for which execution may issue.

642. Meredith Walton, et. als. vs. Elizabeth D. Penny, et. als. — Plaintiffs, Defendants — Dar Partition.

On this 30th day of April, 1855,

Spring Term, Monday, April 30th 1855.

come the said plaintiffs by their attorney, S. H. Hutchins, and the said defendants by their guardian ad litem, Wm. H. Henderson and thereupon upon motion of said plaintiffs attorney duly assented to by the said Guardian ad litem the said petition being heard and understood by the Court

It is ordered and decreed that Joseph Rowe, George D. Bowers and Robert A Bufard be appointed Commissioners, whose duty it shall be to partition the tract of land in said petition prayed to be partitioned, equally share and share alike in value to and among the three several parties, to wit: Mrs. Ann Walton, one share; James B. Benson one share and one share to the widow and heirs in the petition named, to be held and owned by the said widow and heirs according to their several and respective rights as widow and heirs at the said John D. Henry, deceased, and that in partitioning the same the said Commissioners shall assign to the said Walton the easterly third, to the said Benson the central third and to the said widow and heirs the western third of said tract, and shall not take into consideration the value of any improvements erected by either of said parties on the portion so to each party allotted, and that they make full report of their proceedings to the present Term of this Court, if practicable, if not, then to the next succeeding Term.

66J. James Lamb vs. James H. Matthews — Plaintiff — Defendant — For Possession of Land

In this case appeared the plaintiff by his attorneys, and the defendant in his own proper person, and waived a Jury and submitted the matters in controversy to the Court. After hearing the evidence introduced by the plaintiff and defendant, It is ordered, adjudged and decreed by the Court that the plaintiff, James Lamb, do have and recover of and from the defendant, James H. Matthews, the land claimed by him in his said petition

Spring Term, Monday, April 30th 1855.

It is further ordered, adjudged and decreed by the Court that the deed executed by George Bratton and William Bratton to the defendant James H. Mathews, on the 10th day of Decemba 1849, conveying to the defendant Mathews Lot No. 13 in Division O in the City of Austin in the County of Travis, in the State of Texas, be and is hereby decreed to be null and void It is further ordered, adjudged and decreed by the Court, that the defendant, James H. Mathews, is, by virtue of this decree, divested of all right, title, interest and claim in and to the above described tract or parcel of land, and the same is hereby fully vested in the plaintiff, James Lamb. It is further ordered, adjudged and decreed by the Court that a writ of possession issue for the plaintiff

It is further ordered, adjudged and decreed by the Court, that the plaintiff, James Lamb, do have and recover of and from the defendant, James H. Mathews all the costs of this suit in this behalf laid out and expended, for which execution may issue

It is further ordered that the plaintiff and defendant have leave to withdraw their title papers by having copies, to wit: the patent of plaintiff for the land in controversy, and the deed from George Bratton and William Bratton to the defendant, Mathews

Order. S. W. Charles

And thereupon, It is ordered by the Court that a fine of twenty-five dollars be entered against Shelby W. Charles for failing to attend in his place as the petit Jury when summoned by the Sheriff, and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear, and show cause, if any he may have, why this Judgment should not be made final

And thereupon, It is ordered by the Court, that Court do now adjourn until to-morrow morning, Tuesday, May 1st A. D. 1855

Spring Term, Tuesday, May 1st 1855.

Tuesday Morning May 1st 1855

Court met pursuant to adjournment, at 9 o'Clock, a.m. Present the Hon. John Hancock, Judge of the Second Judicial District and said Court; Frank Brown, Clerk of said Court, and John F. Price, Sheriff of Travis county.

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

1811 Sarah A. Baker Plaintiff Possession
A. A. Oak Defendant

It is ordered by the Court that the above cause be continued, upon affidavit of defendant.

106 Martin Moore Plaintiff Damages
Wm Bakes, et. al. Defendants.

It is ordered by the Court that the above cause be continued, parties consenting thereto

110 Wm Bakes Plaintiff Ouster
Martin Moore Defendant

It is ordered by the Court that the above cause be continued upon consent of parties

249 Augustus Fare Plaintiff Injunction
B. A. Thompson et al Defendants

Upon motion. It is ordered by the Court that the above cause be continued

415 Benj. Roach Plaintiff Debt.
Nathl. Townsend Defendant

And now on this day comes the defendant, by his attorney and moves the Court for leave to amend. And thereupon it is ordered by the Court that the Defendant have leave to amend his answer, &c.

Spring Term, Tuesday, May 1st 1855.

1215 Naine Amory, et. als. Plaintiffs For
v.
L. C. Cunningham, et. als. Defendants Land.

It is ordered by the Court that the above cause be continued under the rule for security for costs.

0/0
333. Reuka Jansan Plaintiff For Damages.
v.
John Tack Defendant

It appearing to the Court that at the former Term hereof the Clerk ruled the plaintiff for bond and security for costs of suit, and it further appearing that said rule has not been complied with, It is ordered by the Court that the said cause be dismissed. And thereupon It is considered, ordered, adjudged and decreed by the Court that the plaintiff take nothing by his suit, that the defendant go hence without day, and that the defendant recover of and from the plaintiff Reuka Jansan, all costs of this suit, for which execution may issue.

343 Richard Wells, Admr Plaintiff For Recovery
v. of title
John Webster Defendant to land.

It is ordered by the Court that the above cause be continued

× 1st Pery Plaintiff Debt on Note
349 v.
John S. Ford Defendant

And now comes the plaintiff and moves the Court that the above cause be dismissed. And thereupon, It is considered, ordered, adjudged and decreed by the Court that the plaintiff take nothing by his suit, that the defendant go hence without day, and that the defendant recover of and from the plaintiff all costs in this behalf laid out and expended, for which execution may issue.

Spring Term, Tuesday, May 1st 1855.

R. H. McAspin & Co. } Plaintiffs } Debt
408 / Michael Miller } Defendant } Att

And now comes the defendant by attorneys and moves the Court that said cause be continued. And thereupon the Court considering the said motion, Doth order that said cause be continued as upon application of defendant.

Nathl Townsend } Plaintiff } Damages for
444 ✓ Nathan & De Frate. } Defendants } non performance of contract.

And now on this day comes the plaintiff by his attorney and moves the Court that the above cause be continued for service. And thereupon, It is ordered, adjudged and that alias citation issue to defts. the Sheriff

✓ 421 W. G. Blakey } Plaintiff } Debt on Acc.
John M. Cosby. } Defendant

And now comes the plaintiff by his attorney, and moves the Court for leave to amend. And thereupon It is ordered by the Court that the plaintiff have leave to file an amended petition

✓ 454. W. G. Blakey, Surv'g partner } Plaintiff } Debt on Acc
F. S. Ray } Defendant

And now comes the plaintiff, by his attorneys, and moves the Court for leave to amend. And thereupon, It is ordered by the Court that the plaintiff have leave to file an amended petition

214 ✓ John A. Pelan } Plaintiff } Certiorari
Thomas Hazlewood } Defendant }

And now on this day come the parties to the above entitled cause by their attorneys, and announce themselves ready for trial. And thereupon come a Jury of lawful men of Travis county, to wit: Jenkins Davis, John S. Spence, Francis Kelly, Lebuda Brown, W. T. Norton, W. F. Davidson, M. M. Ferguson, J. J. Lumbles, L. M. Hampton, Hugh Mullin, J. G. Duke and A. C. Brown, who being duly elected, empannelled and sworn, after hearing the evidence introduced by the parties, and the argument

Spring Term, Tuesday, May 1st 1855.

of counsel received 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 in favor of the Plaintiff, and assess the value of the House at Sixty Dollars. J. W. Hampton, Foreman."

Whereupon, It is considered, Ordered, Adjudged and Decreed by the Court, that the plaintiff, John A. P. Carr, do have and recover of the defendant, Thomas Hopcock, the house in controversy, or its equivalent the Sum of Sixty Dollars, as assessed by the Jury, together with all costs in and about this suit expended. For all which execution may issue.

Order 292 P. A. Monroe

And thereupon It is ordered by the Court that P. A. Monroe be fined the Sum of Twenty Five Dollars for failing to attend in his place as the First Jury when called by the Sheriff, and that Scire Facias issue to him returnable to the next Term of this Court commanding him then and there to appear, and show cause, if any he may have, why this Judgment should not be made final against him.

And thereupon It is ordered by the Court that Court do now adjourn until to morrow Morning, 8½ o'clock, Wednesday, May 2d A.D. 1855.

Wednesday Morning, May 2d 1855.

Court met at 8½ o'clock, pursuant to adjournment. Present the Hon. John Pancoast, Judge of the Second Judicial District and of said Court. Isaac Bunn, Clerk of said Court, and John J. Price, Sheriff &c.

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

292

L. C. Cunningham, Admr of John R. Mount, Deceased.	Plaintiff	}	Debt.
Diana Gilliland	Defendant	}	

And now at this Day and Term of the Court come the parties to the above entitled cause by their attorneys, and announced themselves ready to proceed to the trial of said cause. Whereupon came a Jury of lawful men of Travis county, to wit: G. B. Moore, Edward Tivlin, James A. Partridge, W. T. Patterson,

Spring Term, Wednesday, May 2d 1855.

Aaron Stanton, F. E. Roy, Joseph Warren, James Wade Jonathan Vanclive, James H. Doley, Frank Brooks and Thos. J. Mene, who being duly elected, empannelled and sworn, to try said cause, retired after hearing the argument of counsel, the evidence adduced and 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 Defendant ($5.00) five Dollars. F. E. Roy, Foreman." And it appearing to the Satisfaction of the Court that the said John R. Hocum, in his lifetime, entered into a Special contract with the said Defendant Hannah Shuiland, to construct a Dwelling House for the said Defendant by the month of May, A. D. 1852, for the Sum of Twelve Hundred Dollars. And it further appearing that this Suit is brought to recover the amount claimed to be due for constructing and building said House. And it further appearing to the Satisfaction of the Court that said Hocum failed to construct said House in accordance with the terms of said Special contract, and that the said Defendant did not consent to said non-performance of said contract, or waive her rights under said contract, And it further appearing from the testimony in the Defendant's Plea in reconvention, and from the verdict of the Jury that the said plaintiff is indebted to the said Defendant in the Sum of Five Dollars

It is therefore Ordered, Adjudged and Decreed by the Court that the said Hannah Shuiland do have and recover of and from the said plaintiff, E. Cunningham, Administrator of the Estate of the said John R. Hocum, the Sum of Five Dollars, together with all her costs in this behalf expended, for which execution may issue.

367. John C. Hyde } Plaintiff } For Recovery of Lot of Land
v.
Francis Kelley } Defendant }

And now come the parties and move the Court that said cause be Set for Friday, the 11th instant. And thereupon, It is ordered by the Court that said cause be Set for trial for Friday May 11th 1855.

406. Sebron L. Snead } Plaintiff } Attachment.
v.
Claiborne Arrington } Defendant }

It is ordered by the Court that the above cause be continued as upon affidavit of defendant's attorney.

Spring Term, Wednesday, May 2d 1855.

1107. Oldham, Marshall & Tuttle } Plaintiffs.
Claiborne v. Arrington } Defendant } Attachment.

It is ordered by the Court that the above cause be continued, as upon affidavit of defendants attorney

314 John A. P. Carr } Plaintiff } For Recovery of
Thomas v. Klapoeck } Defendant } Rent

It is ordered, adjudged and decreed by the Court, that the Judgment and Decree rendered in this cause be so amended as to read as follows: That the plaintiff recover of the Defendant the possession, which is to be delivered to the plaintiff by within ten days after adjournment of Court, but in default thereof, execution may issue for the value of the Rent as assessed by the Jury, Sixty Dollars

It is further adjudged and decreed that the plaintiff recover of the Defendant Thomas Klapoeck, all costs of suit, for which Execution may issue

137. Kingsbury, Price & Co. } Plaintiffs.
Hugh v. Short } Defendant } Debt.

And now on this day comes the Plaintiffs by their attorneys, and move the Court for leave to amend. And thereupon it is ordered by the Court that the plaintiffs have leave to file an amended petition.

And now on this day came and appeared in open Court the Grand Jury for said County of Dallas and State of Texas, duly elected, empannelled and sworn, the present Term of this Court, and by their Foreman Nathaniel Townsend, presented to the Court the following Bills of Indictment, to wit:

515. The State of Texas } Plaintiff
vs. } Betting at Faro.
Alexander Cain } Defendant

Spring Term, Wednesday, May 2d 1855.

516.	The State of Texas v. Alexander Eaves	Plaintiff / Defendant	Betting at Faro
517.	The State of Texas v. Alexander Eaves	Plaintiff / Defendant	Betting at Faro
518.	The State of Texas v. Bennett, alias Buck Burnes	Plaintiff / Defendant	Exhibiting Faro
519.	The State of Texas v. Henry P. Burnett	Plaintiff / Defendant	Betting at Faro
520	The State of Texas v. Henry P. Burnett	Plaintiff / Defendant	Betting at Faro.
521.	The State of Texas v. William W. Jones	Plaintiff / Defendant	Assault & Battery with intent to kill and Murder.
522.	The State of Texas v. Gray Clements Wm. Davis and Ike Anderson	Plaintiff / Defendants	Gaming.
523.	The State of Texas v. William Cruse	Plaintiff / Defendant	Assault & Battery.
524.	The State of Texas v. Theophilus Anderson	Plaintiff / Defendant	Exhibiting Faro
525	The State of Texas v. Wiley Marshall	Plaintiff / Defendant	Exhibiting Faro.
526.	The State of Texas v. A. D. Lee	Plaintiff / Defendant	Betting at Faro

Spring Term, Wednesday, May 24, 1853.

527	The State of Texas vs Pat Cook	Plaintiff Defendant	Betting at Faro
528	The State of Texas vs Patrick Alexander Dunn	Plaintiff Defendant	Playing cards for money in a house for retailing Spirituous Liquors.
529	The State of Texas vs James S. Sweet	Plaintiff Defendant	Betting at Faro
530	The State of Texas vs William Easton	Plaintiff Defendant	Exhibiting Faro
531	The State of Texas vs Samuel G. Stowell & Andrew Stanton	Plaintiff Defendants	Playing cards for money in a house for retailing Spirituous Liquors.
532	The State of Texas vs Samuel G. Stowell	Plaintiff Defendant	Betting at Faro
533	The State of Texas vs Marcus B. Rapier	Plaintiff Defendant	Dealing Faro
534	The State of Texas vs M. B. Rapier	Plaintiff Defendant	Betting at Faro
535	The State of Texas vs William Wyatt	Plaintiff Defendant	Dealing Faro
536	The State of Texas vs William Wyatt	Plaintiff Defendant	Exhibiting Faro
537	The State of Texas vs James R. Jackson	Plaintiff Defendant	Betting at Faro

Spring Term, Wednesday, May 2d 1855.

538	The State of Texas v. Wiliam Wyatt	Plaintiff Defendant	Betting at Faro	
539	The State of Texas v. Henry Vines	Plaintiff Defendant	Betting at Faro	
540	The State of Texas v. Pet Cook	Plaintiff Defendant	Betting at Faro	
541.	The State of Texas v. John W. Lawrence	Plaintiff Defendant	Betting at Faro	
542.	The State of Texas v. A. Newton Jackson	Plaintiff Defendant	Exhibiting Faro	
543.	The State of Texas v. William Stone	Plaintiff Defendant	Betting at Faro	
544.	The State of Texas v. John Kiran	Plaintiff Defendant	allowing Gaming Bank to be exhibited in his House	
545.	The State of Texas v. John Moran	Plaintiff Defendant	allowing Gaming Bank to be exhibited in his House.	
546.	The State of Texas v. John Norris	Plaintiff Defendant	allowing Gaming Bank to be exhibited in his House	
547.	The State of Texas v. Geo. Robinson & John Robinson	Plaintiff Defendants	allowing gaming Bank to be exhibited in their House	
548.	The State of Texas v. Geo. Robinson & John Robinson	Plaintiff Defendants	allowing Gaming Bank to be exhibited in their House.	

Spring Term, Wednesday, May 2d 1855.

549	The State of Texas	v.	Plaintiff	Permitting
	Wm. Robinson & John Robinson		Defendants	Gaming
550	The State of Texas	v.	Plaintiff	allowing gaming room to be established in their house.
	Wm. Robinson & John Robinson		Defendants	
551.	The State of Texas	v.	Plaintiff	Permitting
	Wm. Robinson & John Robinson		Defendants	Gambling
552	The State of Texas	v.	Plaintiff	Permitting
	Wm. Robinson & John Robinson		Defendants	Gambling

× And thereupon the said Grand Jury, by their Foreman, informed the Court that they had not disposed of all the business before them. Whereupon the Court ordered said Grand Jury to retire upon a further discharge of their duties

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow morning, nine o'clock This day. May 3d 1855.

Thursday Morning, May 3d 1855.

Court met at nine o'clock, A.M. pursuant to adjournment. Present the Hon. John Marshall, Judge of the Second Judicial District and of said Court; Frank Brown, Clerk of said Court, and John T. Price, Sheriff of Travis County.

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

292	L. C. Cunningham, Admr. of John K. Townsend, dec'd		Plaintiff	Debt.
	Hiram Gilland		Defendant	

It is ordered by the Court that the Judgment heretofore rendered in this cause be amended so as to read as follows

That the Defendant, Hiram Gilland, do have and recover of and from the Plaintiff, L. C. Cunningham, administrator of the

Thursday, Spring Term, May 3.d A.D. 1855.

estate of John R. Shumate, Decd, the sum of Five Dollars, as found by the Jury, and also the costs of this suit; and that the Clerk of this Court certify to the Probate Court of Bastrop county a copy of this Judgment, and also a bill of the costs, to be established Claim against said Estate, to be paid in due course of Administration.

1011 Isaac Applewhite & Plaintiff & Petition.
Walker Wilson & Defendant &

It appearing to the Court that at a former Term hereof the Clerk of this Court ruled the plaintiff to give bond and Security for costs of suit; and it further appearing to the Court that the said Plaintiff has failed to comply with the said rule, It is ordered by the Court that the said cause be dismissed. And thereupon It is ordered, adjudged and decreed by the Court that the said plaintiff take nothing by his suit, that the Defendant be discharged, and that the Defendant recover of the Plaintiff, Isaac Applewhite, all costs of suit, for which execution may issue.

Order Hugh Miller. And thereupon It is ordered by the Court that Hugh Miller be fined the Sum of Ten Dollars for failing to attend in his place as the Petit Jury when called by the Sheriff, and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and Show cause, if any he may have, why this Judgment should not be made final against him.

Order Francis Kelley. And thereupon It is ordered by the Court that Francis Kelley be fined the Sum of Ten Dollars for failing to attend in his place as the Petit Jury when called by the Sheriff, and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and Show cause, if any he may have, why this Judgment should not be made final against him.

1113 James Park & Plaintiff & Fi. Fac.
W. D. Oldham, et.als. & Defendants &

And now at this day and Term of the Court come the said Plaintiff, James Park, and the said Defendants, Williamson D. Oldham, Edward Oldham, Sidney D. Pace, and A. Johnson, by their respective Attorneys,

Spring Term, Thursday, May 3rd 1855.

and announced themselves ready for trial, on the issues raised by the pleadings. Thereupon came a jury of twelve good and lawful men of Travis County, to wit: O.H.B. Moore, W. T. Pattison, Edward Tivies, James C. Brundige, Alonzo Winston, Joseph Warren, F. D. Fay, Reuben Runnels, Jonathan Van Ness, James R. Nagy, Frank Brooks and Thomas F. Moore who being duly elected, empannelled and sworn well and truly to try said cause, retired after hearing the testimony of witnesses, the argument of counsel and the charge of the Court, to consider of their verdict, and returned into Court the following verdict, to wit: "We the Jury, find a verdict for the Defendants, Williamson S. Oldham et. als. for A. Brundige, Foreman."

And because it appears to the Satisfaction of the Court, that the said Williamson S. Oldham, David Oldham, Sidney S. Pace and S. Johnson, are lawfully seized of the following described land to recover which plaintiff instituted his said suit, viz: the following described parcel of land situated in the County of Travis in said State, and being part and parcel of the headright league of Thos. Rice Bigel, and beginning at the South East corner of the said League, and running thence northwesterly along the front of said League to the Southeast corner of the same, thence back taking the whole front of said League to obtain the quantity of fifteen hundred acres of land.

It is therefore considered and adjudged and decreed by the Court that the title to said land do vest in the said Williamson S. Oldham, David Oldham, Sidney S. Pace and S. Johnson, free from the right or claim of the said plaintiff, and that the said defendants do have and recover of and from the said plaintiff, James Pack, all costs in this suit laid out and expended, for which execution may issue.

And now on this day came and appeared in open Court the Grand Jury in and for the County of Travis and State of Texas, duly elected, empannelled and sworn, and by their Foreman, Nathaniel Townsend presented to the Court the following Bills of Indictment, to wit:

Spring Term, Thursday, May 31st 1855.

533.	The State of Texas	Plaintiff	Betting Pistol	
	William G. Lemmon	Defendant	to Escape.	
534.	The State of Texas	Plaintiff	Exhibiting Faro	
	Wm. L. Sloan	Defendant		
535.	The State of Texas	Plaintiff	Playing Faro	
	Samuel A. Powell	Defendant	Bank & Keeping in a Dwelling	
536.	The State of Texas	Plaintiff	Exhibiting	
	Riley Marshall	Defendant	Faro	
537.	The State of Texas	Plaintiff	Betting	
	James E. Gillett	Defendant	at	
			Faro	
538.	The State of Texas	Plaintiff	Playing Faro	
	Henry P. Burnett	Defendant	for money in a Dwelling	
539.	The State of Texas	Plaintiff	Playing cards for money in a house & keeping a public billiard table	
	Isaac Newton Jackson	Defendant		
560.	The State of Texas	Plaintiff	Playing cards for money in a dwelling & keeping a public billiard table	
	James R. Jackson	Defendant		
561.	The State of Texas	Plaintiff	Playing cards for money in a house & keeping a public billiard table	
	William Hare	Defendant		
562.	The State of Texas	Plaintiff	Exhibiting Roulette or a Faro Bank	
	William Wyatt	Defendant		
563.	The State of Texas	Plaintiff	Exhibiting	
	William Wyatt	Defendant	Faro	

Spring Term, Thursday, May 3d 1855

✓ 564.	The State of Texas v. James Lombard	Plaintiff Defendant	Exhibiting Faro
✓ 565	The State of Texas v. Wm Moore	Plaintiff Defendant	Assault and Battery
✓ 566.	The State of Texas v. Louis Lombard	Plaintiff Defendant	Playing cards for money in a house for retailing spirituous liquors.
✓ 567.	The State of Texas v. Wm St. Mahoney	Plaintiff Defendant	Exhibiting Faro
✓ 568.	The State of Texas v. Gray Clements	Plaintiff Defendant	Exhibiting Monte
✓ 569.	The State of Texas v. Gray Clements	Plaintiff Defendant	Gaming
✓ 570	The State of Texas v. Wilson Green	Plaintiff Defendant	Gaming
✓ 571.	The State of Texas v. Wilson Green	Plaintiff Defendant	Gaming
✓ 572.	The State of Texas v. Henry W. Sublett	Plaintiff Defendant	Betting at Faro
✓ 573.	The State of Texas v. Henry W. Sublett	Plaintiff Defendant	Betting at Faro
✓ 574.	The State of Texas v. Henry W. Sublett	Plaintiff Defendant	Playing Poker for money in a house

Spring Term, Thursday, May 31st 1855.

575	The State of Texas v. Henry W. Sublett	Plaintiff Defendant	Playing cards for money in a house of entertaining Spirituous liquors	
576	The State of Texas v. Truman B. Bird	Plaintiff Defendant	Murder.	
577	The State of Texas v. Alexander Cains	Plaintiff Defendant	Betting at Monte	
578	The State of Texas v. Hugh Cains	Plaintiff Defendant	Betting at Monte	
579	The State of Texas v. Thomas Cains	Plaintiff Defendant	Betting at Monte	
580	The State of Texas v. William M. Wacton	Plaintiff Defendant	Playing cards for money in a house for retailing Spirituous liquors.	
581	The State of Texas vs. William Sawyer	Plaintiff Defendant	Assault & Battery with intent to kill & Murder	
582	The State of Texas vs. Thomas Bowles	Plaintiff Defendant	Betting at Monte	
583	The State of Texas v. James R. Jackson	Plaintiff Defendant	Playing cards for money in a house for retailing spirituous liquors	
584	The State of Texas vs. Samuel G. Stowell	Plaintiff Defendant	Playing cards for money in a house for retailing Spirituous liquors	
585	The State of Texas v. Constantine A. Hopkins	Plaintiff Defendant	Betting at Faro	

Spring Term. Thursday May 3rd A.D. 1855.

✓ 586.	The State of Texas vs. Jacob A. Smith	Plaintiff Defendant	Betting at Faro.
✓ 587.	The State of Texas vs. Thomas J. Moore	Plaintiff Defendant	Betting at Faro
✓ 588	The State of Texas vs. Charles A. Harrison	Plaintiff Defendant	Betting at Faro
✓ 589.	The State of Texas vs. Jno A. Burdett	Plaintiff Defendant	Betting at Faro
✓ 590	The State of Texas vs. Jno A. Burdett	Plaintiff Defendant	Betting at Faro

X And thereupon the said Grand Jury by their Foreman, informed the Court that they had not disposed of the business before them, Whereupon the Court ordered the said Grand Jury to retire upon a further discharge of their duties.

And thereupon it is ordered by the Court that Court do now adjourn until Friday Morning, May 4th 1855 half past eight o'clock.

Friday Morning, May 4th A.D. 1855. Court met at half-past eight o'clock A.M. pursuant to adjournment. Present the Hon. Lolon Stanford, Judge of the 22nd Judicial District and of said Court; Eugene Brown, Clerk of said Court, and John J. Tucker, Sheriff of Travis County.

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

Spring Term, Friday, May 4th A.D. 1855.

337 ✓ A. St Pero & } Plaintiffs }
W. P. Ferguson } } Attachment
✓ P. W. McGrew } Defendants }

And now comes the plaintiffs and claims a Judgment by default. And it appearing that due Service of the process has been made in this cause by publication and that said defendants have failed to file their answer within the time prescribed by law. It is ordered that the plaintiffs recover of the defendants according to the prayer of their petition. And it appearing to the Court that the cause of action is unliquidated. It is ordered that a Jury be empannelled to assess the damages accrued by the said plaintiffs

410 ✓ Albert H. Blue } Plaintiff } Debt as Debt
Weis & F. K. Blick } Defendants } to
Land

And now come the defendants by their Guardian ad litem, C. S. West and file their answer in said cause

453. ✓ John Wahrenberger } Plaintiff } Injunction
Bittel and Brenner } Defendants }

And now come the Defendants by attorneys and move the Court to leave to amend. And thereupon it is ordered by the Court that the defendants have leave to file amended answers.

548. ✓ Joseph Drey & Co. } Plaintiffs } Attachment
vs.
M. Pasen & Co } Defendants }

And now come the Clerk and move the Court that the plaintiffs be required to give bond and security for costs &c. And thereupon it is ordered by the Court that said motion be sustained, the attorneys of plaintiffs being present and assenting

And thereupon it is ordered by the Court that said cause be continued

Spring Term Friday, May 4th A.D. 1855.

529. Joseph Newsham } Plaintiffs
v. } Debt &c.
John & Thos. Robb et al } Defendants

It appearing to the satisfaction of the Court that the parties to this suit have entered into an agreement according to law by which they bound themselves respectively to submit all matters in controversy between them in this suit to S. Cummings, G. W. Davis and S. Mendricken as arbitrators and whereas it appears to the Court that on or about the 5th day of March, 1855, the said arbitrators, S. Cummings, G. W. Davis and S. Mendricken appeared before the Clerk of the District Court of Travis county, and were duly sworn by said Clerk, fairly and impartially to decide the matters in dispute between said parties according to the evidence adduced and in accordance with the rules of law and equity applicable to the facts proved. And it also appearing to the Court that on the said 5th day of March, 1855, the said Arbitrators met in accordance with the agreement and after having heard the proofs adduced by the parties, and deliberated thereon made the following award, to wit:

"Joseph Newsham vs. John Robb and Thomas Robb.

"We the undersigned, arbitrators, appointed to settle all matters in variance between "the parties in this suit, met at the office of the District Clerk of Travis county, and "made the following award. We agree to allow the plaintiff in this case the "sum of eighty eight dollars and forty two cents, and each party to pay one half the "costs. The plaintiff to retain one third as his share in the wagon and team "We set our hands at Austin, this 5th day of March, 1855

"Signed, G. W. Davis, S. Mendricken, S. Cummings, Arbitrators

It is therefore ordered, adjudged and decreed by the Court that the title to one third part of the wagon and team in controversy be and is hereby divested out of the defendants John Robb and Thomas Robb and vested in the plaintiff, Joseph Newsham. It is further ordered, adjudged and decreed that the plaintiff, Joseph Newsham, do have and recover of and from the defendants, John Robb and Thomas Robb the sum of eighty eight dollars and forty two cents, with interest at the rate of eight per cent. per annum until paid, for which execution may issue.

It is further ordered, that the defendants Abner H. Cook and Lucilla F. Nichols go hence with their costs.

It is further adjudged and decreed that the plaintiff, Jos Newsham recover of and from the defendants, John Robb and Thomas Robb, one half of the costs in this behalf expended, and that the defendants recover of the plaintiff, Joseph Newsham, one half of the costs in this behalf expended, for all which execution may issue

Spring Term, Friday, May 4th A.D. 1855.

550 Evans and Carman } Plaintiffs } Debt on Note
v. } and
Ames Stevens } Defendant } Account

And now comes the Defendant, by his attorney, files his answer.

And thereupon the Clerk moves the Court that the said plaintiffs be required to give bond and security for costs of suit, and the Court considering the same doth order that the said motion be sustained, plaintiffs attorney being present and making

551. Wade A. Mann } Plaintiff } Debt on Account
v. } and
Silas M. Baird } Defendant } Attachment

And now comes the defendant, by attorney and files his answer

554 D. M. Mungley } Plaintiff } Debt on Account
v. } and
M. L. Blakey } Defendant } Attachment

And now on this day comes the Defendant, by his attorney, and files his answer to plaintiffs petition.

555. Dana L. Snow } Plaintiff } Injunction to try title
v. } and
Marion Norton } Defendant } Attachment

And now comes the defendant, by his attorney and files his answer.

And thereupon on motion of plaintiff, It is ordered by the Court that the plaintiff have leave to file an amended petition

559. Blakey & Dubuck } Plaintiffs } To try title and
v. } and
Blazek & Hanzly } Defendants } For Damages

And now comes the Defendants, and by their attorneys, file their answer.

560 Lucius T. Price } Plaintiff } Partition
v. } and
Michael Short } Defendant } Attachment

And now comes the Defendant, and by his attorney, files his answer.

Spring Term, Friday, May 4th A.D. 1855

And thereupon the Clerk moves the Court that the said plaintiff be required to give bond and security for costs of suit, and the Court considering the same, Doth adjudge that the said motion be sustained, plaintiff accordingly being present and notified

561. John W. Neal, Wm Styles & John S. Haynes } Plaintiffs
v. } Decree ad Quia
Heirs of T. C. Neal } Defendants } Ditto

It appearing that the above suit was brought by publication, It is adjudged by the Court that the same be continued to pubcat service

562. Augustus Dare } Plaintiff
v. } Injunction.
John H. Cocke et. al } Defendants

And now came the defendants by their attorneys and file their answer in this cause

564. Daniel Pratt } Plaintiff
v. } Debt on Note
W. C. Collinsworth & Wife } Defendants

And now came the defendants, by their attorney D. D. Graves and file their answer

566. Thomas W. House } Plaintiff
v. } Debt on Note.
S. G. Haynie, et al. } Defendants

And now comes the plaintiff by attorney, and moves the Court for leave to amend. And Thereupon, It is ordered by the Court that the plaintiff have leave to file an amended petition.

569. Charles H. Danes } Plaintiff
v. } Damages
George W. Glasscock } Defendant

And now comes the defendant, by attorney, and files his answer.

Spring Term. Friday, May 4th 1855.

1569 Charles St. Pares } Plaintiff
v. } Damages.
George W. Glasscock } Defendant

And now comes the clerk and moves the Court that the plaintiff be required to give bond and security for costs of suit and thereupon it is ordered by the Court that the said plaintiff give bond and security for the costs of this suit, the attorney of the said plaintiff being present and notified

5710 Hugh Walden } Plaintiff
v. } Damages.
S. D. Slaughter, Etal. } Defendants

And now came the defendants and by their attorney file their answer and thereupon comes the said plaintiff and moves the Court for leave to file an amended petition. and thereupon it is ordered by the Court that the said plaintiff have leave to amend

5711 C. C. Mason } Plaintiff
v. } Debt on Note.
J. T. Cleveland } Defendant

And now comes the Defendant by attorney, and files his answer

5714 R. St. Grimes } Plaintiff
v. } Debt on Note
W. L. Martin } Defendant

And now on this day comes the said defendant, and files his answer to plaintiffs petition

5717 Joseph H. Hampton } Plaintiff
v. } Debt on Note
D. M. H. Shaw } Defendant

It appearing to the Court that this suit was instituted by publication, It is ordered that the same be continued

Spring Term, Friday, May 4th 1855.

578	Christopher B. Wood	}	Plaintiff	} Debt on Account
	vs.	}		
	Elijah B. Rawles	}	Defendant	}

And now comes the defendant, and by his attorney files his answer.

579	Cushman, Goodwin & Co	}	Plaintiffs	} Debt on Note
	v.	}		
	A. N. Kaplan, et al.	}	Defendants	}

And now came the defendants and by their attorneys, file their answer.

261.	Benjamin Granniss	}	Plaintiff	} Action of Recovery
	v.	}		
	Seleron G. Sneed	}	Defendant	} of Negro

It is ordered by the Court that the defendant have leave to amend

581.	H. C. Bonnevain, et al.	}	Plaintiffs	} Mandamus
	v.	}		
	S. Crasby Cash et. als	}	Defendants	}

And now on this day comes the defendant, Crasby, and by his attorney files his answer

582.	D. A. Shepard & Co	}	Plaintiffs	} Debt
	v.	}		
	D. M. W. Hall	}	Defendant	}

It appearing to the Court that this suit was instituted by publication, It is ordered that the same be continued

583.	Thos. H. Hard	}	Plaintiff	} Debt on Note
	v.	}		
	L. A. Bardill, et als.	}	Defendants	}

And now comes the plaintiff, and by his attorney, suggests to the Court the death as one of the Defendants, Lucius Bardill, Sr. and thereupon It is ordered by the Court that Scire Facias issue to his representatives, when Known, returnable to the next Term of this Court.

And thereupon It is ordered by the Court that the said cause be continued

Spring Term, Friday, May 4th, 1855.

584. Charles S. West } Plaintiff } Debt on Note
v. } }
W. D. Johnson, et al. } Defendants }

And now come the defendants by attorney, and file their answer.

588 S. R. Randle } Plaintiff } Debt on Note
v. } }
J. L. Brown } Defendant }

And now come the plaintiff and by his attorney move the Court that the said cause be continued for service, and thereupon It is ordered by the Court that alias citation issue to the defendant.

592 J. M. Reed } Plaintiff } Debt on Note
v. } }
Williams & Co. } Defendants }

It is ordered by the Court that the above cause be continued, and that alias citation issue to the defendant not served.

593. Seth Thomas } Plaintiffs } Debt on Note
v. } }
Sherman Case } Defendant }

And now comes the defendant and files his answer, by attorney

And Thereupon the Clerk moves the Court that the plaintiffs in said cause be required to give bond and security for costs of suit, and thereupon It is ordered by the Court that the said plaintiffs enter into bond and security, otherwise the same will be dismissed at his cost the said plaintiffs attorney being present and noticed.

594. Dicey Hopkins } Plaintiffs } Debt on Note
v. } }
D. D. Gwin and } }
T. H. Parnell } Defendants }

And now come the defendants, and by their attorneys file their answer.

Spring Term Friday May 4th 1855.

595 D. H. Chandler } Plaintiff }
v. } Debt on Note.
Douglass Braun } Defendant }

And now comes the defendant into the above entitled cause by his attorney and bids his answer.

596 R. Cruzbaw } Plaintiff }
v. } Debt on Note
Louis Knight et. al } Defendants }

And now on this day comes the defendants, and by their attorneys bid their answer

606 R. H. Peek } Plaintiff }
v. } Debt on Note
John R. McCall } Defendant }

And now comes the plaintiff by his attorney, moves the Court that the said cause be dismissed. And thereupon It is ordered by the Court that the plaintiff take nothing by his suit, and that the defendant go hence without day; that the defendant recover of the plaintiff R. H. Peek all costs of this suit, for which execution may issue

609 R. H. Williams } Plaintiff }
v. } Debt on Note
Wm R. Lewis } Defendant }

And now comes the said defendant, by attorney, and moves the Court bids his answer.

610 L. C. Cunningham, et. al. } Plaintiffs }
v. } Debt on Note.
W. C. Collinsworth } Defendant }

And now on this day comes the defendant, by his attorney and moves the Court bids his answer

And Thereupon comes the Clerk and moves the Court that the plaintiffs be required to give bond and security for costs of suit; and the Court considering the same,

Spring Term, Friday May 4th 1855.

death or else that the said matter be enquired Plaintiffs attorneys being present and waived.

612. John B. Banks } Plaintiff }
v. } Debt on Note.
Wesley Smith } Defendant }

And now comes the said defendant by his attorney, and files his answer

616. Henry Rose } Plaintiff }
v. } Debt on Note.
Wesley Smith } Defendant }

And now comes the said defendant by attorney, and files his answer.

617 Deborah Highsmith } Plaintiff }
v. } Debt on Note
Wm O. Harris } Defendant }

And now on this day comes the said defendant by attorney, and files his answer

620 R. H. Rex } Plaintiff }
v. } Debt on Note
Case & Burden } defendants }

And now comes the plaintiff by his attorney and suggests to the Court the death of the defendant Jesse Rendell, Sr. and thereupon upon motion, It is ordered by the Court that Levi Davis issue to his representative, when known.

And thereupon It is ordered that the said cause be continued.

621. William Clark } Plaintiff }
v. } Debt on Note
Jacob A. Burdett et al } Defendants }

And now came the defendants by their attorneys, and files their answer

622. Samuel Harris } Plaintiff }
v. } Debt on Note
Thos Cassidy et al } defendants }

And now come the defendants by attorneys, and files their answer in this cause.

Spring Term Friday, May 4th 1855.

1023. Fielding S Ray } Plaintiff }
v. } Debt on a/c
Leander Braun } Defendant }

And now on this day comes the defendant by attorney and bids his answer

And thereupon comes the defendant, Leander Braun, by his attorney and moves the Court that the plaintiff be required to enter into bond and security for the costs of this suit, and thereupon the Court ordered that the said plaintiff enter into bond and security for costs of suit the attorney of the said plaintiff being present and notified

1024. George Metz } Plaintiff }
v. } Debt on Note
Nancy Metz } Defendant }

And now comes the said plaintiff and [illegible] his answer

And thereupon the Clerk moves the Court that the plaintiff enter into bond and security for costs of suit, and thereupon It is ordered by the Court that the said plaintiff enter into bond and security on or before the first day of the next Term of this Court, otherwise the same will be dismissed at his cost; the attorney of the said plaintiff being present and notified

1025. Francis Dieterich } Plaintiff }
v. } Debt on Ac
Hartwell G. Blakey } Defendant }

And now on this day comes the said defendant, and by his attorney files his answer

1026. Thos S. Perryman } Plaintiff }
v. } Debt on Note
Jas. G. Swisher, et al } Defendants }

And now comes the said defendants, by attorney and files their answer

Spring Term Friday May 4th 1855

628. Francis Dietrich } Plaintiff
✓ A. W. Smith } Defendant } Debt on Note.

It is ordered by the Court that the above cause be continued, and that alias Attachment issue to the defendant.

629 Francis Dietrich } Plaintiff
✓ Thomas J. Pitt } Defendant } Debt on Note.

And now on this day comes the defendant, and files his answer.

And thereupon It is ordered by the Court that the plaintiff have leave to amend. And thereupon the defendant moved the Court, by attorney, for leave to amend, and the Court doth order that the said defendant have leave to file an amended answer.

630. Sarah Cassidy & Thos Cassidy } Plaintiffs
✓ D. M. H. Hoge et als } Defendants

And now come the defendants by attorneys, and file their answer.

And thereupon the said defendants, by their attorneys, appeared and moved the Court that the plaintiffs be required to enter into bond and security for costs &c suit, and the Court doth order that the said motion be sustained. And thereupon It is ordered by the Court that the said plaintiffs enter into bond and security as aforesaid by the first day of the next Term of this Court, whereon if the same shall be dismissed Plaintiff's attorney being present and notified.

631. W. G. Blakey } Plaintiff
✓ John Cassidy } Defendant } Debt in Atc

And now on this day comes the said defendant, by attorney, and files his answer.

632 D. Gilliland et als } Plaintiffs
✓ D. C. Smith et als } Defendants } For Sale of Negro

And now come the defendants by attorney and file their answer.

Spring Term Friday, May 4th A.D. 1855.

636. Zaida S. Nichols } Plaintiff } Debt on Note
v. } Defendant }
S. K. Jennings &c. }
On motion of the plaintiff by his attorney It is ordered by the Court that the above cause be continued and that alias Citation issue to the defendant

640. Shepard & Hutchins } Plaintiffs } Damages
v. } Defendant }
Fielding S. Ray }
And now comes the defendant by his attorney, and files his answer!

644. Aaron Bruburn } Plaintiff } Debt on Note
v. } Defendant }
A. B. McGee }
And now comes the Defendant by his attorney, and files his answer.

645. George Hancock } Plaintiff } And now comes the
v. } Said Defendant, by
John Hurst } Defendant } attorney and files
his answer.

646 Mary A. Moore } Plaintiff } In Partition
v. } Defendants }
Heirs of Thos. A Moore }
And now on this day come the said defendants by their attorney, and filed their answer.

647. Newell M. Burbee } Plaintiff } For Rent
v. } Defendant } of
William Fowler } Land.
And now comes the plaintiff by his attorney and moves the Court that the above cause be continued for Term. And thereupon It is ordered by the Court that alias citation issue to the Defendant, William Fowler

648 David B. Oldham } Plaintiff } It is ordered by the
v. } Court that this cause
Matthews & Burbee } Defendant } be continued for
term.

Spring Term, Friday May 4th 1855.

649. Eli M. Butler } Plaintiff } Debt on Note
G. B. Evans } Defendant }

Said Defendant by his attorney, and filed his answer

650 Francis Deutsch } Plaintiff } Debt on Note
James G. Swisher } Defendant }

It is ordered by the Court that the above cause be continued, and that Alias Attach issue to the Defendant Swisher

651. Francis Deutsch } Plaintiff } Debt on Note
S. M. Aynsworth } Defendant }

It is ordered by the Court that the above cause be continued until the next Term of this Court, and that Alias attach issue to the Defendant

652. F. M. Chandler } Plaintiff } And now comes the Defendant
The Banks, &c. } Defendants } Easton St. Banks, by his attorney, and filed his answer

And thereupon It is ordered by the Court that Alias attach issue to the Defendant, Thomas Banks,

653. Henry Stussy & Co. } Plaintiffs } Debt on Note
Samuel K. Jennings Jr. } Defendant }

And It is ordered by the Court that Alias attach issue to the Defendant Samuel K. Jennings Jr.

654. M. G. Bailey, Surviving partner, &c } Plaintiff } Debt on Ac
Fielding T. Ray } Defendant }

And now comes the Defendant, by his attorney, and filed his answer

And thereupon again comes the said Defendant and prays the Court that the Plaintiff be required to enter into bond and Security for costs of suit. And thereupon It is ordered by the Court that the Plaintiff enter into bond and Security for costs of Suit on or before the first day of the next Term of this Court, whereupon the same will be dismissed at his cost, the said Plaintiffs attorney being present and notified

Spring Term, Friday, May 4th 1855.

655. N. Gaitland } Plaintiff } Debt on Note
William Jones } Defendant }

It is ordered by the Court that the above cause be continued for service on the Defendant.

656 N. Gaitland } Plaintiff } To Rent of Farm
Wesley Moore } Defendant }

And now on this day comes the Defendant by his attorney and filed his answer.

658 John M. Thrumip } Plaintiff } Suit for possession of
Joseph Newsom } Defendant } Town Lot

And now comes the Defendant by his attorney, and filed his answer

660. David L. Cross } Plaintiff }
Roy. Walton & Walton } Defendant } Debt on Note

It is ordered by the Court that the above cause be continued for Service on the Defendants Burgess L. Walton and William M. Walton

661. Timothy McKean } Plaintiff }
Edward Roberts } Defendant } Debt on Note

It is ordered by the Court that alias citation issue to the Defendant

664. H. C. Hamilton } Plaintiff }
C. A. Dungstein et al } Defendants } Debt on Note

And now comes the Plaintiff and suggests to the Court the death of the defendant R. D. Allyn, And thereupon It is ordered by the Court that Scire Facias issue to his representatives when known.

And thereupon It is ordered by the Court that ~~Xxxx Xxxxx~~ alias citation issue to the Defendant Glassock

Spring Term Friday May 4th 1855.

665. Moore & Dubert } Plaintiffs } Debt on Note
Western Stage Company } Defendants }
And now comes the Defendant Saunders by his attorney, and files his answer.
And thereupon It is ordered by the Court that alias citations issue to other Defendants not found

666. L. D. Cannington & Co. } Plaintiffs } Debt on Note
Wilkins & Graham } Defendants }
And now come the Defendants by their attorneys and file their answer.

668. L. D. Cannington } Plaintiff } Debt on Note
S. Douglass Dunn } Defendant }
And is now on this day comes the said defendant by his attorney, and files his answer

670 F. Deutsch } Plaintiff } Debt on Note
James O. Pice } Defendant }
And now on this day comes the said defendant, by his attorney, and files his answer.

557. L. D. Cannington & Co } Plaintiffs } Liquidated Action
Henry H. Buchanan & } Defendants }
Reuben Ramsey }
In this case came the parties plaintiffs by their attorneys. And it appearing to the Court that the Defendants Henry H. Buchanan and Reuben Ramsey have failed to file their answer within the time prescribed by law, but came not and made default
It is therefore Ordered, Adjudged and Decreed by the Court that the plaintiffs, L. D. Cannington and David Clark, under their firm name and style of L. D. Cannington & Co. do have and recover off and from the Defendants, Henry H. Buchanan and Reuben Ramsey the sum of Five Hundred and Twenty Eight Dollars and eighty six cents, for their principal debt and interest up to this date, with interest thereon at the rate of ten per cent. per annum until paid together with all the costs in this behalf expended. For which Execution may issue.

Spring Term, Friday, May 4th 1855.

558 F. W. Chandler } Plaintiff
v.
William Fowler
John A. Palembe and
Newell M. Burdett } Defendants } Debt on Note

In this case came the party plaintiff by his attorneys. And it appearing to the Court that the Defendants have failed to file their answer within the Time prescribed by law and came not, but made default

It is therefore Ordered, Adjudged and Decreed by the Court that the plaintiff, Frederick W. Chandler do have and recover of and from the Defendants, William Fowler and John A. Palembe as principals, and Newell M. Burdett as endorser, the Sum of Five hundred and ten Dollars and Sixty Six Xxxxxx Cents, for his principal debt and interest up to this date, with interest thereon at the rate of eight per cent per annum until paid, together with all the costs in this behalf expended, for which execution may issue

568. Morgan C. Hamilton } Plaintiff
v.
Addison Lane and
Richard Wells } Defendants } Debt on Note

In this case came the party plaintiff by his attorneys, and dismissed his suit as against the Defendant, Richard Wells. And it appearing to the Court that the Defendant, Addison Lane has failed to file his answer within the time prescribed by law, but came not and made default

It is therefore ordered, adjudged and decreed by the Court that the plaintiff, Morgan C. Hamilton, do have and recover of and from the Defendant Addison Lane, the sum of One Hundred and twenty four dollars and eighty four cents, for his principal debt and interest up to this date, with interest thereon at the rate of ten per cent. per annum until paid, together with all the costs in this behalf expended, for which execution may issue.

580. Rector & Sayers } Plaintiffs
v.
Vincent Cox } Defendants } Debt on Note.

In this case came the parties plaintiff by their attorneys. And it appearing to the Court that the defendants have failed to appear and file their answers

within thy time prescribed by law, and came not, but made default.
It is therefore Ordered, Adjudged and decreed by the Court that the Plaintiffs, Thomas B. Ryder and Ward Sayres, under their firm name and style of Ryder and Sayres do have and recover of and from the defendants, Andrew J. Glenn and Abm N. Cook, under their firm name and style of Glenn & Cook, the sum of Two Hundred and Fifty Five Dollars and Fifty cents for their principal debt and interest up to this date, with interest on the sum of One Hundred and Forty Five dollars and Four cents at the rate of ten per cent. per annum, until paid, and with interest on the sum of One Hundred and ten dollars and Fifty cents, at the rate of eight per cent. per annum until paid, together with all the costs in this behalf expended, for which execution may issue.

662. Morgan C. Hamilton } Plaintiff } Debt on Note
v. }
Thomas N. Jones } Defendant. }

In this case came the party plaintiff by his attorney, And it appearing to the Court that the Defendant has failed to file his answer within the time prescribed by law, and came not, but made default. It is therefore Ordered, Adjudged and Decreed by the Court that the Plaintiff, Morgan C. Hamilton, do have and recover of and from the Defendant, Thomas N. Jones, the sum of Four Hundred and Sixty three 2/100 Dollars for his principal debt and interest up to this date, with interest thereon at the rate of Ten per cent. per annum until paid, together with all the costs in this behalf expended, for which execution may issue.

663. Wm A. Van Alstyne } Plaintiff }
v. } Debt on Note.
Samuel S. Hayne } Defendant }

In this case comes the plaintiff by his attorney and it appearing to the Court that the Defendant has failed to appear and file his answer within the time prescribed by law, and came not but made default. It is therefore ordered adjudged and decreed by the Court that the plaintiff William A. Van Alstyne do have and recover of and from the Defendant, Samuel S. Hayne, the sum of Two Hundred and eight dollars and fifty cents for his principal debt and interest up to this date, with interest thereon at the rate of ten per cent. per annum until paid, together with all the costs in this behalf expended for which execution may issue.

Spring Term Friday, May 4th 1855.

563. R. C. C. P. Shaw } Plaintiff } Debt on Note
Moses V. Burden } Defendants }

And now comes the Plaintiff and claims a Judgment by default, and it appearing that the cause of action is liquidated and proved by an instrument of writing and that the said Defendants have failed to plead answer within the time prescribed by law

It is ordered, adjudged and decreed by the Court, that the Plaintiff, R. C. C. P. Shaw do have and recover of and from the defendants, V. B. Moses and Jacob A. Burden, under their firm name and style of Moses & Burden, the sum of One Hundred and Fifty One Hundred and Fifty and dollars and forty three cents ($151.43) the amount of his principal debt and interest up to this date, with interest at 8 per cent. per annum on said sum until paid, together with all costs. For which execution may issue

587. John A. Green, Admr } Plaintiff } Debt on Note
A. B. Burden et al } Defendants }

And now on this day comes the said Plaintiff in proper person, and claims a Judgment, Final by default. And thereupon the said Plaintiff dismisses his suit as to the defendant, Walton, and thereupon it is ordered by the Court that the said Geo. L. Walton go hence without day. And it appearing that the said defendants A. B. Burden and John M. Easley have failed to file their answer within the time prescribed by law, and it further appearing that the cause of action in this cause is liquidated and proved by an instrument of writing

Whereof it is ordered, adjudged and decreed by the Court that the plaintiff, John A. Green, Admr of the estate of Lamar Moore, Decd, do have and recover of and from the defendants, A. B. Burden and John M. Easley, the sum of Three Hundred and ninety one Dollars and forty three cents ($391.43) his principal debt and interest up to this date, together with interest thereon at the rate of eight per cent. per annum, together with all costs of this suit, for which execution may issue

Spring Term. Friday. May 4th 1855.

585 John A. Green, Admr } Plaintiff } Debt on Note.
Wm H. Hinton et. al. } Defendants }

And now comes the Plaintiff and claims a Judgment Final by default. And it appearing that due Service of the process has been made in this cause and that the said defendants have failed to file their answer within the time prescribed by law. And it further appearing that the cause of action in this cause is liquidated and proved by instrument of writing

It is ordered Adjudged and decreed by the Court that the said Plaintiff John A. Green, Administrator of the estate of Wilmer Moore, Deceased do have and recover of and from the said defendants, William H. Hinton, M. O. Walker and S. P. Lawson the sum of Six Hundred and Forty Eight Dollars and Ten Cents the amount of his principal debt and interest up to this date, with interest on said amount until paid, together with all costs in this behalf laid out and expended. For which execution may issue.

589 James A. Gillespie Admr } Plaintiff } Debt on Note
James E. Payne et als } Defendants }

And now comes the said plaintiff by his Attorney and claims a Judgment Final by default. And it appearing to the Court that the said defendants have been duly served with process and have failed to file their answer within the time prescribed by law. And it further appearing that the cause of action in this cause is liquidated and proved by instrument of writing

Whereupon It is ordered adjudged and decreed by the Court that the plaintiff James A. Gillespie Administrator of the estate of Charles A. McGehee Deceased do have and recover of and from the defendants James E. Payne L. F. Nichols and J. F. Knowles the sum of One Thousand and Thirty Six Dollars and Twenty Three Cents, together with all interest thereon at the rate of eight per Cent. per annum until paid, and all costs in this suit for which execution may issue

590 Raymond & Swisher } Plaintiffs } Debt on Note.
v.
Jennings and Shinn } Defendants }

And now comes the plaintiffs by their attorney and claim a Judgment Final by default, and it appearing to the Court that the service of the process in this cause has been made, and that

Spring Term, Friday, May 4th 1855.

said defendants have failed to file their answer within the time prescribed by law, and that the cause of action in this case is liquidated as evidenced by an instrument of writing

Wherefore, It is ordered, adjudged and decreed by the Court that the plaintiffs James St. Raymond and John M. Thurston do have and recover of and from the defendants, Samuel K. Jennings Sr. and William K. Braun, the sum of Three Hundred and Eighty Five Dollars and Thirty Eight Cents ($385.38) the amount of their principal debt and interest up to this date, with interest thereon at the rate of ten per cent. per annum until said judgment with all costs of this suit, and that execution issue therefor.

No 591. John A. Keen, Adms } Plaintiff } Debt on Note
vs.
Geo. L. Walton, et. al } Defendants }

And now comes the plaintiff by and dismisses his suit as to the defendants George L. Walton and A. B. Dunlap, and Thurston, It is ordered by the Court that the said defendants Walton and Dunlap and W. L. Appleton go hence without day

And Thurston again comes the said plaintiff and claims a Judgment final by default as to the defendants John M. Cooley and W. L. Hyde, And it appearing to the Court that due Service of the process in this cause has been made upon the defendants Cooley and Appleton, and that they have failed to file their answer within the time prescribed by law, And it further appearing that the cause of action in this cause is liquidated, as evidenced by an instrument of writing

Wherefore It is ordered, adjudged and decreed by the Court that the said plaintiff John A. Keen, Adm's of Laura Marie Deed, do have and recover of and from the Defendants, John M. Cooley and W. L. Hyde the sum of Two Hundred and Eighteen Dollars and Fifty four cents ($218.54) the amount of the principal debt and interest up to this date, with interest thereon at the rate of eight per cent. per annum until paid, together with all costs of this suit, for which execution may issue.

Spring Term, Friday, May 4th 1855.

607. Christian & Lomus } Plaintiffs } Debt on Note
Thomas S. Pitt } Defendant }

Action as this day come the plaintiffs by their attorney, and claim a Judgment final by default and it appearing that the process in this cause has been duly served, and that the defendant has failed to file his answer within the time prescribed by law, and it further appearing that the cause of action in this cause is liquidated as proved by the instrument of writing

Therefore It is ordered adjudged and decreed by the Court that the plaintiffs, Christian & Lomus do have and recover of and from the defendant Thomas S. Pitt, the sum of Two Hundred and Twenty Five Dollars and Sixty Seven Cents the amount of their principal debt and interest up to this date with legal interest until paid, together with all costs of this suit, for which execution may issue.

614. James F. Johnson } Plaintiff } Debt on Note
James M. Mathews } Defendant }

And now comes the plaintiff by attorney, and claims a Judgment final by default. And it appearing that due service of the process in this cause has been made and that the said defendant has failed to file his answer within the time prescribed by law; And it further appearing that the cause of action in this cause is liquidated and proved by an instrument of writing

Therefore It is ordered adjudged and decreed by the Court that the plaintiff, James F. Johnson do have and recover of and from the defendant, James M. Mathews, the sum of One Hundred and Seventy Nine Dollars and Eighty One Cents ($179.81) the amount of the principal debt and interest up to this date with interest thereon at the rate of eight per cent per annum until paid, together with all costs of this suit, for which execution may issue.

615. James F. Johnson } Plaintiff } Debt on Note
A. F. Marshall } Defendant }

And now comes the plaintiff by attorney and claims a Judgment final by default. And it appearing that due service of the process in this cause has been made, and that the said defendant has failed to file his answer within the time prescribed by law, And it further appearing that the cause of action in this cause is liquidated, as proved by the instrument of writing

Spring Term, Friday, May 1st 1857.

Whereas, It is ordered, adjudged and decreed by the Court that the plaintiff James F Johnson do have and recover of and from the defendant A.F. Marshall, the Sum of One Hundred and Fifty Four Dollars and Eighty Three Cents ($154,83) his principal debt and interest up to this date, with legal interest thereon paid, on said Sum together with all the costs of this suit, and that execution issue therefor.

Reuben Hemsby } Plaintiff }
605. Isaac Knight } Defendant } Debt on Note

And now comes the plaintiff by attorney and claims a Judgment final by default. And it appearing that the process in this cause has been duly served, and that the said defendant has failed to file his answer within the time prescribed by law; And it also appearing that the cause of action is liquidated

It is ordered, adjudged and decreed by the Court, that the plaintiff, Reuben Hemsby, do have and recover of and from the defendant, Isaac Knight, the sum of One Hundred and Forty Dollars and Forty One Cents his principal debt and interest up to this date, with legal interest until paid, together with all costs of this suit, for which execution may issue.

572 R. M. Peck & Co. } Plaintiffs }
Shaw & Knight } Defendants } Debt on Note

And now come the plaintiffs by their attorneys, and claim a Judgment final by default. And it appearing that the process in this cause has been duly made and that said defendants have failed to file their answer within the time prescribed by law, and it also appearing that the cause of action is liquidated as proved by a note of hand Wherefore It is ordered, adjudged and decreed by the Court that the plaintiffs, R. M. Peck and Edward Terry, under their firm name and style of R. M. Peck & Co. do have and recover of and from the Defendants, Isaac Shaw and A. M. Knight under their firm name and style of Shaw & Knight the sum of One Hundred and ~~Forty~~ Dollars and ~~Forty~~ Sixty Four cents, with ten per cent. interest on said Sum until paid together with all the cost of this suit for which execution may issue.

Spring Term, Friday, May 4th 1855

598. Sued and Sum } Plaintiffs } Debt
Sam V Wade } Defendant }

V

And now come the parties by their attorneys, and it appearing that the said parties have agreed as to the amount of damages to be recovered by the plaintiffs, as per agreement filed, It is ordered that Judgment be rendered as per said agreement

Whereupon It is ordered adjudged and decreed by the Court that the plaintiffs, S. D. Sneed and G. B. Fudge, under their firm name and style of Sneed and Fudge do have and recover of the Defendant, Sam Wade the Sum of Twenty Five dollars and all costs of this suit, for which execution may issue,

And thereupon It is agreed among the parties that execution be stayed until October 4th 1855

600 R. N. Peck & Co. } Plaintiffs } Debt on Note
V. }
Sherman Case } Defendant }

And now come the said plaintiffs by attorney and claim a Judgment final by default, And it appearing that the said defendants have failed to answer within the time prescribed by law, and it appearing that the cause of action is liquidated and proved by an instrument of writing

It is ordered adjudged and decreed by the Court, that the plaintiffs, R. N. Peck and Edward Tenbyck, under their firm name and style of R. N. Peck & Co. do have and recover of and from the defendant, Sherman Case, the Sum of Two Hundred and Seventy Two Dollars and Eighty Two Cents the amount of their principal debt and interest up to this date, with ten per cent. interest on said sum until paid, together with all the costs of this suit, for which execution may issue,

Received April 18th 1857 Ten Dollars on the within judgt. in full of all claims in favor of plaintiffs against defendant Case
R. N. Peck & Co

619. C. K. Peck } Plaintiff } Debt on Note
V. }
Jackson and Travis } Defendants }

And now comes the plaintiff by attorney, and claims a Judgment final by default, And it appearing that the said defendants have failed to file their answer within the time prescribed by law and that the cause of action is liquidated It is ordered adjudged and decreed by the Court that the plaintiff, C. K. Peck, recover of and from the defendants, Charles C. Travis and James R. Jackson

Spring Term, Friday, May 4th 1855

the sum of Six Hundred and Twelve Dollars and Sixteen cents ($612.16) the amount of his principal debt and interest up to this date together with all costs that may accrue, together with all the costs of this suit, for which execution may issue.

533. The State of Texas vs. Edward Bennett et al. } Plaintiff / Defendants } Judgment Final or Judgment Nisi

And now come the plaintiff by the District Attorney, and claims a Judgment final by default. And it appearing to the Court that at a former term Judgment nisi was rendered against the said defendants, and that they have been duly served with Sene Facias; and the said Defendants have failed to file their answer within the time prescribed by law It is ordered, adjudged and decreed by the Court that the Judgment nisi heretofore rendered in this cause be confirmed, and that the said State of Texas do have and recover of and from the said Edward Bennett, D. J. Powell and D. R. Jackson the sum of One Hundred Dollars, the amount of the Judgment nisi aforesaid, together with all the costs of this suit, and that execution issue therefor

534. The State of Texas vs. Charles C. Travis, et al. } Plaintiff / Defendants } Judgment Final or Judgment nisi

And now comes the District Attorney and moves the Court that the said cause be dismissed and thereupon It is ordered by the Court that the Judgment nisi heretofore rendered in this cause be set aside and that the said State of Texas recover of the Defendants Charles C. Travis and D. C. Robinson, all costs in and about this suit expended. For which execution may issue

535. The State of Texas vs. Hugh Miller, et al. } Plaintiffs / Defendants } Judgment Final or Judgment nisi

And now comes the plaintiff by the District Attorney and dismisses his suit as to the defendant D. M. Fleming and thereupon the said plaintiff claims a Judgment final by default as to the defendants Hugh Miller and Franby Moore, and it appearing that the said defendants, Hugh Miller and Franby Moore have been duly served with Sene

Henig Term, Friday, May A 1853

Said Comm and ing them to be and appear and Shew cause, if any they may have, why the Judgment nisi Sent afore mentioned in this cause should not be made final, and it appearing that the said Defendants have failed to file their answer within the time required by law

It is therefore, adjudged and decreed by the Court that the Judgment nisi Sent afore mentioned in this cause be made final, and that the said State of Texas do have and recover of and from the said High Miller and Frasby Moore, the Sum of One Hundred dollars the amount of said Judgment nisi together with all the costs of this Suit, and that execution issue therefor

536	The State of Texas	Plaintiff		Forfeiture of Bond
	vs.			
	D. C. Quin et als	Defendants		
537	The State of Texas	Plaintiff		Forfeiture of Bond
	vs.			
	D. F. Quin et als	Defendants		
538	The State of Texas	Plaintiff		Forfeiture of Bond
	vs.			
	D. C. Quin et als	Defendants		
539	The State of Texas	Plaintiff		Forfeiture of Bond
	vs.			
	D. F. Quin et als	Defendants		
540	The State of Texas	Plaintiff		Forfeiture of Bond
	vs.			
	D. C. Quin et als	Defendants		
541	The State of Texas	Plaintiff		Forfeiture of Bond
	vs.			
	D. F. Quin et als	Defendants		

And now come the Defendants in the above and foregoing ~~Ten~~ causes, by their attorneys, and file their answers in said causes.

Spring Term, Friday, May 4th 1855

542. The State of Texas } Plaintiff } Judgment final
vs. } on
T. M. Fleming, et als. } Defendants } Judgment nisi

And now comes the Plaintiff by the District Attorney and dismisses her Suit as to the defendant T. M. Fleming, And thereupon the said Plaintiff, by the District Attorney, takes a Judgment final by default as to the defendants Graham and Sanger, And it appearing that the said defendants have been duly served with Scire Facias commanding them to appear and show cause why the Judgment nisi as rendered in this cause should not be made final, and it appearing that the said Defendants have failed to file their answer within the time prescribed by law

It is ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of the Defendants T. M. Graham and J. B. Sanger the Sum of One hundred dollars the amount of the said Judgment nisi as, together with all the costs of this Suit, and that execution issue therefor

544 The State of Texas } Plaintiff } Judgment final
vs. } on
Joel A. Burdett, et al. } Defendants } Judgment nisi

And now comes the Defendant Joel by attorney and files his answer

And thereupon comes the plaintiff by the District Attorney and takes a Judgment final by default as to the Defendants Joel A. Burdett and W. M. Crumbles and it appearing that the said defendants have been served with Scire Facias commanding them to appear and show cause, if any they might have why the Judgment nisi heretofore rendered in this cause should not be made final, and it further appearing that the said defendants have failed to file their answer within the time prescribed by law, It is ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of and from the Defendants Joel A. Burdett and W. M. Crumbles the sum of One hundred dollars the amount of said Judgment nisi, together with all the costs of this suit, and that execution issue therefor

Spring Term, Friday, May 4th 1855.

545 The State of Texas } Plaintiff } Judgment Final
Charles C. Train et. als } Defendants } Judgment nisi

And now comes the Plaintiff by the District attorney and move the Court that the suit cause be dismissed at the cost of the defendants. And thereupon It is ordered adjudged and decreed by the Court that the said State of Texas do have and recover of and from the Defendants Charles C. Train, James A. Burridge and Wiley Marshall all the costs of this suit. For which execution may issue

546 The State of Texas } Plaintiff } Judgment Final
Saml A. Bunton, et. als } Defendants } Judgment nisi

And now comes the plaintiff by the District Attorney and claims a Judgment Final by default. And it appearing to the Court that the said defendants have been duly served with Scire Facias commanding them to be and appear and show cause if any they may have why the Judgment nisi heretofore entered in this cause should not be made final And it further appearing that the said defendants have failed to file their answer within the time prescribed by law It is ordered adjudged and decreed by the Court that the said State of Texas do have and recover of and from the Defendants Saml A. Bunton, A. Fore and W. H. Grumbles the sum of One Hundred dollars the amount of said Judgment nisi together with all the costs of this suit, For all which execution may issue.

And now on this day came and appeared in open Court the Grand Jury in and for the body of the County of Travis and State of Texas, duly elected, empannelled and Sworn, and by their Foreman, Nathaniel Townsend, presented to the Court the following Bill of Indictment, to wit:

591 The State of Texas } Plaintiff } Cutting down & carrying away
Ambrose Bradley } Defendant } timber off land not his own,
} without consent of Owner.

592 The State of Texas } Plaintiff } Assault & Battery
John D. Grumbles } Defendant }

Spring Term, Friday, May 4th 1855

593	The State of Texas v. Josephus Meek	Plaintiff Defendant	Permitting card playing for money in a house kept by him for retailing Spirituous liquors
594	The State of Texas v. Henry M. Tubbs	Plaintiff Defendant	Playing Poker for money in a Livery
595	The State of Texas v. Arthur D. Lee	Plaintiff Defendant	Playing cards for money in a house for retailing Spirituous liquors
596.	The State of Texas v. James R. Jackson	Plaintiff Defendant	Playing cards for money in a House for retailing Spirituous liquors
597.	The State of Texas v. Isaac Newton Jackson	Plaintiff Defendant	Playing cards for money in a House for retailing Spirituous liquors.
598.	The State of Texas v. Thomas Bowles	Plaintiff Defendant	Exhibiting Faro
599.	The State of Texas v. Theophilus Anderson	Plaintiff Defendant	Playing cards for money in a House for retailing Spirituous liquors
600	The State of Texas v. Wiley Marshall	Plaintiff Defendant	Playing cards for money in a House for retailing Spirituous liquors
601.	The State of Texas v. Barnes Lewis	Plaintiff Defendant	Playing cards for money in a House for retailing Spirituous liquors.
602.	The State of Texas v. Henry P. Brewster	Plaintiff Defendant	Playing cards for money in a House for retailing Spirituous liquors
603.	The State of Texas v. Frank Worley	Plaintiff Defendant	Assault with intent to Kill & murder

Spring Term Friday May 4th 55

604.	The State of Texas v. Raphael Mathe	Plaintiff Defendant	Assault with intent to Kill & Murder.
605.	The State of Texas v. Green B. Moore	Plaintiff Defendant	Assault with intent to Kill & Murder
606.	The State of Texas v. Henry W. Edwards	Plaintiff Defendant	Defaulting Juror.
607.	The State of Texas v. Augustus Fare	Plaintiff Defendant	Defaulting Juror
608.	The State of Texas v. A. M. Wanderson	Plaintiff Defendant	Defaulting Overseer.
609.	The State of Texas v. John P. Grumbles	Plaintiff Defendant	Defaulting Overseer
610	The State of Texas v. Edward R. Peck	Plaintiff Defendant	Betting at Faro.

And thereupon the said Grand Jury by their Foreman suggested to the Court that they had not disposed of all the business before them. Whereupon the Court ordered the Grand Jury to retire upon a further discharge of their duties

Declaration of Intention to become a Citizen!

State of Texas } Ernst Schutte being duly sworn according to
County of Travis } law, in the District Court of the County of Travis and
for the State of Texas, doth declare that he was born in the year 1822,
in the Kingdom of Germany in the State of Nassau, that he
emigrated in the year 1851 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 and of the said State of Texas, and renounce forever all allegiance

Spring Term, Friday, May 4th 1855

and Fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the Prince as Rudolph Frederick Wilhelm, of which he is now a Subject

[Signed] Ernst Schultz

Sworn to and Subscribed before me in open Court May 5th A.D. 1855 Frank Brunn Clk.

531 A. J. McLelland } Plaintiff
v. } Mandamus
John M. Swisher and } Defendant
Jos. B. Shaw comp.

On motion of the Clerk of this Court, it is ordered by the Court that the plaintiff give bond and security for cost in this Case on or before the first day of the next term of this Court and in default thereof this Case will be dismissed, the plaintiffs Attorney being present, and notified of this rule.

532 The State of Texas } Plaintiff
v. } Scire Facias
Antonio Manchaca et al } Defendant

It is ordered by the Court that this Case be and is hereby continued until the next term of this Court for the want of service

565 Wilson Green } Plaintiff
v. } Debt on Note
John M. Swisher et al } Defendant

On motion of Plaintiffs attorney it is ordered by the Court that this Case is hereby dismissed

567 R. D. McAnelly } R. D. McAnelly
573 v. } John W. Ware
John Sharp et al }

176 R. D. McAnelly } Plaintiff
v. } Suit for land
John Sharp et al } Defendant

By agreement of parties, it is ordered by the Court, that the above three Causes be and they are hereby dismissed at the cost of Defendants

Spring Term Friday May 4th 1833

611 John M. Swisher } Plaintiff
v. } Debt on Note
Samuel B. Giles } Defendant

And now on this day comes the plaintiff in this Cause by his Attys & it appearing that legal service has been perfected on the Defendant Samuel B. Giles, that the said Giles has failed to file his answer in the above Case within the time prescribed by law but makes Default thereof & it appearing to the Court that the said debt is evidenced by an instrument of writing & is ascertained & liquidated.

Therefore it is considered by the Court that the said plff do have & recover of & from the said Deft. Giles the full sum of three hundred & eight dollars principal with 8 per cent interest on the same from the date of this Judgment to the day of its satisfaction together with all the costs of this suit for which execution may issue &c.

667 A. J. Harrell who sues for the use of } Plaintiff
Vontress and Hughs. } Debt on
v. } Note
J. Douglas Brown } Defendant

And now at this day comes the plaintiff who sues for the use of Vontress & Hughes by his Attorneys and the said defendant though Legally Served by process not having appeared to answer said plaintiffs Petition but made default thereto, and it appearing to the Court that the said Plaintiffs demand is liquidated and ascertained to be the sum of one hundred and Sixty dollars and Ninety three cents principal debt and interest up to this date, therefore it is considered by the Court that the said A. J. Harrell who sues for the use of Vontress & Hughs do have and recover of the said defendant J. Douglas Brown the said sum of one hundred and Sixty dollars and ninety three cents, with eight per cent interest per annum from the date of the rendition of this judgment to the final satisfaction of the same together with all costs of suit in this behalf expended, for all of which execution may issue

518 Timothy McKean } Plaintiff
v. } Judgment
James A. Robertson } Defendant

On this cause appeared the Plaintiff in the above stated cause by his attorney, and

Spring Term, Friday May 4th 1833

it appearing to the satisfaction of 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 Plaintiff Timothy McKean have and recover of and from the Defendant James H. Robertson, the sum of three hundred and thirteen dollars and forty two cents being the amount of his principal debt and interest upto this date and interest thereon at the rate of eight per cent per annum until paid, and all cost in this behalf expended for which ~~judgment~~ execution may issue

It is Ordered by the Court, that Court adjourn until Saturday Morning 9 o'clock

Saturday Morning May 5th 1833 Court met pursuant to adjournment Present as on yesterday

259 Edward Grumbles vs. Williamson S. Oldham } Plaintiff / Defendant } Suit for Negroes

And now come the parties by their attorneys and announce themselves ready for trial thereupon came a jury to wit, James D. Doxey Albert Folks. W. T. Forton B. F. Bone W. G. Wood. G. B. Moore Thos. D. Moore J. A. Burridge A. C. Horne P. A. Monroe, Frank Brooks and John C. Willson twelve good and lawful men of the County of Travis who after having been duly sworn and having heard the evidence and heard the argument of Counsel and the charge of the Court retired to consider of their verdict and returned into Court reporting that they could not agree upon their verdict and by consent of parties the jury was discharged from any further duties and the case was Continued until the next Term of the Court.

It is ordered that the Court adjourn until tomorrow morning. 9 O'Clock

Spring Term, Saturday May 5th 1833

Monday Morning May 7th 1833 Court met pursuant to adjournment present as on yesterday

4418

William B. McGehee guardian of Charles L. & Sarah McGehee, Mary Ward joined by her husband A.D. Ward — Plaintiff

vs.

Martha Philips joined by her husband John W. Philips, Quiller J. Nichols, James H. Gillespie Administrator of Charles L. McGehee deceased and John B. Costa Chief Justice of Travis County — Defendants

Partition

And now at this term of the Court R.J. Townes, Special Judge presiding, come the parties by their attorneys and the above entitled cause having come on for a final hearing upon the report of the Commissioners appointed at the last term of this Court to divide and partition the property of the Estate of Charles L. McGehee deceased, according to the terms and directions in said Decree set forth and decreed, which report is in the words and figures following,

To the Honorable District Court of Travis County,

The undersigned appointed Commissioners by a decree of your Honorable Court at the adjourned Fall term thereof for the year 1832, held in Austin the fourth Monday of Jany. 1833, to divide and partition the property real and personal belonging to the Estate of Charles L. McGehee deceased, and to the heirs thereof, among the several persons entitled thereto in accordance with the directions and orders therein contained report that they met after giving due notice thereof on the 21st of February 1833, all the parties being present when the following division was made and agreed to by all of said parties —

It being agreed that the note on Sherman Case Burgett & others for seven thousand one hundred and fifty dollars, should be taken into the division at twelve per cent per annum discount, making the present value thereof, at three years discount Four thousand five hundred and seventy six (4576) dollars —

Quiller J. Nichols was found to be entitled under said decree to as his one fourth interest in partnership property, $5387.50

Spring Term Monday May 7th 1833

Int in Case Note at present Value 1144.00
In all 4731.50

In the division he received the following
Negroes — Priscilla Valued at $ 900.00
Charles " 600.00
Esther " 500.00
also George $ 500.00
Amanda " 350.00
Morris " 200.00
Alfred " 700.00
Spencer " 1300.00
Total value of property assigned to 5250.00
Quiller J. Nichols
Excess over amt. due him $ 518.50
for which he executed his note to
Wm B. McGehee, Guardian of Chas L. and
Sarah McGehee

Amount found to be coming to
Martha Philips under said decree
One fourth interest in all the property of said
Charles L. McGehee less $ 394.00 Cash
Recd. $ 3771.93/100
Int, in Case note at present value 858.00
Total 4629.93

Property assigned to Martha Philips
was The house and lots in Austin City
being lots Nos 1.2.3.7.8.9.10.11.12 in Block 113 $ 2000.00
Three Negroes — Simon " 1000.00
Champ " 1000.00
John " 1000.00
Value Total property assigned 5000.00
Leaving due said estate $ 370.07
for which Wm John W. Philips executed his note
to Wm B. McGehee Guardian of Charles L. McGehee &
Sarah McGehee

The whole interest of A.D. Ward & wife
Mary Ward in the property of said Charles L.
McGehee decd as well as the separate property of
his said children, Computed according to said decree
excepting, Negroes heretofore divided in Bastrop
County and the Courtis tract in Hays County
was found to be $ 6102.86

Spring Term, Monday May 7th 1883

Amount of Case note at present value	
Interest of A. D. Word & wife	858.00
Total	$6960.86
Property assigned to D. A Word & wife —	
Negroes Dave	1100.00
Phil	900.00
Lewis	1000.00
Nicechieu	800.00
Jim	300.00
Abe	1000.00
Henry	800.00
One forth of Case Note at present value	1244.00
Total $	7044.00
Excess	83.14

Amount found to be coming to Charles L. & Sarah McGehee

Computed as the above	12205.72
Int. in Case note	1716.00
Total	13921.72
Amount assigned to said Charles L. and Sarah	
One Gold Watch —	$ 150.00
Silver Ware	50.00
1019 acres of Land Slaughter tract on Onion Creek Travis Co. @ 5.00	5045.00
640 acres, Hd. Rt. of G. W. Ricks on Pecan Bayou in Travis Co. @ $1.00	640.00
640 acres S. Butler claim @	1011.00
707 acres part of John G. McGehee Headright Travis County @ 1.00	707.00
Eggleston Forks, on Onion Creek being 1088 acres the remainder of the Northwest and Southeast Corners of said League as staked in the Decree of partition @ 2.00	2176.00
3/4 Int in Case note valued at	3432.00
Note of L. J. Nichols —	518.30
Note of J. W. Philips	370.07
Note of D. A. Word	83.00
Cash paid by D. A. Word	40.13
Total	13.921.72

Total property divided	$31.244.04
Rec'd by L. J. Nichols	$ 4731.83
By Martha Philips	4629.93
" D. A. Word & wife	6960.86
" Chas. L. & Sarah McGehee	13921.72
Total	31 244.04

Spring Term, Monday, May 7th 1855

The Commissioners further report that the James Curtis Headright in Hays Co. was not divided because the same was in litigation and none of the heirs were willing to receive it in the division. The Negroes which were decreed to be the Childrens' Separate property were already divided in Bastrop County, by the County Court of that County, The Case & Burdett Note was valued and divided by agreement of all the parties Concerned.

Thos. W. Jones
J. K. Jennings Jr.
A. N. Hopkins

Sworn to and subscribed before me
this 21st Feby. 1855

A. B. McGill
Clk. C.C.J.C.

And it appearing to the Court that all the competent parties to said suit agreed to the division of a note on Sherman Case & A. Burdett & others for seven Thousand One Hundred and fifty dollars due Jany 1st 1858 was taken should be taken in to the division at the amount of thirty six per cent. deducted therefrom and that in the division thereof three fourths interest therein was assigned to Charles L. & Sarah McGehee value at three Thousand Four Hundred and thirty two dollars, and it appearing to the Court that the said Administrator has on his hand sufficient assets exclusive of said note to pay all remaining liabilities of said Estate And it also appearing to the Court that said division of the aforesaid note is manifestly for the advantage of said infant Children Charles L. & Sarah McGehee and was assented to by their said Guardian Wm B. McGehee and by all the other parties to this suit,

(And it further appearing that said report of division in all other things follows and conforms to said decree of partition and the directions therein contained

It is Ordered Adjudged & decreed that the said report be and is hereby in all things confirmed and that the property and effects set apart in said report to each of said parties Luther Nichols, Mary Word wife of A. D. Word, Charles L. & Sarah McGehee wards of William B. McGehee and Martha Philips wife of John W. Philips be and is hereby vested in said parties respectively hereby divesting the said Estate of all right title and interest in and

Spring Sam Monday 7th May 1855

to said property so divided)

And the said parties having at this term appeared by their attorneys in Open Court and filed their agreement to Release Errors in the Cause the same is ordered to be spread on the records of this court & is in the words and figures following

This agreement made and concluded this 21st day of February 1855 between J. W. Philips & Martha his wife Levilee J. Nichols D. A. Wood and Mary his wife and W. B. McGehee Guardian for Charles & ~~Ward~~ Sarah McGehee Witnesseth

The said Parties for themselves, and those they Represent being desirous that the partition and distribution of the Estate of Charles L. McGehee decd under the decree of the District Court of Travis County, made at the Adjourned fall Term about the 21st January 1855 shall be full and complete and binding against all future or further proceedings to be had thereon by appeal to the Supreme Court or otherwise, Contend and agree that the partition this day made by Thos H. Jones, P. H. Jennings Jr. and A. H. Hopkins Commissioners Appointed under said Decree, shall be received as a just just and final settlement and division to the full extent of the property therein represented, and in the Order therein reported, hereby having themselves the privelege of prosecuting any suit, appeal or other legal proceedings for the purpose of setting aside or in any way affecting the provisions of said partition & Distribution made and reported as aforesaid.

In Witness Whereof the said parties do hereunto set their hands and seals the day and year first written

John W. Philips L.S.
Martha A. Philips L.S.
L. J. Nichols L.S.
D. A. Wood L.S.
Mary E. Wood L.S.
Wm B. McGehee L.S.

The State of Texas }
Travis County } Before me John B. Costa, Chief Justice of said County personally appeared John W. Philips, L. J. Nichols, D. A. Wood and W. B. McGehee parties to the above Instrument of writing, to me well known, and each acknowledged that they had signed the same, for the use and purposes therein Contained

L.S. To certify which I hereunto set my hand & seal of said County at Office in Austin this 21st day of Feby A.D. 1855

John B. Costa, Chief Justice T.C.

Spring Term Monday May 7th 1855

The State of Texas
County of Caldwell } Before me Robert B. Porter a Notary Public in and for said County and State personally appeared Mary E. Word wife of D. A. Word parties to the foregoing Instrument of writing, and being examined by me privily and apart from her husband, and having the same fully explained to her. She the said Mary E. Word declared that she had willingly signed, said Instrument and wished not to retract it.

L. S. To certify which I have hereto signed my Name, and affixed my seal on the 8th day of March A.D. 1855.

Robert B. Porter
Notary Public

The State of Texas
County of Travis } Before me John B. Costa Chief Justice for said County of Travis on this day personally appeared Martha A. Phelps a party to the above and foregoing Instrument of writing dated 27th day of February 1855. to me well known, and having been examined by me privily and apart from her husband, and having the same fully explained to her, She the said Martha A Phelps, acknowledged the same to be her act and deed. and declared that she had willingly signed sealed and delivered the same, and that she wished not to retract it.

L. S. In Testimony whereof I hereunto set my hand and the Seal of my Office at Austin. April 23. 1855.

John B. Costa
Chief justice Travis Co.

And the said Administrator James H. Gillespie having made his report of his administration of said Court since the former decree aforesaid, and no objection being made thereto, and the Court being satisfied therewith the same is ratified and confirmed, and the said Administrator ordered to continue as under said former decree until final settlement is made of the said Estate

R. J. Townes Special Judge

Spring Term, Monday, May 7th 1855.

5 ✓ The State of Texas } Plaintiff
Joshua V. Wilden } Defendant } Murder

And now comes the plaintiff by the District Attorney and suggests to the Court the death of the defendant, and thereupon it is ordered by the Court that the said cause abate

✓ 131 The State of Texas } Plaintiff
Andrew J. Snider } Defendant } Forgery.

✓ 204. The State of Texas } Plaintiff
Josiah V. Pindoon } Defendant } Cutting Timber

✓ 333. The State of Texas } Plaintiff
Charles V. K. Reese } Defendant } Cutting Timber on land not known,

It is ordered by the Court that the above three causes be continued.

✓ 111 The State of Texas } Plaintiff
Andrew V. Jackson } Defendant } Murder

✓ 132 The State of Texas } Plaintiff
Blake V. Thompson } Defendant } Assault with intent to kill

✓ 143 The State of Texas } Plaintiff
M. Stidham V. } Defendant } Murder

✓ 142 The State of Texas } Plaintiff
C. C. Trawick V. } Defendant } Larceny

✓ 144 The State of Texas } Plaintiff
C. C. Trawick V. } Defendant } Larceny

It is ordered by the Court that the above causes be continued, and that alias capias issue to each of said defendants

Spring Term, Monday, May 7th 1855.

✓ 152	The State of Texas	Plaintiff	Larceny
	C. C. Travis	Defendant	
✓ 153	The State of Texas	Plaintiff	Murder
	B. W. Thompson	Defendant	
✓ 181	The State of Texas	Plaintiff	Playing Cards
	W. G. W. Powers	Defendant	
✓ 182.	The State of Texas	Plaintiff	Betting at Faro Bank
	W. G. W. Powers	Defendant	

It is ordered by the court that the above Causes be Continued and that Capias issue to each of said defendants

659 Enoch Ordway vs. Lawson B Collins — Plaintiff / Defendant — Suit on Notes

And now at this day comes the Plaintiff in the above entitled cause by his attorney and it appearing that legal Service had been perfected on the defendant Lawson B. Collins that the said Lawson B. Collins has failed to file his answer in the above entitled cause within the time prescribed by law but makes default thereto and it appearing to the Court that the said debt is evidenced by two instruments of writing and is ascertained and liquidated-

It is therefore considered by the Court that the said Plaintiff have and recover of and from the said defendant the sum of four hundred and twenty five dollars and fifty seven cents for the principal & interest due on said notes together with all of his costs in this cause laid out and expended for which execution may issue

✓ 184 The State of Texas vs. Simon Cooley — Plaintiff / Defendant — Exhibiting Faro.

And now comes the Prosecuting attorney and suggests the death of defendant.

Spring Term Monday May 7th 1855

521 ✓ The State of Texas vs. William W. Jones — Plaintiff / Defendant — A[ssa]ult and Battery with intent to kill &c.

In this case upon application of the parties the Court now orders that the defendant enter into his recognizance for his future appearance in the Cause in the sum of one thousand dollars together with two or more good sureties

And thereupon comes into open Court the said defendant William W. Jones into brings with him as his Sureties Martin K. Ryan and Reuben Hamsby Sr, Whereupon the said William W. Jones Martin K. Ryan and Reuben Hamsby, Sr. acknowledge themselves jointly and severally to owe and be indebted unto the State of Texas in the penal Sum of one thousan dollars to be levied upon their respective good and chattels, Lands and tenements, but to be void upon condition, that the said William W. Jones do make his personal appearance before the Honorable District Court of Travis County now in Session then and there to answer an indictment preferred against him the said William W. Jones by the Grand Jury of said County of Travis, at the Spring Term of said Court 1855 for an assault and Battery with intent to kill and murder. And that the said William W. Jones be and remain in attendance upon said Court from day to day of the present term and from Term to Term and from day to day of each term and not depart the Court without leave

183 ✓ The State of Texas vs. Simon Cooley — Plaintiff / Defendant — "For betting at Faro"

And now comes the Prosecuting attorney and suggests to the Court the death of the defendant— It is therefore ordered by Court that this suit be and is hereby abated

216 ✓ The State of Texas vs. Tho Ward — Plaintiff / Defendant — Gambling at Monte

And now comes the Prosecuting attorney and enters a nolle prosequi. It is therefore ordered by said Court that said defendant go hence in full acquittal of this charge.

336

198

Spring Term Monday May 7th 1855

The State of Texas } Plaintiff
vs. } Betting
B. E. Tarver } Defendant

And now on this day comes Alexander A. Chalmers who prosecutes on behalf of the State and the defendant by his attorney A. J. Hamilton and pleads guilty to the Charge and thereupon comes a Jury to wit M. M. Fingerson, W. T. Patterson, W. T. Davidson, P. S. Brown, A. E. Brown Marian Houston Jenkins Davis J. G. Gordon Jonathan Vancleve John S. Spence Frances Kelley and Reuben Runner good and lawful men of Travis County who being duly sworn and having heard the charge of the Court retired to consider of their verdict and returned into Court the following verdict to wit, "We the Jury find a verdict in favor of the State and assess the fine $25. against the defendant"

"R Runner Foreman"

It is therefore considered by the Court that the State of Texas have and recover of and from the said defendant the said sum of twenty five dollars so found by the jury together with all the costs in this behalf expendant

244

The State of Texas } Plaintiff
vs. } Dealing Monte
Edward Bennett } Defendant

And now on this day comes A. J. Chalmers who prosecutes on behalf of the State and the defendant by his Attorney Edward R. Peck and pleads guilty to the charge and thereupon comes a jury to wit, M. M. Fingerson W. T. Patterson, W. T. Davidson P. S. Brown A. E. Brown Marian Houston, Jenkins Davis J. G. Gordon Jonathan Vancleve John S. Spence, Frances Kelley and Reuben Runner twelve good and lawful men of Travis County who being duly sworn returned the following verdict to wit "We the Jury find a verdict in favor of the State and assess the fine at $ 45. against the defendant. R. Runner foreman"

It is therefore considered by the Court that the State of Texas have and recover of and from the said defendant the said sum of forty five dollars as found by the Jury together with all the costs in this behalf expended.

Spring Term Monday May 7th 1855

297 The State of Texas Plaintiff
vs.
William H. Johnson Defendant "Betting at Rondo"

And now on this day comes A. A. Chalmers who prosecutes on behalf of the State and the defendant by his attorney John A. Green and pleads guilty to the charge and thereupon comes a Jury to wit, M. M. Turgerson, W. T. Patterson, W. T. Davidson P. S. Brown A. E. Brown, Marian Houston Dinkins Davis J. G. Gordon Jonathan Vanclive John S. Spence Frances Kelley and Reuben Runner twelve good and lawful men of Travis County who being duly sworn and having heard the 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 W. H. Johnson guilty and assess the fine at Twelve 50/100 dollars." "J. G. Gordon Foreman"

It is therfore considered by the Court that the State of Texas have and recover of and from the said defendant W. H. Johnson the said sum of Twelve 50/100 dollars as found by the Jury together with all the costs in this behalf expended

306 The State of Texas Plaintiff
vs.
James Burdett Defendant Betting at Rondo

313 The State of Texas Plaintiff
vs.
James R. Jackson Defendant Betting at Rondo

350 The State of Texas Plaintiff
vs.
James R. Jackson Defendant Betting at Rondo

352 The State of Texas Plaintiff
vs.
Perry Grumbles Defendant Betting at Rondo

361 The State of Texas Plaintiff
vs.
George W. Logan Defendant Betting at Rondo

Spring Term Monday May 7th 1855

264	The State of Texas vs. Perry Grumbles Augustus Fore Gray Clements Henry Vines and John a Mexican	Plaintiff	Defendants	Assault and Battery
265	The State of Texas vs. Perry Grumbles D. D. Grumbles Augustus Fore Gray Clements Henry Vines and John a Mexican	Plaintiff	Defendants	Murder
272	The State of Texas vs. Gray Clements	Plaintiff	Defendant	Gaming
405	The State of Texas vs. Lafayette Gwin	Plaintiff	Defendant	Dealing Monte
406	The State of Texas vs. Lafayette Gwin	Plaintiff	Defendant	Dealing Monte
419	The State of Texas vs David C Gwin and D. Gwin	Plaintiff	Defendants	Allowing Gaming

And now comes the Prosecuting Attorney on behalf of the State Alexander H Chalmers and enters a Nolle Prosequi in each and every of the foregoing cases.

It is therefore ordered by the Court that each and every of said defendants go hence without day in full acquittance of each of the charges of which they have heretofore stood charged.

Spring Term Monday May 7th 1855

302	The State of Texas vs. George Foos	Plaintiff Defendant	Horse Stealing
303	The State of Texas vs. George Foos	Plaintiff Defendant	Grand Larceny
393	The State of Texas vs. Ben F. Hill	Plaintiff Defendant	Betting at Faro
394	The State of Texas vs. Ben F Hill	Plaintiff Defendant	Betting at Faro
395	The State of Texas vs. Thadeus Beck	Plaintiff Defendant	Exhibiting Monte
396	The State of Texas vs. Thadeus Beck alias Thad Beck	Plaintiff Defendant	Exhibiting Monte
397	The State of Texas vs. Thadeus Beck alias Thad Beck	Plaintiff Defendant	Betting at Faro
401	The State of Texas vs. × Weaver	Plaintiff Defendant	Exhibiting Monte
434	The State of Texas vs. Elihu Casner	Plaintiff Defendant	Gaming
435	The State of Texas vs. Elihu Casner	Plaintiff Defendant	Gaming

In each of the above entitled causes it is ordered by the Court they be continued until the next term of the Court and that Capias issue.

Spring Term Monday May 7th 1855

385 The State of Texas vs. Charles E. Travis } Plaintiff / Defendant } Betting at Faro

And now comes A. H. Chalmers who prosecutes on behalf of the State and the defendant by his Attorney A. J. Hamilton who pleads guilty to the charged and thereupon came a Jury to wit. M. M. Furgerson W. T. Patterson W. T. Davidson P. L. Brown A. E. Brown Morgan Houston Jinkins Davis J. G. Gordon Jonathan Vancleve John S. Spence Frances Kelley and Reuben Runner twelve good and lawful men who being duly sworn, returned the following verdict to wit "We the Jury find a verdict in favor of the State and assess the fine at $25. against the defendant." "R Runner foreman"

It is therefore Considered by the Court that the State of Texas have and recover of and from the said Charles E. Travis the sum of twenty five dollars as fine assessed against him together with all the costs in this behalf expended.

404 The State of Texas vs. Sherman Case } Plaintiff / Defendant } Taking up and using Stray horse -

On motion and affidavit filed by the defendant it is ordered by the Court that this case be and is hereby continued until the next Term of this Court.

410 The State of Texas vs. Wm Clopton } Plaintiff / Defendant } Gaming

411 The State of Texas vs. Wm Clopton } Plaintiff / Defendant } Gaming

412 The State of Texas vs. Wm Clopton } Plaintiff / Defendant } Gaming

On motion of Prosecuting Attorney it is ordered by the Court that the bonds in the above cases be quashed and alias capias to issue and cases continued until the next Term of this Court

Spring Term Monday May 7th 1855–

407 The State of Texas } Plaintiff
v. } Affray
Hugh Miller } Defendant

And now comes the Prosecuting Attorney A. P. Chalmers and the said defendant in proper person, who pleads guilty to the charge whereupon came a Jury to wit, Reuben Runner and eleven others good and lawful men of Travis County who being duly sworn returned the following verdict to wit. "We the Jury find a verdict in favor of the State and assess the fine one cent against the defendant"

"R. Runner foreman"

It is therefore ordered by the Court that the State of Texas have and recover of and from the said Hugh Miller the sum of one cent as the fine so assessed by the Jury together with all the Costs in this behalf expended and that the said Hugh Miller remain in the custody of the Sheriff until the fine and costs are paid.

413 The State of Texas } Plaintiff
v. } Murder
Elijah Pickett } Defendant

And now come the parties by their respective attorneys and announce themselves ready for trial. and thereupon the defendant pleads not guilty & puts himself upon a jury of twelve good and lawful men of Travis County being duly sworn and empannelled, after hearing the indictment and the charge of the Court, retired to consider of their verdict. And thereupon the said Jury returned into Court the following verdict, to wit

Whereupon It is ordered by the Court that the said defendant Elijah Pickett, go hence without day fully acquitted of said charge.

434 The State of Texas } Plaintiff
v. } Gaming
Elton Caseu } Defendant

It is ordered by the Court that alias Capias issue to Burnet county to the defendant—

Spring Term, Monday, May 7th 1855

441	The State of Texas vs Gen. W. McKay	Plaintiff / Defendant	assault with intent to kill
442	The State of Texas vs William Hinds	Plaintiff / Defendant	Gaming
443	The State of Texas vs William Hinds	Plaintiff / Defendant	Gaming
444	The State of Texas vs William Hinds	Plaintiff / Defendant	Gaming
445	The State of Texas vs Fleming	Plaintiff / Defendant	Gaming
463	The State of Texas vs Joseph Hodges	Plaintiff / Defendant	House Shooting
464	The State of Texas vs John D. Faelke	Plaintiff / Defendant	assault and Battery
465	The State of Texas vs William Barnes	Plaintiff / Defendant	Swindling
467	The State of Texas vs Saml A. Burdett	Plaintiff / Defendant	Betting at Dice.
470	The State of Texas vs John Horan	Plaintiff / Defendant	allowing gaming bank to be established in his house

It is ordered by the court that in the above ten cases alias capias issue to the defendants returnable to the next Term of this Court.

Spring Term, Monday, May 7th 1855.

468 The State of Texas } Plaintiff } Being
v. } at
Charles C. Davis } Defendant } Law

And also on this day came the parties to the above cause by their respective attorneys, and announced themselves ready for trial, and thereupon the defendant, by his attorney A. P. Hamerton appeared and plead guilty to the Indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men as Davis county, to wit: Wilson D. Davidson and eleven others, who being duly elected, empannelled and sworn heard the evidence 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, Charles C. Davis guilty, and assess the fine at Three (ten) dollars - W. D. Davidson, Foreman."
Whereupon It is ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of and from the defendant, Charles C. Davis, the sum of Ten dollars, as found by the Jury together with all costs in this behalf laid out and expended, and that the said defendant remain in the custody of the Sheriff until said fine and costs are paid.

471 The State of Texas } Plaintiff } according clause
v. } to hire his time
Joseph Wright } Defendant }

✓472 The State of Texas } Plaintiff } Permitting slave
v. } to hire his own
Francis Deutsch } Defendant } time

It is ordered by the Court that the above two causes be continued.

✓476 The State of Texas } Plaintiff } assault with
v. } intent to Kill
Raphael Mucke } Defendant }

and now comes the District Attorney and enters a nolle prosequi in the above cause

Spring Term, Monday, May 7th 1855.

479 The State of Texas } Plaintiff } Murder
v.
James Manroe Mavis } Defendant }

478 The State of Texas } Plaintiff } Swindling
v.
William Barnet } Defendant }

479. The State of Texas } Plaintiff } Playing cards.
v.
Dany O'Neal } Defendant }

It is ordered by the Court that the above causes be continued, and that alias capias issue to each of said defendants

480 The State of Texas } Plaintiff } allowing gaming
v. } house to be exhibited in their
George Robins on and } Defendants } house.
John Robinson

And now on this day come the parties to the above entitled cause by their attorneys and announced themselves ready for trial. And thereupon the said defendants were arraigned and plead not guilty to the Indictment and the allegations therein contained, and thereupon came a Jury of good and lawful men of Travis county, to wit: W. W. Atwood, Thomas D. Chapman, Geo. Gregson, Lucius Wanmack, W. M. Ferguson, John H. McLemore, D. M. Swisher, James Kelley, Jonathan Vanhook, P. S. Brown and Jackson Hammett 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 thereupon the said Jury returned into Court the following verdict, to wit: "We the Jury find each of the defendants guilty & fine them one hundred dollars each. W. H. Atwood, Foreman." Whereupon, It is ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of and from the said State of Texas defendants, John Robinson and George Robinson the sum of One hundred dollars as aforesaid together with all costs, and that they remain in the custody of the Sheriff until paid

Spring Term, Monday. May 7th 1855.

James C. Stephenson and Mary Jane Stephenson as admrs of Wayne Barton, decd William C. Barton and Ann Barton, as heirs at law of Wayne Barton, decd who sue by their next friend, James C. Stephenson Sarah C. Burleson, as heir at law of John Burleson, dec'd in their own rights and as admrs as of Edward Burleson, Lucia Kyle and Felix B. Kyle her husband, David C. Burleson and Elizabeth Burleson, who sue by their next friend, James A. Poage

vs

Samuel Craft, Sr. in his own right, and as admr with the will annexed of William Barton deceased; Jesse Craft and William S. Craft, sons of Eliza Craft, who defend by their Guardian, ad litem John B. Costa, Richard S. Lloyd and Parthenia Lloyd his wife, and Welford Barton, Defendants

Plaintiffs

For Partition.

Defendants.

25 t
r

And now on this day come the parties by their attorneys and their Guardian ad litem, D. S. Donnes Special Judge, presiding and the Commissioners heretofore appointed made their Report in the words and figures following, viz:

To the Honorable District Court of Travis County Tex as:

The undersigned Commissioners appointed to partition the estate of William Barton, deceased, beg leave to report as follows:

That on the 12th day of March, A.D. 1855, the Receiver, Pamelton White, delivered to them in the city of Austin the Negroes Lelia, Wade, Jane and her three children, named Martha, William and Susannah, and Katy and Anthony; and further reported that the negroes Isaac, Jas and Elijah have not been recovered, but are still in the hands of Welford Barton; and the Commissioners being attended by the attorneys of the plaintiffs and of the said Craft, and also by the guardian, ad litem, proceeded to value said estate, and assess the value of the said Jane and her three children, Martha, William and Susannah @

@	$1700.00	
Wade,	800.00	
Katy	600.00	
Anthony	550.00	
Lelia	400.00	$4050.00

Spring Term, Monday, May 7th 1855.

Slaves in hands of Wilford Barton:

Elijah	$1.200.00	
Dae	1.300.00	
Isaac	800.00	$3.300.00

Sue in the hands of Wilford Barton	1.325.00	
In the hands of Lloyd and wife	825.00	
In the hands of Daniel Craft	190.00	$2.340.00
Bal. in Crafts hands as per decree	$193.66	
Negroes advanced to Heirs	1.475.00	2.168.66
		$11.858.66

And thereupon the Commissioners proceeded to make the following partition of said estate, viz:

They divided the estate into five shares and found each share to be $2.371.73⅓

And they partitioned the same as follows:

Barton's Interest $2.371.73⅓

To Wayne Barton's Heirs

Caty	$600.00	
Anthony	550.00	
Celia	400.00	
Advanced Heirs	400.00	$1.850.00
Cash to balance	521.73	$2.371.73

Burleson's Heirs Interest:

Mary advanced	$200.00	
Jane + Children	1.700.00	
Cash to balance	471.73	$2.371.73

Parthenia Lloyd's Interest:

Julia advance	$475.00	
Wade	800.00	
Sue in his hands	825.00	
Cash to balance	271.73	$2.371.73

Eliza Craft's children's Interest

Lucretia advanced	$400.00	
Cash to balance	1.971.73	$2.371.73

Wilford Barton's Interest:

Negroes in his hands: Elijah	$1.200.00	
Dae,	1.300.00	
Isaac	800.00	
Sue in his hands	1.325.00	$4.625.00
		2.371.73
Balance in his hands due Craft		$2.253.27

Spring Term Monday May 7th 1855

The Slaves named on the forgoing page to be delivered to the parties therein named and the forgoing amounts of cash to be paid by the said Samuel Chaft. And the interest of Wilford Barton to be assigned him when he shall produce the said Negroes and cash in hands.

The Said Samuel Craft having produced certain vouchers to the Commissioner over which they have no power to act and which they have no authority to allow, but which he claims have never been allowed to him in any settlement, the parties present therefore agree that the sum of one hundred and fifty dollars be suspended out of each share until the farther order of this Court.

All of which is respectfully submitted March 12th 1855

G. W. Davis
Josiah Fisk
J. B. Banks

And the Court proceeded to examine the said report and finding the same to be correct and no objection being made thereto the same is in all respects approved and affirmed and adopted as part of the decree in said cause.

And it is further ordered adjudged and decreed, that the title of the other parties to this cause in and to the Slaves Caty, Anthony, Celia and Lewis be divested and the same be vested in the said William E. Barton and Ann Barton as heirs at Law of Wayne Barton deceased as parceners and tenants in common.

And it is further ordered adjudged and decreed that all the right title interest and claim of the said other parties in and to the slaves Jane and her children Martha, William and Susanah be divested and that the same be vested in the said Sarah Burleson to all the extent of one half thereof; and in her children Mary Jane Stephenson Joseph Burleson, Edward Burleson, Grace Kyle David C. Burleson and Elizabeth Burleson as parceners and tenants in common to the extent of the other half of said Negroes.

And it is further ordered adjudged and decreed that all the right title interest and claim of the

Spring Term Monday May 7th 1855

said other parties in and to the Slaves Julia and Wade and that the title to the same be vested in the said Parthinia Lloyd as her own separate Property free from any claim of her husband.

And by Consent of the parties the Court proceeded to consider the motion of said Samuel Craft to be allowed four hundred and one dollars for the rearing and expenses about the young slave when it was proven to the Court by the Probate Court records that the true balance of five in the hands of the said Samuel Craft at his last settlement in the Probate Court was thirteen hundred and ninety one dollars and ninety three cents and that in the decree rendered at the last term he was only charged with six hundred and ninety three dollars and sixty six cents ($693.66) leaving in fact a balance in his hands of six hundred and ninety eight dollars and twenty seven cents ($698.27). And it appearing further that the Receiver Hamilton White must have expended some money, though he has rendered no account. It is by the Consent of parties ordered adjudged and decreed that the said Craft retain the said six hundred and ninety eight dollars and twenty seven cents But that out of it he pay the said Hamilton White the sum of Two hundred and ninety seven dollars and twenty seven cents leaving the balance to cover his said Crafts expenses of administration not allowed.

And the said Wilford Barton and Lloyd and wife each presented an account of one hundred dollars for fees paid and agreed to be paid to S. C. Blanton for defending two of said Negroes before the Justices and County Court and the said James C. Stephenson presented an account for one hundred dollars agreed to be paid for defending the Negro, Celia, on an Indictment in the District Court which accounts the parties agreed should be allowed as expenses against the estate.

And the Commissioner John A. Green rendered his account as in his report, for forty seven dollars which account was also approved by the Court.

It is therefor ordered adjudged and decreed, that from each of the parties share representing a fifth interest there be deducted one fifth of

three hundred and forty seven dollars viz. Sixty nine dollars and forty cents and that when the Sheriff Collects the balance in the hands of said Samuel Croft he pay to the said Richard D Lloyd or attorney one hundred dollars to Wilford Barton or attorney one hundred dollars to D. C. Stephenson or attorney one hundred dollars and to John A. Green forty seven dollars.

And now by consent of parties the Court proceeds to render a final decree relative to said Slaves and hire and to declare the interest of the parties in accordance with the evidence reports and decrees heretofore rendered and the Report of the Commissioners of Partition as follows viz.

66 The whole value of said Slaves and hire / 11858.66

Interest of Wayne Bartons heirs	2371.73⅕	
" " Burkesons heirs	2371.73⅕	
" " Parthenia Lloyds heirs	2371.73⅕	
" " Eliza Crafts Children	2371.73⅕	
" " Wilford Barton	2371.73⅕	$11858.66

of which there has been paid in Slaves,

to heirs of Wayne Barton	1850.00	
Cash since Comm[s] Report	230.00	
Balance due by Croft for which execution may ispue	291.73.	2371.73

Of which there has been pd. to
Burkesons heirs in Slaves 1900.00
Cash sin Comm[s] Report 230.00
Balance in the hands of Croft for
which execution may ispue 241.73. 2371.73

Of which there has been paid to
Eliza ~~Letts children~~ Crafts Children 400.00.
in Slave Property
Balance in hands of their father
Samuel Craft 1971.73. 2371.73

for which execution may ispue for the uses aforesaid.
For sixty nine dollars and forty cents, the balance to remain in his hands at interest until the further order of this Court

Spring Term Monday May 7th 1855

Of which then has been paid to Parthenia Lloyd in slave property 1275.00
For hire of Slaves 825.00
Cash in hands of Craft for which execution may issue 271.73 2371.73

Of which then has been paid to Wilford Barton in Slave property 3300.00
And hire of Negroes 1325.00
4625.00

And he is entitled for his interest in said Estate when he produces the Slaves in his hands - and the $100 paid for defending the same less his fifth of the accounts this day allowed amt. 349
one fifth 69.40 from 100. leaves 30.60
2341.13. 2283.87

Leaving him indebted to the admr. in the sum of two thousand two hundred and eighty three dollars and eighty seven cents. It is therefore ordered adjudged and decreed that the said Samuel Craft recover of the said Wilford Barton the aforesaid Slaves. Eijah valued at 1200.00
Joe " " 1300.00
Isaac " " 800.00
and also the Amt. for the hire of the Negroes. 1325
less the sum of thirty dollars sixty cents 30.60. 1294.40
$ 4594.40

for which sum of four thousand five hundred and ninety four dollars and forty cents unless he deliver to the said Samuel Craft or Hamilton White the said Slaves and hire within ten days execution may issue

And it is farther ordered ~~adjudged~~ that the said Wilford Barton stand in contempt until he complies with this decree and that an attachment may issue for his arest and confinement until he purges himself of the contempt of the decree of this Court.

And the Commissioner John Alexander Green Esquire appointed to sell the real Estate described in the decree heretofore entered, made his Report in words and figures following——

Spring Term Monday May 7th 1855

To the Hon District Court of Travis County at Austin in Said County Sitting

The undersigned who was appointed, by a decree of your Honorable Court rendered at the day of February 1855 a Commissioner to Sell and make titles and to retain the vendors lien upon a tract of land in said decree recited the same being Labor of one hundred and seventy seven situated in Travis County and being part of the Headright of William Barton, and to take the notes of the purchasers at one and two years with two good personal securities- The Said Decree being rendered in the case of James C Stephenson & Wife et al. against Saml. Craft Jr. et al. for partition among the heirs, in the estate of William Barton begs leave to report,-

That in accordance with said Decree he advertised as therein required the Sale of the Said Land to take place on the 30th day of April 1855, the said advertisement having been made for thirty days previously to the said sale, and that in accordance with said Advertisement and in conformity with said decree on the said thirtieth day of April at the Court house door at the city of Austin in Travis County I did expose the said land for sale to the highest bidder on a credit of one and two years in accordance with the terms of said Decree, when Ashford B. McGill became the purchaser thereof at the price of twenty eight and a half dollars per acre, amounting to the sum of five thousand and forty four $\frac{50}{100}$ dollars ——

And thereupon the said Ashford B McGill in conformity with his purchase executed to the undersigned his two notes for the purchase of the said Land in the Sum of two thousand five hundred and twenty two $\frac{25}{100}$ dollars each, with George Hancock and Nelson Merrill as his securities. one of the said Notes due and payable on the thirtieth day of April 1856 and the other due and payable on 30th day of April 1857 — And that he the said McGill then and there executed to the undersigned his mortgage upon said Land to secure the purchase money thereof

And thereupon the undersigned as Commissioner as aforesaid then and there executed in behalf of the parties to said suit as heirs of William Barton a deed

Spring Term Monday May 7th 1855

in fee simple to the said McGill conveying all the right title and interest of the said heirs of the said Barton in and to the said Land

He further reports that the following costs have accrued upon said sale

Auctioneers Bill E. Finnin & Co.	15.00
Advertising Sale 100 copies Times Office	5.00
Superintending sale executing deed drawing mortgage and notes and making report of same	25.00
Paying for authentication and record of mortgage	2.00
	$47.00

All of which is respectfully submitted

Jno. A. Green Commissoner &c

which report was examined by the Court and approved

It is therefore further ordered adjudged and decreed that all right title interest and claim of the said heirs the parties to this suit be divested out of them and vested in the said Ashford B. McGill subject to the vendors lien and without any prejudice to the suit now pending for the recovery of the said land

It is further ordered, that the clerk certify copy of this decree to the Clerk of the County Court of Travis County for Registration and that he tax the cost of partition and since the partition mutually to the parties that is one fifth to each share, said cost to include the expenses of registration

It is further ordered adjudged and decreed that the commission Jno. Alexander Green collect the notes in his hands when due and report ~~the~~ the same to this Court for its further order in the premises—

Declaration of intention to become a Citizen—

State of Texas
County of Travis } Rudolph Bentram being 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 1829 in the Kingdom of Germany in the— whence he emigrated in the year 1854 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 and of said State of Texas and renounce forever all allegiance and fidelity to every foreign Prince

Spring Term Monday May 7th 1855

Potentate, State or Sovereignty, whatsoever and particularly to the Count of Schwarzburg Sondershausen of which he is now a subject

Rudolph Bentram

Sworn to and Subscribed
before me in Open Court
May 7th A.D. 1855
Frank Boom Clk

566. ✓

Thomas W. Ponse	Plaintiff	Debt on Note
v.		
Samuel G. Maynie		
Abner M. Cook and	Defendants	Judgment
Nathl C. Raymond		

In this case comes the party plaintiff by his attorneys; and it appearing to the Court that the Defendants have failed to appear and file their answer within the time prescribed by law, but wholly made default

It is therefore ordered, adjudged and decreed by the Court that the plaintiff, Thomas W. Ponse, have and recover off and from the defendants, Samuel G. Maynie, Abner M. Cook and Nathaniel C. Raymond the sum of Four thousand Seven hundred and twenty Seven dollars, being the amount of principal debt and interest to this date, together 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.

456 ✓

The State of Texas	Plaintiff	
v.		Biting at Law
James Jackson	Defendant	

In this cause come the parties and announced themselves ready for the trial of said cause, and thereupon the defendant was arraigned and plead guilty to the charge, and thereupon came a Jury, to wit: John A. Forbes and eleven others, who being duly elected, empannelled and sworn ~~xxxx~~ heard the evidence, 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 assess the fine of ten dollars." John A. Forbes Foreman." Whereupon It is adjudged and decreed by the Court that the said State of Texas do have and recover of the defendant, James Jackson, the sum of ten dollars, and all costs of this suit, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

Spring Term, Tuesday, May 8th 1853

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow morning May 8th 1853, half past eight o'clock.

Tuesday Morning, May 9th A.D. 1853

Court met at half past eight o'clock, pursuant to adjournment. Present the same as on yesterday

482.	The State of Texas	Plaintiff	Allowing gaming
	v.		
	Geo. and John Robinson	Defendants	

And now come the parties and announced themselves ready for trial. and thereupon the said defendants were arraigned, and plead not guilty to the Indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit Wm. D. Chapman, W. W. Atwood, Jackson Hammett, Burge Ferguson, D. M. Pursley, P. S. Bunn, David A. Porter, Graham Valentine, W. T. Patterson, Joseph Hamilton, William Peterson and Francis Kelly, who being duly elected, empannelled and sworn, heard the evidence, the 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 Jury, find the defendants guilty, and assess the fine at one hundred dollars each. Wm. W. Atwood. Foreman" Whereupon, It is ordered, adjudged and decreed by the Court that the said State of Texas have and recover of and from the defendants, George Robinson and John Robinson the sum of One hundred dollars each, and all the costs of this suit, and that they remain in the custody of the Sheriff until said fine and costs are paid.

483.	The State of Texas	Plaintiff	Allowing gaming bank to be exhibited in their
	v.		
	Geo. & John Robinson	Defendants	House

And now on this day come the parties to the above cause by their attorneys and announced themselves ready for trial. and thereupon the said defendants plead not guilty to the charge. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: Wm. D. Chapman, D. M. Pursley, Josiah Bishop, Jenkins Davis, P. S. Bunn, Wm. W. Atwood, John Tilly, Hugh McLane, W. W. Jones, John H. McLemore, D. A. Brady, Aaron Kennison, who being duly elected, empannelled and sworn, heard the evidence, the 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 the defendants guilty, and assess the fine at one hundred dollars each. Wm H. Alsworth, Foreman."

Whereupon, It is ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of and from the defendants Sterge Robinson and John Robinson the sum of One hundred dollars each, together with all the costs of this suit, and that the said defendants remain in the custody of the Sheriff until said fine and costs are paid

417

The State of Texas vs. David C Guin & D Guin — Plaintiff — Defendants — Permitting Poker to be played in house

And now on this day comes A H Chalmers Prosecuting for the State who by leave of the Court amends the indictment by changing the name of David C Guin to that of Davis C Guin and thereupon came the defendants and plead not guilty to the Indictment to which plea the Prosecuting Attorney join issue, thereupon came a Jury to wit— M M Thurgerson W T Patterson W T Davidson P S Brown A E Brown Marian Houston Pinkins Davis A G Gordon Jonathan Conclave John Spence Frances Kelley and Ruben Runner twelve good and lawful men who after being duly sworn and heard the evidence and charge of the Court retired to consider their verdict and returned into Court the following verdict to wit— "We the Jury find Darwell T Guin guilty and assess the fine at $12.50"

"W T Davidson foreman"

It is therefore considered by the Court that the State of Texas have and recover of and from the said Darwell T Guin the sum of twelve dollars and fifty cents as the fine assessed against him as aforesaid together with all of the costs in this behalf laid out and expended and that the said Darwell T Guin remain in the Custody of the Sheriff until said fine and costs are paid

Spring Term Tuesday May 8th 1855

418 The State of Texas vs. David C Gwin & D Gwin — Plaintiff — Defendants — Permitting Betting on cards in their House

And now on this day comes A. A. Chalmers who prosecutes for the State and the Defendants in person and plead not guilty to the charge and also a former conviction for the same offence to which last plea the Prosecuting attorney demurred and the same overruled by the Court and thereupon filed his repliciation to said plea of former conviction thereupon came a Jury to wit W. W. Atwood Thos. J. Chapman Jack Arnett W. W. Jones George Gregson John Forbes John McLemore I. M. Swisher David A Porter Joseph Warren Wm Gibson and Joseph Whanely to be good and lawful men of Travis County, who after ~~hearing the evidence and charge~~ being duly sworn and having heard the evidence and charge of the Court retired to consider their verdict and returned into Court the following verdict to wit, "We the Jury find the Defendants David and D. Gwin guilty and assess the fine at ten dollars each"

"John A Forbes foreman"

It is therefore considered by the Court that the State of Texas have and recover of and from the said David Gwin and D. Gwin the sum of ten dollars each as the fine assessed by the Jury against them the said David Gwin and D. Gwin together with all the costs in the behalf laid out and expended and that the said David Gwin and D Gwin remain in the custody of the Sheriff until said fine and costs are paid

484 The State of Texas vs. Wyley Marshall — Plaintiff — Defendant — Betting at Faro

On motion of the Prosecuting Attorney it is ordered by the court that the bond in the above entitle cause be quashed and alias capias ordered to issue

485 The State of Texas vs. James S. Gillett — Plaintiff — Defendant — Betting at Faro

On the above entitle cause it is ordered by the Court that alias capias issue and thereupon it is ordered that Court adjourn until Wednesday morning, 9th May 1855

Spring Term Wednesday May 9th 1855

Court met pursuant to adjournment. Present as heretofore

488 The State of Texas vs. John S. Ford } Plaintiff / Defendant } Betting at Monte

And now on this day comes A. H. Chalmers who prosecutes on behalf of the State and the defendant by attorney C. S. West and pleads guilty to the charge and thereupon came a Jury to wit R. Runner Dinkins Davis W. T. Davidson D. G. Gordon D. J. Spence D. A. Porter W. W Jones John Forbs James F Johnson J W Goodrich John Polly and J A Brady twelve good and lawful men of Travis County who being duly sworn and having heard the charge of the Court retired to consider of their verdict and returned in to Court the following verdict to wit. "We the Jury find a verdict in favor of the State and assess the fine at $10.00 against the defendant"

"R Runner Foreman"

It is therefor Considered by the Court that the State of Texas have and recover of and from the said John S Ford the sum of ten dollars as the fine assessed by the Jury as aforesaid together with all the Costs in this behalf laid out and expended and that the said John S Ford remain in the custody of the Sheriff until said fine and costs are paid

489 The State of Texas vs. George Robinson & John Robinson } Plaintiff / Defendants } Allowing Gaming in their House

And now on this day come the parties by their Attornies and plead not guilty to the charge and thereupon came a Jury to wit W. W. Atwood and seven others twelve good and lawful men of Travis County who being duly sworn and having heard the evidence and the charge of the Court retired to consider their verdict and returned in to Court the following verdict to wit "We the Jury find the defendants not guilty" W W Atwood foreman"

It is therefor ordered by the Court that said defendants go hence without day in full acquittance of the aforesaid charge

Spring Term Wednesday May 9th 1855

492	The State of Texas vs. George Robinson & John Robinson	Plaintiff / Defendants	Allowing monte to be exhibited in their house
491	The State of Texas vs. George Robinson & John Robinson	Plaintiff / Defendant	Allowing Gaming in their House
493	The State of Texas vs. John Horan	Plaintiff / Defendants	Allowing gaming in his House

And now comes A.H. Chalmers abs prosecutes on behalf of the State and enters a nolle prosequi in each of the foregoing causes

It is therefore ordered by the Court that each of the defendants in said causes go hence in full acquittance of the charges aforesaid —

498	The State of Texas vs. Samuel G. Nowell	Plaintiff / Defendant	Betting at Faro

And now on this day comes A.H. Chalmers District Attorney and the defendant in person and pleads guilty to the charge in the Indictment whereupon came a Jury to wit W.W. Atwood and eleven others, twelve good and lawful men of Travis County who being duly sworn and having heard the charge of the Court retired to consider of their verdict and returned into Court the following verdict to wit "We the the Jury asess the fine at $10.00" "W.W. Atwood Foreman"

It is therefore ordered by the court that the State of Texas have and recover of and from the said Samuel G. Nowell the sum of ten dollars as assessed by the Jury as fine together with all the costs in this behalf laid out and expended and that the said Samuel G. Nowell remain in the custody of the Sheriff until said fine and costs are paid

Spring Term Wednesday May 9th 1855

500 The State of Texas vs. Samuel G Novell } Plaintiff Defendant "Playing Poker"

And now on this day comes A. H. Chalmers who prosecutes for the State and enters a nolle prosequi in the cause aforesaid on

It is therefore ordered that the said Samuel G Novell go hence in full acquittal of said charge

501 The State of Texas vs. Thomas Cater } Plaintiff Defendant Betting at Faro

508 The State of Texas vs. Joe a Mulatto Slave } Plaintiff Defendant Arson

506 The State of Texas vs. John Wilson } Plaintiff Defendant Assault an Battery

509 The State of Texas vs. George W Scott } Plaintiff Defendant Betting at Faro

508 The State of Texas vs. Blunt Clements } Plaintiff Defendant Assault and Battery

In each of the above entitled causes it is ordered by the Court that they be continued until the next term of this Court and that alias capias issue to each of said defendants

It is ordered by the Court that Court adjourn until tomorrow morning at 9 o'clock

Thursday Morning May 10th 1855 Court met at 9 o'clock pursuant to adjournment Present the same as on yesterday

Spring Term Thursday May 10th 1855

5-10

The State of Texas } Plaintiff
vs. } Affray
Alfred Smith & } Defendants
I. C. Tannehill }

And now on this day comes the Prosecuting Attorney for the State and one of the defendants, Alfred Smith, and pleas guilty to the charge as to himself and thereupon came a Jury to wit, John D. Fulks and eleven others twelve good and lawful men of Travis County who being duly sworn and having heard the charge of the Court retired to consider of their verdict and returned the following verdict into court to wit, "we the Jury find the Defr. guilty and aspes the fine at five dollars" John D. Fulks foreman

It is therefor ordered by the Court that the State of Texas have and recover of and from the said Alfred Smith the sum of five dollars as aspesed as aforesaid by the Jury together with all the costs in this behalf laid out and expended and that said Alfred Smith remain in the custody of the Sheriff until said fine and Costs are paid.

5-10

The State of Texas } Plaintiff
vs. } Affray
Alfred Smith and }
I. C. Tannehill } Defendants

And now on this day comes A. H. Chalmers who prosecuts on behalf of the State and one of the defendants, I. C. Tannehil, and pleads not guilty as to himself and thereupon came a Jury to wit, W. W. Atwood and eleven others, twelve good and lawful men of Travis County who after being duly sworn and 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 the Defendant I. C. Tannehill not guilty" "W. W. Atwood foreman"

It is therefore ordered by the Court that the said I. C. Tannehill go hence without day in full acquittal of the charge aforesaid

Spring Term, Thursday, May 10th 1855.

408 The State of Texas } Plaintiff } Playing cards
vs. } } for money in
Pleasant Barnhill } Defendant } a Gaming

In this case upon application of the parties the Court ordered that the defendant enter into his recognizance for his future appearance in the case in the sum of One hundred dollars, together with two or more good securities and thereupon came into open Court the said defendant Pleasant Barnhill who living with him as his securities, Davis C. Gunn and James Casner. Whereupon the said Pleasant Barnhill, Davis C. Gunn and James Casner acknowledged in term time jointly and severally 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 Pleasant Barnhill do make his personal appearance before the honorable District Court at Travis county now in session, then and there to answer any Indictment preferred against him the said Pleasant Barnhill, by the Grand Jury of the said County of Travis, at the Spring Term of said Court, A.D. 1854, for playing at a certain game with cards called "Poker", upon which money was bet; and that the said Pleasant Barnhill be and remain in attendance upon said Court from day to day of the present Term, and from term to term and from day to day of each term, and not depart the Court without leave

And thereupon came and appeared in open Court the Grand Jury in and for the body of the County of Travis and State of Texas and by their Foreman, Nathaniel Townsend, presented to the Court the following Bills of Indictment, to wit:

611 The State of Texas } Plaintiff } "Forgery"
vs. }
John S. Thorn } Defendant }

612 The State of Texas } Plaintiff } "Perjury"
vs. }
John S. Thorn } Defendant }

613 The State of Texas } Plaintiff } "Forgery"
vs. }
William Hallman } Defendant }

Spring Term, Thursday, May 10th 1855.

✓ 614.	The State of Texas	} Plaintiff	}	
	v.			Forgery
	James Boyd and M. B. Kelly whose christian name is unknown	} Defendants	}	
✓ 615	The State of Texas	} Plaintiff	}	Assault and Battery with intent to Kill
	v.			
	William Ormy	} Defendant	}	and Murder
✓ 616	The State of Texas	} Plaintiff	}	
	v.			Gaming"
	T. M. Fleming	} Defendant	}	
✓ 617.	The State of Texas	} Plaintiff	}	
	v.			Betting at Faro
	C. R. Peck	} Defendant	}	

And thereupon the said Grand Jury by their Foreman, Nathl Bamond, suggested to the Court that there was further business before them. And thereupon the Court ordered the said Grand Jury to retire upon a further discharge of their duties

505 ✓	The State of Texas	} Plaintiff	}	
	v.			Assault & Battery
	G. B. Moore, called Bony Moore	} Defendant	}	

And now came the parties to the above entitled cause by their attorneys, and announced themselves ready for trial. And thereupon the said defendant was arraigned, and plead not guilty to the charge. Whereupon came a Jury to wit: Wm W. Alvord and eleven others, who being duly elected, impannelled and sworn, heard the evidence 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 defendant not guilty. Wm W. Alvord, Foreman." Wherefore, It is ordered, adjudged and decreed by the Court that the defendant, G. B. Moore, go hence without day, fully acquitted aforesaid charge.

✓ 509.	The State of Texas	} Plaintiff.	}	
	v.			Playing Poker, &c.
	James R. Jackson	} Defendant	}	

And now on this day came the parties to the above entitled cause by their attorneys, and

Spring Term, Thursday, May 10th 1855.

announced themselves ready for trial, and thereupon the defendant plead guilty to the charge, Whereupon came a Jury, to wit: John A. Yates and eleven others, who being duly elected, empannelled and Sworn, heard the 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, to wit: "We the Jury, assess the fine ten dollars John A. Yates, Foreman." Whereupon It is adjudged and decreed by the Court that the State of Texas have and recover of the defendant, James H. Pickens, the sum of ten dollars and all costs of this suit, and that said defendant remain in the custody of the Sheriff until paid.

409 ✓

The State of Texas } Plaintiff
vs. } Playing at Poker upon which
Pleasant Bamhill } Defendant money was bet

In this case upon application of the parties the court ordered that the defendant enter into his recognizance for his further appearance in this cause in the sum of one hundred dollars, together with two or more good securities and thereupon came into open Court the said defendant Pleasant Bamhill, who bring with him as his securities Davis C Gwin and James Casner. Whereupon the said Pleasant Bamhill Davis C. Gwin and James Casner acknowledged themselves jointly and severally 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 Pleasant Bamhill do make his personal appearance before the Honorable District Court of Travis County now in Session then and there to answer an Indictment preferred against him the said Pleasant Bamhill by the Grand Jury of the said County of Travis at the Spring Term of said Court A.D. 1854 for playing at a certain game with cards called "Poker" upon which money was bet and that the said Pleasant Bamhill be and remain in attendance upon said Court from day to day of the present Term and from Term to Term and from day to day of each term and that he do not depart the Court without leave

437

The State of Texas } Plaintiff
vs. } Playing at a certain game
James Casner } Defendant with cards called Poker upon which money was bet

In this case upon application of the parties the Court ordered that the defendant enter into his

Spring Term Thursday May 10th 1855

recognizance for his further appearance in this cause in the sum of one hundred dollars together with two or more good securities and thereupon came into open court the said defendant James Casner who bring with him as his sureties Davis C Gwin and Daniel T Gwin Whereupon the said James Casner Davis C Gwin and Daniel T. Gwin acknowledged themselves jointly and severally 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 James Casner do make his personal appearance before the Honorable District Court of Travis County now in Sesion then and there to answer an Indictment preferred against him the said James Casner by the Grand Jury of Travis County at the Spring Term of said court A.D. 1854 for playing at a certain game with cards called "Poker" upon which money was bet and that the said James Casner be and remain in attendance upon said court from day to day of the present term and from term to term and from day to day of each term and that he do not depart the court without leave.

462 The State of Texas } Plaintiff
vs. } Defaulting Worker of Road
John H Cocks } Defendant

On this case upon application of the parties the court ordered that the defendant enter into his recognizance for his further appearance in this cause in the sum of one hundred dollars together with two or more good securities and thereupon came into open court the said Defendant John H. Cocks who bring with him as his sureties Jesse C. Tannehill and James Litton. Whereupon the said John H. Cocks Jesse C Tannehill and James Litton acknowledged themselves to owe and be indebted, jointly and severally 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 John H. Cocks do make his personal appearance before the Honorable District Court of Travis County now in Sesion then and there to ~~remain~~ answer an Indictment preferred against him the

said John A. Cocks by the Grand Jury of Travis County at the Fall Term of said Court A.D. 1854 for failing to perform his duties as an Overseer of a public Road and that the said John A. Cocks be and remain in attendance upon said Court from day to day of the present term and from term to term and from day to day of each term and that he do not depart the Court without leave.

514 v

The State of Texas } Plaintiff
vs } Murder
Wm. W. Montgomery } Defendant

And now comes the defendant by Attorney and files his affidavit for a continuance and the Court considering the same doth order that said cause be continued until the next term of this Court

514 v

The State of Texas } Plaintiff
vs } Murder
Wm W. Montgomery } Defendant

In this cause upon application of the District Attorney it is ordered by the Court that the defendant enter into his recognizance in this cause in the sum of six thousand dollars together with two or more good securities and thereupon came into open Court into open Court William W. Montgomery Adolphus G Weir John C McCane Geo. W. Paschal and Andrew J Hamilton who acknowledged themselves to owe and be indebted unto the State of Texas jointly and severally in the penal sum of six thousand dollars to be levied upon their respective goods and chattels lands and tenements but to be void on condition that the said William W. Montgomery do make his personal appearance before the Honorable District Court of Travis County to be begun and holden at the Court house thereof in the City of Austin on the eighth monday after the first monday in September A.D. 1855 then and there to answer an indictment preferred against him the said Wm W. Montgomery by the Grand Jurors of Caldwell County at the fall Term of the District Court of Caldwell County aforesaid for Murder and that the said Wm W. Montgomery be and remain in attendance upon said Court from day to day and

Spring Term Thursday May 10th 1855

from term to term and from day to day of each term and that he do not depart the Court without leave.

514 ✓

The State of Texas } Plaintiff
vs. } Murder
William W. Montgomery } Defendant

In this case on application of the District Attorney it is ordered by the Court that Hugh Barber a witness in the above cause enter into his recognizance for his appearance in the sum of three hundred dollars and thereupon came into open Court the said Hugh Barber who acknowledged himself to owe and be indebted unto the State of Texas in the sum of three hundred dollars to be levied upon his goods and chattels lands and tenements, but to be void upon condition that the said Hugh ~~Miller~~ Barber do make his personal appearance at the District Court of Travis County to be begun and holden in the city of Austin at the Court house of said County on the eighth monday after the first monday in September next then and there to testify in behalf of said State in the case of the State of Texas against William W. Montgomery in the charge of Murder and that he there remain from day to day and from term to term and day to day of each term and that he do not depart the Court without leave

↓ 514

The State of Texas } Plaintiff
vs. } Murder
Wm W. Montgomery } Defendant

In this cause on the application of the defendant it is ordered by the Court that William Amberson and Sarah L. Amberson witness in the above entitled enter into his recognizance for his appearance in the sum of five hundred dollars and thereupon came into open court the said William Amberson and Sarah L. Amberson, who acknowledged themselves 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 land and tenements but to be void upon condition that the said William Amberson and Sarah L. Amberson do make their personal appearance at the

Spring Term Thursday May 10th 1855

District Court of Travis County to be begun and holden in the city of Austin at the Court house of said County on the eighth monday after the first monday in September next then and there to testify in behalf of the defendant in the case of the State of Texas against William W. Montgomery in a charge of Murder and that they then remain from day to day and from term to term and from day to day of each term and that they do not depart the Court without leave.

497 The State of Texas vs. Joseph Warren — Plaintiff / Defendant — Assault and Battery

It is ordered by the Court that Christian Adams Adaline Warren Benjamin Chote and S. W. Prestige be fined in the sum of ten dollars each for not attending as witness on behalf of the Plaintiff in the above entitled cause they having been duly subpoenaed by the Sheriff and that scire facias issue to each of the said witness returnable to the next term of this Court commanding them then and there to appear and show cause if any they may have why this judgment should not be made final.

It is further ordered by the Court that attachment issue against the said witness

398 The State of Texas vs. Thomas S Moore — Plaintiff / Defendant — Exhibiting A. B. C.

399 The State of Texas vs. Thomas S Moore — Plaintiff / Defendant — Exhibiting A. B. C

It is ordered by the Court that Thophilus Anderson be fined in the sum of ten dollars in each of the above entitled causes for not attending as a witness on behalf of the Plaintiff in said Causes he having been duly subpoenaed by the Sheriff and that scire facias issue to said witness returnable to the next term of this Court commanding him then and then to appear and show cause if any he may have why this judgment should not be made final. It is further ordered that attachment issue against said witness

Spring Term, Thursday, May 10th, 1855.

408	The State of Texas	Plaintiff	Playing cards for money in a Gaming
	v.		
	Pleasant Barnhill	defendant	

It is ordered by the Court that A. B. Burleson be fined the sum of twenty-five dollars for not attending as a witness on behalf of the plaintiff in the above cause, he having been duly subpoened by the Sheriff, and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and show cause if any he may have why this Judgment should not be made final, and thereupon, It is ordered that an attachment issue for the witness, Burleson.

409	The State of Texas	Plaintiff	Gaming
	v.		
	Pleasant B Barnhill	defendant	

It is ordered by the Court that A. B. Burleson be fined the sum of twenty-five dollars for failing to attend as a witness on behalf of the plaintiff in the above cause, he having been duly subpoened by the Sheriff, and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and show cause, if any he may have, why this Judgment should not be made final. and thereupon It is ordered that an attachment issue for the witness Burleson.

433	The State of Texas	Plaintiff	Assault with intent to Kill.
	v.		
	Martin K. Ryan	defendant	

It is ordered by the Court that N. Strayhorn and S. Lockwood, be fined the sum of sixty dollars each, for failing to attend as witnesses on behalf of the plaintiff in the above cause, he having been duly subpoened by the Sheriff, and that Scire Facias issue to each of them returnable to the next Term of this Court, commanding them then and there to appear and show cause, if any they may have, why this Judgment should not be made final against them

And thereupon It is ordered that attachment issue for the said witnesses Strayhorn and Lockwood.

Spring Term, Thursday, May 10th 1855

437 The State of Texas } Plaintiff } Gaming.
v.
James Casner } Defendant }

Travis County It is ordered by the Court that A. B. Burleson be fined twenty dollars for failing to attend as a witness on behalf of the Plaintiff in the above cause he having been duly subpoened by the Sheriff, and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and Show cause if any he may have, why this Judgment Should not be made final against him

It is Further Ordered, that attachment issue for said witness.

438 The State of Texas } Plaintiff } Gaming
v.
James Casner } Defendant }

In this cause upon application of the District Attorney, It is ordered by the Court that the defendant enter into his recognizance for his future appearance in this cause.

And thereupon came into open Court James Casner, who brings with him as his Sureties, Davis C Dunn and Daniel T. Dunn. Whereupon the said James Casner, Davis C Dunn and Daniel T. Dunn acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the Sum of One hundred dollars, to be levied of their respective goods and chattels, lands and tenements, but to be void upon condition that the said James Casner do make his personal appearance before the honorable District Court of Travis county now in Session, then and there to answer an Indictment preferred against him the said James Casner by the Grand Jury of Travis county at the Spring Term of said Court, A.D. 1854, for playing at a certain with cards called Poker, upon which money was bet, and that the said James Casner be and remain in attendance upon said Court from day to day of the present term and from term to term and from day to day of each term, and that he do not depart the Court without leave

438 The State of Texas } Plaintiff } Gaming
v.
James Casner } Defendant }

It is ordered by the Court that A. B. Burleson be fined twenty five dollars for failing to attend as a witness in the above cause he having been subpoened by the Sheriff, and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and Show cause if any he may have, why this Judgment should not be made final It is further ordered that attachment issue for the said witness

Spring Term, Thursday, May 10th 1855.

439 The State of Texas } Plaintiff } Gaming
James Cavner } Defendant }

And now come the District Attorney and moves the Court that the defendant be recognized for his future appearance in said cause. And thereupon came into open Court James Cavner, who brings with him as his sureties Davis C. Gunn and David T. Gunn. And the said James Cavner, Davis C. Gunn and David T. Gunn acknowledge themselves jointly and severally to owe and be in debt unto the State of Texas in the penal Sum of One Hundred dollars to be levied of their respective goods and chattels, lands and tenements, but to be void upon condition that the said James Cavner do make his personal appearance before the Honorable District Court of Davis county now in session then and there to answer an Indictment pending against him, by the said James Cavner, the Grand Jurors of Davis county at the Spring Term of said Court, A. D. 1854, for playing at a certain game with cards called Poker, upon which money was bet, and that the said James Cavner be and remain in attendance upon said Court, from day to day of the present Term and from term to term and from day to day of each term and that he do not depart the Court without leave.

439 The State of Texas } Plaintiff } Gaming
James Cavner } Defendant }

It is ordered by the Court that A. B. Buckner witness for the plaintiff in the above cause, be fined twenty dollars for failing to attend as a witness in the above cause, he having been duly subpoened by the Sheriff, and that Scire facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and show cause, if any he may have, why this Judgment should not be made final. It is further ordered that attachment issue for the said witness.

458 The State of Texas } Plaintiff } Assault & Battery
Ben. W. Paschal } Defendant }

And now came into open Court Washington L. Hill, witness on behalf of the Plaintiff in the above cause, and acknowledged himself to owe and be indebted

unto the State of Texas in the sum of One hundred dollars, to be levied of his goods and chattels, lands and tenements, But to be void upon condition that he be and personally appear before the Honorable District Court of Travis county to be held at the City of Austin on the Eighth Monday after the first Monday in September, A.D. 1855, to testify in behalf of the plaintiff in a certain cause pending in said Court wherein The State of Texas is Plaintiff and George W. Paschal is Defendant charged with an Assault and Battery, and that he be and remain in attendance upon said Court, from day to day, and from term to term, and from day to day of each term, and that he do not depart the Court without leave

1162. The State of Texas } Plaintiff } Defaulting Overseer
John H. Oden } Defendant }

And now on this day came and appeared in open Court Samuel G. Haynie, who acknowledged himself to owe and be indebted unto the State of Texas in the penal sum of One hundred dollars, to be levied of his goods and chattels, lands and tenements, but to be void upon condition that he make his personal appearance at the next Term of the District Court of Travis county on the eighth Monday after the first Monday in September, A.D. 1855. then and there to testify in behalf of the plaintiff in a certain cause wherein The State of Texas is plaintiff and John H. Oden, charged with failing to perform his duties as Overseer of a public road is defendant, and that he there remain from day to day and from term to term, and from day to day of each term, and that he do not depart the Court without leave

(Order H. D. Edwards) It is ordered by the Court that attachment issue for the witness, H. D. Edwards in the above cause

473. The State of Texas } Plaintiff } Getting Timber on
v. } } Vacant not his own
William Selley } Defendant } without consent of owner

And now on this day came and appeared in open Court John T. Cleveland who acknowledged himself justly to owe and be indebted unto the State of Texas in the Sum of One hundred dollars to be levied of his goods and Chattels, Lands and tenements, But to be void upon condition that he make his personal appearance before the Honorable District Court of Travis county at its next term, to be begun and holden at the Courthouse thereof in the city of Austin on the eighth Monday

Spring Term, Thursday, May 10th 1855.

after the first Monday in September A.D 1855, then and there to testify as before the Plaintiff in a certain cause wherein The State of Texas is Plaintiff, and William Kelley charged with cutting timber on land not his an authorisment of county is Defendant, and that he there remain from day to day, and from term to term, and from day to day of each term, and that he do not depart the Court without leave

The State of Texas } Plaintiff
vs. } Cutting Timber
William Kelley } Defendant

4703

It is ordered by the Court that Wm Ainsworth be fined the sum of ten dollars for failing to attend as a witness in the above cause he having been duly subpoened by the Sheriff, and that Scire Facias issue to him returnable to the next Term of this Court commanding him then and there to appear and show cause if any he may have, why this Judgment should not be made final

It is further ordered that attachment issue for said witness

The State of Texas } Plaintiff
vs. } Betting on Election
Dave A. Burdett } Defendant

4705

It is ordered by the Court that Augustus B. Slaughter witness on behalf of the State in the above cause be fined ten dollars for failing to attend as a witness on behalf of the plaintiff. he having been duly subpoened, and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and show cause if any he may have, why this Judgment should not be made final

It is further ordered that attachment issue for said witness

The State of Texas } Plaintiff
vs. } For not performing duties of Overseer.
Joseph Lee } Defendant

490

And now comes the defendant by attorney and files his motion to quash the Indictment in the above cause. and the Court considering the said motion doth order that the said Motion be sustained. and thereupon the District Attorney in open Court gives notice of an appeal to the Supreme Court

Spring Term, Thursday, May 10th 1855.

The State of Texas	}	Plaintiff	} For not performing
490 v. Joseph Lee	}	Defendant	} duties as Coroner

And now at this day appeared in open Court Joseph Lee Sterling W. Broadnax and Hebron B. Sims, who acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of One Hundred dollars to be levied of their respective goods and chattels, lands and tenements - But to be void on condition that the said Joseph Lee be and appear at the next term of the District Court of Travis county to be held at the City of Austin on the 4th Monday after the first Monday in September, 1853, and that he there remain from day to day and from term to term and from day to day of each term thereof, and that he do not depart the Court without leave, to await the decision of the Supreme Court in the above cause against him, the said Joseph Lee, charged with failing to perform his duties as Coroner as published by the Grand Jurors of Travis county, at the Fall Term thereof, A. D. 1854.

The State of Texas	}	Plaintiff	}
495. v. Henry P. Burton	}	Defendant	} Betting at Faro

And now at this day appeared in open Court also under Oath, and acknowledged himself to owe and be indebted unto the State of Texas in the sum of One Hundred dollars to be levied of his goods and chattels, lands and tenements, But to be void upon condition that he be and personally appear before the Travis District Court of Travis county now in session to give evidence on behalf of the plaintiff in the above cause wherein The State of Texas is plaintiff and Henry P. Burton, charged with Betting at Faro, is Defendant, and that he there remain from day to day of the present term, and from term to term thereafter, and from day to day of each term, and that he do not depart the Court without leave.

The State of Texas	}	Plaintiff	}
499. v. Charles A. Pearson	}	Defendant	} Betting at Faro.

It is ordered by the Court that Henry Davis be fined the sum of twenty five dollars for failing to attend as a witness on behalf of the plaintiff in the above cause he having been duly subpoenaed by the Sheriff, and that Scire Facias issue to him when called to the next term of this Court commanding him then and there to appear and show

Spring Term, Thursday, May 10th 1855

cause, if any he may have, why this Judgment should not be made final

And thereupon, It is ordered that attachment issue for the said witness. Plenty Vires.

514 The State of Texas } Plaintiff } Betting at Faro
v.
Joseph A. Smith } Defendant }

It is ordered by the Court that William Foster be fined twenty five dollars for failing to attend as a witness in the above cause on the part of the plaintiff, he having been duly subpoened by the Sheriff, and that Capias issue to him returnable to the next Term of this Court, commanding him then and there to appear and show cause, if any he may have why this Judgment should not be made final.

And thereupon It is further ordered that an attachment issue for the said witness Wm. Foster.

511 The State of Texas } Plaintiff } "Arson"
v.
"Isby", a Negro Slave } Defendant }

And now come the parties and announce themselves ready for trial, and the defendant, by attorney enters a plea of not guilty. Thereupon came a Jury of twelve good and lawful men of Travis county, to-wit: Jas. H. Johnson and seven others, who being duly sworn to try the said cause, heard the evidence, 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 defendant not guilty. Jas H. Johnson Foreman." Whereupon It is ordered by the Court that the defendant "Isby" go hence without day, fully acquitted of said charge.

512 The State of Texas } Plaintiff } Assault with intent to Kill and Murder
Ewing T. Bonner called Foster Bonner } Defendant }

It is ordered by the Court that a capias issue for the defendant "Bonner".

Spring Term, Thursday, May 18th, 1853.

513 ✓ The State of Texas } Plaintiff
Wm Sowers v. Jacob Sowers } Defendant } Cutting Timber

It is ordered by the Court that Dennis Adams be fined the sum of Twenty five dollars for failing to answer as a witness in the above cause he having been duly subpoened by the Sheriff, and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and shew cause if any he may have why this Judgment should not be made Final

It is further Ordered that Attachment issue for the witness Adams

✓ 515. The State of Texas } Plaintiff
Alexander Cains v. } Defendant } Betting at Faro

✓ 516. The State of Texas } Plaintiff
Alexander Cains v. } Defendant } Betting at Faro

✓ 517 The State of Texas } Plaintiff
Alexander Cains v. } Defendant } Betting at Faro

And now on this day came and appeared in open Court Edward A. Smith, who acknowledged himself to owe and be indebted unto the State of Texas in the sum of three hundred dollars to be levied of his goods and Chattels, Lands and tenements, but to be void upon condition that he be and appear before the honorable District Court of Travis county now in session to testify on behalf of the plaintiff in the three above entitled causes wherein The State of Texas is Plaintiff, and Alexander Cains, charged with Betting at Faro is Defendant, and there remain from day to day and from term to term, and from day to day of each term thereafter, and that he do not depart the Court without leave.

✓ 515 The State of Texas } Plaintiff
Alexander Cains v. } Defendant } Betting at Faro

✓ 516 The State of Texas } Plaintiff
Alexander Cains v. } Defendant } Betting at Faro

✓ 517 The State of Texas } Plaintiff
Alexander Cains v. } Defendant } Betting at Faro

Spring Term, Thursday, May 10th 1855.

And now on this day came and appeared in open Court Alexander Cains as Principal, and James R Pierson and Washington Hammett as Sureties, who acknowledged themselves Jointly and Severally to owe and be indebted unto the State of Texas in the Sum of Three Hundred Dollars to be levied of their respective goods and Chattels, lands and tenements But to be void upon condition that Alexander Cains be and appear before the Honorable District Court of Travis County now in session, then and there to answer the three several Indictments preferred against him, the said Alexander Cains, by the Grand Jurors of Travis county at the Spring Term of said Court A.D. 1855 for Betting at Faro and that he there remain from day to day and from term to term thereafter, and from day to day of each term, and that he do not depart the Court without Leave.

521 The State of Texas } Plaintiff } Assault and Battery
v. } } with intent to Kill
William W. Pains } Defendant } and Murder

And now come the parties and announced themselves ready for trial. And thereupon the defendant was arraigned, and plead not guilty. Whereupon came a Jury of Twelve good and lawful men of Travis county, to wit: John A. Forbes and seven others, who being duly elected, empannelled and sworn, heard the evidence, 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 defendant not guilty John A. Forbes, Foreman." Whereupon It is ordered by the Court that the defendant go hence without day, fully acquitted of said charge.

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow Morning, Friday May 11th A.D. 1855, Half past Eight o'clock,

Spring Term, Friday, May 11th, 1855.

Friday Morning, May 11th 1855. Court met at half past eight o'clock, A. M. pursuant to adjournment Present the Hon. John Hancock, Judge of the Second Judicial District and aforesaid Court; Frank Brown, Clerk aforesaid Court, and John T. Luci, Sheriff of Travis county.

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

529. The State of Texas } Plaintiff } Betting at Faro
James T. Gillett } Defendant }

And now comes into open Court the defendant James T. Gillett, as principal, and Alexander M. Barnes and John D. Grumbles as sureties, who acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the sum of One Hundred dollars, to be levied of their respective goods and chattels, lands and tenements but to be void upon condition that the said James T. Gillett make his personal appearance before the Honorable District Court of Travis county now in session, then and there to answer to the charge of Betting at Faro, pub[illegible] against him the said James T. Gillett, by Indictment of the Grand Jurors of Travis county at the Spring Term of this District Court of said county, A. D. 1855, and that he there remain from day to day and from term to term, and from day to day of each term, and that he do not depart the Court without leave

544 The State of Texas } Plaintiff } allowing Gaming
John Heran } Defendant } Bank to be exhibited
in his House

And now on this day came and appeared in open Court, John Heran as principal, and John C. Hampton and John D. Grumbles as sureties, who acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of Five Hundred dollars to be levied of their respective goods and chattels, lands and tenements; But to be void upon condition that the said John Heran do make his personal appearance before the Honorable District Court of Travis county now in session, then and there to answer an Indictment pubished against him, the said John Heran, by the Grand Jurors of Travis County, at the Spring Term of the District Court of said county, A. D. 1855, for permitting one Bennett, commonly called "Buck Bennett" to exhibit a certain Gaming Bank, for gaming, in his house; and that he, the said

Spring Term, Friday, May 11th 1855.

John Horan be and remain in attendance from day to day and from term to term thereafter and from day to day of each term, and that he do not depart the Court without leave.

544. The State of Texas } Plaintiff } Allowing Gaming Bank to be exhibited in his house
v.
John Horan } Defendant }

And now on this day came and appeared in open Court Edward B. Smith, Josiah Bishop, Frederick Kirk and Benj. D. King, who acknowledged themselves and be indebted unto the State of Texas in the penal sum of five hundred dollars each, to be levied of their respective goods and chattels, lands and tenements, But to be void upon condition that they and each of them be and personally appear before the Honorable District Court of Travis county now in session, to testify on behalf of the plaintiff in the above entitled cause wherein Robert The State of Texas is plaintiff and John Horan is defendant, and that they then remain from day to day, and from term to term, and from day to day of each term, and that they do not depart the Court without leave.

545. The State of Texas } Plaintiff } allowing gaming bank to be exhibited in his house.
v.
John Horan } Defendant }

And now on this day came and appeared in open Court John Horan, as principal, and John C. Hampton and John P. Gambles as securities who acknowledged themselves severally and severally to owe and be indebted unto the State of Texas in the penal sum of five hundred dollars, to be levied as their respective goods and chattels, lands and tenements, But to be void upon condition that the said John Horan be and personally appear before the Honorable District Court of Travis county now in session, then and there to answer to an Indictment preferred against him the said John Horan, by the Grand Jurors of Travis County, at the Spring Term of the District Court of said county, A.D. 1855 for permitting a Gaming bank called Faro to be exhibited & organized in a house owned and occupied by the said John Horan, by one William Hasler, and that he there remain from day to day, and from term to term, and from day to day of each term, and that he do not depart the Court without leave.

Spring Term, Friday, May 11th 1855.

545 The State of Texas } Plaintiff } allowing Gaming
John Horan } Defendant } Bank to be enbedded
in this House.

And now on this day appeared in open Court Edward D Smith, Josiah Bankhead, Frederick Kirk and Benjamin F. King who acknowledged themselves to me and be indebted unto the State of Texas in the sum of One Hundred Dollars each, to be levied of their respective goods and chattels, lands and tenements, But to be void upon condition that they and each of them do personally appear before the Honorable District Court of Travis county now in Session to be holden at the Plaintiff in the above entitled cause wherein The State of Texas is Plaintiff and John Horan is defendant, and that they there remain from day to day and from term to term and from day to day of each term and that they do not depart the Court without leave

546. The State of Texas } Plaintiff } allowing Gaming
John V. Horan } Defendant } in this
House. &c

And now on this day came and appeared in open Court John Horan, as principal, and John C. Hampton and John L. Lumbles as securities, who acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of Five Hundred Dollars to be levied of their respective goods and chattels, lands and tenements, But to be void upon condition that the said John Horan shall personally appear before the Honorable District Court of Travis county now in session, then and there to answer to an Indictment preferred against him, the said John Horan, by the Grand Jurors of Travis County, at the Spring Term of the District Court of said county, A. D. 1855, for permitting one Stanton Jackson to exhibit for gaming a gaming bank called Faro in a house owned and occupied by the said John Horan, and that he there remain from day to day and from term to term, and from day to day of each term and that he do not depart the Court without leave.

546 The State of Texas } Plaintiff } allowing Gaming
John V. Horan } Defendant } Bank in his
House. &c

And now on this day came and appeared in open Court Edward D. Smith, Josiah Bankhead, Frederick Kirk and Benjamin F. King, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the sum of One Hundred dollars each, to be levied of their respective

Spring Term, Friday, May 11th 1855.

goods and chattels, lands and tenements. But to be void upon condition that they be and personally appear before the honorable District Court of Travis county now in session to testify in behalf of the plaintiff in the foregoing cause wherein the State of Texas is plaintiff and John Dunn is defendant, and that they there and from day to day and from time to time and from day to day of each term, and that they do not depart the Court without leave.

547 The State of Texas } Plaintiff } Allowing Gaming
v. } Bank to be established
Geo. and John Robinson } Defendants } in their house &c

And now come the parties by their attorneys, and announced themselves ready for trial, and thereupon the defendants were arraigned and plead guilty to the Indictment. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: J. D. Fuches, Thos. H. Chapman, J. M. Swisher, Jackson Hamm, W. Williams, Edson, J. A. Brady, C. L. Brown, James Burdett, Burge Gregson, J. N. Goodrich, Thomas Kelly and Joseph Wamsley, who being duly elected, empannelled and sworn, received the charge of the Court, and hearing argument of counsel, and retired to consider of their verdict, whereupon said Jury returned into Court the following verdict, to wit; "We, the Jury, find the Defendants guilty and assess the fine of One Hundred dollars each. Joseph Wamsley, Foreman." It is therefore considered, adjudged and decreed by the Court, that the State of Texas have and recover of the defendants Burge Robinson and John Robinson the sum of One Hundred dollars each, together with all costs of this suit, and that they remain in the custody of the Sheriff until said fine and costs are paid.

548 The State of Texas } Plaintiff } Allowing
v. } Gaming
Geo. & John Robinson } Defendants } &c

And now on this day come the parties to the above entitled cause by their attorneys and announced themselves ready for trial, and thereupon the defendants were arraigned and plead guilty to the charge in the Bill of Indictment. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: John A. Herbert and eleven others, who being duly elected, empannelled and sworn, received 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 Defendants guilty and assess the fine of One hundred dollars each. John A. Traweek. Foreman."

It is therefore ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of and from the Defendants, George Robinson and John Robinson, the sum of One Hundred dollars each, together with all the costs of this suit, and that the said defendants remain in the custody of the Sheriff until said fine and costs are paid.

530. The State of Texas } Plaintiff } allowing Gaming
v. } Bank to be es-
Geo. and John Robinson } Defendants } tablished in their house

And now on this day came and appeared in Court the parties to the above cause by their attorneys and announced themselves ready for trial. And thereupon the Defendants were arraigned, and plead guilty to the charge. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit Hezekh Wamsley and eleven others who being duly elected, empannelled and sworn, heard 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 Defendants guilty, and assess the fine at One hundred dollars each. Hezekh Wamsley, Foreman."

Whereupon, It is ordered, Adjudged and decreed by the Court that the said State of Texas have and recover of the defendants, George Robinson and John Robinson xxx costs xx this the sum of One Hundred Dollars each, together with all the costs of this Suit, and that said defendants remain in the custody of the Sheriff until said fine and costs are paid.

533 The State of Texas } Plaintiff } aiding prisoner to escape.
v.
Wm. G. Lovelace } Defendant

And now come the parties and announced themselves ready for trial. And thereupon the defendant being arraigned plead not guilty to the charge. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: S. W. Goodrich and eleven others who being duly elected, empannelled and sworn received the charge of the Court, after hearing the evidence and argument of counsel, and retired to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit. "We, the Jury find the defendant not guilty. S. W. Goodrich Foreman."

Spring Term, Friday, May 11th, 1855.

It is therefore ordered adjudged and decreed by the Court that the defendant, Wm. G Leverett, go hence without day, fully acquitted of said charge.

5339 The State of Texas } Plaintiff
v. } Petty Theft
James S. Gillett } Defendant

And now on this day come the parties to the above cause by attorney, and announced themselves ready for trial. And thereupon the defendant plead guilty to the Indictment. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit. S.W. Goodrich and eleven others, who being duly elected empannelled and sworn, heard 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 defendant guilty and assess the fine at ten dollars. S.W. Goodrich, Foreman." It is therefore ordered, adjudged and decreed by the Court that the State of Texas have and recover of the defendant, James S. Gillett, the sum of ten dollars as aforesaid together with all the costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid.

√ 5339. The State of Texas } Plaintiff
v. } Playing Cards in a
Isaac Newton Jackson } Defendant } Grocery

And now came and appeared in open Court Edward B Smith and Benjamin F King, who acknowledged themselves to owe and be indebted unto the State of Texas in the sum of One Hundred dollars each, to be levied of their goods and chattels, lands and tenements. But to be void upon condition, that they and each of them be and personally appear before the Honorable District Court of Travis county at its next term at the Courthouse thereof in the city of Austin on the eighth Monday after the first Monday in September, A.D. 1855, then and there to testify on behalf of the plaintiff in the foregoing cause wherein the State of Texas is plaintiff and Isaac Newton Jackson is defendant and that they there remain from day to day, and from term to term, and from day to day of each term, and that they do not depart the Court without leave

Spring Term, Friday, May 11th 1855.

616. The State of Texas } Plaintiff
v.
Edward R. Peck } Defendant } Betting at Faro

And now comes the defendant and pleads guilty to the charge in the Indictment, and a Jury being empannelled heard 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 defendant guilty and assess the fine at ten dollars. S. W. Gordon Foreman." Whereupon It is adjudged and decreed by the Court that the State of Texas have and recover of the defendant, E. R. Peck, the sum of ten dollars, as assessed by the Jury, and all costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid

617 The State of Texas } Plaintiff
v.
E. R. Peck } Defendant } Betting at Faro

And now comes the defendant and pleads guilty to the Indictment, and a Jury being empannelled, heard 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 defendant guilty, and assess the fine at ten dollars. S. W. Gordon Foreman." Wherefore It is ordered by the Court that the State of Texas have and recover of the defendant, E. R. Peck, the sum of ten dollars as assessed by the Jury, and all costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid

560. The State of Texas } Plaintiff
v.
James R. Jackson } Defendant } Playing cards &c

And now on this day came and appeared in open Court James R. Jackson as principal, and Samuel S. Stowell and Edward R. Peck as sureties, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of One Hundred dollars, to be levied of 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 Honorable District Court of Travis county now in session, to answer to an Indictment preferred against him the said James R. Jackson by the Grand Juror

Spring Term, Friday, May 11th A.D. 1855

of Travis county at the Spring Term as the District Court of said county, A.D. 1855, for playing at a certain game with cards called "Bastin" in a house for retailing Spirituous liquors in the City of Austin, kept by John Horan, at which said game money was bet, and that he there remain from day to day, and from term to term, and from day to day of each term, and that he do not depart the Court without leave

Travis County

561. The State of Texas } Plaintiff
v.
William Stone } Defendant } Playing Cards

And now at this day came into open Court Edward B Smith and Benjamin D King and acknowledged themselves to owe and be indebted unto the State of Texas the sum of One hundred dollars each, to be levied of their goods and chattels, lands and tenements But to be void upon condition that they and each of them be and appear at the next term of the District Court of Travis county to be held at the Court house thereof in the City of Austin on the eighth Monday after the first Monday in September A.D. 1855, to testify on behalf of the plaintiff in the foregoing cause wherein the State of Texas is plaintiff and William Stone is Defendant, and that they there remain from day to day and from term to term, and from day to day of each term and that they do not depart the Court without leave.

562. The State of Texas } Plaintiff
v.
William Wyatt } Defendant } Exhibiting Roulette

563 The State of Texas } Plaintiff
v.
William Wyatt } Defendant } Exhibiting Faro

And now came into open Court Edward B Smith and Benjamin D King who acknowledged themselves to owe and be indebted unto the State of Texas in the sum of One hundred dollars each, in the above and each of the foregoing two causes, to be levied of their goods and chattels, lands and tenements But to be void upon condition that they and each of them be and appear at the next term of the District Court of Travis county, to be held at the Court house thereof in the City of Austin on the eighth Monday after the first Monday in September, A.D. 1855

then and there to testify as witness for the plaintiff in the said causes wherein The State of Texas is plaintiff and William Wyatt is Defendant, and that they there remain from day to day, and from time to time, and from day to day to each term, and that they do not depart the Court without leave

567 The State of Texas } Plaintiff
Alvin N. Maroney } Defendant } Exhibiting Faro

And now at this day came into open Court Alvin N. Maroney as principal, and James R. Jackson and Samuel B. Howell as sureties, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars to be levied of their Goods and Chattels, Lands and Tenements, But to be void upon condition that Alvin N. Maroney be and remain in attendance upon the Honorable District Court of Travis county now in session, then and there to answer to an Indictment pending against him the said Alvin N. Maroney, by the Grand Jurors of Travis county at the Spring Term of the District Court of said county, A. D. 1853, for exhibiting for gaming a certain gaming bank called Faro in a house occupied by John Horan, and that he there remain from day to day and from term to term, and from day to day of each term and that he do not depart the Court without leave.

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow Morning. Saturday, May the twelfth, A. D. 1853

Saturday Morning, May 12th 1853
Court met 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:

Spring Term, Saturday, May 12th 1855.

518	The State of Texas vs. Bennett commonly called Buck Bennett	Plaintiff / Defendant		Exhibiting Faro
519	The State of Texas vs Henry P Bunster	Plaintiff / Defendant		Betting at Faro.
520	The State of Texas vs. Henry P. Brewster	Plaintiff / Defendant		Betting at Faro
522	The State of Texas vs. Gray & Clements et al	Plaintiff / Defendants		Gaming
523	The State of Texas vs William Cruse	Plaintiff / Defendant		Assault and Battery
524	The State of Texas vs. Theophilus Anderson	Plaintiff / Defendant		Exhibiting Faro
525	The State of Texas vs Wiley Marshall	Plaintiff / Defendant		Exhibiting Faro
526	The State of Texas vs A. J. Lott	Plaintiff / Defendant		Betting at Faro.
527	The State of Texas vs Pet Cook	Plaintiff / Defendant		Betting at Faro.
528	The State of Texas vs. Pet Cook & Alex. Dunn	Plaintiff / Defendants		Playing Cards for money in a Grocery

In each of the foregoing ten causes it is ordered by the Court that alias Capias & issue to each of the defendants and that said causes be continued

Spring Term, Saturday, May 12th 1855.

565. The State of Texas } Plaintiff } Assault
Green B. Moore } Defendant } and Battery

And now on this day come the parties to the above cause by their attorneys and announced themselves ready for trial. And thereupon the defendant pleads guilty to the charge whereupon came a Jury of twelve good and lawful men of Travis county to wit: Wash R. Johnson and eleven others who being duly sworn according to law heard 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 prisoner thirty seven dollars and fifty cents Wash R. Johnson, Foreman"

It is therefore ordered by the Court that the State of Texas have and recover of the Defendant Green B. Moore the sum of thirty seven dollars and fifty cents and all costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid

567 The State of Texas } Plaintiff } Exhibiting Faro
v.
Alvin H. Maroney } Defendant

And now come the parties and announced themselves ready for trial. Whereupon the defendant was arraigned and plead not guilty to the charge. Whereupon came a Jury of twelve good and lawful men of Travis county to wit C. S. Giles and eleven others who being duly elected, empannelled and sworn heard the evidence, 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 defendant guilty and assess the fine at twenty dollars. C. S. Giles, Foreman."

Whereupon It is adjudged and decreed by the Court that the State of Texas have and recover of the defendant Alvin H. Maroney, the sum of twenty dollars, and all costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid

Spring Term Saturday: May 12th 1855

580 ✓

The State of Texas } Plaintiff
v.
William M. Walton } Defendant
} Playing cards &c

And now on this day come the parties to the above 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: Wm W Atwood and eleven others, who being duly elected, empannelled and sworn, heard the evidence, the 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 the Defendant guilty & assess the fine at ten dollars Wm W. Atwood, Foreman." Wherefore It is ordered, adjudged and decreed by the Court that the State of Texas have and recover of the defendant William M. Walton, the sum of ten dollars, as found by the Jury, together with all of the costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid

588 ✓

The State of Texas } Plaintiff
v.
Charles A. Harrison } Defendant
} Betting at Faro

And now come the parties to the above cause by their attorneys, and announced themselves ready for trial. And the defendant being arraigned plead not guilty to the charge. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: Wm W. Atwood, and eleven others, who being duly empannelled and sworn, heard the evidence, 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 defendant guilty, and assess the fine at thirty seven dollars and fifty cents, $37.50 Wm W. Atwood, Foreman."

Wherefore, It is ordered, adjudged and decreed by the Court, that the State of Texas have and recover of the Defendant, Charles A. Harrison the sum of thirty-seven dollars and fifty cents ($37.50) and all costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid

Spring Term, Saturday, May 12th 1855.

589 The State of Texas } Plaintiff
v. } Betting at Faro
Dave A. Burdett } Defendant

And now come the parties to the above entitled 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: E.S. Giles and eleven others, who being duly elected, empannelled and sworn, heard the evidence, 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 Defendant guilty and assess the fine of twenty five dollars. E.S. Giles, Foreman." Wherefore, It is adjudged and decreed by the Court that the State of Texas have and recover of the defendant, Dave A. Burdett, the sum of twenty five dollars as assessed by the Jury, and all costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid.

591 The State of Texas } Plaintiff
v. } Betting at Faro
Jesse F. Burdett } Defendant

And now come the parties to this cause and announced themselves ready for trial. And thereupon the defendant, by his attorney, C. L. Peck, plead not guilty. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: S.W. Goodrich and eleven others, who being duly elected, empannelled and sworn, heard the evidence, 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 defendant guilty and assess the fine at fifteen dollars. S.W. Goodrich, Foreman." Wherefore, It is ordered, adjudged and decreed by the Court that the State of Texas have and recover of the defendant Jesse F. Burdett, the sum of fifteen dollars as found by the Jury, and all costs of this suit, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid

Spring Term, Saturday, May 12th 1855.

598. The State of Texas } Plaintiff
v. } Exhibiting Fare
Thomas Bowles } Defendant

And now on this day come the parties to the above cause by their attorneys, and announce themselves ready for trial, and thereupon the defendant being arraigned, pleads guilty to the Indictment. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: C. S. Giles and eleven others, who being duly elected, empannelled and sworn, heard the evidence, 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 defendant guilty, and assess the fine of ten dollars. C. S. Giles. Foreman." Wherefore, It is ordered, adjudged and decreed by the Court that the State of Texas have and recover of the defendant, Thomas Bowles the sum of ten dollars as aforesaid, and all costs of this suit, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid

1115. The State of Texas } Plaintiff } Assault with intent
v. } to Kill and murder
Green B. Moore } Defendant }

And now on this day appeared in open Court Archibald G. Fowler, Sanford A. Dunson and Sidney M. Swindley, and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of Two Hundred Dollars each, to be levied of their goods and chattels, lands and tenements, But to be void upon condition that they and each of them be and appear at the next Term of the District Court of Travis county, to be held at the Courthouse thereof in the city of Austin on the eighth Monday after the first Monday in September, A. D. 1855, then and there to testify on behalf of the plaintiff in the above cause wherein The State of Texas is plaintiff and Green B. Moore is defendant, and that they there remain from day to day and from term to term, and from day to day of each term, and that they do not depart the Court without leave.

Spring Term, Saturday, May 12th 1855.

Christian Wilhelm.

The State of Texas } and the said Christian Wichelm having
County of Travis } filed in open Court his petition praying
to be admitted to become a citizen of the United States, and the
Court now being satisfied by the affidavits of D. H. Scott and
W. Young that the said Christian Wichelm was well known to them
for the last five years, during two years of which said time he
has behaved as a man attached to the principles of the Con-
stitution of the United States, and well disposed to the good
order and happiness of the Same; and being also satisfied
that the said Christian Wichelm has made his declaration to be-
come a citizen of the United States in accordance with the act
of Congress in such case made and provided; And the said Christian
Wichelm in open Court having taken the oath prescribed by law
to support the Constitution of the United States, and to absolutely
and entirely renounce and abjure forever all allegiance
and fidelity to every foreign prince, potentate, State or Sovereignty
whatsoever, and particularly to the King Frederick William of whom
he was late a Subject

It is therefore Ordered, Adjudged and
Decreed by the Court, here, that the said Christian Wichelm, be
and he is hereby admitted a citizen of the United States of
America. And that the Clerk of this Court issue to the said
Christian Wilhelm a certificate according to

497 The State of Texas } Plaintiff } Against
v. and
Joseph Warren } Defendant } Bailey

It is and now appeared in open Court Benjamin
Christy and acknowledged himself to owe and be indebted unto
The State of Texas in the Sum of One hundred dollars to be levied
of his goods and chattels, lands and tenements. But to be void
upon condition that he be and appear at the next Term of
the District Court of Travis county, now held at the courthouse
thereof in the city of Austin on the eighth Monday after the
first Monday in September, A. D. 1855, then and there to give
evidence on behalf of the Plaintiff in the above cause
wherein The State of Texas is Plaintiff and Joseph Warren is
Defendant, and that he then remain from day to day
and term to term, and from time to time thereafter
and that he do not depart the Court without leave

Spring Term Saturday, May 12th 1855.

507 The State of Texas } Plaintiff
Geo. W. Sears } Defendant } Bailing at Law

And now on this day came and appeared in open Court Geo. W. Sears as Principal and Selah D. Blue and Edward A. Pick as Securities, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal Sum of One Hundred Dollars, to be levied of their Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Geo. W. Sears be and appear at the next term of the District Court of Travis county to be held at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September, A.D. 1855, to answer to an Indictment pursued against him the said Geo. W. Sears, by the Grand Jurors of Travis county in the Name and by the District Court of said county, A.D. 1854, for Bailing at Law, and that he there remain from day to day and from term to term, and from day to day of each term, and that he do not depart the Court without leave

513 The State of Texas } Plaintiff
v.
Wm. Powers & Jacob Powers } Defendants } Carving Timber &c

And now on this day appeared in open Court Thomas Adams and acknowledged himself justly to owe and be indebted unto the State of Texas, in the Sum of One Hundred dollars to be levied of his Goods and Chattels, Lands and Tenements, But to be void upon condition that he be and appear at the next term of the District Court of Travis county to be held at the Court house thereof in the City of Austin on the eighth Monday after the first Monday in September, A.D. 1855, then and there to answer unto behalf of the plaintiff in the foregoing cause wherein The State of Texas is plaintiff and Wm. Powers and Jacob Powers are Defendants, and that he, the said Thomas Adams, be there remain from day to day and from term to term and from day to day of each term, and that he do not depart the Court without leave.

Spring Term, Saturday, May 12th 1855.

537 The State of Texas } Plaintiff
James R Jackson } Defendant } Betting at Faro

And now on this day appeared in open Court James R Jackson as principal, and Samuel P Howell and Edward R Bunn as Securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the penal sum of One Hundred Dollars to be levied of their lands and Chattels, Lands and Tenements, But to be void upon condition that he the said James R. Jackson be and appear at the next Term of the District Court of Travis county to be held at the Court house thereof in the City of Austin on the eighth Monday after the first Monday in September A.D. 1855, then and there to answer to an Indictment prefered against him the said James R. Jackson by the Grand Jurors of Travis County at the Spring Term of the District Court of said County, A.D. 1855 for Betting at a certain Gaming Bank called Faro and that he the said James R. Jackson, do there remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave

549 The State of Texas } Plaintiff
v.
Jno & John Robinson } Defendant } Permitting Gaming &c

551 The State of Texas } Plaintiff
v.
Jno & John Robinson } Defendant } Permitting Gaming &c

552 The State of Texas } Plaintiff
v.
Jno & John Robinson } Defendant } Permitting Gaming &c

And now comes the plaintiff by the District Attorney and enters a nolle prosequi in the three last pending causes, and thereupon It is ordered by the Court that the said defendants go hence without day

Spring Term, Saturday, May 12th 1855

577. The State of Texas } Plaintiff
Alexander Cain } Defendant } Betting at Monte

And now comes Rodney M. Dudley and acknowledges in open Court justly to owe and be indebted unto the State of Texas in the Sum of One Hundred dollars, to be levied of his Goods and Chattels, Lands and tenements, But to be void upon condition that he, the said Rodney M. Dudley be and appear at the next term of the District Court of Travis County to be begun and held at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September, A.D. 1855 then and there to testify on behalf of the plaintiff in the said cause wherein The State of Texas is Plaintiff and Alexander Cains, charged with Betting at Monte, is Defendant, and that he there remain from day to day and from term to term, and from day to day of each term and that he do not depart the Court without leave.

583 The State of Texas } Plaintiff
James R. Jackson } Defendant } Playing cards, &c.

And now at this day came and appeared in open Court James R. Jackson as principal and Samuel S. Sewell and Edward R. Peck as Securities, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of One Hundred dollars, to be levied of their respective Goods and Chattels, lands and tenements But to be void upon condition that he be and appear at the next term of the District Court of Travis county, to be held at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September, A.D. 1855, then and there to answer an Indictment preferred against him the said James R. Jackson, by the Grand Jurors of Travis county at the Spring term of the District Court of said county, A.D. 1855, for Playing with cards a certain game called Poker in a public house for retailing spirituous liquors, upon which money was bet, and that he there remain from day to day and from term to term, and from day to day of each term and that he do not depart the Court without leave.

Spring Term Saturday, May 12th 1855.

582 ✓ The State of Texas } Plaintiff
Thomas v. Bowles } Defendant } Betting at Monte

The State of Texa. } Plaintiff
1148 ✓ A. M. Davis } Defendant } Defaulting Auditor

And now comes the District Attorney and enters a Nolle Prosequi in the two preceding causes Whereupon it is ordered by the Court that the said defendants go hence without day

The State of Texas } Plaintiff
885 ✓ O. A. Hopkins } Defendant } Betting at Faro

And now comes Dabney M. Bradley and acknowledges himself justly to owe and be indebted unto the State of Texas in the sum of One Hundred dollars to be levied of his goods and chattels, lands and tenements. But to be void upon condition that he be and appear at the next term of the District Court of Travis county on the eighth Monday after the first Monday in September, A. D. 1855, then and there to testify on behalf of the Plaintiff in the foregoing cause wherein the State of Texas is Plaintiff and A. Constantine A. Hopkins is Defendant and that he there remain from day to day and from term to term and from ~~term to term~~ day to day of each term, and that he do not depart the Court without leave

The State of Texas } Plaintiff
586 ✓ Joseph A. Smith } Defendant } Betting at Faro.

And now at this day comes Joseph A. Smith as principal, and Thomas H. Jones and George L. Hughes as securities and acknowledge themselves jointly and severally to owe and be indebted unto the State of Texas in the sum of One hundred dollars to be levied of their Goods and Chattels, lands and tenements, But to be void upon condition that he, the said Joseph A. Smith be and appear at the next term of the District Court of Travis county, to be held at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September, A. D. 1855, then and there to answer to an Indictment pulled against him, the said Joseph A. Smith, by the Grand Jurors of Travis county at the Spring Term of the District Court of said county, A. D. 1855, for betting at a certain gaming bank called "Faro" and that he there remain from day to day and from term to term, and from day to day of each term, and that he do not depart the Court without leave

Spring Term, Saturday, May 12th 1855.

587 The State of Texas } Plaintiff
Thomas P. Moore } Defendant } Betting at Faro

And now at this day came and appeared in open Court Thomas P. Moore as principal, and Davis G. Swisher and Daniel D. Swisher as securities, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of One Hundred dollars, to be levied of their respective goods and chattels, lands and tenements. But this void upon condition that he, the said Thomas P. Moore be and remain in attendance upon the District Court of Travis county now in session, and from then and there to answer to an Indictment pulled against him the said Thomas P. Moore, by the Grand Jurors of Travis county at the Spring Term of the District Court of said county A. D. 1855, for betting at a certain Gaming Bank called Faro exhibited for gaming in a house in the City of Austin known as Moore's grocery, and that he remain in attendance upon said Court from day to day, and from term to time, and from day to day of each term, and that he do not depart the Court without leave.

592. The State of Texas } Plaintiff
John P. Swisher } Defendant } Assault & Battery

And now on this day appeared in open Court James John P. Swisher as principal, and James R. Jackson and Samuel T. Powell as securities and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of One hundred dollars, to be void upon condition that he, the said John P. Swisher, be and appear before the District Court of Travis county to be begun and held at the Court house thereof in the City of Austin on the eighth Monday after the last Monday in September, A. D. 1855 then and there to answer to an Indictment pulled against him, the said John P. Swisher, by the Grand Jurors of Travis county, at the Spring Term of the District Court of said county, A. D. 1855, for an assault upon the body of one Sanford W. Perkins on, and that he there remain from day to day, and from term to term, and from day to day of each term, and that he do not depart the Court without leave.

Spring Term, Saturday, May 12th 1855.

596 The State of Texas } Plaintiff
v. } Playing Cards, &c
James R. Jackson } Defendant

Be it now on this day came and appeared in open Court James R. Jackson as principle, and Samuel C. Howell and Edward R. Pickas securities, and acknowledged them selves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of One Hundred dollars to be levied of their lands and tenements But to be void upon condition that he, the said James R. Jackson be and appear in and before the next Term of the District Court of Travis County, to answer to an Indictment pefered against him the said James R. Jackson, by the Grand Jurors of Travis county at the Spring Term of the District Court of said County. A. D. 1855. For playing at a certain game with cards. called Draw Poker, upon which money was bet, and that he the said James R. Jackson then remain from day to day and from term to term, and from day to day of each term, and that he do not depart the Court without leave

604. The State of Texas } Plaintiff
v. } Assault with intent, &c
Raphael Mucke } Defendant

And now on this day appeared in open Court Raphael Mucke as principal, and Benjamin F. Carter and Abner S. Cook as securities, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of One thousand dollars to be levied of their respective Lands and Chattels, lands and tenements, But to be void upon condition that he, the said Raphael Mucke be and appear at the next term of the District Court of Travis county, to be begun and held at the Court House thereof in the City of Austin on the eighth Monday after the first Monday in September A. D. 1855, to answer to an Indictment preferred against him the said Raphael Mucke, by the Grand Jurors of Travis county at the Spring Term of the District Court of said county, A. D. 1855, for making an assault with a pistol upon the body of one Gustavus Kirchberg with intent to Kill and murder, and that he, the said Raphael Mucke, there remain from day to day, and from term to term, and from day to day of each term, and that he do not depart the Court without leave

And thereupon It is ordered that the above cause be continued on affidavit of defendant

Spring Term, Saturday, May 12th 1855.

615. The State of Texas } Plaintiff
Green B. Moore } Defendant } Assault with intent &c.

And now on this day came and appeared in open Court Green B. Moore as principal, and James M. Hall and A. C. Keeling C. Robinson and Andrew J. Hopkins as Securities, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal Sum of One thousand dollars to be levied of their Goods and Chattels, Lands and Tenements, But this void upon condition that he the said Green B. Moore be and appear at the next term of the District Court of Train county to be begun and held at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September, A.D. 1855, then and there to answer to an Indictment pefered against him the said Green B. Moore, by the Grand Jurors of Train county, at the Spring Term of the District Court of said county, A.D. 1855 For an assault with a deadly weapon upon the body of one D.W. Dawson, with intent him the said Defendant to kill and slay, and that he, the said Green B. Moore then remain from day to day, and from term to term, and from day to day of each term, and that he do not depart the Court without leave.

609 The State of Texas } Plaintiff
John J. Grumbles } Defendant } Refusing Service

And now on this day appeared in open Court John J. Grumbles as principal, and Samuel D. Howard and James R. Jackson as securities and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the penal Sum of One Hundred Dollars to be levied of their Goods and Chattels, Lands and Tenements But this bond upon condition that he the said John J. Grumbles be and remain in attendance upon the District Court of Train county now in Session, to answer to an Indictment pefered against him by the Grand Jurors of Train county at the Spring Term of the District Court of said county, A.D. 1855, For failing and neglecting to perform his duties as Overseer of a public road, and that he there remain from day to day and from term to term, and from day to day of each term, and that he do not depart the Court without leave

And thereupon It is ordered by the Court that Court do now adjourn until Monday Morning May 14th A.D. 1855 at half past eight o'clock

Spring Term, Monday, May 14th 1855.

Monday Morning. May 14th 1855

Court met 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:

614 The State of Texas } Plaintiff
Bond & Paty } Defendants } Forgery

And now come the defendants by their attorneys and filed their plea in abatement and thereupon the District Attorney demurred to said plea, and the Court considering said demurrer, doth adjudge that the same be sustained. And now again come the said defendants by attorney, and filed their motion to quash the Indictment in the above cause, and the Court considering the said motion doth order that the same be overruled. And thereupon the defendants being arraigned, plead not guilty to the charge in the Indictment. And thereupon again come the said defendants, and filed their motion, in due form, for a continuance, and the Court considering the same, doth adjudge that the above cause be continued until the next Term of this Court

613 The State of Texas } Plaintiff
v.
William Polwan } Defendant } Forgery

And now on this day came and appeared in open Court Frederick Mansfield, and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of one thousand dollars, to be levied of his lands and chattels, lands and tenements. But this recognizance upon condition that he, the said Frederick Mansfield, be and appear at the next term of the District Court of Travis county, to be begun and held at the Courthouse thereof in the City of Austin, on the eighth Monday after the first Monday in September, A.D. 1855, then and there to testify on behalf of the plaintiff, in the cause wherein The State of Texas is plaintiff and William Wolman, charged with Forgery is defendant, and that he there remain from day to day and from term to term, and from day to day of each term, and that he do not depart the Court without leave.

Spring Term, Monday, May 14th 1855

522 The State of Texas | Plaintiff | Gaming &c
v.
Ths. Anderson et al | Defendants |

And now on this day came and appeared Theophilus Anderson as principal, and John P. Brumlow and Shelby W. Charles as securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the penal sum of One hundred dollars, to be levied of their Goods and Chattels, Lands and Tenements, But to be void upon condition that he, the said Theophilus Anderson do and appear at the next term of the District Court of Brazos County to be held at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September, A.D. 1855, then and there to answer to an Indictment preferred against him the said Theophilus Anderson by the Grand Jurors of Brazos county at the Spring Term of the District Court of said county, A.D. 1855, for playing at a certain game with cards called Faro in a house for retailing Spirituous liquors occupied and controlled by Hope Robinson and John Robinson, and that he there remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave

524 The State of Texas | Plaintiff | Exhibiting Faro
v.
Theophilus Anderson | Defendant |

And now comes into open Court Theophilus Anderson as principal, and John P. Brumlow and Shelby W. Charles as securities, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of One hundred dollars, to be levied of their goods and chattels, lands and tenements, But to be void upon condition that the said Theophilus Anderson be and appear at the next Term of the District Court of Brazos county, to be held at the courthouse thereof in the City of Austin on the eighth monday after the first Monday in September, A.D. 1855, then and there to answer to an Indictment preferred against him by the Grand Jurors of Brazos county at the Spring Term of the District Court of said county, A.D. 1855 for exhibiting for gaming a certain gaming bank called Faro and that he there remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave

Spring Term, Monday, May 14th 1855

618.	The State of Texas / Boyd et Ux Polly	Plaintiff / Defendants	Forgery
619	The State of Texas / Boyd et Ux Polly	Plaintiff / Defendants	Forgery
620	The State of Texas / Boyd et Ux Polly	Plaintiff / Defendants	Forgery
621	The State of Texas / Boyd et Ux Polly	Plaintiff / Defendants	Forgery
622	The State of Texas / Boyd et Ux Polly	Plaintiff / Defendants	Forgery
623	The State of Texas / Boyd et Ux Polly	Plaintiff / Defendants	Forgery
624	The State of Texas / Boyd et Ux Polly	Plaintiff / Defendants	Forgery

And now on this day come the Defendants in the seven preceding causes by their attorneys, and file their plea in abatement in each of said causes. And thereupon the District attorney demurred to each of said pleas, and the Court considering the same, doth order that the said Demurrer be sustained and thereupon again come the said Defendants by their attorneys, and file their motion in each of the preceding causes to quash the Indictments. And the Court considering the said motion doth order, adjudge and decree that the same be overruled, And thereupon the defendants in said causes file their affidavit, in terms of the law for a continuance of said causes. And the Court considering the same, Doth order that each of the said causes be continued until the next term of this Court.

And now on this day appeared in open Court the Grand Jury in and for the County aforesaid during the present term of this Court, and by their foreman Nathaniel Townsend, presented to the Court the following Bills of Indictment

Spring Term, Monday, May 14th 1855.

611	The State of Texas v. Jabin S. Thorn	}	Plaintiff Defendant	} Forgery
612	The State of Texas v. Jabin S. Thorn	}	Plaintiff Defendant	} Forgery
613	The State of Texas v. William Patmore	}	Plaintiff Defendant	} Forgery
614	The State of Texas v. H. G. Pally & Jas. Boyd	}	Plaintiff Defendants	} Forgery
615	The State of Texas v. William Cruz	}	Plaintiff Defendant	} Assault & Battery with intent to Kill and Murder
616	The State of Texas v. T. M. Fleming	}	Plaintiff Defendant	} Gaming
617	The State of Texas v. C. R. Peck	}	Plaintiff Defendant	} Betting at Faro
618	The State of Texas v. James Boyd & H. G. Pally	}	Plaintiff Defendants	} Forgery
619	The State of Texas v. Jas. Boyd & H. G. Pally	}	Plaintiff Defendants	} Forgery
620	The State of Texas v. Jas Boyd & H. G. Pally	}	Plaintiff Defendant	} Forgery
621	The State of Texas v. Jas Boyd & H. G Pally	}	Plaintiff Defendants	} Forgery

Spring Term, Monday, May 14th 1855

✓ 622	The State of Texas v. Jas Boyd & W. G Pally	Plaintiff Defendants	Forgery
✓ 623	The State of Texas v. Jas Boyd & W G Pally	Plaintiff Defendants	Forgery
✓ 624	The State of Texas v. Jas Boyd & W G Pally	Plaintiff Defendants	Forgery
✓ 625	The State of Texas v. William A. Bates	Plaintiff Defendant	Forgery
✓ 626	The State of Texas v. Henry Lohman	Plaintiff Defendant	Marking and Branding Cattle
✓ 627	The State of Texas v. Charles F. Wiley	Plaintiff Defendant	Forgery
✓ 628	The State of Texas v. Pocas De Cordova	Plaintiff Defendant	Forgery
✓ 629	The State of Texas v. Doct. D Bagher	Plaintiff Defendant	Betting at Faro
✓ 630	The State of Texas v. James R Jackson	Plaintiff Defendant	Assault
✓ 631	The State of Texas v. David M Cook	Plaintiff Defendant	Forgery
✓ 632	The State of Texas v. William A. Bales	Plaintiff Defendant	Forgery

Spring Term, Monday, May 14th, 1855.

And thereupon the jurors aforesaid Grand Jury engaged said to the Court that they had disposed of all the business before them, and thereupon It is ordered by the Court that said Grand Jury be discharged from any further attendance upon the Court during its present term.

182 The State of Texas } Plaintiff }
W. G. W. Towers } Defendant } Playing Cards.

In this cause this day come the District Attorney Alexander H. Chalmers who prosecutes for the State in this behalf, and the said defendant W. G. W. Towers being three times solemnly called, came not but made default; and it appearing to the Court that the said defendant W. G. W. Towers as principal, and A. G. Cantley by the name of A. G. Cantley and A. E. McClure by the name of A. E. McClure as his securities had executed their joint and several bonds payable unto the State of Texas in the sum of three Hundred dollars dated the twelfth day of February A.D. 1853 conditioned that the said defendant W. G. W. Towers 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 eigth 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. 1853 of said District Court for betting at a Faro Bank, 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 W. G. W. Towers 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 W. G. W. Towers 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 W. G. W. Towers, and the said A. G. Cantley, and the said A. E. McClure

he 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 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 they can, why this judgement should not be made final against them as aforesaid.

467 ✓

The State of Texas } Plaintiff }
Joel A. Burditt } Defendant } Betting at Faro.

On this cause, this day came the District Attorney Alexander M. Chalmers, who prosecutes for the State in this behalf, and the said defendant Joel A. Burditt being three times solemnly called came not, but made default; and it appearing to the Court, that the said defendant Joel A. Burditt as principal and John Horan and Wm W. Atwood 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 twenty-third day of March A.D. 1855. conditioned that the said defendant Joel A. Burditt 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 eighth 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 Fall Term A.D. 1854. of said District Court, for betting at Faro, 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 Joel A. Burditt 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 Joel A. Burditt 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 Joel A. Burditt, and the said John Horan and the said Wm W. Atwood 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

Spring Term, Monday, May 14th 1855.

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 judgement should not be made final against them as aforesaid.

#975

The State of Texas } Plaintiff }
vs. } Betting on Election.
Joel A. Burditt } Defendant }

In this cause this day came the District Attorney, Alexander H. Chalmers, who prosecutes for the State in this behalf, and the said defendant Joel A. Burditt being three times solemnly called, came not, but made default; and it appearing to the Court, that the said defendant Joel A. Burditt as principal, and John Horan by the name of John Horan and William W. Atwood by the name of W. W. Atwood as his securities, had executed their joint and several bonds payable unto the State of Texas in the sum of One Thousand dollars, dated the twenty third day of March A.D. 1855, conditioned that the said defendant Joel A. Burditt 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 Eight 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 Fall Term A.D. 1854 of said District Court for Betting on Election, 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 Joel A. Burditt 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 Joel A. Burditt, 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 Joel A. Burditt, and the

said John Doran and William M. Atwood 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 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 judgement should not be made final against them as aforesaid.

185 The State of Texas } Plaintiff
James S. Gillett } Defendant } Judgment nisi

In this cause this day came the District Attorney pro Charles, who prosecutes for the State in this behalf, and the defendant James S. Gillett, being three times solemnly called, came not, but made default. And it appearing to the Court that the said defendant James S. Gillett, as principal, and Joseph Warren by the name of Joseph Warren, and Owen O'Brien by the name of Owen O'Brien as his securities, had executed their joint and several bonds, payable to the State of Texas in the sum of One Thousand dollars, dated the 27th day of February A.D. 1855, conditioned that the said defendant James S. Gillett, should make his personal appearance at the District Court of Travis County 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, A.D. 1855, to answer the Indictment pursued against him by the Grand Jurors of Travis county, at the Fall Term, A.D. 1854, of said District Court, for Betting at Faro 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 S. Gillett, 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, James S. Gillett, 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 James S. Gillett and the said Joseph Warren and the said Owen O'Brien, herein 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

Spring Term, Monday, May 14th 1855.

The State of Texas } Plaintiff
495 vs } Betting at Fair
Henry P. Brewster } Defendant

In this cause this day came the District Attorney A. St. Chalmers, who prosecutes for the State in this behalf, and the said defendant, Henry P. Brewster, being three times solemnly called came not, but made default. And it appearing to the Court that the said defendant, Henry P. Brewster as principal, and James R. Jackson by the name of J. R. Jackson, and S. G. Sowell by the name of S. G. Sowell 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 21st day of March A.D. 1855, conditioned that the said defendant, Henry P. Brewster, 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, A.D. 1855, to answer the Indictment preferred against him by the Grand Jurors of Travis county at the Fall Term, A.D. 1854, of said District Court, for "Betting at Fair," 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 Henry P. Brewster, 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, Henry P. Brewster, to answer said charge, which they wholly failed to do.

It is therefore Considered, adjudged and decreed by the Court, that the said bond of the said defendant, H. P. Brewster, and the said J. R. Jackson and the said S. G. Sowell 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.

Spring Term, Monday, May 14th, 1855.

John Killiba,

Declaration of Intention to become a Citizen.

State of Texas } John Killiba being duly Sworn according to law,
County of Travis } 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 1823, in Ireland in the King dom of Great Britain, when he emigrated in the Year 1850 to the United States of America; and has elected 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 State and of the said State of Texas, and perpetually renounce all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty, whatsoever, and particularly to the Queen of England of whom he was late a Subject

Sworn to and Subscribed in open Court
May 14th 1855 Frank Brown. Clk. D.C.T.C. } John Killiba

514. The State of Texas } Plaintiff
John Moran } Defendant } Allowing Gaming, &c.

On this cause this day came the District Attorney, A. P. Hughes, who prosecutes for the State in this behalf, and the said Defendant, John Moran, being three times solemnly called, came not but made default, and it appearing to the Court that the said defendant, John Moran, as principal, and John G Hampton and John S Grumbles as his Securities, had entered into recognizance in open Court in the Sum of Five Hundred Dollars on the 11th day of May, A.D. 1855, conditioned that the said defendant John Moran make his personal appearance at the District Court of said County of Travis then in Session at the Courthouse of said county in the City of Austin, 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 permitting an Instrument commonly called Buck Bunnel to exhibit a certain gaming table for Gaming in his House, 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 Moran, 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 Moran, 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, John Moran, and the said John G Hampton and the said John S Grumbles be and the same is hereby forfeited, and that the State of Texas do have and

Spring Term, Monday, May 14th 1855.

recover of and from them jointly and severally the sum of Five Hundred Dollars the amount of said recognizance and that Writs Issue to each of them severally returnable to the next Term of this Court commanding them them and each to shew cause if any they can, why this Judgment should not be made final against them as aforesaid

545 The State of Texas } Plaintiff
vs. } Judgment nisi
John Moran } Defendant

On this cause this day came the District Attorney, A. N. Chalmers, who prosecutes for the State in this behalf and the said defendant John Moran, being three times solemnly called, came not, but made default. And it appearing to the Court that the said Defendant, John Moran, as principal, and John C. Hampton and John D. Gramble as his securities, had entered into recognizance in open Court in the sum of Five Hundred Dollars on the 11th day of May, A.D. 1855, conditioned that the said Defendant John Moran, make his personal appearance at the District Court of said County of Travis then in session at the Courthouse of said County in the City of Austin 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 permitting a Gaming Bank called Faro to be exhibited for gaming in a house owned and occupied by the said John Moran by one William Tasker, 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 Moran 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 Moran, 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 John Moran, and the said John C. Hampton and the said John D. Gramble 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 Five Hundred Dollars, the amount of said recognizance, and that Writs Facias do issue to each of them severally returnable to the next Term of this Court, commanding them them and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid

Spring Term, Monday, May 14th 1855.

The State of Texas } Plaintiff
516 v. } Judgment Nisi
John Moran } Defendant

In this cause this day came the District Attorney A. N. Walpole who prosecutes for the State in this behalf, and the said defendant John Moran, being three times solemnly called, came not, but made default; And it appearing to the Court that the said defendant, John Moran, as principal, and John O. Rampton and John P. Swindle as his securities had entered into Recognizance in open Court in the sum of Five Hundred Dollars, on the 11th day of May, A. D. 1855, conditioned that the said Defendant, John Moran should personal appearance at the District Court of said county of Travis then in session at the Courthouse of said county in the City of Austin 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 permitting one Newton Jackson to inhibit & gaming a gaming bank called Faro in a house owned and occupied by the said John Moran, 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 Moran 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 Moran, 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, John Moran, and the said John O. Rampton and the said John P. Swindle 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 Five 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

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday Morning May 15th 1855

Tuesday Morning, May 15th 1855

Court met 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:

Spring Term Tuesday, May 15th 1855.

317 John C. Hyde Admr } Plaintiff } Deed
vs
Francis Kelley } Defendant }

This day this cause came on to be heard and the parties Plaintiffs and defendants having announced themselves ready for trial, and the Defendants not calling on the Court to rule on their Demurrer to the Plaintiffs petition, a Jury of twelve good and lawful men of Travis county was called, elected and empannelled, to wit: Reuben Brown J. D. Evans Ben. Gregson, Sidney P. Brown, John Daly D. C. Hamilton R. Platt, J. D. Carrithers, William Jorge, James M. Masters C. S. Deits and Aaron Kennison, who having heard the pleadings in the cause, the evidence produced, 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 Foreman."

Whereupon it is considered, ordered, adjudged and decreed by the Court, that the said Plaintiff, Thomas Freeman as Administrator of the estate of John C. Hyde deceased, do recover on behalf of said Succession of said John C. Hyde deceased and against the said defendant, Francis Kelley, full and perfect right, and title in and to the said lot of land in the proceedings mentioned and described, to wit: Out Lot Number Seventeen in Division "O" adjoining the City of Austin, being ten acres more or less together with all of the improvements and appurtenances thereon erected; and that said plaintiff have a writ of possession for said lot of land.

It is further ordered and adjudged that said Plaintiff have and recover of the defendant, Francis Kelley, all cost by him in this suit expended, for which execution may issue.

410 Albert W. Blue } Plaintiff } Appeal
vs
Heirs of Samuel K. Blish deceased } Defendant }

And now on this day come the said Plaintiff by his Attorney and Charles S. West Guardian ad litem for the absent heirs, and announced themselves ready for trial, whereupon came a jury of good and lawful men, to wit; S. W. Goodrich and eleven others of the County of Travis who were duly empannelled and sworn to try the cause and the evidence of the parties and the argument of Counsel having been heard the jury retired under the charge of the

Court to consider of their verdict and thereupon the jury returned into Court the following verdict to wit; "We the jury find for the Plaintiff

S. W. Goodrich Foreman.

Wherefore it is considered, ordered and adjudged and decreed by the Court, that all the right, title and interest and claim of the heirs of the said Samuel K. Blish deceased in and to a certain tract or parcel of Land, ~~herein~~ in Plaintiff's Petition described as follows to wit;. "In Travis County on the waters "of Blanket creek, a northern tributary of Pecan Bay "on about 17½ miles north from the mouth of said "Bayou. Said survey is known as No 311. Beginning on the "North line of survey No 299- 800 varas West from the N. E. "Corner a Stake from which a spanish oak bears N. 18° "W. 25 varas - another bears I. 64½° E. 3½ varas. Thence W. "with the N. line of No 299 2688 varas to a Stake "from which a live oak bears I. 84° E. 12½ varas another "bears N. 2½ W. 3¼ varas. Thence N. 420 varas to a branch "1190 varas to another 2688 varas to a Stake from which a "live oak bears N. 40° E. 30 varas another bears N. 28° E. "37 varas. Thence East 2688 varas to a stake and mound "Thence South 2688 varas to the place of beginning. Bearings "marked X" be divested out of the heirs of the said Samuel K. Blish deceased or any person or persons claiming under by or through them and that all right, title and interest in and to said land be fully and completely vested in the said Albert W. Blue, his heirs, Assigns and representatives forever and that all claim title or right which the said heirs of said Samuel K. Blish deceased or any person or persons claiming under by or through them have or may have to said tract or parcel of land be forever barred and that the Plaintiff pay the costs of this suit and that a fee of twenty dollars be taxed in the Bill of costs for the Guardian ad litem of the absent heirs, for which execution may issue -

445 ✓ Henry Freiner Plaintiff
vs.
Charles G. Baylor Defendant

Final Decree

This day came the Plaintiff by his Attorney and it appearing to the Court that due publication of notice had been duly made and the Defendant having filed no answer to the Plaintiff Petition and

Spring Term Tuesday May 15th 1855

being solemnly called came not and making no defence in bar of the said action, it is ordered that Judgment Final by default be entered up against him. Therefor it is considered by this Court that the said Henry Freaner do have and recover against the said Charles G. Baylor the sum of three hundred and fifty dollars, the Principal debt in the Petition mentioned, together with nineteen dollars and seventy two cents interest thereon also two dollars Protest fee and ten dollars Publication fee and all costs of suit &c.

It is further ordered adjudged and decreed that the attachment levied upon lots numbers one and two in Block No one hundred and twenty three on Congress Avenue in the city of Austin to secure to payment of the debt aforesaid be duly enforced and that said Lots or so much thereof as may be necessary be sold according to law to satisfy the debt interest and costs aforesaid.——

12 19 72 331.72

✓ 170 Wilds Kidd } Plaintiff
v.
Hamilton Kidd } Defendants } Consummation of Agreement &c

It is ordered by the Court that the above cause be continued under the rule for Security for costs.

✓ 221 Benj. Grumbles & Wife } Plaintiffs
John D. Grumbles } Defendant } Injunction.

And now come the plaintiffs by Attorney and dismiss the above suit. And thereupon It is ordered by the Court that the plaintiffs take nothing by their Suit; that the defendant go hence, and that the defendant recover of the plaintiffs. Benjamin Grumbles and Baker & Grumbles all costs in and about this suit expended, for which execution may issue.

✓ 280 Alex. C. Davis for use. &c } Plaintiff
v.
Calvary Woody et. als } Defendants } Debt on Note

It is ordered by the Court that the above cause be continued for service, the motion for rule for security for costs having been withdrawn

Spring Term, Tuesday, May 15th 1855.

✓ 282 Wm. R. Delaux et. als } Plaintiffs } Trespass.
Sherman Cass } Defendant }

It is ordered by the Court that the above cause be continued under the rule for Security for costs.

✓ 296 Silas M. Burdett } Plaintiff } Damages.
R. Plant & Cass } Defendants }

And now come the parties, and by agreement it is ordered that the above cause be dismissed. And thereupon It is ordered by the Court that the plaintiff take nothing by his suit that the defendants go hence without day, and that the defendants recover of the plaintiff, Silas M. Burdett, all costs by me about this suit expended, for which execution may issue

✓ 413 R. D. McAnely } Plaintiff } For Land
Simon Pardon } Defendant }

It is ordered by the Court that the above cause be continued generally.

✓ 427 Robert A. Tyner } Plaintiff }
Arden A. Hopkins } Defendant }

And now come the parties by their attorneys and agree that the above cause be dismissed at the cost of defendant. And thereupon It is ordered by the Court that the plaintiff take nothing by his suit, that the plaintiff recover of the defendant his costs of this suit, for which execution may issue.

✓ 462 William Rodgers } Plaintiff } Debt on Note
Sherman Cass } Defendant }

And now on this day comes the plaintiff and demands Judgment by default. and it appearing to the Court that said defendant has failed to answer within the time prescribed and it further appearing that the same is unliquidated It is ordered that a Jury be empannelled to assess the amount of damages. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit. Jas. A. Burdett and seven others who being duly ~~sworn~~ empannelled and sworn heard the evidence addduced and the charge of the Court, and retired to consider of their verdict

Spring Term, Tuesday, May 15th 1855.

Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the plaintiff eight hundred and ninety dollars. Jos. A. Bunden, Foreman" Whereupon It is considered, adjudged and decreed by the Court that the plaintiff, William Rodgers, do have and recover of the defendant, Thomas Case, the Sum of Eight Hundred and Ninety Dollars, together with all costs in and about this suit expended. For all which execution may issue

483 Baldridge, Sparks & Co. } Plaintiffs
Eggen & Boyce } Defendants } Debt on Note

And now come the plaintiffs by their attorney and claim a Judgment by default, and it appearing that due Service of the writ has been made and that said defendants have failed to file their answer within the time prescribed, and it also appearing that the cause of action in this cause is liquidated as evidenced by an instrument of writing

It is ordered, adjudged and decreed by the Court that the Plaintiffs, Josiah M. Baldridge, David P. Sparks and Joseph W. Baldridge under their firm name and style of Baldridge, Sparks & Co. do have and recover of and from the defendants, Shadrick R. Eggen and Stephen D. Boyce under their firm name of Eggen & Boyce the Sum of Eight hundred and ninety two dollars and fifty two cents for their principal debt and interest to date, with ten per cent. interest until paid, together with all costs of this suit. For which execution may issue

515 Spence & Freeman } Plaintiffs
Ann T. Hoxbridge } Defendant } Debt &c

And now comes the defendant, and asks leave to amend. And thereupon It is ordered by the Court that the defendant have leave to file an amended answer

542 The State of Texas } Plaintiff
T. M. Fleming, et al } Defendants } Forfeiture

It is ordered by the Court that the Judgment heretofore rendered in this cause be set aside, and the defendants be allowed their costs

Spring Term Tuesday, May 15th 1855.

564 Daniel Pratt } Plaintiff
v. } Debt on Note
Cullimore & Wife } Defendants

And now comes the plaintiff by attorney and moves the Court for leave to amend. And thereupon It is ordered by the Court that the plaintiff have leave to file an amended petition

570 Dwight Walden } Plaintiff
v. } Damages
Slaughter & Johnson } Defendants

And now come the defendants by their attorney and move the Court for leave to amend And thereupon It is ordered by the Court that the defendants have leave to file amended answer

571 C. C. Mann } Plaintiff
v. } Debt on Note
J. F. Cleveland } Defendant

And now come the plaintiff by attorney and moves the Court for leave to amend. And thereupon It is ordered by the Court that the plaintiff have leave to file an amended petition

68 P. C. Fountain, et al } Plaintiffs
v. } Mandamus
S. Crosby, Com'r, et al } Defendants

And now comes the plaintiff and moves the Court that the above cause be dismissed, And thereupon It is ordered by the Court that the defendants go hence and recover of the plaintiff, Pasmell C Fountain Sarah Ann Fountain, John W. Cook and James R. Cook all cost of this suit for which execution may issue

And thereupon It is ordered by the Court that the plaintiffs have leave to withdraw exhibits filed

599 R. Cunningham } Plaintiff
v. } Debt on Note
D. Knight, et. als. } Defendants

And now comes the plaintiff by attorney and moves the Court for leave to amend. And thereupon It is ordered by the Court that the plaintiff have leave to file an amended petition

Spring Term, Tuesday, May 15th 1855.

629 Francis Dubuick } Plaintiff
Thos. D. Pitt } Defendant } Debt on Note

And now comes the defendant and prays the Court for leave to amend, and thereupon It is ordered by the Court that the defendant have leave to file an amended answer

656 D. Breiland } Plaintiff
Eastley & Moore } Defendants } For Rent of Farm

And now come the defendants by attorney and ask leave of the Court for leave to file an amended answer. And thereupon It is ordered by the Court that the defendants have leave to amend

671 F. Dubuick } Plaintiff
vs.
James O Rie } Defendant } Debt on Note

And now comes the defendant by his attorneys and asks leave to amend. And thereupon It is ordered by the Court that the defendant have leave to file an amended answer

Willis Stewart, et als. } Plaintiffs
vs.
Stephen Lively, Exr } Defendant

And now on this day came the parties by their Attorneys, and the motion to retax the costs in this case came on to be considered upon the motion and evidence, and the Court having considered the premises, overules said motion and adjudges that the defendants go hence without day and recover of the plaintiffs the costs in and about said motion expended

And the plaintiffs gave notice of appeal, and the parties agreed, whereupon the clerk entered the cause to the Supreme Court without the necessity of appeal bond, and that errors be assigned in the Supreme Court with like effect as if assigned in this Court.

And thereupon It is ordered by the Court that Court adjourn until to-morrow morning May 16th 1855

Spring Term, Wednesday, May 16th 1855

Wednesday, May 16th 1855

Court met 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

480 The State of Texas } Plaintiff } Motion
Ux
Geo. W. Dahir Robinson } Defendants

And now come the defendants by their Attorneys and file their motion in the above cause for a new trial and for arrest of Judgment And the Court considering the same, Doth order that the said motions be overruled And thereupon the said defendants in open Court gave notice of an appeal to the Supreme Court.

X

Declaration of Intention to become a Citizen

State of Texas
County of Travis } Burhach Waechter being 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 1819 in the Kingdom of Prussia whence he emigrated in the year 1852 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 and of the said State of Texas and renounces forever, all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the King of Prussia Frederick Wilhelm IV of whom he is now a subject

Sworn to and Subscribed } Burhart Waechter
before me in open Court May 18th 1855
Frank Brown Clk

Declaration of Intention to become a Citizen

State of Texas
County of Travis } Friedolin Blesi being 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 1829 in Switzerland whence he emigrated in the year 1852 to the United States of America; and has selected the State of Texas as the place of his intended

Spring Term Wednesday May 16th 1855

settlement; and he further declares that it is bona fide his intention to become 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 President of Switzerland of whom he is now a Subject Swidolin Blesi

Sworn to and Subscribed in open Court May 18th 1855 Frank Brown Clk

State of Texas
County of Travis } Edward Voigt being 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 1829 in the Kingdom of Saxone, whence he emigrated in the year 1847 to the United State 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 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 King of Saxone of whom he is now a subject. Edward Voigt

Sworn to and Subscribed in open Court May 18th 1855 Frank Brown Clk D. C. T. C. Texas

And thereupon it is ordered by the Court that the Court now adjourn until tomorrow morning 9 O'Clock

Thursday May 17th A. D. 1855

Court met at 9½ 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:

617 The State of Texas Plaintiff
vs.
James Boyd and H. S Polley Defendants } Forgery

And now on this day came and appe-

Spring Term Thursday May 17th 1855

and in open Court James Boyd as Principal and Reuben Slaughter William D. Fay Milton T. Caperton Andrew W. Caperton Madison Riggles and Joseph Scrivener as securities and acknowledged themselves joint ly and severally to owe and be indebted unto the State of Texas in the penal sum of Five Hundred Dollars to be levied of their respective Goods and Chattels Lands and Tenements But to be void upon condition that the said James Boyd be and personally appear at the next term of the District Court of Travis County to be held at the Court House thereof in the city of Austin on the eighth Monday after the first Monday in September A.D. 1855 then and there to answer to an Indictment preferred against him the said James Boyd by the Grand Jurors of Travis County at the Spring Term of the District Court of said County A.D. 1855 for Forgery and that he there remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave

618 The State of Texas vs James Boyd and H. O. Polley — Plaintiff — Defendants — Forgery

And now on this day came and appeared in open Court James Boyd as Principal and Reuben Slaughter, William D. Fay, Milton T. Caperton Andrew W. Caperton Madison Riggles and Joseph Scrivener as securities and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of Five hundred dollars to be levied of their respective Goods and Chattels Lands and Tenements, But to be void upon condition that the said James Boyd be and personally appear at the next term of the District Court of Travis County to be held at the Court House thereof in the city of Austin on the eighth Monday after the first Monday in September A. D 1855 then and there to answer to an Indictment preferred against him the said James Boyd by the Grand Jurors of Travis County at the Spring Term of the District Court of said County A.D. 1855 for Forgery and that he there remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave

Spring Term Thursday May 17th 1855

619 The State of Texas — Plaintiff
— vs —
James Boyd and
A. S. Polley — Defendants — Forgery

And now on this day came and appeared in open Court James Boyd as principal and Reuben Slaughter William D. Foy Milton T. Caperton Madison Riggles Andrew W. Caperton and Joseph Scrivener as securities and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of Five Hundred dollars to be levied of their respective Goods and Chattels Lands and Tenements, But to be void upon condition that the said James Boyd be and appear personally at the next term of the District Court of Travis County to be held at the Court House thereof in the city of Austin on the eighth Monday after the first Monday in September A. D. 1855 then and there to answer to an Indictment preferred against him the said James Boyd by the Grand Jurors of Travis County at the Spring Term of the District Court of said County A. D. 1855 for Forgery and that he there remain from day to day and from term to term and from day to day of each term and that he do not depart the Court with out leave

621 The State of Texas — Plaintiff
— vs —
James Boyd and
A. S. Polley — Defendants — Forgery

And now on this day came and appeared in open Court James Boyd as principal and Reuben Slaughter, William D. Foy Milton T. Caperton Andrew W. Caperton Madison Riggles and Joseph Scrivener as securities and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of Five hundred dollars to be levied of their respective Goods and chattels Lands and Tenements, But to void upon Condition that the said James Boyd be and personally appear at the next term of the District Court of Travis County to be held at the Court House thereof in the city of Austin on the eighth Monday after the first Monday in September A. D. 1855-

Spring Term Thursday May 17th 1855

then and there to answer to an Indictment preferred against him the said James Boyd by the Grand Jurors of Travis County at the Spring Term of the District Court of said County A. D. 1855 for Forgery and that he then remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave.

The State of Texas — Plaintiff
vs.
James Boyd and
A. S. Polley — Defendants
Forgery

621

And now on this day came and appeared in open Court James Boyd as principal and Reuben Slaughter, William D. Foy Milton T. Caperton Andrew W. Caperton Madison Riggles and Joseph Scrivener as securities and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of Five hundred dollars to be levied of their respective Goods and Chattels Lands and tenements But to be void upon condition that the said James Boyd be and personally appear at the next Term of the District Court of Travis County to be held at the Court House thereof in the city of Austin on the eighth monday after the first Monday in September A.D. 1855 then and there to answer to an Indictment preferred against him the said James Boyd by the Grand Jurors of Travis County at the Spring Term of the District Court of said County A.D. 1855 for Forgery and that he there remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave.

The State of Texas — Plaintiff
vs.
James Boyd and
A. S. Polley — Defendants
Forgery

622

And now on this day came and appeared in open Court James Boyd as principal and Reuben Slaughter William D. Foy, Milton T. Caperton Andrew W. Caperton Mainon Riggles and Joseph Scrivener as securities and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal

Spring Term Thursday May 17th 1855

sum of Five Hundred Dollars to be levied of their respective Goods and Chattels Lands and tenements But to be void upon Condition that the said James Boyd be and personally appear at the next term of the District Court of Travis County to be held at the Court House thereof in the City of Austin on the eighth Monday after the first Monday in September A. D. 1855 then and there to answer to an Indictment preferred against him the said James Boyd by the Grand Jurors of Travis County at the Spring Term of the District Court of said County A. D. 1855 for Forgery and that he there remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave ——

623 The State of Texas / Plaintiff
Jas. Boyd & W. S. Polly / Defendant
} Forgery

And now on this day came and appeared in Court James Boyd as Principal and Reuben Slaughter, William D. Fay, Milton T. Caperton, Andrew W. Caperton, Madison Riggles and Joseph Sevriens as Securities, and acknowledged themselves jointly and severally to one and to indebted unto the State of Texas in the penal sum of Five Hundred Dollars the Good of their respective Goods and Chattels, Lands and Tenements. But to be void upon condition that the said James Boyd be and personally appear at the next term of the District Court of Travis county to be held at the Courthouse thereof in the City of Austin on the Eighth Monday after the first Monday in September A. D. 1855 then and there to answer to an Indictment preferred against him the said James Boyd by the Grand Jurors of Travis county at the Spring Term of the District Court of said county A. D. 1855 for Forgery and that he there remain from day to day and from term to term, and from day to day of each term and that he do not depart the Court without leave.

624 The State of Texas / Plaintiff
Jas. Boyd & W. S. Polly / Defendants
} Forgery.

And now on this day came and appeared in open Court James Boyd as principal and Reuben Slaughter, William D. Fay, Milton T. Caperton Andrew W. Caperton, Madison Riggles and Joseph Sevriener,

Spring Term, Thursday, May 17th 1855.

as securities and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the penal sum of Five Hundred Dollars to be levied of their respective goods and chattels, lands and tenements. But to be void upon condition that the said James Boyd do and personally appear at the next Term of the District Court of Travis county to be held at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September, A.D. 1855, then and there to answer to an Indictment preferred against him the said James Boyd by the Grand Jurors of Travis County, at the Spring Term of the District Court of said county, A.D. 1855. for Forgery, and that he there remain from day to day and from term to term and from day to day of each term, and that he do not depart the Court without leave.

633 The State of Texas | Plaintiff | Habeas Corpus
Green B. Moore | Defendant |

It appearing to the Court that a writ of Habeas Corpus this day issued to bring the body of Green B. Moore into Court, together with the cause of his detention, John T. Price, Sheriff of Travis County produced the said body of the said Moore and the cause of his detention And thereupon came the parties respectively and upon a hearing of the cause It is ordered and decreed by the Court that the said Green B. Moore be required to enter into his recognizance in the Sum of One thousand dollars conditioned that he appear at the next term of the District Court of Travis county to await whatever action may be taken by said Court, and that said Moore pay the costs of this proceeding, for which execution may issue

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow Morning, May 18th 1855

Friday Morning, May 18th 1855.

Court met 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:

Friday Morning May 18th A.D. 1855.

337 R A Peck & Co | Plaintiffs | Publication
McNamee & McKee | Defendants |

And now come the plaintiffs by attorney and claim a Judgment final by default. And it appearing that this suit was instituted by publication, and that said Service has been perfected, and that said defendants have failed to file their answer within the time prescribed by law; and it also appearing that the cause of action is liquidated and It is ordered by the Court that a Jury be empannelled to assess the damages. And thereupon came a Jury of twelve good and lawful men of Travis county to wit: J. W. Goodrich and eleven others who being duly elected, empannelled and sworn, heard the evidence, arguments 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 plaintiffs two hundred and eighteen dollars and forty one cents." J. W. Goodrich, Foreman. Whereon, It is decreed by the Court that the said R. A. Peck and Edward Tarbox, under their firm name and style of R. A. Peck & Co. have and recover of the defendants William McNamee and McKee, the sum of two hundred and eighteen dollars and forty one cents, the amount found to be due by the Jury aforesaid and all costs of this suit, for which execution may issue.

415. Benjamin Roach | Plaintiff. | Debt.
vs.
Nathaniel Townsend | Defendant |

In this cause this day came the parties, and the plaintiff announced himself ready for trial. The Defendant, before announcing himself ready, moved the Court first to hear argument on the Demurrer of the Defendant to plaintiffs petition, which was allowed by the Court. Whereupon It is considered by the Court that the said Demurrer be sustained and the cause dismissed. And that said Defendant have and recover of the Pltff. all costs in this suit expended, for which execution may issue. And thereupon It is ordered by the Court that Court do now adjourn until Saturday Morning, May 19th 1855.

Saturday May 19th 1855.

Court met 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.

Saturday Morning, May 19th A.D. 1855.

222 Benj. Saunders & Wife } Plaintiffs } Ejectment
John P. Saunders et al } Defendants }

It is ordered by the Court that the above cause be dismissed upon application of defendant by affidavit

And thereupon It is ordered by the Court that an attachment issue Ja Inge & W. Scott to Bayou county, in behalf of the Defendants

428 Dianah Duiland } Plaintiff } Damages
✓ Wm W. Alwood } Defendant }

And now come the parties and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county to wit: Alexander Cave and seven others who being duly sworn 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, and assess the damages at ten dollars & Cents &c." Whereupon It is decreed by the Court that the said Dianah Duiland do have and recover of the defendant, William W. Alwood the sum of Ten Dollars, the amount found by the Jury aforesaid, together with all costs of this suit, for all which execution may issue

555 John P. Sund } Plaintiff } Dam
✓ Mann Norton } Defendant }

And now on this day came the parties to the above 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: Jas Boyd, John M. McLemore, Jarvis Bryant R. C. Hutchinson, A. Platt, J. K. Saunders, Wm Inge, Jno H. Manton, C. S. Giles Sarah Bishop, A. M. McMath and N. G. Blakey who being duly elected, empanneled and sworn heard the evidence, argument of counsel and 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 as to the land, also that the defendant is entitled to five hundred dollars for his improvements. C. S. Giles, Foreman."

Whereupon It is ordered adjudged and decreed by the Court

Spring Term, Saturday, May 19th 1855.

Was the plaintiff, John S Swed do have and recover the land in controversy lying and in Green County Known as the Widow Moore, being the same as described in his petition,

and that a Writ of Possession issue thereto.

And it is further ordered, adjudged and decreed by the Court that the defendant Marion Moreton have and recover of the plaintiff John S. Swed the sum of Three Hundred Dollars the amount of his improvements on said land as found by the Jury, for which execution may issue.

It is further decreed by the Court that the plaintiff John S. Swed do have and recover of the defendant Marion Moreton all costs of this suit for which execution may issue.

559	Blakey & Gilbreath, Admr	Plaintiffs	Petty Suit
	v.		
	Hancock & Mobley	Defendants	

And now come the plaintiffs and move the Court for leave to amend. And thereupon It is ordered by the Court that the plaintiffs have leave to amend.

And thereupon It is ordered by the Court that the Defendants have leave to amend.

643	George W. White	Plaintiff	Suit for Damages
	v.		
	Case and Payne	Defendants	

It is ordered by the Court that the defendants have leave to file amended answers

656	D. Gilliland	Plaintiff	Rent of Farm
	v.		
	Oakley & Moore	Defendants	

And now come the parties by their attorneys and announced themselves ready for trial. Thereupon came a Jury of twelve good and lawful men of Greene County to wit, Geo Rogers, John W. McSwine, L. C. Hamilton, R. Platt, J. H. Carruthers, Wm George, C. T. Cobb, Robert Runnels, M. Biggles, David Rutledge, H. G. Blakey and H. Houston who being duly elected, empannelled and sworn,

Spring Term, Saturday May 19th 1855.

heard the evidence, the argument of counsel, and the charge of the Court and retired to consider of their verdict whereupon they said Jury returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff one hundred dollars and costs" Wherefore Pl. Sarah Burch Foreman.

Wherefore it is ordered adjudged and decreed by the Court that the defendant John A. Cosby go hence without day; and that the Plaintiff Sarah Gilliland have and recover of the Defendant Thomas J. Moore the sum of One hundred dollars and the costs of this suit, for which execution may issue

292 ✓ | D. C. Cunningham, Admr. / Dennis Gilliland | Plaintiff / Defendant | Motion.

And now come the Plaintiff by Attorney, and the Court considering the motion heretofore filed in this cause for a new trial doth order, adjudge and decree that the said motion be overruled, and thereupon the said Plaintiff in open Court gave notice of an appeal to the Supreme Court.

258 ✓ | Edward Crumbley / Ben. Crumbley & Crumbley | Plaintiff / Defendants | Motion.

And now come the defendants and filed their motion in said cause for a new trial, and the Court considering the same doth order that the same be overruled. And thereupon the defendants in open Court gave notice of an appeal to the Supreme Court.

480 ✓ | The State of Texas / Jas & John Robinson | Plaintiff / Defendants | Motion.

And now come the Defendants by attorney and filed their motion for a new trial. And the Court considering the same doth order, adjudge and decree that the said motion be overruled And thereupon said defendants in open Court gave notice of an appeal to the Supreme Court.

480 ✓ | The State of Texas / Jas and John Robinson | Plaintiff / Defendants | Motion

It is ordered by the Court that the motion in arrest of Judgment filed in this cause by the defendants be overruled

Spring Term, Saturday, May 19th 1855.

482	The State of Texas vs Geo & John Robinson	Plaintiff / Defendants	Motion in arrest and for new trial

It is ordered by the Court that the motion in arrest of Judgment filed in this cause be overruled; And ordered further, that the motion for a new trial by defendants be overruled, And thereupon the Defendants in open Court give notice of an appeal to the Supreme Court.

483	The State of Texas vs Geo & John Robinson	Plaintiff / Defendants	Motion in arrest and for new trial.

It is ordered by the Court that the motion in arrest of Judgment filed in this cause be overruled, and Ordered, further, that the motion for a new trial by defendants be overruled. And thereupon the Defendants in open Court give notice of an appeal to the Supreme Court.

547	The State of Texas vs Geo & John Robinson	Plaintiff / Defendants	Motion in arrest and for new trial.

It is ordered by the Court that the motion in arrest of Judgment filed in this cause by the Defendants be overruled; And Ordered, further, that the motion for a new trial by defendants be overruled And thereupon the Defendants, by attorney in open Court, give notice of an appeal to the Supreme Court.

548	The State of Texas vs Geo & John Robinson	Plaintiff / Defendants	Motion in arrest and for new trial.

It is ordered by the Court that the motion in arrest of Judgment filed in this cause by the Defendants be overruled. And ordered, further, that the motion for a new trial by defendants, be overruled. And thereupon the Defendants by attorney, in open Court, give notice of an appeal to the Supreme Court.

550	The State of Texas vs Geo & John Robinson	Plaintiff / Defendants	Motion in arrest and for new trial.

It is ordered by the Court that the motion in arrest of Judgment, by defendants, in this cause, be overruled and ordered, that the motion for a new trial be overruled. And thereupon said defendants, in open Court, give notice of an appeal to the Supreme Court.

Spring Term, Saturday, May 19th 1855.

✓ 587 The State of Texas } Plaintiff
vs } Motion
O M. Meraney } Defendant

This ordered by the Court that the motion for a new trial filed in this cause be sustained and allowed

✓ 590 The State of Texas } Plaintiff
vs } Motion
Thomas A Davis } Defendant

It is ordered by the Court that the motion filed by defendant in the above cause to be released from imprisonment be allowed.

✓ 588. The State of Texas } Plaintiff
vs } Motion for new trial
O A Harrison } Defendant

It is ordered by the Court that the motion for a new trial filed by defendant in this cause be refused and thereupon said defendant in open Court gives notice of an appeal to the Supreme Court.

✓ 480 The State of Texas } Plaintiff
vs } Recognizance
Geo & John Robinson } Defendants

And now on this day came and appeared in open Court George Robinson and John Robinson as principals, and Linda D Nichols and James M. Swisher as securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars, to be levied of their respective goods and Chattels, lands and Tenements But to be void upon condition that the said George Robinson and John Robinson do and personally appear at the next term of the District Court of Travis county, and from term to term thereafter and from day to day of each term, to abide whatever decision may be made by the Supreme Court in a cause now on appeal wherein The State of Texas is Plaintiff and George Robinson and John Robinson, charged with allowing one William Wyatt to exhibit for Gaining a certain Gaming Game called Faro, in a Room ~~[illegible]~~ contrary to Law and occupied by them, and that they do not depart the Court without leave

Spring Term, Saturday, May 19th 1855.

The State of Texas } Plaintiff
182 vs
Geo & John Robinson } Defendants } Recognizance

And now at this day came and appeared in open Court John Robinson and Geo Robinson as principals, and Lewis D. Nichols & James M. Swisher as securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the Sum of Five Hundred Dollars to be levied of their Goods and Chattels Lands and Tenements But to be void upon condition that the said Geo Robinson and John Robinson be and personally appear at the next Term of the District Court of Brazos County and from term to term thereafter, to abide whatever decision may be made by the Supreme Court in a cause now on appeal wherein The State of Texas is plaintiff and Geo Robinson and John Robinson are Defendants charged with permitting one William Hasslin to exhibit for gaming a certain Gaming Bank called Monte, on a House possessed and controlled by them for retailing spirituous liquors and that they do not depart the Court without leave

The State of Texas } Plaintiff
183 vs
Geo & John Robinson } Defendants } Recognizance

And now at this day came and appeared in open Court Geo Robinson and John Robinson as principals and Lewis D. Nichols and James M. Swisher as securities and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the Sum of Five Hundred Dollars, to be levied of their respective Goods and Chattels lands and tenements But to be void upon condition that Geo Robinson and John Robinson be and personally appear at the next term of the District Court of Brazos county and from term to term thereafter & and abide whatever decision may be made by the Supreme Court in a cause now on appeal wherein The State of Texas is Plaintiff and Geo Robinson and John Robinson, charged with permitting one William Hasslin to exhibit for gaming a certain gaming bank called Faro in a House controlled, occupied and possessed by them are Defendants, and that they do not depart the Court without leave

Spring Term, Saturday. May 19th 1855.

547 The State of Texas } Plaintiff
vs. } Recognizance
Geo & John Robinson } Defendants

And now on this day came and appeared in open Court Geo Robinson and John Robinson as principals and Emila D Nichols and James M Swisher as securities and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars, to be levied of their respective lands and chattels lands and tenements. But to be void upon condition that the said Geo Robinson and John Robinson be and appear at the next Term of the District Court of Travis county to be held at the Courthouse thereof in the City of Austin on the Eighth Monday after the first Monday in September A.D. 1855, and from term to term thereafter, to abide whatever decision may be made in a cause upon an appeal wherein the State of Texas is plaintiff and Geo Robinson and John Robinson charged with permitting a certain gaming Bank called Faro, in a house owned and occupied by them are Defendants and that they do not depart the Court without leave.

548 The State of Texas } Plaintiff
vs. } Recognizance
Geo & John Robinson } Defendants

And now at this day came and appeared in open Court Geo Robinson and John Robinson as principals and Emila D Nichols and James M Swisher as securities and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars, to be levied of their lands and chattels lands and tenements. But to be void upon condition that Geo Robinson and John Robinson be and personally appear at the next term of the District Court of Travis county, and from term to term thereafter, and abide whatever decision may be made by the Supreme Court in a cause on an appeal wherein The State of Texas is Plaintiff and Geo Robinson and John Robinson charged with permitting one Theophilus Anderson, called Theo Anderson, to exhibit a certain gaming bank called Faro in a house in the City of Austin owned and occupied by them, as defendants, and that they do not depart the Court without leave

Spring Term, Saturday, May 19th 1855.

530 The State of Texas } Plaintiff
vs. } Recognizance
Geo & John Robinson } Defendants

And now on this day came and appeared in open Court Georg Robinson and John Robinson as principals and Lucius D. Woods and Jaimes M. Swisher as Securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the Sum of Five Hundred Dollars to be levied of their respective Goods and Chattels Lands and Tenements. But to be void upon condition that the said George Robinson and John Robinson be and personally appear at the next Term of the District Court of Travis county to and from term to term thereafter to abide what ever decision may be made by the Supreme Court in a cause now on appeal therein The State of Texas is Plaintiff and George Robinson and John Robinson are charged with permitting one William Ryan to exhibit for gaming certain gaming bank called Faro Bank kept occupied and controlled by them, as Defendants and that they do not depart the Court without leave.

O. Thissen

And thereupon It is ordered by the Court that ~~xxxx~~ O. Thissen be and he is hereby admitted to practice as an attorney and counsellor at law in the Several District and Supreme Courts of this State, and that his commission issue accordingly

494 John H. Young } Plaintiff
vs. } Debt
F. C. Collins, et al } Defendants

And now come the Defendants by their attorneys, and file their answers

And thereupon It is ordered by the Court that Court do now adjourn until Monday morning May 21st A. D. 1855.

Spring Term Monday, May 21st 1855.

Monday Morning, May 21st 1855

Court met at Ten O'clock, A. M. pursuant to adjournment, Present the Hon. John Hancock Judge of the Second Judicial District and of said Court; Thomas Dunn Clerk of said Court, and John F. Price, Sheriff

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

437 Wingfield, Price & Co. vs Stark Tolson } Plaintiffs / Defendant } Debt.

It is ordered by the Court that the above cause be continued

B. L. & S. Payne vs Sarah E. Dunn } Plaintiffs / Defendant } Ten Lands

It is ordered by the Court that the above cause be continued

446 William Clark vs A. A. Hopkins } Plaintiff / Defendant } Debt

It is ordered by the Court that the above cause be continued as upon application of Defendant by affidavit

0/0

447 Henry A. Binder vs A. W. Binder } Plaintiff / Defendant } Debt on Note

And now come the parties to this cause by their attorneys, and agree that the above cause be dismissed at their mutual cost. And thereupon it is ordered by the Court that the Plaintiff, Henry A. Binder recover of the defendant, Thomas W. Binder one half of the costs in this suit expended; that the defendant Thomas W. Binder, recover of the plaintiff Henry A. Binder, one half of the costs of this suit, for all which execution may issue

453 John Wahnberger vs Gilbert & J. Bicknell } Plaintiff / Defendants } Ejectment

It is ordered by the Court that the above cause be continued as upon agreement of parties

Spring Term, Monday, May 21st 1855

461 R. M. McAlpin & Co. } Plaintiffs
vs. } Debt.
Cahoon & Fenwick } Defendants

And now come the parties and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County. Thereupon the said Plaintiffs dismiss their suit. Whereupon it is adjudged and decreed by the Court that the plaintiffs take nothing by their suit; that the defendants go hence without day, and that the defendants recover of the plaintiffs, Robert M. McAlpin and Peter S. Fuller under their firm name and style of R. M. McAlpin & Co all costs in and about their suit expended for all which execution may issue

464. John P. Johnson } Plaintiff
vs. } Damages
George Turner } Defendant

It is ordered by the Court that the above cause be continued at the cost of the plaintiff for the present term. And thereupon it is adjudged and decreed by the Court that the defendant George Turner recover of the plaintiff John P. Johnson all costs in this suit expended at the present term of this Court for which execution may issue

465 John Pendrickson } Plaintiff
vs. } Certiorari
James Sims } Defendant

It is ordered by the Court that the above cause be dismissed at the mutual cost of the parties, as per agreement. And thereupon it is adjudged and decreed by the Court that the plaintiff John Pendrickson recover of the defendant, James Sims one half of the costs in this suit expended, that the defendant James Sims recover of the plaintiff John Pendrickson one-half of the costs of this suit, for all which execution may issue.

198 Isaac A. Burden } Plaintiff
vs. } Debt.
Samuel W. Burden } Defendant

It is ordered by the Court that the above cause be dismissed, as per agreement of plaintiffs attorneys, and thereupon it is ordered by the Court that

Spring Term, Monday, May 21st 1855—

the defendant, Steven W. Burdett, waive of the Writ & Writ and A. Burdett, all costs in and about this suit expended, for which execution may issue

499 John F. & S. M. Owens } Plaintiffs
Brown & Tarbox } Defendants } Debt on Note

and now come the plaintiffs and claim a Judgment final by default. And it appearing to the Court that due service has been made upon the defendants, that they have failed to answer within the time prescribed by law and that the cause of action is liquidated as and evidenced by an Instrument of writing It is ordered, adjudged and decreed by the Court that the plaintiffs John F. Owens and Sarah M. Owens have & do recover from the defendants John R Brown and Lyman Tarbox, and in their proper name and style of Brown and Tarbox the sum of Two Hundred and Seventeen Dollars and thirty cents the amount of their principal debt and interest to this date, together with all costs in and about this suit expended. For all which execution may issue.

515 Spence & Freeman } Plaintiffs
Ann F. Wooldridge } Defendant } Debt

It is ordered by the Court that the above cause be continued generally

523 Moore & Burdett } Plaintiffs
v. } Damages
Murray & Travis } Defendants

It is ordered by the Court that the above cause be continued

530 James S. Ward } Plaintiff
F. L. Paschal, et. al. } Defendants } Trespass and Damages

It is ordered by the Court that the above cause be continued generally

531 3/4 Lucinda Pace } Plaintiff
R. Pickett } Defendant } It is ordered by the Court that this cause be set for trial for to-morrow morning.

Spring Term, Monday, May 21st 1855.

544. The State of Texas } Plaintiff
v.
D. A. Burdett et als } Defendants } Sci. Fa.

And now comes the plaintiff by the District Attorney and the Defendant Dore by his Attorney and thereupon the parties announced and the Court considering the said cause doth order that the forfeiture of the Bail appearance bond and the Judgment nisi in this cause be made final. And thereupon It is adjudged and decreed by the Court that the State of Texas recover of the Defendant Augustus Fair the sum of One Hundred Dollars and the costs of this suit, for all which execution may issue.

547. John Marshall } Plaintiff
vs.
Joseph W. Hampton } Defendant } Injunction

It is ordered by the Court that this cause be set for trial for Thursday May 24.

X

Leo Maurice Daenk

The State of Texas } and the said Leo Maurice Daenk having filed in open Court
County of Travis } his petition praying to be admitted to become a citizen of the United States, and the Court here being fully satisfied by the affidavits of Chas. W. Pressler and Edward Tips that the said Leo Maurice Daenk was well known to them for the last five years, during two years of which time he has behaved as a man 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 Leo Maurice Daenk has made his declaration to become a citizen of the United States in accordance with the act of Congress in such case made and provided, and he having in open Court, taken the oath prescribed by law to support the Constitution of the United States, and to absolutely and entirely renounce and abjure forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to Frederick Wilhelm the Fourth King of Prussia, of whom he was late a subject.

It is therefore adjudged and decreed by the Court that the said Leo Maurice Daenk be and he is hereby admitted to become a citizen of the United States of America and that the Clerk of this Court issue to him a certificate according by.

Spring Term, Monday, May 21st, 1855.

Louis Malitsky.

The State of Texas } And the said Louis Malitsky having filed in open Court
County of Travis } his petition praying to be admitted to become a citizen of
the United States, and the Court hereby being fully satisfied by the affi-
davits of Charles W. Pryor and Ed. Harris Dorn that the said
Louis Malitsky was well known to them for the last five years, during two
years of which time he has behaved as a man attached to the principles
of the Constitution of the United States and well disposed to the good order
of and happiness of the same and being also satisfied that the said
Louis Malitsky has made his declaration to become a citizen of the United
States in accordance with an act of Congress in such case made and
provided, and he having in open Court taken the oath prescribed
by law to support the Constitution of the United States, and to abs olutely and
entirely renounce and abjure forever all allegiance and fidelity to
every foreign prince, potentate State or Sovereignty whatsoever and parti-
cularly to Frederick Wilhelm, King of Prussia of whom he was late a subject
It is therefore ordered & adjudged and decreed by the Court that
the said Louis Malitsky be and he is hereby admitted to become a citizen
of the United States of America, and that the Clerk of this Court issue to him
a certificate accordingly

536 The State of Texas } Plaintiff } Scire Facias
vs
David G. Swin, et al } Defendant

537 The State of Texas } Plaintiff } Scire Facias
vs
David T. Swin, et al } Defendants

538. The State of Texas } Plaintiff } Scire Facias
vs
Davis G. Swin et al } Defendants

539 The State of Texas } Plaintiff } Scire Facias
vs
Davis T. Swin et al. } Defendants

540 The State of Texas } Plaintiff } Scire Facias
vs
Davis G. Swin et al } Defendants

541 The State of Texas } Plaintiff } Scire Facias
vs
Davis T. Swin et al. } Defendants

It is ordered by the Court that the Judgments

Spring Term, Monday, May 21st, 1855.

ni si hent affair ordered in the cir pending cause be set aside, and that the defendants go hence without day with their costs

550. Evans & Carman vs Rufus Pierce } Plaintiffs / Defendants } Debt on Note

And now on this day came the plaintiffs by attorney and announced themselves ready for trial. And thereupon the defendant filed their plea to the jurisdiction of the Court. and thereupon the plaintiffs demurred to said plea and the Court considering said Demurrer doth order that the said Demurrer be sustained. And thereupon the said defendant moved the Court for a continuance by affidavit and the Court orders that said continuance be refused Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: C. S. Giles and eleven others, who being duly elected, empannelled and sworn, heard the evidence 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 plaintiffs Seven hundred and ninety six dollars and 50/100 principal and interest. C. S. Giles, Foreman"

Whereupon, It is adjudged and decreed by the Court that the plaintiffs Joseph Evans and William D. Carman, under their firm, name and style of Evans and Carman do have and recover of and from the Defendant Rufus Pierce the sum of Seven hundred and ninety six dollars and fifty cents the amount of their principal debt and interest to this date, together with all costs in and about this suit expended, for all which execution may issue.

551. Wade A. Morris vs Giles & Burden } Plaintiffs / Defendant } Debt on Note

And now on this day come the above 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: R. Brandt and eleven others, who being duly elected, empannelled and sworn, heard the evidence, 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 a verdict in favor of the plaintiffs for one hundred & seventy-nine dollars. R. Brandt Foreman."

Spring Term. Monday. May 21st 1855.

Whereon it is ordered, adjudged and decreed by the Court that the plaintiff, Wade A. Mann do have and recover of the defendant, Silas St. Burdett, the sum of One hundred and seventy five dollars, the amount found to be due by the Jury, together with all costs of this suit, for which execution may issue

554. N. M. Thurdley } Plaintiff
N. B. Blakey } Defendant } Debt on A/c

And now on this day came the parties to the above 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: James A. Burdett and eleven others who being duly elected, impanneled and sworn, heard the evidence, 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 Plaintiff one hundred and forty four dollars. J. A. Burdett, Foreman" Whereon, It is ordered, adjudged and decreed by the Court that the Plaintiff N. M. Thurdley, do have and recover of the Defendant N. B. Blakey, surviving partner of the late firm of Glasscock and Blakey the sum of One hundred and forty four dollars the amount found to be due by the Jury together with all costs of this suit, for all which execution may issue

Tho. J. Price } Plaintiff }
as } Partition and Dower
Michael Phair } Defendant }

It is ordered by the Court that the above cause be continued as by consent of parties

569. Charles St. James } Plaintiff }
as } Slander
George W. Glasscock } Defendant }

It is ordered by the Court that the above cause be continued under the rule for security for costs.

433. Nathaniel Townsend } Plaintiff } And now on this
as } day came the parties
Allen O. Brown } Defendant } by their attorneys
and the cause being called, announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men, to wit: Ed. Gregson, John W. McLemore, R. C. Flanniken,

Spring Term, Monday, May 21st, 1855.

L. Blain, L. D. Saunders, Tom Finger, C. L. Wells, John Runnels, M. Riggles, Rainey Bishop, H. G. Blakey and L. Hanson, who being duly empannelled, sworn, well and truly to try the issues joined between the parties, and having heard the evidence adduced, the 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 two hundred and fifty dollars. C. L. Wells, Foreman."

And it appearing to the satisfaction of the Court that during the pendency of this suit a writ of Sequestration had been issued upon the petition of the plaintiff and levied upon certain property of defendant, to wit: one hundred bushels of corn, more or less, which said corn was sold by order of this Court, by the Sheriff of Travis county, at public sale, according to law, on the 15th day of December, 1854. And it further appearing that one M. A. Taylor became the purchaser at said sale of said corn for the sum of forty one 50/00 dollars for the payment of which he executed his written obligation for said amount payable at the termination of this suit. It is therefore ordered, adjudged and decreed by the Court that said amount of forty one 50/00 dollars, when paid by said Taylor, be appropriated & abide & directing therefrom the costs of said Sequestration and sale to the payment of this Judgment, and that the said plaintiff Monte Pennington, do have and recover of & from the defendant, Allen P. Brown, the sum of two hundred and fifty dollars, with legal interest thereon from the date of the rendition of this Judgment until paid, together with all the costs in this behalf expended, for which execution may issue.

628 | The State of Texas | Plaintiff | Forgery
v.
Jacob De Cordova | Defendant

And now on this day came and appeared in open Court Jacob De Cordova the principal, and Ashford G. McGee and John A. Swisher as securities and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the penal sum of One Thousand Dollars, to be levied of their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Jacob De Cordova be and personally appear at the next term of the District Court of Travis county, to be held at the Courthouse thereof in the City of Austin on the

Spring Term, Monday, May 21st 1855

eighth Monday after the first Monday in September A. D. 1855. Then and there to answer to an Indictment preferred against him the said Jacob De Cordova by the Grand Jury of Travis county at the Spring Term of the District Court of said county, A. D. 1855 for Forgery, and that he then remain from day to day and from Term to Term, and from day to day of each term, and that he do not depart the Court without leave.

531. A. J. McLelland, Clerk } Plaintiff
John M. Swisher & James B. Shaw } Defendants } Mandamus.

And now come the parties to the above entitled cause by their attorneys and announced themselves ready for trial. And the parties having waived a Jury submitted the cause to the Court. And thereupon the amended petition of plaintiff, the Demurrer of the defendants thereto, the answer and return of the Defendants, together with the evidence in the cause being submitted to the Court

It is therefore considered and decreed by the Court that the Mandamus prayed for be refused; that the plaintiffs petition be dismissed, and that the Defendants go hence without day; and that the said defendants do have and recover of and from the said A. J. McLelland, the plaintiff, and of B. Lacoste and Peter Gallagher the sureties of the said plaintiff for costs in the above suit, all the costs of this suit, for which execution may issue. And thereupon the said plaintiff in open Court gives notice of an appeal to the Supreme Court.

415 Benjamin Roach } Plaintiff } Debt.
Nathaniel Downend } Defendant }

Now on this day came the parties by their Attorneys and on hearing of the motion of the plaintiff filed in this cause on the 19th instant, It is ordered, adjudged and decreed that the ruling of the Court on the 18th instant be set aside, that said Demurrer of Defendant to plaintiff's Petition be overruled, and that said cause be reinstated on the Docket, as if no such ruling of the Court had been made

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday Morning, May 22nd 1855.

Spring Term, Tuesday, May 22nd 1855.

Tuesday Morning, May 22nd 1855
Court met 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.

562 Augustus Fore } Plaintiff
v. } Injunction
J. H. Cocks, et al. } Defendants

And now come the parties by attorneys and agree that the above cause be dismissed at their mutual cost. And thereupon it is adjudged and decreed by the Court that the Plaintiff recover of and from the Defendants Sarah H. Cocks and John H. Cocks one half of the cost in and about this suit expended, that the Defendants recover of and from the Plaintiff, Augustus Fore, one half of the cost of this suit, for all which Execution may issue

564 Daniel Pratt } Plaintiff
v. } Debt on Note
Calvin Waitt & Wife } Defendants

And now comes the Plaintiff by attorney and files his bond for cost in this cause

573 W. O. Phelps } Plaintiff
v. } Debt and Note
Hudgins & Cleveland } Defendant

It is ordered by the Court that the above cause be continued and that alias citation issue to the Defendant Hudgins

574 R. H. Grimes } Plaintiff
v. } Debt on Note
W. O. Martin } Defendant

It is ordered by the Court that the above cause be continued generally

584 Charles S. West } Plaintiff
v. } Debt on Note
Johnson & McGill } Defendants

And now comes the Defendant, M. T. Johnson, by his attorney, and withdraws his answer filed in this cause

Spring Term, Tuesday, May 22d 1855

And thereupon there being no defence or answer in bar or preclusion of the plaintiffs petition It is ordered that plaintiff recover according to the prayer of his said petition

And thereupon It is adjudged and decreed by the Court that the plaintiff, Charles Ewell do have and recover of and from the defendants, M. T. Pohuan and Nathan B Mc Gee the Sum of One thousand and Sixty Six Dollars and Sixty Six Cents, the amount of this principal debt and twenty eight dollars and sixty four cents interest to this date, together with all costs of this suit, and it is that the plaintiff recover of the defendants legal interest on the said sum of One thousand and one ninety five dollars until paid. for all which execution may issue.

626 Francis Dutrick vs Pascal S Blakey } Plaintiff / Defendant } Debt on Note

It is ordered by the Court that the Defendant have leave to file an amended answer

627 Thomas J Perryman vs Jas G Swinks et al } Plaintiff / Defendants } Debt on Note

It is ordered by the Court that the above cause be continued for cause on the Defendant Jas G Swinks

644 Aaron Burton vs A B & H McGee } Plaintiff / Defendant } Debt on Note

It is ordered by the Court that the plaintiff have leave to amend this petition

649 Silas H Burdett vs G B & C Moore } Plaintiff / Defendant } Debt on Note

It is ordered by the Court that the Defendant have leave to file an amended answer

260 Benj Saunders Jr vs W S Abram } Plaintiff / Defendant } For Recovery of Some Negroes

And now on this day come the parties and announced themselves ready for trial. And thereupon the parties agreed to waive a Jury and submitted the cause to the Court And thereupon the parties submitted to the Court the evidence

Spring Term, Tuesday, May 22d 1855.

and after argument of counsel, the Court decree that the Plaintiff take nothing by this suit, that the Defendant go hence without day and recover of the Plaintiff, Benjamin Trumbo Jr. and the securities on his cost bond, to wit: D.W. Robertson and E. Fenwick all costs of this suit, for all which execution may issue. And thereupon the Plaintiff in open Court gave notice of his appeal to the Supreme Court.

261 Benjamin Trumbo } Plaintiff } Fa Recovery
Solon G. Reed } Defendant } Negro.

And now come the parties by attorney and announced themselves ready for trial, and the parties waiving a Jury submitted the cause to the Court and the Court after hearing the evidence adduced, and the argument of the counsel, finds in favor of the Defendant. And thereupon it is adjudged and decreed by the Court that the Plaintiff take nothing by his suit that the Defendant go hence without day, and that the Defendant recover of the Plaintiff Benjamin Trumbo, Jr. by his attorney and agent in fact D. Trumbo, and the securities on his cost bond, to wit: Ed. Fenwick and D.W. Robertson, all costs in and about this suit expended. For which execution may issue. And thereupon the Plaintiff in open Court gave notice of an appeal to the Supreme Court.

619. C.C. Peck } Plaintiff } Motion to set aside
v. Judgment.
Travis and Packard } Defendants

And now come the parties by attorneys, and the Court proceeding to consider the motion filed in this cause to set aside the Judgment by default rendered in this cause at a former day of this term, doth order that the said motion be overruled. And thereupon the Defendants in open Court gave notice of an appeal to the Supreme Court.

533 John D. Reed } Plaintiff } Motion for new trial
v.
Marion D. Coalter } Defendant }

And now on this day come the parties, and the Court considering the motion heretofore filed in this cause for a new trial, of doth order and decree that the said motion be overruled. And thereupon the Plaintiff by attorney in open Court gave notice of an appeal to the Supreme Court

Spring Term, Tuesday, May 22nd 1855

551 Wm A. Morris & Jno Burden } Plaintiff } Defendant } Motion for new trial

And now come the parties by their attorneys, and the Court considering the motion for a new trial filed in this cause, doth adjudge that said motion for a new trial be allowed

633 Daniel Jailand, Nancy Thorn and Robert S. Moore } Plaintiffs

vs.

David C. Gunn and Rebecca A. Gunn, his wife, C. O. Warren & Nancy C. his wife, Mary E. Moore, John M. Engram, Sarah Jane Moore, M. S. Moore, Nathaniel J. Moore, Thomas W. Moore } Defendants } Partition.

This day came the parties to the above entitled cause by their attorneys, those who are minors being represented by a Guardian ad litem, C. R. Peck, Esq. duly appointed by the Court: and the cause coming on to be heard, the matters of fact as well as of law being submitted to the Court, and it appearing to the Court that the late Nathaniel J. Moore in the month of October, 1854, died intestate owning no debts and owning one negro Slave Ned, who is now in the County of Travis; that his estate has never administered upon, and that the said parties, Plaintiff and defendant, are the only surviving heirs of the said Nathaniel Moore, deceased. It is therefore ordered, adjudged and decreed by the Court that after twenty days notice by written publication posted up in three or more public places in the County, the Sheriff shall sell at some public place in the ~~county~~ city of Austin at public auction the said negro Slave Ned, to the highest bidder on a credit of twelve months, taking notes with good and sufficient securities therefor. It is further ordered adjudged and decreed by the Court that when the purchase money therefor shall be paid to the Sheriff, the costs of this suit shall be defrayed therefrom, and the balance shall be distributed among the said parties, plaintiffs and defendants, in the following proportions, viz: The said Daniel Jailand and the said Nancy Thorn shall each have one fourth of said balance; the said John M. Engram, through his guardian, shall receive also one fourth of the said balance, and that the remaining fourth be equally divided among the other parties, plaintiffs and defendants, viz: the said Robert S. Moore, Rebecca A. Gunn and Nancy C. Warren, and the following ~~named~~ heirs, viz: Mary E. Moore, Sarah Jane Moore, M. S. Moore, Nathaniel J. Moore, and Thomas W. Moore, whose shares shall be paid to their Guardians

Spring Term, Tuesday, May 22 1855.

It is further ordered and decreed by the Court that said Edward R. Peck, Guardian ad litem, be and he is allowed a fee of ten dollars, to be taxed in the bill of costs.

And thereupon it is ordered by the Court that the Execution heretofore ordered to be entered against Hugh Miller be set aside

Peter Kline

The State of Texas } And the said Peter Kline having filed in open
County of Travis } Court his petition to become a citizen of the
United States, and the Court here being fully satisfied by the affi-
davits of W. B. Burgess and P. Meyer, that the said Peter
Kline was well known to them for the last five years during
two years of which time he has behaved as a man 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 Peter
Kline has made his declaration to become a citizen of
the United States in accordance with the act of Congress
in such case made and provided; and the said Peter
Kline having in open Court taken the oath prescribed by
law to support the Constitution of the United States and to entirely
and absolutely renounce and adjure forever all allegiance and
fidelity to every foreign Prince Potentate State or Sovereignty what-
soever and particularly to Frederick Wilhelm, King of Prussia
of whom he was late a subject.

It is therefore considered, ordered, adjudged
and decreed by the Court that the said Peter Kline be and he is
hereby admitted a citizen of the United States of America
and that the Clerk of this Court issue to him a certificate
accordingly

No 571 — O. C. Mason } Plaintiff
D. T. Cleveland } Defendant } Debt on Note

And now on 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 twelve
good and lawful men of Travis county, to wit: Samuel H.
Cavaness, James H. Hagerman, R. C. Hart, A. B. Fanning,
Martin Kennimer, Joseph Summons, D. T. Gunn, William Gage,
Neal McDonald, B. C. Bennett, Zadock Thornton and G. G. Wood
who being duly elected, empannelled and sworn, heard the

evidence, the 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 the sum of Four Hundred and Sixty Four 75/100 dollars, and costs of suit. made a tender of One hundred and Seventy 90/100 dollars to Pfff on the 5th of January, 1855. J. D. Matthews, Foreman."

Whereupon It is adjudged and decreed by the Court that the plaintiff C C Mason, do have and recover of the Defendant, E. F Cleveland the sum of Four Hundred and Sixty Four dollars and Seventy Five cents the amount of his principal debt and interest to this date, together with eight per cent. interest per annum until paid, and his costs in and about this suit laid out and expended. For all which execution may issue.

√ 595 — F. W. Chandler, Plaintiff; v. D. Douglass Bruce, Defendant — Debt on Note

It is ordered by the Court that the defendant have leave to file an amended answer.

√ 609 — R. D. Williams, Plaintiff; v. Ira R. Lewis, Defendant — Debt on Note

It is ordered by the Court that the defendant have leave to file an amended answer.

√ 622 — Samuel D Davis, Plaintiff; v. Thomas Cassidy et al, Defendants — Debt

It is ordered by the Court that the defendants have leave to file amended answer.

615 — George D Pancake, Plaintiff; v. John D Doran, Defendant — [illegible]

It is ordered by the Court that the Defendant have leave to file an amended answer.

√ 595 — Frederick F. Chandler, Plaintiff; v. D. Douglass Bruce, Defendant — Debt on Note

And now on this day came the parties respective plaintiff and defendant, by their attorneys, and having announced themselves ready for trial, waived a jury and submitted the matters in

Spring Term Tuesday, May 22d, 1855.

controversy to the Court, and the proofs and facts being heard by the Court, the Defendants exception to plaintiffs petition being first overuled - because it seems to the Court that the plaintiff has sustained his demand by the proof It is therefore ordered, adjudged and decreed by the Court that the said plaintiff Fredrick W. Chandler do have and recover of and from the defendant, P. Douglass Binns the sum of two hundred and thirty seven dollars and twenty cents for his principal debt and interest up to Judgment, together with all costs in and about this suit expended. for which execution may issue

579. John H. H. Cashman, James Borden, William Dunscomb & George R. Prentiss vs. Andrew A. Hopkins Lurian M. Hopkins James L. Fairshand & Samuel G. Rayne } Plaintiffs / Defendants } Judgment.

And now on this day came the plaintiffs by their attorneys, and announced themselves ready for trial. And thereupon came also the Defendants by their attorneys, and withdrew the answer heretofore filed by them, and saying nothing in bar or preclusion of said plaintiffs demand It is therefore ordered, adjudged and decreed that said plaintiffs do have and recover of and from said defendants Andrew A. Hopkins Lurian M. Hopkins, James L. Fairshand and Samuel G. Rayne, the sum of thirteen hundred and twenty two Dollars and twenty cents for their principal debt and interest up to Judgment, together with all costs laid out and expended, for which execution may issue.

580 Seth Thomas / Plaintiff vs. Sherman Case / Defendant } Debt on Note

And now on this day came the plaintiff by his attorneys, and announced himself ready for trial. And thereupon came also the defendant by his attorneys, and by leave of the Court withdrew the answer heretofore filed by said defendant, to wit: on the 3d May 1855, And saying nothing in bar or preclusion of plaintiffs demand It is therefore ordered, adjudged and decreed by the Court that the said plaintiff have and recover of said defendant, the sum of three thousand three hundred and seventy eight dollars and fourteen cents, for his principal debt and interest up to Judgment, together with all costs in this suit expended, for which execution may issue.

And thereupon It is ordered by the Court that Court adjourn until to-morrow morning

Spring Term, Wednesday, May 23d 1855.

Wednesday Morning, May 23d A. D. 1855.

Court met at Nine O'clock, Pursuant to adjournment present the same as on yesterday Whereupon the following proceedings were had by said Court as follows to wit

√ 578 Christopher G Wood } Plaintiff
Elijah B Rawles } Defendant } Debt on A/c

It is ordered by the Court that the above cause be continued as upon application of defendant by attorney

√ 594 Vicy Hopkins } Plaintiff
Lunn & Pannell } Defendants } Debt on Note.

And now comes the plaintiff and dismisses hereas as to defendant Pannell. And thereupon the defendant Lunn demurs to plaintiffs petition, which being considered by the Court it is ordered that the same be overruled. And thereupon came a Jury of twelve good and lawful men of Travis county to wit: Jas H. Masters, A. McKinney, J. H. Caruthers, B. C. Bennet, Neal McNeal, Th. J. Chapman, A. B. Tannehill, Thos Hamlet, R. Shaw Ralph Thurmond, Henry Bingener and R. A. Pickett, who being duly elected, empannelled and sworn, heard the evidence and argument of counsel and retired to consider of their verdict. Thereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the plaintiff Fifty Seven 35/100 Dollars & H. Masters Foreman, Whereupon It is adjudged and decreed by the Court that the plaintiff, Vicy Hopkins, recover of the defendant, Lunn & Lunn the sum of Fifty Seven Dollars and thirty five cents, for which execution may issue. It is further decreed by the Court that the defendant recover of the plaintiff all the costs of this suit, for which execution may issue

√ 599 R. Cruzbam } Plaintiff
vs } Defendants } Debt on Note.
L. Knight, et als

And now come the parties by their attorneys, and submit the cause to the Court. And the Court considering that the cause of action is liquidated It is adjudged and decreed that the plaintiff, Robert Cruzbam, recover of the defendants Lewis Knight, Edmund Cruzbam and James P. McKinney the sum of three hundred and seven dollars and thirty six cents, principal debt and interest to date, together with all costs in and about this suit expended and legal interest on the principal and interest aforesaid until paid for all which execution may issue.

Spring Term, Wednesday, May 2 3 1855.

610 L. C. Cunningham, et al. } Plaintiffs
v. } Debt on Note
W. C. Collinsworth } Defendant

And now come the plaintiffs and announce themselves ready for trial. And the defendant not appearing It is ordered by the Court that a Jury be empannelled whereupon there came a Jury of twelve good and lawful men of Travis county to wit: W. Kirkley and eleven others who being duly qualified, heard the evidence, argument of counsel and 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 plaintiffs principal and interest, three hundred and twenty seven dollars and fifty five cents. W. W. Kirkley Foreman" Whereupon It is adjudged and decreed by the Court that the plaintiffs L. C. Cunningham and Henry Cochran and in their proper name and style of L. C. Cunningham & Co. have and recover of the defendant W. C. Collinsworth, the sum of three hundred and twenty seven dollars and fifty five cents, the amount found to be due by the Jury, with ten per cent. interest thereon until paid and all costs of this suit, for all which execution may issue.

612 John B. Banks } Plaintiff
v. } Debt on Note
Wesley Smith } Defendant

And now come the parties and announce themselves ready for trial, and thereupon the parties waived a Jury and submitted the cause to the Court. And it appearing that the cause of action is liquidated It is adjudged and decreed that the plaintiff John B. Banks have and recover of the Defendant, Wesley Smith the sum of Six hundred and ninety eight dollars and sixty cents, with legal interest on said sum until paid, together with all costs of this suit, and that execution issue therefor.

616 Henry Rust } Plaintiff
v. } Debt on Note
Wesley Smith } Defendant

It is ordered by the Court that the plaintiff have leave to file an amended petition

And thereupon come the parties and announced themselves ready for trial. And the parties waiving

Spring Term, Wednesday, May 23d 1855

a Jury submitted the cause to the Court, and the cause of action being liquidated It is ordered adjudged and decreed by the Court that the plaintiff Henry Ross have and recover of the defendant Wiley Lewis the sum of Four hundred and forty dollars and ninety eight cents debt and interest to this date, together with all costs of suit and that execution issue therefor.

617 Deborah Highsmith } Plaintiff
W. O. Martin } Defendant } Debt on Note

And now come the parties and announced themselves ready for trial And the parties waived a Jury and submitted the cause to the Court, and it appearing that the cause of action is liquidated It is adjudged and decreed by the Court that the plaintiff Deborah Highsmith have and recover of the defendant W. O. Martin the sum of One hundred and thirty dollars principal debt and interest to date, with ten per cent. interest on said amount until paid, and all costs of this suit, and that execution issue therefor.

Sept. 27, 1855. Rec'd of W. O. Martin one hundred and [illegible] dollars and thirty three cents in full to date. Thos. J. Brown, D.C.

621 William Clark } Plaintiff
v. } Debt on Note
D. A. Rinderlat } Defendant.

And now on this day come the parties and announced themselves ready for trial, and the parties waiving a Jury submitted the cause to the Court and the Court hearing the evidence, doth order that the plaintiff William Clark have and recover of the defendants D. A. Rinderlat and R. M. Rinderlat the sum of Five Hundred and thirty four dollars and thirty two cents, his principal debt and interest to date, together with ten per cent. interest on said amount until paid, together with all costs of suit, for which execution may issue.

624 Jorge Metz } Plaintiff
Nancy Metz } Defendant. } Debt on Note

It is ordered by the Court that the defendant have leave to file an amended answer

629 Francis Dietrick } Plaintiff
v. } Debt on Note
Thomas J. Pitt } Defendant.

It is ordered by the Court that the plaintiff have leave to amend

Spring Term, Wednesday, May 23d 1855

649 — Wm H. Burdett & J. B. Moore } Plaintiff / Defendant } Debt on Note

It is ordered by the Court that the plaintiff have leave to file an amended petition

611 — The State of Texas / John T. Thorn } Plaintiff / Defendant } Forgery

And now on this day came and appeared in open Court John T. Thorn as principal, and Lewis Knight and Wm A. Burdett as securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the sum of Fifteen Hundred Dollars to be levied of their respective goods and Chattels lands and tenements But to be void upon condition that the said John T. Thorn be and personally appear at the next term of the District Court of Travis county to be begun and held at the Court House thereof in the City of Austin on the eighth Monday after the first Monday in September A. D. 1855, then and there to answer to an Indictment pefered against him by the Grand Jurors of Travis county at the Spring Term of the District Court of said County A.D. 1855 for Forgery, and that he there remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave.

612 — The State of Texas / John T. Thorn } Plaintiff / Defendant } Forgery

And now on this day came and appeared in open Court John T. Thorn as principal and Lewis Knight and Wm A. Burdett as securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the Sum of Fifteen Hundred dollars to be levied of their respective Goods and Chattels, lands and Tenements But to be void upon condition that the said John T. Thorn be and personally appear at the next term of the District Court of Travis county to be begun and held at the Court house thereof in the City of Austin on the eighth Monday after the first Monday in September A. D. 1855, then and there to answer to an Indictment pefered against him by the Grand Jurors of Travis county at the Spring Term of the District Court of said county, A.D. 1855. For Forgery and that he there remain from day to day and from term to term and from day to day of each term, and that he do not depart the Court without leave.

Spring Term, Wednesday, May 23rd 1855.

609 Robert M. Williams } Plaintiff
vs. } Debt on Note
Ira R. Lewis } Defendant

And now on this day come the parties by their attorneys, and the defendant by his attorney, moved the Court for a continuance in this case, which motion was by the Court overruled, And thereupon the parties waived a Jury and submitted the cause to the Court. And the Court having heard the evidence, finds in favor of the plaintiff the Sum of Five hundred and thirty dollars and forty cents, the amount of the principal and interest due on the note sued on in this case.

It is therefore considered by the Court that the plaintiff Robert M. Williams, have and recover of and from the said defendant, Ira R. Lewis, the said sum of five hundred and thirty dollars and forty cents for his debt and interest due on said note sued on, together with all of his costs in this behalf laid out and expended for which execution may issue

And thereupon the plaintiff by attorney in open Court gave notice of his appeal to the Supreme Court

603 Robert Mills } Plaintiff
v. } For Right of Property
Albert Rust } Defendant

It is ordered by the Court that the above cause be continued

623 Fielding S. Roy } Plaintiff
v. } Debt on Ac
Lauder Brown } Defendant

It is ordered by the Court that the above cause be continued as per agreement of parties

626 Francis Dietrich } Plaintiff
v. } Debt on Ac
H. G. Blakey } Defendant

And now come the parties by their Attorneys and announced themselves ready for trial, and waiving a Jury submitted the cause to the Court, And thereupon the parties agreed that Judgment should be rendered for plaintiff after allowing debt. an offset of $21.50. And thereupon It is ordered adjudged and decreed by the Court that the Plaintiff Francis Dietrich, do have and recover of and from the Defendant, Harbert G. Blakey the Sum of Four Hundred and Twenty Four Dollars and Fifty nine cents

Spring Term, Wednesday, May 23d 1855

the amount claimed by Plaintiff after allowing the aforesaid offset of $21.50 and all costs of this suit for all which execution may issue.

629 Francis Dutwich } Plaintiff
Thomas J. Pratt } Defendant } Debt &c

This ordered by the Court that the plaintiff have leave to amend, and also that the defendant have leave to amend. And thereupon came the parties and announced themselves ready for trial. And the parties waiving a Jury submitted the cause to the Court. And the Court considering the evidence introduced by the parties and the argument of counsel, give Judgment for the Plaintiff. And thereupon It is ordered, adjudged and decreed by the Court that the plaintiff Francis Dutwich do have and recover of the Defendant, Thomas J. Pratt the sum of One hundred and forty seven dollars and sixty six cents, the amount of his principal debt and interest to this date, with ten per cent. interest on said amount until paid, together with all costs in and about this suit expended, for all which execution may issue.

631 H. G. Blakey } Plaintiff
John M. Bayley } Defendant } Debt on Acc

And now on this day came the parties to the above cause by their Attorneys and announced themselves ready for trial. Thereupon came a Jury of twelve good and lawful men of Travis county to wit: James H. Mathews, A. H. Mahoney, B. C. Bennett, J. H. Chapman, S. D. Carothers, Archd McDonald, A. B. Townsend, Thos. W. Ward, R. Platt Forbes Cameron, Henry C. Burgevin and L. A. Pickett, who being duly elected, empannelled and sworn, heard the evidence, argument of counsel and 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 the sum of ninety eight dollars. J. H. Mathews Foreman." Whereupon It is adjudged and decreed by the Court that the plaintiff Harbert G. Blakey, do have and recover of the defendant John M. Bayley the sum of ninety eight dollars and all costs of suit, for which execution may issue.

Spring Term, Wednesday May 23 1855

640 Shepard & Hutchins } Plaintiffs
Fielding D. Roy } Defendant } Damages

It is ordered by the Court that the above cause be continued as upon application of plaintiffs

644. Aaron Binkum } Plaintiff
A B. McGee } Defendant } Debt on Note

It is ordered by the Court that the Defendant have leave to amend,

668. L. D. Carrington & Co } Plaintiffs
J. Douglass Borum } Defendant } Debt on Note

And now come the parties by attorney and announced themselves ready for trial, and thereupon the defendant withdrawn his answer filed in this cause, and saying nothing in bar or preclusion of plaintiffs demand And thereupon It is adjudged and decreed by the Court that the plaintiffs, L. D Carrington and Hand Carrington under their firm name and style of L. D. Carrington & Co. do have and recover of the defendant, J. Douglass Borum the sum of One hundred and sixty two dollars and eighty one cents interest and principal to date, and all costs of this suit, for all which execution may issue

105 The State of Texas } Plaintiff
Green B. Moore } Defendant } Assault and intent &c

And now at this day appears in open Court James M. W. Hall and C. L. C. Roberts, securities who had heretofore at a former day of the present term of this Court, entered into recognizance for the appearance of Green B. Moore, charged with an assault with intent to kill and murder, and surrendered the body of said Green B. Moore and asked to be discharged from the recognizance, And thereupon It is ordered by the Court that the said securities be discharged from said Recognizance, and that the defendant be remanded into the custody of the Sheriff

Spring Term, Wednesday, May 23 1855

632 Henry Renick vs Sanford C. Blanton } Plaintiff / Defendant } Debt or Note

And now on this day appears the plaintiff by his attorneys; and it appearing to the Court from the Sheriff's return that the Defendant has failed to appear within the time prescribed by law and file his answer but wholly made default

It is therefore ordered, adjudged and decreed by the Court that the plaintiff Henry Renick have and recover of and from the Defendant, Sanford C Blanton, the sum of three hundred and twelve dollars and fifty cents being the amount of his principal debt and interest up to the rendition of this Judgment together with all costs in this behalf expended for which execution may issue.

626 Francis Dutrich vs Wm J Blakey. } Plaintiff / Defendant } Debt or Ag

It is adjudged and decreed by the Court that the Judgment heretofore rendered in this cause be amended so as to read as follows. "It is ordered, adjudged and decreed by the Court that the plaintiff, Francis Dutrich, do have and recover of the Defendant, Wm Lucas & Blakey the sum of Four Hundred and forty four dollars and fifty nine cents, being one dollar and fifty cents less than principal sum due, and all costs in and about this suit expended for and which execution may issue."

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow morning, Thursday, May 24th 1855

Thursday Morning, May 24th 1855

Court met at nine 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, May 24th 1855.

666 L. D. Danington & Co } Plaintiffs
vs
Holmes and Aldham } Defendants } Debt on ac

And now came the Defendant Aldham by attorney and asks leave of the Court to amend, and thereupon it is ordered that the defendant have leave to file an amended answer

657 Geiger Hancock } Plaintiff
vs
Wm Runnels } Defendant } Debt on Note

It is ordered by the Court that the cause be dismissed

Philip Hoffmann.

The State of Texas } And the said Philip Hoffman having filed
County of Travis } in open Court his petition praying to be admitted
to become a citizen of the United States, and the Court here being duly
satisfied by the affidavits of P. C. Bergener and P. C. Meyer that the
said Philip Hoffmann was well known to them for the last five
years during two years of which time he has behaved as a man
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 Philip Hoffmann
has made his declaration to become a citizen of the United States
in accordance with the act of Congress in such case made and
provided; and having in open Court taken the oath prescribed
by law to support the Constitution of the United States and to
absolutely and entirely renounce and abjure forever all allegi-
ance and fidelity to every foreign Prince, Potentate, State or Sovereignty
whatsoever, and particularly to the Prince of Nassau Frederick
William, of whom he was late a subject

It is therefore ordered adjudged and decreed
by the Court here, that the said Philip Hoffmann be and he
is hereby admitted a citizen of the United States of America, and
that the clerk of this Court issue to him a certificate accordingly

Spring Term, Thursday, May 24th 1855

Order
C. T. Compton

It is ordered by the Court that a certificate issue to Charles T. Compton for ten days services in addition to a certificate heretofore issued for one day as a petit Juror at the Fall Term of the District Court of Travis county, A.D. 1854

1103	James Park v. W. P. Oldham et. al	Plaintiff Defendants	For Land

It is ordered by the Court that a motion heretofore filed in this cause for a new trial be allowed.

1161	R. M. McAlpin & Co v. Cassidy & Trimin	Plaintiff Defendants	Debt

It is ordered by the Court that the Judgment heretofore rendered in this cause be set aside and the cause reinstated. And thereupon it is ordered by the Court that the defendants recover of the plaintiffs all costs of this suit to this date for which execution may issue.

550	Evans & Carman v. Rufus Etheredge	Plaintiffs Defendant	Debt

It is ordered by the Court that a motion for a new trial filed in this cause by defendant be overruled, and thereupon the said defendant, by attorney in open Court, gave notice of an appeal to the Supreme Court.

656	D. Gilland v. Castley & Moore	Plaintiff Defendants	For Rent.

It is ordered by the Court that the motion for a new trial filed by the defendant Moore in this cause be overruled

5741	C. C. Mason v. J. D. Cleveland	Plaintiff Defendant	Debt on Note

It is ordered by the Court that a motion filed in this cause by defendant for a new trial be allowed

Spring Term, Thursday, May 24th 1855

669 James Lama } Plaintiff
v. } Motion to
I St. Mathews } Defendant } Motion to

And now come the parties by their attorneys and the Court proceeding to consider the motion filed in this cause to set aside the Judgment heretofore rendered in the same, Doth deem that the said Judgment be set aside

James St Raymond } Plaintiff
v. } Petition for
508 G B. Moore, J Dietrich } Debt and
Exrs of Thos Glazecock & } Foreclosure
Stanwell J Blakey } Defendants } of Lien

And now at this term come the parties by their attorneys, and the exception of defendant to plaintiff's petition and amended petition being considered, and by the Court understood, the same are overruled by the Court, and the defendant permitted to answer.

Whereupon the parties having submitted by mutual consent the matters of fact as well as of law to the Court, and the evidence introduced by the parties being heard and considered. It is ordered, adjudged and decreed that the plaintiff do have and recover of said defendants the sum of two hundred and twenty seven 50/100 dollars, his principal and interest on the note sued upon, and all costs in this suit expended, And it is further ordered, adjudged and decreed that the lien of said plaintiff for said debt on the undivided half of the South half of Lot No Seven in Block No Sixty nine in the City of Austin as heretofore declared, and that all right, title and interest of each and every one of these defendants in and to said lot be sold by the Sheriff of Travis county to the highest bidder at public auction, under the rules regulating Sheriffs sales so far as they apply, and that the money bid therefor be applied to the payment of this judgment & the costs thereof. And it is further ordered, adjudged and decreed that if any balance of this Judgment remain unpaid that execution may issue therefor and for said costs against said defendant G B. Moore, and this Judgment and costs may be entered to the Probate Court of Travis county as a just and lawful claim against the estate of Thomas Glazecock, deceased.

Whereupon the defendants in open Court gave notice of an appeal to the Supreme Court

Spring Term, Thursday, May 24th, 1855.

258 Edward Crumbles } Plaintiff
vs
Benjamin Crumbles Sr } Defendant
Rebecca Crumbles

And now at this term of the court came the parties in the above entitled cause by their attorneys, and thereupon came a Jury of good and lawful men of Travis county to wit: A.C. Brown, W.D Davidson, Marion Hamilton, W.D Patterson, Edward Sanders, Reuben Runner L.J. Gordon, M. M. Duncan, Dunkin Vanderen, P.S Brown, Joseph W. Hamplan and Perkins Davis, who being duly sworn, impannelled and sworn, a true verdict to render according to the evidence, and being duly charged by the Court, returned their verdict as follows "We the Jury, find in favor of the plaintiff as against Benj Crumbles, and in favor of the defendant Rebecca Crumbles; and assess the value of the boy Nat at $1100 and the value of the man, Jack, at $100. April 5th 1855 J.W Hamplan, Foreman."

It is therefore ordered, adjudged and decreed by the Court that the title in and to said slaves Nat and Jack be and is hereby declared vested in the plaintiff Edward Crumbles; and it is further decreed that the title of said defendant Rebecca in and to an undivided half interest in said slaves be hereby decreed and established. And it is further ordered and decreed that all right, title and interest of said Benjamin Crumbles, Senior, be and is hereby annulled and declared void by this decree. And it is further decreed by the Court that the defendant Benjamin Crumbles, Senior, pay all costs of this suit, for which execution may issue.

596. Sebron G. Snead } Plaintiff
v.
Perkins Davis } Defendant } Debt on Note

And now on this day came the plaintiff and claims a Judgment by default. And it appearing to the Court that the defendant has been duly served with process, that he has failed to answer within the time prescribed, and that the cause of action is liquidated as evidenced by an instrument of writing.

Spring Term, Thursday, May 24th, 1855.

Whereupon It is ordered, adjudged and decreed, that the plaintiff, Isham J. Snead, recover of the Defendant, Jenkins Davis the sum of One hundred and fifteen dollars and thirty cents, the amount of his principal debt and interest to date, with legal interest on said amount until paid, and all costs of this suit, for which execution may issue

555. Isham J. Snead } Plaintiff
Marian Hamilton } Defendant } Fi Fa

And now came the parties to the above cause, and the Court considering the motion filed by defendant for a new trial, Doth order, adjudge and decree that the same be overruled

642 Davis Traitel } Plaintiff
Wm. Aliphant } Defendant } Debt on Note

And now comes the plaintiff by attorney and claims a Judgment final by default and it appearing that the cause of action is liquidated as proved by an instrument of writing, and that said defendant has failed to answer It is adjudged and decreed by the Court that the plaintiff Davis Traitel do have and recover of and from the defendant, W. Aliphant, the sum of One hundred and sixty three dollars and fifty eight cents the amount of his principal debt and interest to date together with eight per cent. interest on said amount until paid, and all costs in and about this suit expended for which execution may issue

And Thereupon It is ordered by the Court that Court do now adjourn until to-morrow morning, Friday, May 25th 1855; Examined and approved, 25th May, 1855. John Hancock, Judge.

Friday Morning, May 25th, 1855.

Court met at nine o'clock pursuant to adjournment Present The Hon. Thomas J. Devine, Judge of the Fourth Judicial District of the State of Texas, Isaac Bacon, Clerk, and John D. Price, Sheriff. Whereupon the following proceedings were had by said Court to wit:

Recieved & Command Execution ($100) from the Judgment in the case Snead V.S. Davis this 26 Oct 1855 — Wm. Sullivan D. Sheriff

Friday, (Spring Term,) May 25th 1855.

597 Thomas P. Adams } Plaintiff
v. } Injunction
Spears & Scallion } Defendants

It is ordered by the Court that the above cause be continued for service on the Defendants

618 Benjamin F. Owen } Plaintiff
v. } Mandamus
S. Bracken, et al } Defendant

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

622 Samuel Harris } Plaintiff
v. } Debt, &c
Thomas Cassiby, et al } Defendants

It is ordered by the Court that the above cause be continued as upon application, by affidavit, of the defendant Horan.

624 Aaron Burleson } Plaintiff
v. } Debt &c
A. B. McGee } Defendant

It is ordered by the Court that the plaintiff have leave to file an amended petition.

547 John Marshall } Plaintiff
as. } Injunction
Joseph H. Hampton } Defendant

And now on this day came the parties to the above cause by their attorneys and on motion of plaintiff's attorney It is ordered by the Court that the Injunction granted in this cause be dissolved upon the petition and answer; And the Demurrer of plaintiff to defendant's answer was overruled. And thereupon It is ordered by the Court that the above cause be continued as upon application of defendant's attorney by affidavit.

Spring Term, Friday, May 25th, 1855.

624. George Metz } Plaintiff
vs. } Debt on Note
Nancy Metz } Defendant

And now on this day came the parties to the above cause by their attorneys and announced themselves ready for trial whereupon came a Jury of good and lawful men of Travis county, to wit: S. D. Chubbuck, Jno. H. Manlove, R. Platt, C. Wilcox, Wm. H. Ward, Jas. Simmerson, W. B. Jarnett, M. Mahoney, A. B. Townsend, Henry Burgess, Neale McDonald, and John B. Rainey, who being duly elected, empannelled and sworn, heard the evidence, the 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 the sum of One hundred and Sixty three dollars J. H. Manlove, Foreman"

Whereupon It is ordered, adjudged and decreed by the Court that the plaintiff George Metz have and recover of the defendant Nancy Metz, the sum of One hundred and Sixty Three Dollars, as aforesaid, with legal interest until paid, and all costs of this suit, for which execution may issue.

624. F. Dutrich } Plaintiff
vs. } Debt on Note
James O. Rice } Defendant

And now on this day come the parties to the above cause by their attorneys and announced themselves ready for trial. And the parties waiving a Jury, submitted this cause to the Court. And thereupon, the Court hearing the evidence adduced by the parties, and the argument of counsel, and considering the same, Doth order, adjudge and decree that the plaintiff, Francis Dutrich, do have and recover of the Defendant, James O. Rice, the sum of Forty, Three Dollars and Sixty Cents, principal debt and interest to date, with ten per cent. interest on said amount until paid, and all costs in and about this suit laid out and expended, for which execution may issue.

And thereupon It is ordered by the Court that Court do now adjourn until to-Morrow Morning, May 26th 1855.

Spring Term, Saturday, May 26th 1855

Saturday Morning, May 26th 1855.

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

642. Meredith Walton, James B. Benson, Elizabeth B. Henry, widow of John D. Henry, Dec'd, and Meredith M. Henry and Hugh L. Henry heirs of full age of said John D. Henry Dec'd vs. Elizabeth D. Henry, David A. Henry, John B. Henry, Mary J. Henry, Amanda M. Henry, Thomas P. Henry, James M. Henry, Franklin D. Henry and Texana C. Henry Minor heirs of said John L. Henry Dec'd — Plaintiffs / Defendants — Partition.

Be it remembered that on this the 26th day of May A.D. 1855, came on this cause for final hearing upon the report of the Commissioners heretofore, at this term of the Court appointed to make partition in this behalf which report is in words and figures following, to wit.

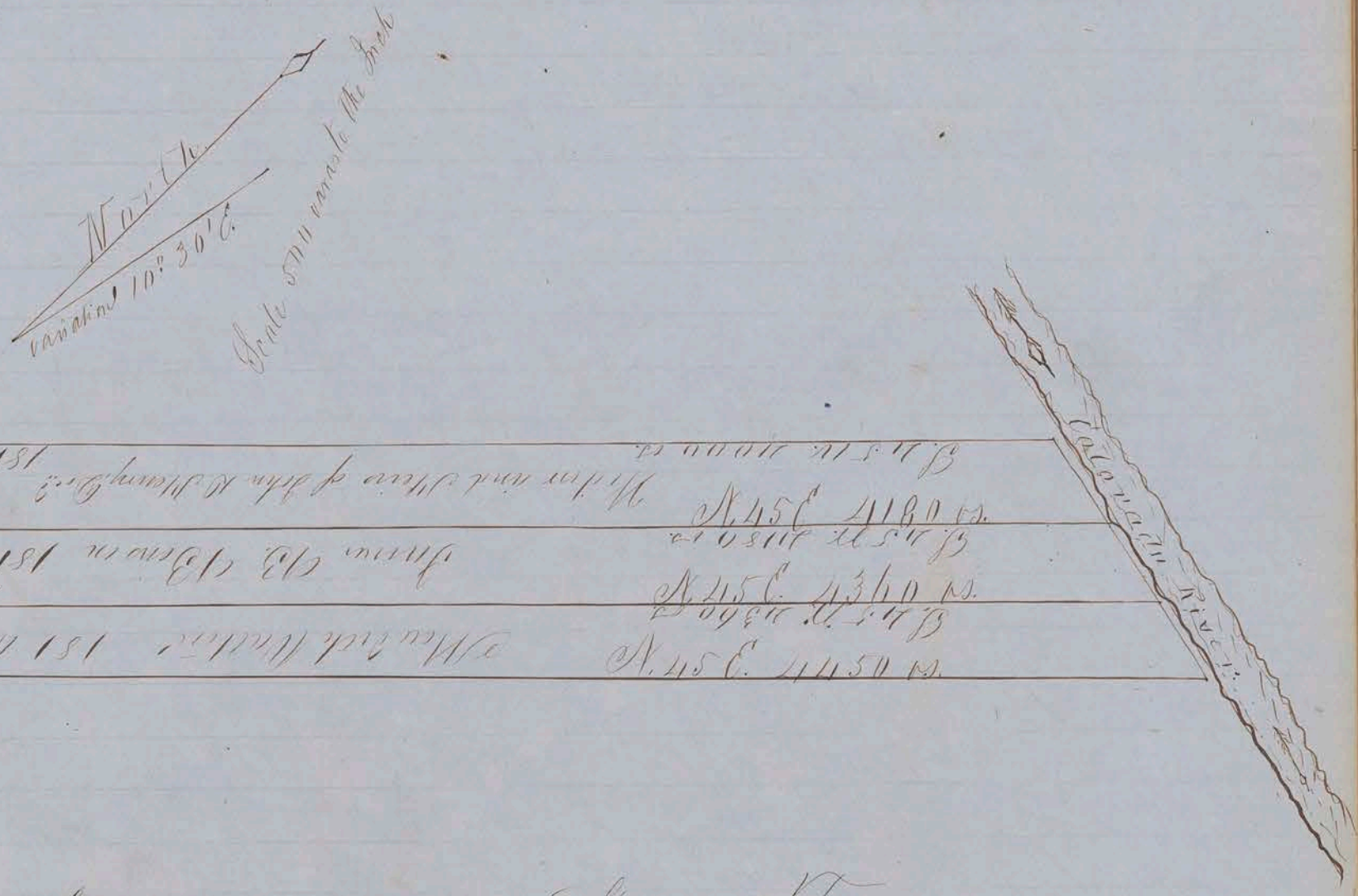
The State of Texas, Travis County } District Court, Spring Term 1855.

To the Hon. John Hancock, Judge &c

The undersigned, appointed Commissioners by your Honor at the present term of your Honors Court, to partition a certain tract of land set forth and described in a certain case in said Court wherein Meredith Walton, et al are plaintiffs & Elizabeth D. Henry, et al (minor heirs of John D. Henry, Dec'd) are defendants, having discharged the duty assigned them, herewith submit & report a plat of said tract of land as surveyed and partitioned by them, in accordance with the order of your Honor in said case as also the field notes of each separate Survey showing the boundaries and quantity of land in each severalty partitionment, and to whom allotted and partitioned

Ralph Rowe
R. A. Binford
Geo. T. Bowen

Spring Term, Saturday, May 26th 1855.



M. Mahan, dec'd
vs.
Hen of J. D. Henry.

Spring Term, 1855

Petition for Partition

Field Notes of a Survey made for the Hein of John D. Henry Dec'd in the above named case.

Beginning at a Stake on the west bank of Colorado river being the Lake place that Upshur began his line, which divides the Lake bed on equal parts and runs S. 45 W. on that same line four Thousand varas to M.c Authis line. Thence S. 45 E. on M.c Authis line two Hundred and fifty varas to a Stake Thence N. 45 E four thousand one hundred & eighty varas to a Stake on the East bank of said River, from which a hackberry 10 inches diameter bears S. 80 W. one distant & a box elder 8 inches diameter N. 80 E. 1 vara distant, Thence up the River with its meanders to the place of beginning. containing one hundred & eighty one acres, (one hundred and eighty one acres) Joseph Rowe, Surveyor.

Field Notes of a Survey made for James B. Benon, a party in the same case.

Beginning at a Stake on the East bank of the Colorado River, from which a hackberry 10 inches in diameter bears S. 80° W. distant one vara & a Box Alder 8 inches in diameter bears N. 80° E. distant one vara, being the lower corner of the Survey in this case made for widow Henry of Dec'd. Henry, Dec'd, and running S. 45° W. 4180 varas to a Stake on Nicholas M.c Authis line, Thence S. 45° E. 240 varas to a Stake, Thence N. 45° E.

Spring Term, Saturday, May 26th 1855.

4360 varas to a Stake on the Bluff Bank aforesaid River from which a Pecan tree 12 inches in diameter bears N. 9° E. distant 2 4/10 varas, and an Elm 14 inches in diameter bears S. 38° W. distant 17 7/10 varas - both trees marked X - Thence up the River with its meanders to the place of beginning - containing one hundred and eighty one acres and hundredths and eighty one acres) Joseph Rowe, Surveyor.

Field Notes of a Survey made for Meredith Walton, a party in the Dams Case.

Beginning at a stake on the Bluff Bank aforesaid on said River, being the lower corner of the Survey of James B. Benson and running S. 45° W. 4360 varas to a stake on Nicholas McAdams line, thence S. 45° E. 231 varas to a stake on N. West line of a tract of land conveyed by Sam Highsmith to Nicholas McArthur, thence N. 45° E. on said line to the north corner of said last named tract of land, thence up the River with its meanders to the place of beginning, containing one hundred and eighty one acres - (181 acres)

Joseph Rowe Surveyor.

Ann Thompson, one of the defendants petitioners by attorney, D. A. Hutchins, duly sworn to by Wm. H. Hendrickson Guardian ad litem herein for said minor heirs. It is ordered by the Court that said report be confirmed and upon motion in like manner made and assented to, and the said parties by said attorney and guardian ad litem waiving a Jury, it is ordered, adjudged and decreed by the Court, that all the right, title and interest of the parties aforesaid in and to the tract of 181 acres of land in said Report partitioned to said widow and heirs be divested out of them and vested in said widow and heirs to be by them held and owned as tenants in common, according to their respective rights in the same as widow and heirs of said John D. Henry Deceased, and all the right, title and interest of said parties in and to the tract of 181 acres of land in said report partitioned to James B. Benson be divested out of them and vested in said James B. Benson; that all the right title and interest of said parties in and to the tract of 181 acres of land in said Report partitioned to Meredith Walton be divested out of them and vested in said Meredith Walton; and that said petitioners, Meredith Walton, James B. Benson, Eliz Ann

Spring Term, Saturday, May 26th 1855.

B Henry, Meredith W. Henry, Hugh B Henry, Jay Jarvis and Orindly the costs of this suit, but as between themselves to be apportioned as follows, to wit: said Meredith Walton, one third: said James B Bunn one third and said widow and heirs of Eldridge one third of these costs, for all which execution may issue.

605 The State of Texas } Plaintiff
Green B. Moore } Defendant } Assault &c

633 The State of Texas } Plaintiff
Green B. Moore } Defendant } Habeas Corpus

In the two above causes, upon motion of the District Attorney, and it appearing to the Court that Green B. Moore having been indicted by the Grand Juror of Travis County for an assault with intent to kill one S. W. Heuston, and also arrested on a charge of an assault with intent to kill one Juan Antonio Bonnet and upon examination of said charge in this Court at the present term, held to enter into recognizance in the sum of One thousand dollars in each of said charges, to wit: said Indictment and said arrest, to answer to said Indictment and to whatever Indictment may be presented against him by the Grand Jury of said county of Travis for said alleged assault upon said Juan Antonio Bonnet; and the said Green B. Moore having failed to enter into Recognizance either of said charges, is still in the custody of the Sheriff of Travis county, and that there is no safe jail in said county, and it further appearing to the Court that there is a safe jail in Bastrop county. It is therefore ordered by the Court that the Sheriff of Travis county convey the body of the said Green B. Moore to the county of Bastrop and there to deliver him to the Sheriff of said county to be placed in jail, and there kept until the next term of this Court, unless sooner discharged by due course of law.

Spring Term, Saturday. May 26th 1855.

614 The State of Texas } Plaintiff
as. } Forgery
Jas Boyd & H. D. Polley } Defendants

618 The State of Texas } Plaintiff
v. } Forgery
Boyd & Polley } Defendant

619 The State of Texas } Plaintiff
v. } Forgery
Boyd & Polley } Defendant

620 The State of Texas } Plaintiff
v. } Forgery
Boyd & Polley } Defendant

621 The State of Texas } Plaintiff
v. } Forgery
Boyd & Polley } Defendant

622 The State of Texas } Plaintiff
v. } Forgery
Boyd & Polley } Defendants

624 The State of Texas } Plaintiff
v. } Forgery
Boyd & Polley } Defendant

In the above and pending cases upon motion of the District Attorney and it appearing to the Court that H. D. Polley having been indicted by the Grand Jurors of Travis county for an assault with Forgery in 4; and the said H. D. Polley having been ordered to enter into recognizance for his appearance at the next term of the District Court of Travis county in the sum of Four Hundred dollars each, making the sum of Four Thousand dollars; and the said H. D. Polley having failed to enter into Recognizance is ordered in the custody of the Sheriff of Travis county and that there is no safe jail in said county; And it

Spring Term, Saturday, May 26th 1855.

[illegible] It is therefore ordered by the Court that the Sheriff of Travis county convey the body of the said H. D. Pedley to the county of Bastrop, and there deliver him to the Sheriff of said county to be placed in jail, and there kept until the next Term of this Court, unless sooner discharged by due course of law.

370 Hugh Walden } Plaintiff
T. F. Slaughter, et al } Defendants } Suit for Damages.

And now come the parties by their Attorneys, and the exceptions of the Defendants coming on to be heard, after hearing the argument of counsel, and being considered by the Court, It is ordered, adjudged and decreed that the same be overruled. And thereupon the exceptions of the plaintiff to the defendant Slaughter's special plea and answer coming on to be heard, after hearing the argument of counsel, and considering said exceptions and answers, It is ordered, adjudged and decreed by the Court that said exceptions be overruled. The parties having announced themselves ready for trial, a Jury of twelve good and lawful men of Travis county came, to wit: James H. Mathers, A. H. Mabry, D. K. Cowles, Neal McDonald, A. B. Simmons and Mo. H. Hard, L. Pleas, Joseph Dunnivan, Henry C. Benjamin, Mo. J. Chapman, Adam Kinnison and P. C. Ryan, who being duly elected, tried, impannelled and sworn, according to law, after hearing the evidence and argument of counsel, retired to under the charge of the Court to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit:

"We, the Jury, find for the plaintiff the Sum of seventy five dollars as the value of the mule, saddle, bridle &c. One hundred and Seventy Five dollars Specie money. And we also find in favor of Johnson T. H. Mathers, Foreman."

Whereupon, It is ordered, adjudged and decreed by the Court that the said T. H. Johnson be discharged and go hence without day, with his costs.

It is further ordered, adjudged and decreed by the Court that the said plaintiff, Hugh Walden have and recover of and from the said Thomas F. Slaughter the said Sum of Two hundred and fifty dollars in form aforesaid by the said Jury assessed, together with all of his costs and charges in this suit in this behalf laid out and expended. For all which execution may issue, &c

Spring Term, Saturday, May 26th 1855.

401 ↓ German Emigration Company } Plaintiff
v. } Injunction
S. Crosby, Gen. Gen'l &c. } Defendant

On this day the cause proceeded to argue the motion to dissolve the Injunction upon petition and answer. And the premises being considered, and by the Court fully understood. It is ordered, adjudged and decreed that the Injunction be reformed that the plaintiffs within sixty days after this order, file with the Commissioner of the General Land office all their evidences of contracts and assignments by each and every colonist and assignee of colonists to whom subscribers may have at any time sold. And that after that time in all cases where such evidences of contract with and assignments from said colonists or their assignees are not filed, the Injunction as to such stand dissolved. And that as to all the said Injunction remain in full force.

And on motion of plaintiff said cause stands continued until next term

1115 ↓ Benjamin Roach } Plaintiff
v. } Debt &c
Asahel Townsend } Defendant

It is ordered by the Court that the Defendant have leave to file an amended answer

1115 ↓ Benjamin Roach } Plaintiff
v. } Debt &c
Asahel Townsend } Defendant

And thereupon It is ordered by the Court that the plaintiff have leave to file an amended petition.

559 ↓ Deutsch, Adam & Blankey } Plff's
v. } To try title &c
Glascock & Mabbitt } Defts

And thereupon It is ordered by the Court that the Defendants have leave to amend pleadings

And thereupon It is ordered by the Court that Court adjourn until Monday morning. May 28th 1855

Spring Term. Monday, May 28th 1855.

Monday Morning, May 28th 1855

Court met at nine o'clock A.M. pursuant to adjournment. Present the Hon Thomas J. Devine, Judge of the Fourth Judicial District, Frank Brown, Clerk of said Court and Samuel C Taylor, Deputy Sheriff of Travis county Whereupon the following proceedings were had by said Court as follows, to wit.

3/17. Thomas Freeman Admr of Estate of John C. Hyde, Dec'd } Plaintiff } In Equity
vs. } Defendant } Do.
Francis Kelly

And now at this term comes the said Defendant, and in due time files his motion for a new trial in said cause, and on the hearing of said motion in open Court it appearing to the satisfaction of the Court that there was error committed on the former trial in this cause, And it further appearing by the affidavits of said Kelly filed in his application for said new trial, as also from the affidavit of Roland M. Lockett filed at the same time, that since the trial of said cause the said Defendant Francis Kelly has discovered new testimony, which in the opinion of the Court would have varied the verdict of the Jury on said trial, It is therefore ordered, adjudged and decreed by the Court that the verdict of the Jury in this cause be set aside; that a new trial in said cause be granted defendant, and that said cause be reinstated on the docket and continued for trial until the next term of this Court.

And thereupon It is ordered by the Court that Court do now adjourn until Thursday Morning, May 29th 1855.

Thursday, May 29th 1855.

Court met 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:

Spring Term, Tuesday, May 29th 1855.

531¾ ↓ Lucinda Price } Plaintiff
Rufus Getchell } Defendant } Recognizance

And now on this day came and appeared in open Court Rufus Getchell, and acknowledged himself justly to owe and be indebted unto Jannie M. Price in the sum of One thousand dollars, the land of his Lord and chattels, land and tenements But to be void upon condition that the said Rufus Getchell produce the body of the said Lucinda Price and her child Ellen at the next term of the District Court of Travis county to be begun and holden at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September A.D. 1855 then to abide whatever decision may be made in the above cause wherein the said Lucinda Price is plaintiff and the same by her next friend Jannie M. Price, and Rufus Getchell is defendant

↓ 346 Joseph Dorsey &c } Plaintiff
M. Jackson &c } Defendants } Attachment

And now come the plaintiff by attorney and move the Court that the Judgment heretofore rendered in this cause be set aside And thereupon it is ordered by the Court that said Judgment be set aside and that said cause be continued

643 ↓ George W. White } Plaintiff
vs. } Damages
Edward Payne } Defendant

And now comes the Clerk of this Court and moves the Court that the plaintiff be required to enter into bond and security for cost herein. And thereupon it is ordered by the Court that said motion be allowed the attorney of the said plaintiff being present and notified.

Spring Term, Tuesday, May 29th 1855.

654 Jeb Blakey, Jr. } Plaintiff } Debt on Ape
T. J. Roy } Defendant }

It is ordered by the Court that the above cause be continued under the rule heretofore had

669 Dann Lane } Plaintiff } Land Ape
J. H. Mathews } Defendant }

It is ordered by the Court that the defendant have leave to amend

And thereupon It is ordered by the Court that the above cause be continued upon affidavit of plaintiff's affidavit.

671 James H. Mathews } Plaintiff } Mandamus
Wm Wells et al } Defendants }

And now comes the plaintiff by attorney and moves the Court that the above cause be dismissed. And thereupon It is ordered by the Court that the plaintiff pay the nothing by his suit, that the Defendants go hence without day and that the Defendants recover of the plaintiff, James H. Mathews all costs in and about this suit laid out and expended for which execution may issue.

646 Mary D. Moore and
Wm P. Mills, as Admrs
of Thomas A. Moore } Plaintiffs } Partition
as
R. D. Moore, Rebecca A. Irwin
Davis C. Irwin, Harvey C.
Warren, Ezekiel C. Warren,
Mary L. Moore, Sarah E.
D. Moore, Sarah E. Moore
Thos H. Moore & Margaret E. Moore } Defendants }

And now at this day comes the parties by their attorneys & the said minor heirs by their Guardian ad Litem A. W. Tidrell and this cause coming on to be heard, the parties by their attorneys waive a jury and submit to the cause to the Court upon petition answers Exhibits and proofs. And the Court being advised in the premises, it is

Spring Term, Tuesday, May 29th 1855

ordered adjudged and decreed that the said Plaintiff Mary D. Moore have and recover of the said Defendants Robert J. Moore, David C. Gwin and his wife Rebecca Ann. Ezekiel C. Warren and his wife Nancy E. Mary L. Moore, Nathaniel J. Moore, Sarah J. Moore, Thomas W. Moore and Margaret P. Moore the heirs of Thomas A. Moore in accordance with the prayer in said Original Petition, to wit, four hundred acres of land, being a part of the Head-right League of James Gilliland, as described in Exhibit "B" being a deed from Henry Jones and his wife Nancy E. Jones to Thomas A. Moore executed on the 14th day of December A.D. 1846. and described in said Exhibit as follows Situate in the County of Travis, on the East side of the Colorado. Beginning at James Gilliland's or Henry Jones, lower corner on the East bank of the Colorado River. Thence up said River with its meanders to a corner for Henry Jones, upper corner on said River. Thence North 30 East along the division line between said Gilliland and said Henry Jones sufficiently far to include four hundred acres. Thence with a line running at right angles with said division line until it intersects the lower line of said Henry Jones. Thence with Jones line South 30 West to the place of beginning. The same to contain four hundred acres. and that the same be and hereby is severed and set apart from the Estate of the said Thomas A. Moore and that the title thereto in fee simple, be hereby adjudged and decreed to the said Mary D. Moore, plaintiff herein and it is further ordered, adjudged, and decreed that the Negro Boy Bill aged seven years, and Negro girl Lizy aged five years as set forth in plaintiff's petition they being slaves be and they hereby are severed from the Estate of Thomas A. Moore and that the same be and they hereby are adjudged and decreed to the plaintiff Mary D. Moore as her separate property, and that she be hereby invested with full and complete title thereto. And it is further ordered adjudged and decreed that the following tracts of land set forth in said petition and described as follows to wit. Three hundred and fifty acres, also a part of the head right League of James Gilliland described in Exhibit "C" as being part of a tract of land on which said James Gilliland now resides and granted to the said Gilliland by the Government of the State of Coahuila and Texas as a Colonist Commencing on the North East line of James Gilliland's Survey at a stake. Thence S. 60 East 100 vs.

Thence S. 25° 10' E. 100 vrs. S. 47° 15' E. 135 vrs. Thence N. 33° E. 148 vrs. Thence S. 146 vrs. S. 76° 45° E. 65 vrs. Thence S. 36 E. 120 vrs. Thence 4° 30' E. 68 vrs. Thence S. 36° 45° W. 145 vrs. S. 57° E. 213 vrs. S. 38° 45' 60 vrs. Thence 16° E. 110 vrs. Thence S. 83° 30' E. 108 vrs. Thence N. 7° E. 210 vrs. Thence N. 21° W. 118 vrs. Thence N. 63° E. 188 vrs. to an Elm 12 inches in diameter and two small China trees 4 inches in diameter. Thence S. 60 E. 765 vrs. to a Stake an elm brs. S. 67° E. 3 vrs. 12 inches in diameter. Thence S. 30 W. 1190 vrs. to a Stake an Elm bears 5 vrs. W. 5 vrs. 31 inches in diameter a China bears North 61° W. 10 vrs. 12 inches in diameter. Thence N. 60 E. 1853 vrs. to a stake a post oak bears S. 48 E. 191 vrs. 20 inches in diameter. Thence 30° E. 1100 vrs to the place of Beginning containing three hundred and fifty acres. Also twenty nine hundred & fifty two acres of Land as described and set forth in Exhibit "G" in said Plaintiffs Petition the same being a part of the head right League of Thomas A Moore the intestate the residue of said League having been sold by the said Thomas A. Moore the said League being described in Exhibit "D" as follows. to wit- Situate in Milam District Williamson County on Brushy about 24 mile N. 85 E. from Austin- Beginning at the N.W. Corner of a Survey made for W. Burgett- Thence N. 71° E. 3000 varas to a stake- Thence N 19 W. 3000 vrs to a Stake- Thence N. 71 W. 420 vrs to Brushy Creek 210 to a Spring branch 2760 varas to a corner on the line of James Crawford, Survey- Thence S. 10 W. coping Brushy Creek 4023 varas to a stake- Thence S. 19° E. 960 varas to the beginning- Also one Labor of Land granted to Thomas A. Moore as Assignee of Nathaniel Moore, and referd in said plaintiffs petition as Exhibit "E." Situate in Travis County Known as Survey No. 45 on Gilliland Creek about fourteen miles North East of the City of Austin- Beginning at a Stake The N.W. Corner of Labor No. 44- from which a pecan marked W- bears S. 40 E. 14 varas another marked L- bears N. 57 E. 20 varas- Thence North 30 East at 380 varas crosses Gilliland Creek at one thousand varas a Stake in prairie, Thence North 60° W. at 980 vrs. said Creek at one Thousand varas a Stake from which a cottonwood marked W- bears S. 21 E. 74 varas- Thence South 30° West with the E. boundary of Alex Walters survey N. 67. one thousand varas to a stake from which a Musquite bears S. 40 E. 60 varas- Thence South 60° East with the N. line of said survey One Thousand varas to the beginning. Also one fourth of a League of Land granted to Nathaniel Moore and described in a deed from Nathaniel Moore to Thomas A. Moore said deed being a part plaintiffs marked Exhibit F. Said Land being in said Exhibit F. as follows- In Williamson County and State

Spring Term, Tuesday, May 29th 1855.

opposite on the Salado a tributary of Little River it being a part of the head right League of Land granted to said Nathaniel Moore by the Mexican Government and bounded as follows. Beginning at the North boundary line of said League, at a Stone mound from which the North East corner of said League bears North 71°. 568-3/4 varas and a post oak twenty inches in diameter bears South 30 W. 12 varas from said and another post oak twenty four inches in diameter bears North 71 East 13 varas - Thence running South 19. East parallel with the East and West boundary lines of said League at 40 varas crosses a branch at 2652 varas crosses the Salado at 3200. the prairie at 4920. a branch at 5000 vrs. a stake and mound in the prairie for the South East corner of Survey - Thence N. 71 W. 1137½ vars with the South boundary line of said League to a stake and mound in the prairie for the South West corner of this survey - Thence North 19° W. 1160. varas the Past oaks at 1980. varas the Salado at 4602. vars branch at 5000. varas a mound from which a Live Oak 6 inches in diameter bears N. 42 W. 11. varas and a Spanish Oak 10. inches in diameter bears N. 38° E. 48 varas - Thence North 71 E. 1137. varas to the place of beginning. Containing one thousand and six and one half acres of Land -

Also six hundred and forty acres of Land described in Plaintiffs Petition as Exhibit I - said described in said Exhibit as follows. to wit. Situate on Onion Creek in Hays County State of Texas being a part of the head right of Thomas W. Moore, and known as League number twelve Beginning on a stone mound for the South West corner of a 320 acre survey for N. Broadway from whence a Black Jack 4 inches in diameter marked X bears South 1° W. 11 varas Thence South with the East boundary line of W. B. Travis League at 1620 varas crosses a branch at 2020. varas - a stone mound from which a Live oak 10 inches in diameter marke X brs. North 82 E. 5 varas - another 8 in diameter marked X bears North 8½° 20 varas - Thence East 170 varas a branch at 348. varas the North West corner of Reese Butlers Survey 1788 varas a stone mound from which a Live oak 10 inches in diameter marked X bears East 12 varas - another 6 inches in diameter marked X bears South 3 varas - Thence South 2020 varas a stone mound in Broadways South boundary line from which a Live Oak 10 inches in diameter marked

Spring Term, Tuesday, May 29th 1855.

X bears South 84° W. 11 varas - a Cedar 6 inches in diameter marked X - bears South 27° W. 12 varas - Thence West with said Broadway's line 1788 varas to the place of beginning containing Six hundred and forty acres of Land together with the following named negro Slaves, to wit, One negro man Milton aged thirty seven years, One negro woman Sylvia aged fifty one years, One negro woman Lina aged thirty years with her two Children, One negro woman Olivia aged twenty-one One negro boy Bob aged Sixteen years be and the same are hereby adjudged and decreed Community property of the said Plaintiff Mary D. Moore, and the said intestate Thomas A. Moore -

And it is further adjudged and decreed That Nelson Merrell, Jason Burleson, Wm Heaney, John M. Bostley and George D. Glasscock be and they hereby are appointed commissioners to make partition of the before described Lands and Slaves decreed as community property, and that they be authorized and required to proceed to a portion of said Lands and Slaves after giving each party to this five days notice in accordance with the prayer of Plaintiff's Petition, to wit, That they portion and set apart to the said Mary D. Moore one half of said Land and Slaves according to the actual value thereof - and that they set apart - Robert G. Moore - David C. Gwin and his wife Rebecca A. in the right of the said Rebecca A. Ezekiel C. Warren and his wife Nancy C. in the right of said Nancy C. - Mary L. Moore - Nathaniel G. Moore Sarah G. Moore Thomas W. Moore and Margaret S. Moore as heirs of Thomas A. Moore each one Eighth part of the remaining half of said community property in accordance with the actual value thereof - And that the aforesaid commissioners be required to make return at the next Term of the District Court for Travis County. That said commissioners in making partition of said Land shall have power to call to their aid some competent Surveyor to run divisional lines as may be directed by them, and that a Majority of said Commissioners may act & report in making said partition, and that said commissioners make full return of their proceedings under this decree at the next Term of this Court -

415 Benjamin Roach v. Archie Townsend } Plaintiff / Defendant } Debt.

This day came the parties by their attorneys, and this cause being set for trial on yesterday and laid over until to-day by appointment, the Defendant by his attorney herein filed

Spring Term, Tuesday, May 29th, 1855.

his plea in reconvention, and a Jury being waived by agreement of parties, the Defendants being present in Court the parties proceeded to the trial of the cause And thereupon on inspection of the record and hearing of the proofs adduced, It is considered by the Court that the plaintiffs have and recover of the Defendant according to the terms of the Judgment and herein the sum of seven thousand five hundred and ninety three 91/100 dollars together with interest at the rate of eight per cent. per annum on Ten Thousand three hundred and seventy 32/100 dollars from the first day of June, A.D. 1849, until the date hereof, Also, Sixty-Three 30/100 Dollars costs, less the sum of Two Thousand eight hundred and thirty nine 12/100 Dollars as credited thereon the 14th day of March, 1854, and the sum of Three Hundred and Five 49/100 Dollars as credited thereon the 28th day of April A.D. 1854.

It is therefore Ordered, Adjudged and Decreed that the Plaintiffs have and recover of the Defendant, Nathaniel Townsend, the Sum of Thirteen Thousand Four Hundred and Eighty-Six Dollars, Also his costs by him about his suit in this behalf expended, and that he may have execution for said last mentioned sum in accordance with law.

666 L. D. Darrington & Co. } Plaintiffs
vs } Debt on Ag
Haines & Oldham } Defendants

In this case appeared the plaintiffs 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. H. Cook, L. A. Pachett, Neal McDonald, W. G. Wood, R. Runner, W. M. Fowler, John Daily, D. C. Hobberson, Thos. F. Chapman, J. H. Charles, Leander Brown and M. H. Lowery, who being duly tried, empannelled and sworn to try the issues joined, after hearing the evidence introduced by the parties, plaintiffs and Defendants, the argument of the counsel and 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 plaintiffs as against Eliza R. Haines, the Sum of two hundred and

Spring Term, Tuesday, May 29th, 1855.

Sixty seven dollars and seventy nine cents. W. G. Wood Freeman.

It is therefore ordered, adjudged and decreed by the Court that the plaintiffs obtain nothing by their suit against the Defendant, Williams on S. Aldham, that the said Defendant recover of the plaintiffs, L. D. Carrington and David Blair, under their firm name and style of L. D. Carrington & Co. all his costs in this behalf expended; that the said Defendant Aldham go hence without day

It is further ordered, adjudged and decreed by the Court that the plaintiffs, Lewis D. Carrington and David Blair, under their firm name and style of L. D. Carrington & Co. do have and recover of and from the Defendant, Chiza B. Holmes the sum of two hundred and sixty seven dollars and seventy nine cents, for their principal debt, with interest thereon at the rate of eight per cent. per annum until paid, together with all costs of this suit by and on her account expended, for which execution may issue

515 Spence & Freeman } Plaintiffs
Ann T. Woodridge } Defendants } Debt.

And now came the parties by attorney and the parties agreeing thereto, It is ordered by the Court that the continuance heretofore ordered in this cause be set aside.

And thereupon It is ordered by the Court that the above cause be continued as upon affidavit of Defendant.

535 James Dick Dick } Plaintiff
vs
Dan'l B. Shaw & Jno. M. Gwinn } Defendants } Mandamus

And now on this day came the parties to the above cause by their attorneys, and announced themselves ready for trial. And a jury being waived by the parties, the cause was submitted to the Court. And thereupon, upon the producing of the evidence and the argument of the counsel, the Court considering the same, Doth order, adjudge and decree that the Mandamus prayed for be

Spring Term, Tuesday, May 29th 1855

refused, that the plaintiff take nothing by this suit; that the Defendants go hence without day, and recover of the plaintiff, James Dick Esq. attorney in and about this suit laid out and expended, for which execution may issue. And thereupon said plaintiff in open Court gave notice of an appeal to the Supreme

544 Aaron Burleson } Plaintiff
A. B. McGee } Defendant } Debt on Note

And now came the parties by attorneys, and waiving a Jury, submitted the cause to the Court. And the Court considering the issues between the parties, and the evidence thereon arising, Doth order, adjudge and decree that the plaintiff, Aaron Burleson, have and recover of the Defendant, A. B. McGee, the sum of Two Hundred and Fourteen Dollars and Thirteen Cents, principal debt and interest to this date, with legal interest until paid, and all costs in and about this suit laid out and expended, for all of which execution may issue

1195 F. D. Lavender } Plaintiff
A. D. Hamilton } Defendant } Debt on Note

And now comes the plaintiff by attorney and claims a Judgment by default. And it appearing to the Court that the cause of action is liquidated as evidenced by an instrument of writing. It is ordered adjudged and decreed by the Court that the plaintiff F. D. Lavender, recover of the Defendant, A. D. Hamilton, the sum of One Hundred and seventeen dollars, his principal debt and interest to this date, with legal interest until paid, and all costs in and about this suit expended, for all of which execution may issue.

1194 John A. Green, Admr } Plaintiff
v.
H. C. Cook, et al. } Defendants } Debt on Note

And now on this day comes the plaintiff by his attorney, and the defendants having

failed to appear and answer plaintiffs petition, and it appearing said Defendants have waived service thereof petition in writing, and consented that the same be filed as of this term, and that Judgment may be had against them, and it further appearing that said cause of action is a written promissory note

It is therefore ordered adjudged and decreed by the Court that said Plaintiff, John A. Green, Admr of the estate of Samuel Morse, Deed, do have and recover from said Defendants Henry C. Cook, A. H. Parish and Parsons B. Cochran, the sum of Two Hundred and Five 00/100 Dollars the principal and interest of said note and cost of this suit, for which execution may issue

559. Francis Dietrich, Admr of Thomas Blackerby, Decd & Martin L. Blakey vs. George W. Glascock and Louis Montsky } Plaintiffs } Defendants } Dismissed.

And now at this day come the respective parties to the above entitled cause by their Attorneys, and announced themselves ready for trial, and having waived a Jury and submitted the matters of law and of fact to the consideration of the Court; and the pleadings, the evidence and the argument of counsel thereon being heard, and the Court having considered the same; and it appearing to the satisfaction of the Court that the material allegations set forth in plaintiffs petition and amended petitions are true in point of fact and sufficient in point of law

It is therefore ordered, adjudged and decreed by the Court that the Deed of Jamis Cole to the Defendant George W. Glascock dated, acknowledged and delivered by the said Cole to the Defendant the said George W. Glascock, on the 24th day of December A. D. 1854, conveying to the said Glascock Lot Number Three in Block No. Sixty nine in the City of Austin and in the County of Travis and the South half of Lot No. Seven in Block No. 69, in said city, be, so far as it conveys to the said George W. Glascock a title to the said South half of Lot No. Seven in Block No. Sixty Nine called, annulled, vacated held for naught and set aside, so far as it conveys the said above described half Lot and no further; and it

Spring Term, Tuesday, May 29th 1855

is hereby ordered and decreed that the said George Glascock be divested of all title & interest to the above described land &c. And it is hereby ordered adjudged and decreed that all right, title, claim and interest, legal and equitable in and to the said South half of Lot, to wit: the South half of Lot No. Four in Block No. Sixty Nine, situated on Congress Avenue in the City of Austin in the County of Travis, be and the same is hereby vested in equal undivided parts in Jerome Dutrich Administrator of the estate of Thomas Glascock, Deceased and in Horton M. Blakey; the said Dutrich as Administrator aforesaid and the said Blakey being the Plaintiffs in the above entitled cause; and the said South half of the said above described Lot is by this Decree conveyed and transferred in equal undivided proportions to the said Plaintiffs, and the same is hereby legally, fully and completely vested in them. And it is ordered that this portion of the Decree do stand for a title to the said Plaintiffs to the said above described land.

And it further appearing to the satisfaction of the Court that there is justly due from the estate of the said Thomas Glascock, Deceased, to the said George Glascock the sum of three hundred and sixty dollars with eight per cent interest thereon from the first day of January, A.D. 1854 until the payment thereof; and also the further sum of Six hundred dollars, with eight per cent interest thereon from the first day of January, A.D. 1855 until the payment thereof. It is hereby decreed that the above sums with the legal interest thereon be just and subsisting claims against the estate of the said Thomas Glascock, Deceased, and that this portion of this Decree establishing the said claims be certified to the Probate Court, and that the said claims be paid in due course of administration as other claims against said estate.

And it further appearing to the satisfaction of the Court that during the existence of the partnership between the said Thomas Glascock, Deceased, and the said George W. Glascock, that the George W. Glascock expended and laid out for the improvement of the property, of his own private and individual means, the sum of Sixty Seven dollars

and twenty cents. It is therefore ordered that the said sum of Sixty Seven Dollars and twenty cents be declared to be a just and existing debt against the estate of the said Thomas Glascock Deceased, and that the same be entered into the Probate Court to be paid by said estate in due course of administration as other claims against said estate

And it further appearing to the satisfaction of the Court that the improvements made by the said George Glascock on the said South half of Lot No. four of the said Thomas Glascock Deceased were not made in good faith, but with a full knowledge of the rights of the plaintiffs, and that the value of the same amounts to the sum of Two hundred Dollars. And it further appearing that there is due to the plaintiffs in this cause from the said George Glascock the sum of two hundred Dollars for Rents of the said half lot, And it further appearing that said improvements, though not made in good faith, are of a permanent and valuable nature and enhance the value of said property. It is therefore ordered, adjudged and Decreed that the said Rents and the value of the said improvements mutually cancel each other. It is therefore ordered that the prayer of the plaintiffs be and the same is refused, and it is also ordered that the prayer of the said defendants for the value of his improvements be also refused

It is further ordered, adjudged and decreed that the said Defendants, George W. Glascock and Louis Malinski deliver the said South half of Lot No. Four in Block Sixty Nine, above described, and that the said plaintiffs be put in possession of the same against the said Francis Dieterich, as Administrator as aforesaid, and that the said Hadwell G. Blakey and that they be quieted in the same

It is further ordered, adjudged and decreed that the said plaintiffs do have and recover of and from the said Defendants, George W. Glascock and Louis Malinski all the costs of this suit for which execution may issue And thereupon the Defendants in open Court give notice of an appeal to the Supreme Court

Spring Term, Tuesday, May 29th, 1855.

115 Benjamin Rowen } Plaintiff
vs. } Motion
Asahel Townsend } Defendant

This day came the parties Plaintiff and Defendant, by their Attorneys, and the Defendant submitted to the Court his motion for a new trial, which being fully considered by the Court, It is ordered, adjudged and decreed by the Court that said motion be overruled. Whereupon the Defendant by said Attorney prays an appeal to the Supreme Court.

Hugh Walden } Plaintiff
vs. } Motion
D. T. Slaughter } Defendant.

And now come the parties by their attorneys, and the Court proceeding to consider the motion filed by said Slaughter in this cause for a new trial, Doth order adjudge and decree, That said motion be overruled. And thereupon said Defendant by attorney, in open Court, give notice of an appeal to the Supreme Court.

271 Elizabeth Sloyd et al } Plaintiffs
vs. } Order
Richard Sloyd et al } Defendants

This day came the parties Plaintiffs and Defendants by their Attorneys, and upon consideration of the Report of the Commissioners appointed at the Nov Term 1854, of this Court, to have Surveyed and partitioned the Tract of land in said Report, and upon the hearing of the objections made thereto by the Defendants, Richard Sloyd. It is ordered, adjudged and decreed by the Court that the said Commissioners Wesley Smith, Albert Brown and Enoch Dabney be appointed Commissioners to act in the premises, and that they be and are hereby ordered to go upon said land with Horace Lockett, Deputy Surveyor for the County of Travis and that they cause said Deputy Surveyor to resurvey and trace the upper or north line of

said Tract of land in accordance with the original field notes and Survey of the same. and the said Commissioners and Deputy Surveyor are hereby ordered to note the difference, having reference to quantity quality and value of land between the land bounded the Survey made in obedience hereto to belong to the Tract of land in controversy. and the land found to belong to said Tract by the Survey and report of Commissioners heretofore made, and to report said difference to this Court. It is further ordered that said Commissioners proceed to perform the duties imposed on them herein and report their action in the premises to this term of this Court.

It is further ordered, that if it shall appear from the Report hereby ordered that no substantial difference exists in the partition heretofore made, and the report made in obedience to this order, then the Defendants. Richard Lloyd, shall pay the costs of this Survey; but if a substantial difference should exist between the two surveys, then the costs of this Survey shall be taxed to be paid as by the same parties who pay the costs heretofore accruing.

649. Giles A. Burdett vs. Green B. Moore } Plaintiff / Defendant } Judgment.

And now come the parties to the above entitled cause by their attorneys, and having by consent waived a Jury, and submitted the matter of law and of fact to the Court, and the pleadings, the evidence and the arguments of counsel being heard, and the Court having considered the same, And it appearing to the Satisfaction of the Court that the material allegations in the said plaintiffs petition and amended petition are true and by such evidence. It is therefore considered, ordered adjudged and Decreed by the Court that the plaintiff. Giles A Burdett, do have and recover of and from the said G. B Moore, Defendant, the Sum of Seven Hundred and Sixteen Dollars and Eighteen Cents, his Principal debt and interest at to this date, with eight percent. interest per annum thereon from the date of this Judgment to its full satisfaction; And it further appearing to the

Spring Term, Tuesday, May 29th 1855

Satisfaction of the Court that the instrument of writing set forth in Plaintiffs petition constitutes a portion of the purchase money for a certain lot situated in the county of Travis in the City of Austin and on Congress Avenue, and known and designated on the plan of said city as Lot No. Three in Block No 84 Eighty Four, And it further appearing that said debt constitutes a specific lien upon an undivided half of said above described lot, It is therefore ordered, adjudged and decreed that an undivided half of said lot be sold publicly and in conformity with law by the Sheriff of Travis county, to the foreclosure and satisfaction of said debt, and that the proceeds arising from said sale, so far as they will extend, be applied to the enforcement of said lien

It is further ordered, adjudged and decreed, that the said Plaintiff do have and recover of and from the said Green B Morris all the costs of this suit for which execution may issue

No 3 Ord Mazange } Plaintiff
vs } Debt on Note
S. K. Pennington & } Defendant

On this day came the Plaintiff by his Attorney, and it appearing to the satisfaction of the Court that the Defendant has failed to appear and file his answer within the time prescribed by law, but came not and made default,

It is therefore ordered, adjudged and decreed by the Court that the Plaintiff, Ord Mazange, do have and recover of and from the Defendant, S. K. Pennington, Jr, the sum of One hundred and nineteen 24/100 Dollars, for his principal debt and interest to date, with interest thereon at the rate of eight per cent. per annum till paid together with all the costs in this behalf expended, for which execution may issue

And thereupon It is ordered by the Court that Court do now adjourn until Wednesday Morning, May 30th 1855

Spring Term, Wednesday, May 30th 1855.

Wednesday Morning, May 30th A.D. 1855.
Court met at nine o'clock, A. M. pursuant to adjournment. Present the same as yesterday
Whereupon the following proceedings were had by said Court as follows, viz:-

1176. Sarah Fisk } Plaintiff
Mellen et Al } Defendants } Injunction

And now came the parties to the above cause by attorney, and the Court proceeding to consider the motion to dissolve the Injunction, after sustaining Demurrer of defendants, and hearing the argument of counsel, Doth order, adjudge and decree that the Injunction granted in this cause be dissolved, and petition dismissed. It is further adjudged and decreed by the Court that the defendants recover of the plaintiff Sarah Fisk, all costs in and about this suit expended for which execution may issue

And thereupon the plaintiff in open Court gave notice of an appeal to the Supreme Court.

531. The State of Texas } Plaintiff
Howell et Ayton } Defendants } Recognizance

And now on this day appeared in open Court Jannie G. Howell as principal and Abner W. Cox and John A. Ayton as securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the sum of Two thousand Dollars to be levied of their respective Goods and Chattels, Lands and Tenements But to be void upon condition that the said Jannie G. Howell be and personally appear at the next term of this District Court of Travis county, the same being holden at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September A.D. 1855 then and there to answer to an Indictment pending against him by the Grand Jurors of Travis county, at the Spring Term of the District Court of said county, A.D. 1855, for playing at a game with cards called "Seven Up" upon which money was bet, in a house for retailing spirituous liquors, and that he there remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave

Spring Term, Wednesday, May 30th 1855.

532. The State of Texas } Plaintiff
v. } Recognizance.
Samuel G. Sowell } Defendant

And now on this day appeared in open Court Samuel G. Sowell as principal, and Abner H. Cook and John B. Costa as securities and acknowledged themselves jointly and severally bound and indebted unto The State of Texas in the sum of Two hundred Dollars to be void of their respective Goods and Chattels Lands and tenements But to the end upon condition that the said Samuel G. Sowell be and personally appear at the next term of the District Court of Travis county, to be held at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September A.D. 1855 then and there to answer to an Indictment preferred against him by the Grand Jurors of Travis county at the Spring Term of the District Court of said county, A.D. 1855 for Betting at a Gaming Bank called Faro exhibited for Gaming, and that he there remain from day to day and from term to term and from day to day of each term, and that he do not depart the Court without leave.

535. The State of Texas } Plaintiff
v. } Recognizance
Samuel G. Sowell } Defendant

And now on this day appeared in open Court Samuel G. Sowell as principal and Abner H. Cook and John B. Costa as securities, and acknowledged themselves jointly and severally bound and indebted unto The State of Texas in the sum of Two hundred Dollars to be void of their respective Goods and Chattels Lands and tenements But to the end upon condition that the said Samuel G. Sowell be and personally appear at the next term of the District Court of said held at the Courthouse thereof in the City of Austin on the eighth Monday after the first Monday in September, A.D. 1855, then and there to answer to an Indictment preferred against him by the Grand Jurors of Travis county at the Spring Term of the District Court of said county, A.D. 1855, for playing at a certain game with cards called Faro in a house for at a thing resembling Faro, and that he there remain from day to day and from term to term and from day to day of each term, and that he do not depart the Court

Spring Term, Wednesday, May 30th, 1855.

The State of Texas } Plaintiff
Samuel S. Swett } Defendant } Recognizance

1584

And now at this day appears in open Court Samuel S. Swett as principal, and Abner H. Cook and Luke B. Costa as securities, and acknowledge themselves jointly and severally to owe and be indebted unto The State of Texas in the sum of Two Hundred Dollars, to be levied of their Lands and Tenements But this is upon condition that the said Samuel S. Swett do and personally appear at the next term of the District Court of Travis County, to be held at the Courthouse thereof in the City of Austin, on the 13th Monday after the first Monday in September A.D. 1855, then and there to answer to any Judgment preferred against him by the Grand Jury of Travis County at the Spring Term of the District Court of said county, A.D. 1855 for playing at a certain game with cards called Pakenpaio which money was set, in a house for retailing spirituous liquors, and that he there remain from day to day until from term to term and from day to day of each term and that he do not depart the Court without leave.

Declaration of Intention to become a Citizen.

State of Texas } Louis Von Toppelberg, being duly sworn according
County of Travis } 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 1820 in Russia, 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 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 Emperor Alexander II of Russia, of which he is now a subject.

Louis Von Toppelberg

Sworn to and subscribed in open Court, May 30th 1855

Frank W. Brown, Clk

And thereupon it is ordered by the Court that Court do now adjourn until Thursday morning May 31st, 1855.

Thursday (Spring Term) May 31st 1855.

Thursday Morning, May 31st 1855.
Court met at Nine o'clock, pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court as follows, to wit:

1445 George Hancock } Plaintiff
vs.
John Horan } Defendant

It is ordered by the Court that the Defendant have leave to file his amended answer

And thereupon It is ordered by the Court that Court do now adjourn until Friday Morning, June First, A.D. 1855

Friday Morning June 1st 1855.
Court met 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, towit:

1445 Henry Treaner } Plaintiff
vs.
Charles J. Baylor } Defendant } Statement of Facts

Notice to the Defendant having been given in this cause by publication and the case heard ex parte, I do hereby, in pursuance of the Statute in such case made and provided, certify that Judgment was rendered upon the following facts or evidence adduced on the trial, viz: a promissory Note of which the following is a copy:

$3501.85 " Baltimore, September 8th 1853.
" Nine months after date I promise to pay to the order of
" Upton B. Treaner, Three hundred and fifty dollars value
" received C. G. Baylor.

(Endorsed.)
" Pay Chas. H. Brush or order - U. B. Treaner
" Pay R.S. Ripley or order Chas. H. Brush
" Pay to Henry Treaner or order. R.S. Ripley."

Also the protest of said Note made out by Wilson M. Cary, a Notary Public in the City of Baltimore, State of Maryland, and dated June the 8th 1854, also the return of the Sheriff and publishers certificate showing that notice had been given to the defendant as required by law. Thos. J. Devine
Presiding Judge

Spring Term, Friday, June 1st A.D. 1855.

1777 Endowick P. Alford } Plaintiff
William Thompson } Defendant } Arbitration

And now at this term came the plaintiff in the above entitled cause, and moves that the boundary lines of said tract of land belonging to said plaintiff as heretofore set forth in the arbitration, Bond and award, rendered in this cause be fixed and established by decree and Judgment of this Court upon the survey and evidence of a competent Survey or in accordance with the directions contained in said award. And it appearing to the Court that said Defendant has had due and legal notice of said motion. And it further appearing that Clement R. Johns, previously appointed by Decree to run out said boundary line had failed and refused so to do

And thereupon came a Jury of good and lawful men, to wit: E. A. Pickett, Neal McDonald, W. G. Wood, R. Runnels, Wm. M. Fowler, Edward Christian, P. C. Hebberson, Thos. F. Chapman, J. F. Charles, Leander Brown, W. H. Conry and Pascal Newsham, who being duly empanelled, sworn and charged upon the evidence introduced, find the following verdict: "We, the Jury find the Survey made as awarded by the arbitrators, and by a competent Surveyor" W. G. Wood, Foreman of the Jury."

It is therefore ordered adjudged and decreed that the tract of land described by the following metes and bounds to wit and is hereby vested in said Plaintiff, to wit: Being the upper half of the upper league of a two league Grant made to William Pettus by the Government of Coahuila and Texas on the East bank of the San Marcos River in Caldwell county, State of Texas. Beginning at the N.E. corner of said two league Survey, and the N.W. corner of Thomas Yates league on the South side of the old San Antonio road. Thence with the meanders of said Road S. 51° W. 2700 varas; Thence S. 48° W. 2840 vas. Thence S. 9° W. 1440 vas. Thence S. 7° W. 640 vas. Thence S. 15° W. 720 vas. Thence S. 5° W. 300 vas. Thence S. 55° E. 60 vs. in all 8900 vas. to a stake on the east bank of said San Marcos River. Thence down said River with its meanders 3011 vas. to a stake on the Bank of said River from which a Box Elder 9 inches in diameter marked X bears N. 9° E. 1 vas. Thence N. 9° E. 2850 vas. to a stake in prairie. Thence N. 57° E. 3870 vs. to a stake on the N.W. or back-line of said two league Survey. Thence N. 210° W. 1397 5/10 vas. to the beginning containing 2222 acres of land.

Spring Term, Friday. June 1st 1855.

Said it is further ordered, adjudged and decreed that a writ of Possession issue from this Court to the Sheriff of Caldwell county, commanding him to put the said Plaintiff in possession of his said tract of land in the terms of the Law, and that the Defendant pay the costs in and about this suit expended, for which execution may issue.

↓ 1145 George Hancock } Plaintiff
John Horan } Defendant } Judgment.

And now on this day came the parties to the above entitled cause by their attorneys and announced themselves ready for trial. The exceptions of plaintiff to defendants answer and amended answer were considered and overruled by the Court, except as to that portion of defendants amended answer which relates to making James Harris a party which was ordered to be stricken out.

Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: N. M. Cook, W. H. Jones, S. H. Charles, Edward Christian, Reuben Brenner, S. L. Pickett, D. C. Peterson, Leander Brown, Stead McDonald, John Scally, William M. Fowler and Joseph Newsham, who being duly tried, elected, empannelled and sworn, heard the evidence, the 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 on verdict in favor of defendant Horan. J. C. Peterson, Foreman." Whereupon It is ordered, adjudged and decreed by the Court that the plaintiff take nothing by his suit; that the defendant go hence without day, and recover of the plaintiff, George Hancock, all his costs in and about this suit laid out and expended, for which execution may issue.

↓ 1145. George Hancock } Plaintiff
vs.
John Horan } Defendant } Motion for a new trial

And now on this day comes the plaintiff by attorney, and files his motion for a new trial. And the Court considering the said motion, Doth order, and decree that the same be overruled. And thereupon the plaintiff by attorney in open Court, gave notice of an appeal to the Supreme Court.

Spring Term, Friday, June 1st 1855

And thereupon Court ordered by the Court that Court adjourn until ~~Monday~~ Saturday June 9th 1855.

Wm. P. Devine
Presiding Judge

Saturday Morning, June 9th 1855.

Court met at nine o'clock pursuant to adjournment. Present the Hon. John Hancock, Judge of the Second Judicial District; Frank Brown, clerk of said Court and John D. Price, Sheriff of Drain County.

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

Edward Tillmann.

And the said Edward Tillman having filed in open Court his petition praying to be admitted to become a citizen of the United States. And the Court here being fully satisfied by the affidavits of J. Petrusky and H. Schroeder that the said Edward Tillman was well known to them for the last five years, during two years of which time he has behaved as a man 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 Edward Tillman has made his declaration to become a citizen of the United States in accordance with the act of Congress in such case made and provided; And the said Wolham Edward Tillman in open Court having taken the oath prescribed by law to support the Constitution of the United States, and to absolutely and entirely renounce and abjure forever all allegiance and fidelity to every foreign prince, potentate, State or Sovereignty whatsoever, and particularly to King Frederick Wilhelm of Prussia, of whom he was late a subject.

It is therefore considered, ordered, adjudged and decreed by the Court that the said Edward Tillman be and he is hereby admitted to become a citizen of the United States of America, and that the clerk of this Court give to him a certificate accordingly.

George Susmann.

And the said George Susmann having filed in open Court his petition praying to be admitted to become a citizen of the United States. And the Court here being fully satisfied by the affidavits of W. C. Bergener and Jacob Buchmann that the said George Susmann was well known to them for the last five years,

Spring Term, Saturday, June 9th 1855.

during two years of which time he has behaved as a man 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 George Dasmann has made his declaration to become a citizen of the United States in accordance with the Act of Congress in such case made and provided; And the said George Dasmann in open Court having taken the oath prescribed by law to support the Constitution of the United States, and to absolutely and entirely renounce and abjure forever all allegiance and fidelity to every foreign prince, potentate, State or Sovereignty whatsoever and particularly to the King of Hesse, Frederick Wilhelm, of whome he was late a subject.

It is therefore considered, ordered, adjudged and decreed by the Court here that the said George Dasmann 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.

R. M. Grimes } Plaintiff
W. O. Martin } Defendant } Judgment.

574

And now on this day come the parties to the above cause, the plaintiff by his attorney, and the defendant in proper person, and filed their agreement in said cause that Judgment should be rendered against the Defendant for the sum of $365.64, and costs and 10 per ct. interest.

And thereupon It is adjudged and decreed by the Court that the plaintiff, R. M. Grimes, have and recover of the defendant, W. O. Martin, the sum of three hundred and ~~sixty~~ sixty five dollars and sixty four cents, his principal debt and interest, with ten per cent. interest on said amount until paid, and all costs in and about this suit expended, for which execution may issue. And thereupon It is agreed that execution be stayed for four months from April 30, 1855.

And thereupon It is ordered by the Court that the Judgment heretofore ordered to be entered against Shelby W. Charles as a Defaulting Juror, be set aside at his cost.

Austin, Sept. 27th 1855. Received of R. M. Martin
Three hundred and eighty six 64/100 dollars
and fifty nine cents. In full of this and
former bills. A. M. Brown, Clk.

Spring Term, Saturday, June 9th 1855.

Grand Jurors. Spring Term, 1855.

1	H. Townsend, Foreman,	8 days.	$12.00
2	Dennis Walsh	8 "	12.00
3	Saml Shinn	8 "	12.00
4	Wm P. Miles	6 "	9.00
5	Harvey Smith	8 "	12.00
6	B. F. Pace	8 "	12.00
7	Benj. Clark	8 "	12.00
8	Meredith Walton	8 "	12.00
9	E. K. Barrington	8 "	12.00
10	George M. Dayis	8 "	12.00
11	George W. Blaperch	5 "	$7.50
12	Alfred Smith	8 "	12.00
13	Abram Newricks	8 "	12.00
14	Isaac Hammett	8 "	12.00
15	Thomas C. Stanley	8 "	12.00
16	Charles Catlingham	6 "	9.00
17	Wm W. Hornsby	8 "	12.00
18	John B. Hampton	8 "	12.00
19	Wade Henry	8 "	12.00
		145	$ 217.50

Petit Jury Sar Spring Term, 1855.

1	G B. Moore	7½ days	$ 11.50
2	W. J. Patterson	12 "	18.00
3	Edward Eudies	6 "	9.00
4	James A. Bennidge	12 "	18.00
5	Marion Hamlin	8 "	12.00
6	Jacob Warren	7 "	10.50
7	J. S. Roy	4 "	6.00
8	Jenkins Davis	14 "	21.00
9	Jonathan Vandeuse	9 "	13.50
10	Jno D. Posey	7 "	10.50
11	Jesse Brooks	8 "	12.00
12	Thos J. Horne	6 "	9.00
13	M. M. Ferguson	7 "	10.50
14	A. C. Brown	8 "	12.00
15	Leander Brown	6 "	9.00
16	Jno J. Gordon	7 "	10.50
17	Joseph W. Hampton	6 "	9.00
18	W. J. Davidson	7 "	10.50
19	W. J. Strotton	6 "	9.00
20	Hugh Miller	1 "	1.50
21	J. B. Inmeles	2 "	3.00

Spring Term, Saturday, June 9th 1855

22	Francis Kelley	6 days		9.00
23	John D Spruce	8 "		12.00
24	James Wall	2 "		3.00
25	A. O. Norris	3 "		4.50
26	W. B. Bone	3 "		4.50
27	John Wilson	3 "		4.50
28	albert Dukes	3 "		4.50
29	Wm L Wood	9 "		13.50
30	Reuben Runner	23 "		34.50
31	J. P. Brown	8 "		12.00
32	P. A. Moore	3 "		4.50
33	David A. Parker	5 "		7.50
34	W. Watson	7 "		10.50
35	W. W. Jones	5 "		7.50
36	Joseph Warnstaff	5 "		7.50
37	John W. McLemore	9 "		13.50
38	George Gregson	17 "		25.00
39	James Gibson	7 "		10.50
40	Thomas H Chapman	23 "		34.50
41	Jack Hammett	5 "		7.50
42	John Forbes	4 "		6.00
43	Hugh McClure	3 "		4.50
44	John Daly	14 "		21.00
45	J A Brady	5 "		7.50
46	James H Johnson	7 "		10.50
47	J P Brown	7 "		10.50
48	R. C. Hamilton	7 "		10.50
49	Radclyff Pratt	15 "		22.50
50	S. W. Carothers	12 "		18.00
51	William George	10 "		15.00
52	Jas. H. Mathews	13 "		19.50
53	C. L. Giles	8 "		12.00
54	Aaron Kennison	14 "		21.00
55	Josiah Bishop	12 "		18.00
56	H. G. Blakey	9 "		13.50
57	M. W. McMath	9 "		13.50
58	Sarah Houston	6 "		9.00
59	L. A. Pickett	10 "		15.00
60	S. W. Kirtley	1 "		1.50
61	B H Wood	4 "		6.00
62	S. W. Dukes W. D. Swain	6 "		9.00
63	S. W. Dukes	7 "		10.50
64	James Barden	9 "		13.50
65	L. A. Greeland	4 "		6.00

Spring Term, Saturday, June 9th 1855

66	S. H. Hendrick	8 days	12.00
67	Joseph Newsham	11 "	16.50
68	A. Maroney	6 "	9.00
69	A. Wilcox	6 "	9.00
70	B. C. Bennett	6 "	9.00
71	Neil McDonald	11 "	16.50
72	Wm. B. Lacey	6 "	9.00
73	Henry Bryander	4 "	6.00
74	Joseph Skinner	4 "	6.00
75	Thomas Ward Ward	4 "	6.00
76	L. C. Horne	9 "	13.50
77	A. B. Townsend	8 "	12.00
78	John Runnels	4 "	6.00
79	A. H. Cook	5 "	7.50
80	W. M. Fowler	5 "	7.50
81	J. C. Hebbinson	5 "	7.50
82	J. W. Charles	5 "	7.50
83	R. H. Lowry	5 "	7.50
84	N. J. Waddle	2 "	3.00
85	Edward Christian	5 "	7.50
86	Dan Johnson	4 "	6.00
		600	$900.00

The State of Texas }
County of Train } I, John T. Price, Sheriff of Train County, do hereby certify that the foregoing list comprises a correct account of the names of the Grand and Petit Jurors who served at the Spring Term of the District Court of Train county, A. D. 1855, the number of days each Juror served, and the amount each is entitled to for such service. John T. Price Sheriff T.C.

Examined and approved this 9th June, A. D. 1855.
Thos Hancock, Judge, &c.

418

The State of Texas } Plaintiff
D. C. Gunn et als } Defendants } Motion

And now come the parties to the above cause by attorney, and the Court proceeding to consider the motion of defendants in said cause for a new trial, after hearing the argument of counsel and the questions thereon arising, doth decree that said motion be overruled. And thereupon said defendants in open Court gave notice of an appeal to the Supreme Court.

Spring Term, Saturday, June 9th 1855.

The State of Texas } Plaintiff
as } Recognizance
C. A. Harrison } Defendant

And now on this day came and appeared in open Court Charles A. Harrison as principal and Louis Horst, Joseph C. Muggivan and John P. Costa as securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the sum of Two Hundred dollars, to be levied of their Goods and Chattels, Lands and tenements. But to be void upon condition that the said Charles A. Harrison be and personally appear at the next term of the District Court of Travis County on the eighth Monday after the first Monday in September, A. D. 1855, and from day to day and from term to term thereafter, to abide whatever decision may be made by the Supreme Court in a cause now on appeal wherein The State of Texas is Plaintiff and Charles A. Harrison, convicted of Betting at Faro is Defendant, and that he do not depart the Court without leave.

574

R. H. Grimes } Plaintiff
v. } Motion
W. O. Martin } Defendant

It is ordered by the Court that the motion for a to set aside the continuance ordered in this cause at a former day of the present term of this Court, be allowed, as per agreement of parties.

Order
D. P. Adams

And thereupon It is ordered by the Court that a certificate issue to Daniel P. Adams for the sum of forty-two Dollars for services as Bailiff during the present term of this Court, the same being twenty eight days.

Order
P. M. Blackwell

And thereupon It is ordered by the Court that a certificate issue to P. M. Blackwell for twelve Dollars as compensation for eight days services as Special Bailiff to the Grand Jury for and during the present term of this Court.

Order
John H. Stanley

And thereupon It is ordered by the Court that a certificate issue to John H. Stanley for twelve Dollars, as compensation for eight days' services as Special Bailiff to the Grand Jury for and during the present term of this Court.

Spring Term, Saturday, June 9th, 1855.

Order Clerk Final Record & Decrees.

And thereupon It is ordered by the Court that the Clerk of this Court do make a complete Record of all proceedings had in each and every civil cause disposed of at this term of the Court; that he be and is hereby authorized to charge therefor fifteen cents for each and every hundred words so recorded, to be taxed and collected as other costs of suit; It is also further ordered, adjudged and decreed by the Court that the said Clerk be and he is hereby allowed fifteen cents for each and every hundred words included in each and every interlocutory and Final Order and Decree entered in this Court at this term, the same to be taxed and collected as other costs of suit

The State of Texas) I, Frank Brown, clerk of the District Court in and for
County of Travis) the County and State aforesaid, do hereby certify the following to be a correct list of the civil causes disposed of at the Spring Term of the District Court of Travis county, A.D. 1855, upon which a Jury fee of Three Dollars is recoverable, to wit

No	Names of Parties		$
258	S. Grumbles	v. B. & S. Grumbles	3.00
260	B. Grumbles Dr	v. W. G. Oldham	3.00
261	B. Grumbles Dr.	v. S. G. Sneed	3.00
292	Sloeum's admr	v. Hiram Gilliland	3.00
314	John A. P. Dam	v. Thomas Glasscock	3.00
337	R. H. Peck & Co	v. McNamee and McMurr	3.00
410	Albert G. Blue	v. S. K. Bliss's Heirs	3.00
415	Benj Roach	v. Nath'l Downsend	3.00
428	Hiram Gilliland	v. W. Watwood	3.00
433	Nath'l Downsend	v. Allen C. Brown	3.00
445	Henry Frazier	v. Chas G. Baylor	3.00
462	Wm Rodgers	v. Sherman Case	3.00
483	Baldridge Sparks & Co	v. Eggers & Boyce	3.00
499	Wm H. Cock	v. Brown & Tarbox	3.00
508	Jas H. Raymond	v. G. B. Moore & Co	3.00
518	Timothy McKean	v. S. H. Roberson	3.00
549	Joseph Newsham	v. John Robb et al	3.00
553½	Evans & Carman	v. Rufus Getchell	3.00
554	W. M. Handley	v. W. G. Blakey	3.00
555	John J. Sneed	v. Marion Hamblin	3.00
557	L. D. Covington & Co	v. H. H. Brockman et al	3.00
558	J. W. Chandler	v. Wm Fowler et al	3.00
559	J. Deitrich, admr	v. Geo W. Glasscock, et al	3.00
563	R. C. C. Shaw	v. Moore & Bardell	3.00

Spring Term, Saturday, June 9th 1855.

566	J. W. House	v.	S. G. Haynie, et al	3 00
568	M. C. Hamilton	v.	Lane & Wells	3 00
570	Hugh Walden	v.	J. D. Slaughter et al	3 00
572	R. H. Peck & Co.	v.	Shaw & Locket	3 00
579	Cushman, Goodwin & Co.	v.	A. N. Hopkins et al	3 00
580	Rector & Sayers	v.	Herron & Cook	3 00
584	C. S. West	v.	Johnson & McGee	3 00
585	Mrs. A. Brien admr	v.	W. A. Hinton et al	3 00
587	Mrs. A. Brien admr	v.	A. B. Barbour et al	3 00
589	J. H. Gillespie	v.	Jas Payne et al	3 00
590	D. H. Raymond et al	v.	Jennings & Brown	3 00
591	Mrs. A. Brien admr	v.	Walton et al	3 00
593	Seth Thomas	v.	Sherman Case	3 00
594	Vicey Hopkins	v.	W. C. Irwin, et al	3 00
595	J. W. Chandler	v.	J. Douglas & Brown	3 00
596	S. G. Sneed	v.	Seaton Davis	3 00
598	Sneed & Turner	v.	James Wade	3 00
599	R. Kreuzbauer	v.	Louis Knight, et al	3 00
601	R. H. Peck & Co	v.	Sherman Case	3 00
605	W. W. Hornsby	v.	L. Knight et al	3 00
607	Christian & Loomis	v.	Thomas J. Pitt	3 00
609	R. N. Williams	v.	Jno R. Lecois	3 00
616	L. C. Cunningham et al	v.	W. C. Cullinworth	3 00
611	John M. Walker	v.	L & B Giles	3 00
612	John B. Banks	v.	Wisley Smith	3 00
614	J. H. Johnson	v.	J. H. Matthews	3 00
615	J. H. Johnson	v.	A. J. Marshall	3 00
616	Henry Rose	v	Wisley Smith	3.00
617	W. Highsmith	v.	W. O. Martin	3 00
619	C. R. Peck	v.	Jackson & Train	3.00
621	Wm Clark et al	v.	Bardett et al	3.00
624	Lee Metz	v.	Nancy Metz	3.00
626	J. Deiterich	v.	H. G. & B Blakey	3 00
629	J. Deiterich	v.	Jno. J. Pitt	3 00
631	H. G. Blakey	v.	J. M. Castley	3 00
632	Henry Reuter	v.	J. C. Blanton	3 00
633	W. Gilland et al	v.	W. C. Irwin et al	3 00
635	J. W. Hill	v.	Shaw & Lewis Ker	3 00
642	M. Walton et al	v.	C. J. Henry's Heirs et al	3 00
644	Aaron & Burleson	v.	A. B. Mitchell	3 00
649	G. H. & Borden	v.	T. B. Moore	3 00
656	W. Gilland	v	Castley & Moore	3.00
662	M. C. Hamilton	v.	Jno. H. Jones	3 00
663	Wm A. Van Alstyne	v.	S. G. Haynie	3.00

Spring Term, Saturday, June 9th 1855.

666	L. H. Carrington & Co	v.	G. R. Haburn et al	3 00
667	A. J. Harbell	v.	J. Douglass Brown	3 00
668	L. H. Carrington	v.	J. Douglass Brown	3 00
670	H. Outerick	v.	James O. Rice	3 00
672	Wm Frazier	v.	Wm Oliphant	3 00
673	Ord Mazange	v.	J. K. Denning Jr	3 00
674	J. A. Breed Admr	v.	H. C. Cook et al	3 00
675	H. H. Lavender	v.	A. J. Hamilton	3 00
676	Josiah Disk	v.	Miller & Wife	3 00
574	R. H. Grimes	v.	W. O. Martin	3 00
				$234.00

Test:
Franz. Brown, Clk. D.C.T.C.

Examined and approved this 9th June, 1855
John Hancock, Judge.

Fines and Jury Fees. Spring Term, A. D. 1855

Fines

487	The State of Texas	v.	John S. Ford	$ 10 00
498	"	"	J. G. Stovall	10 00
570	"	"	A. Smith	5 00
580	"	"	W. M. Walton	10 00
590	"	"	J. H. Barden	15 00
595	"	"	Jas. W. Scott (Hall D. 1854)	10 00
				$ 60.00

(Jury Fees)

407	"	"	Hugh Miller	$ 5 00
430	"	"	Jas. Jackson	5 00
484	"	"	John S. Ford	5 00
498	"	"	J. G. Stovall	5 00
529	"	"	Jas. R. Jackson	5 00
576	"	"	Alfred Smith	5.00
580	"	"	W. M. Walton	5.00
590	"	"	J. H. Barden	5.00
	"	"	Jas. W. Scott (Hall Dec'd. 1854)	5 00
897	"	"	P. Borchard " " "	5 00
				$ 50.00

I hereby certify that the above is a true and correct return of the fines and Jury fees collected by me at the Spring Term, A. D. 1855 of the District Court of Train County, State of Texas

John S. Price, Shff. T.C.

Examined and approved, 9th June 1855.
John Hancock Jr, Judge

Spring Term, Saturday, June 9th 1855.

Statement. The State of Texas } I, Frank Brown, clerk of the District Court
County of Travis } in and for the county and State aforesaid,
do hereby certify that at the above stated term of said Court,
there was received by me the sum of two hundred and eighty
four dollars as Jury fees in civil and criminal causes dis-
posed of at said term, and the said sum of money authorized by law
to be by me distributed among and between the Jurors who served
at said term as pro rata pay for said services, and that after deducting
2½ per cent from said sum allowed to me by law, the amount of
two hundred and seventy six dollars and twenty cents remained
to be distributed as aforesaid. And that in accordance with the
return of the list of Jurors at said term made by the Sheriff of
said county, there are One hundred and five Jurors who
served in the aggregate at said term the number of Seven
hundred and forty five days, at the rate of one dollar and
fifty cents per day, making in the aggregate the sum of
Eleven hundred and seventeen dollars and fifty cents, and
that the pro rata pay of said Jurors amounts to the sum of thirty seven
cents per day, and that certificates have been duly issued to said
Jurors severally for the aggregate amount thereof, and that the
said pro rata due each Juror severally has been allowed, paid
and the same deducted severally from the aggregate amount
due each Juror, and the amount remaining unpaid
stipulated therein, as will appear by reference had thereto

Frank Brown, Clerk
District Court, Travis County, Texas

Francis Duterich } Plaintiff
vs. } Motion for Rule
John T. Price, Sheff } Defendant

And now comes the plaintiff and dismisses
his motion, and thereupon It is decreed by the Court that the
Defendant go hence and recover of the plaintiff all costs
in and about this motion expended, for which execution
may issue

D. W. Chandler } Plaintiff
vs. } Motion for Rule
John T. Price Sheff } Defendant.

And now comes the plaintiff by attorney
and dismisses his motion, and thereupon It is decreed by
the Court that the plaintiff recover of the defendant, plaintiff

Spring Term, Saturday, June 9th 1855.

D. W. Chandler all costs in and about this suit expended for which execution may issue.

Sampson & Newnicks } Plaintiff
v. } Motion for Rule
Solon P. Price, Sheff } Defendant

And now on this day comes the plaintiff by attorney and moves the Court that the above motion be dismissed. And thereupon it is decreed by the Court that the defendant go hence without day and recover of the plaintiff Henry Sampson and Abram Newnicks, under their firm name and style of Sampson & Newnicks all costs in and about this motion expended. For which execution may issue:—

Examined and approved

This 9th day of June Anno Domini Eighteen hundred and fifty five; and ordered that the Court do now adjourn till the next regular Term of this Court.

John Hancock, Judge
2nd Jud. Dist.

The State of Texas } Be it remembered, that on this
County of Travis } the twenty seventh day of August, A.D. 1853, there was drawn
according to law in the City of Austin, in the County and State
aforesaid by Frank Brown, clerk of the District Court of said
County and State and Ashford B. McGill, clerk of the County
Court of said County in the presence of J. J. Graves, Esq. the
acting Justice of the Peace of said County, the following named
persons to serve as Jurors at the Fifth Tuesday Term of the District
Court thereof written, and for said County and State, A.D. 1853.
as follows to wit:

1 Isaiah H. Ainsworth
2 William B. Smith
3 Francis R. Tannehill
4 James Rogers
5 James H. Easton
6 Simon Loomis
7 James H. Matthews
8 Ratcliff Platt
9 Jesse F. Bardell
10 Morgan C. Stanieton
11 Thomas H. Jones
12 Francis Wrighter
13 Samuel Parks
14 Levi Bernard
15 John Meeks
16 John M. Brown
17 Josiah Bishop
18 Thos P. Washington
19 James P. McKinney
20 Murdoch C. McGowin

John J. Graves
Justice of the Peace.

21 William Oliphant
22 George H. Sampson
23 John Brunson
24 George T. Boardman
25 John L. Spence
26 Linda J. Nichols
27 Reuben Runner
28 E. H. Carter
29 John W. Baker
30 Enoch L. Johnson
31 Thomas Hord Ward
32 William A. Stanieton
33 Thomas Freeman
34 George L. Oats
35 William Perry
36 David F. Waddle

Frank Brown clk
10 & 5 C

A.B. McGill
Clk 66 56

Fall Term, Monday October 29th 1855.

The State of Texas }
County of Travis } Be it remembered that at a term of the Honorable District Court begun and holden at the Courthouse thereof in the City of Austin within and for the County and State aforesaid, on the Eighth Monday after the first Monday in September, 1855 (the same being the 29th of October, 1855) Present the Hon. Thos. H. Duval, Judge of the Second Judicial District, Travis Brown Clerk of said Court, and John J. Price Sheriff of Travis county. Whereupon, the said Court being fully organized the following proceedings were had, to wit:

The Venire having been previously drawn according to law, and the same issued executed and returned into Court in compliance with the requisitions of the law in such case made and provided

Whereupon the Court ordered the Sheriff to make proclamation before the Courthouse door of the names of those appearing upon the said Venire and in obedience to said Order and proclamation the following named persons appeared and answered to the Grand Jury of the County of Travis for and during the present term of said Court, as follows to wit: M. C. Winniton, Foreman; John W. Baker; James M. Mathews; Thos. M. Tunney; James Rogers; John S. Spence; Thos. P. Washington; William Oliphant; M. C. McLaurin; Reuben Runner; Daniel Bishop; Wm. A. Winniton; Wm. B. Smith; Jesse F. Burdett; F. R. Tannehill; Simon Timms; Thomas Wood Wood; Levi Bernard; Francis Bricka and David Waddle. the same the said Jurors being twenty good and lawful men of the County of Travis, and were duly sworn, empanelled and charged by the Court according to law. And thereupon the Court appointed J. M. Blackwell, Constable of Austin Precinct, Special Bailiff to said Grand Jury; and thereupon the said Grand Jury were ordered to retire under charge of the said Special Bailiff to enter upon a discharge of their duties as such Grand Jury.

Order

And thereupon It is ordered by the Court that a fine of ten dollars be imposed upon each of the following Venire men Court; J. H. Winniton, Geo. T. Reed man, Linda J. Nichols and Thomas Freeman, for failing to be in attendance as such Venire men, they having been duly

Fall Term, Monday, October 29th 1855.

summoned by the Sheriff; and that Scire Facias issue to them, returnable to the next term of this Court, commanding them then and there to appear and show cause, if any they may have, why said Judgment should not be made final.

And thereupon the remainder of said Defendants, upon good and sufficient cause being shown, were excused by the Court from further attendance on the same.

And thereupon Caleb C. Kirk was, by order of the Court, duly sworn as a Special Bailiff to the Grand Jury for and during the present term of this Court.

And thereupon It is ordered by the Court that the Fi. fa. and Scire Facias ordered against Pl. Ammi Smith, C. T. Boardman Lucius L. Nichols and Thos. Freeman be set aside and held for naught.

446	Isham G. Searl & C. Arrington	Plaintiff / Defendant	}	Attachment
447	Abram Heo & C. Arrington	Plaintiffs / Defendant	}	Attachment.

And now comes the defendant in the above entitled cause, by attorney, and by leave of the Court, files amended answer in each of said causes.

494.	John M. Young v. F. C. Collins et. al.	Plaintiff / Defendants	}	Decree for Title

And now comes Nancy Smith, by attorney, and asks leave of the Court to intervene in said cause. And the Court considering the same, Doth order that the same be granted

523.	Moore & Burdett v. Manny & Travis	Plaintiffs / Defendants	}	Damages

And now come the ~~defendants~~ plaintiffs by attorney, and also by order filed in said cause, and agree that said cause be dismissed at their cost. And thereupon It is decreed by the Court that the said cause be dismissed, and that the defendants recover of the plaintiffs Green B. Moore, and Isaac A. Burdett, all costs of this suit, for which execution may issue.

Fall Term, Monday, October 29th 1855.

5[illegible]4 ↓ Daniel Prair } Plaintiff
v.
Calvin Smith et al } Defendants } Debt

And now come the defendants and move the Court that the above cause be dismissed at their cost, Plaintiff, by attorney, agreeing thereto. And thereupon it is decreed by the Court that the above cause be dismissed at defendants cost; that said defendants pay all costs in and about this suit by plaintiff expended, for which execution may issue.

↓ 603 Robert Mills } Plaintiff
v.
Albert Rust } Defendant } Trial of Right of property

And now come into Court by attorney, leave of the Court first had and obtained, Hooke Simms, Margaret Simms, Clara Rust, Matilda Rust, Virginia Rust, Mary Ann Rust and Emma Oakley Rust, and file their petition for Intervention in said cause.

↓ 630 Sarah Cassidy et. al } Plaintiff
v.
I. M. M. Hall, et. als } Defendants

And now come into Court the parties to the above cause by their respective attorneys, and represent to the Court that the cause of action has been settled, and agree that the said cause be dismissed at plaintiffs cost. And thereupon it is decreed by the Court that the defendants go hence with their costs; that plaintiffs take nothing by their suit; and that said defendants recover all their costs of said plaintiffs. Thomas Cassidy and Sarah Cassidy, for which execution may issue.

↓ 651 F. Dietrich } Plaintiff
v.
Jas. G. Smith } Defendants } Debt on Note

↓ 657 H. Dietrich } Plaintiff
v.
I. H. Aylesworth } Defendant } Debt on Note

And now comes the plaintiff in each of the foregoing causes and moves the Court that the same be dismissed at his cost and thereupon it is decreed by the Court that the said

Fall Term, Monday, October 29th 1855.

plaintiff, Francis Autrich, pay all costs of said suits, for which execution may issue, and that each of said defendants go hence without day

And Thereupon It is ordered by the Court that Court do now adjourn until to-morrow morning, half past eight o'clock.

Tuesday Morning, Oct. 30th, 1855.

Court met 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:

Nathan S Kelly

And now comes into Court Nathan S. Kelly and files his petition to be admitted to practice as an Attorney and Counsellor at law in the District and Inferior Courts of this State. And it appearing to the satisfaction of the Court that the said applicant was heretofore regularly admitted to practice in the Supreme Court of the State of Alabama, as is shown by a certificate shown to that effect; and it being also shown to the Court that the said applicant is a man of good moral character. It is therefore ordered by the Court that the said Nathan S. Kelly be admitted to practice as an Attorney and Counsellor at Law in the Several District and Inferior Courts of this State, and that the Clerk of this Court issue to him a certificate according ly.

715 W. E. Rotardo { Plaintiff } Debt
W. S. Stalman { Defendant }

And now comes the Plaintiff, by attorney and by leave of the Court first had and obtained, files an amended petition, Said petition having been brought and filed on the 11th instant, and notice thereof given to defendants attorney on said day by the Sheriff

Fall Term, Tuesday, Oct. 30th 1855

835 Juan Garcia } Plaintiff
v. } Debt on Apc
Wm. Grumbo } Defendant }

And now comes the said Plaintiff by attorney and asks leave of the Court to file an amended petition. And thereupon said motion of plaintiff is granted.

And thereupon, on motion of A. H. Chalmers, District Attorney. It is ordered by the Court that the Criminal Docket be taken up on Monday, November 5th 1855.

And thereupon It is ordered by the Court that a fine of twenty dollars be imposed upon George W. Simpson and Samuel S. Wood, each, for failing to attend as Petit Jurors, they having been duly summoned by the Sheriff and that Saire Facias issue to each of them returnable to the next Term of this court, commanding them then and there to appear and show cause why this Judgment should not be made final.

Geo. W. Simpson
S. S. Wood.

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow morning half-past eight o'clock.

Wednesday, October 31st 1855.

Court met 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:

Wood

It is ordered by the Court that the fine ordered yesterday against Samuel S. Wood be remitted.

1130 Horace A. Baker } Plaintiff
v. } For Form Sof
Abner St. Cook } Defendant }

And now on this day came the parties to the foregoing cause by their respective attorneys and announced themselves ready for trial. Whereupon came a jury of good and lawful

Fall Term, Wednesday, October 31st 1855.

men of Travis county, to wit: Jas P McKinney, C H Darlin, John Bremond, Geo S Deats, S A Pickett, Jas D Easton, D Basteen, P K Marshall, Thos H Jones, Thos Freeman, W K Cowling and Isaac Nibbahn, who being duly sworn according to law, empannelled and charged by the Court, and hearing the evidence of the parties, 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. Thos H. Jones, Foreman.

Whereupon, It is ordered, adjudged and decreed by the Court that the said plaintiff, Horace N. Baker, take nothing by his said suit, that the defendant, A H Cook, go hence without day and recover of the plaintiff, Horace N. Baker, all costs in and about this suit expended, for which execution may issue.

It is further ordered, adjudged and decreed by the Court that this a copy of the Bill of Costs in this case may be certified to the Probate Court of Bastrop County as a just claim against the estate of John R. Blocum, dec'd, he being security on plffs cost bond, and that the said Bill of Costs may be certified to the Probate Court of Travis county as a just claim against the estate of N. M. Pickett, so soon as the administration of said estate may be opened, the said Pickett having also been security on the cost bond of plaintiff

106 Martin Maus v. Wm Bahles et al } Plaintiff / Defendants } Damages

110 Wm Bahles v. Martin Maus } Plaintiff / Defendant } Certiorari

It is ordered by the Court that the foregoing causes be continued, as by consent of parties.

201 Wm Bonner & Wife v. John Becks Heirs } Plaintiff / Defendants } For Sale of Land

It is ordered by the Court that the above cause be continued as per consent of parties.

Fall Term, Wednesday, Oct. 31st 1855.

316 John S. Grumbles et als. } Plaintiffs
Isaiah Pacy et als. } Defendants } Injunction

The above cause is continued by order of Court, parties agreeing thereto

343 Richard Wells Adm'r } Plaintiff
John Webster } Defendant } Land

It is ordered by the Court that the above cause be continued

367 John C. Hyde } Plaintiff
Thomas Kelley } Defendant } Land

It is ordered by the Court that the above cause be continued generally.

411 German Cons. Com'y } Plaintiff
S. Crosby, Com'r } Defendant } Injunction

And now comes the Clerk and moves the Court that the plaintiff be required to enter into bond and security for costs of suit. And the Court doth order that the said motion be sustained, and that said plaintiff give bond and security according to law.

464 John S. Johnson } Plaintiff
Geo. Turner } Defendant } Debt and Ase

And now at this day came into Court the parties to the above cause in proper person, and agreed to the Court that said cause be dismissed at their mutual cost. And thereupon It is decreed by the Court that John S. Johnson recover of Geo. Turner one half of the costs of this suit, and that Geo. Turner recover of John S. Johnson one half of the costs of this suit, for all which execution may issue.

547 John Marshall } Plaintiff
Joseph W. Hampton } Defendant } Injunction

on this day came plaintiff's attorney, and suggested to the Court the death of the defendant Hampton

Fall Term, Wednesday, Oct. 31st 1855.

582 Shepard & Stutchins } Plaintiffs } Debt.
J. M. W. Hall } Defendant }

And now on this day came into Court the said Plaintiffs by their Attorney and moved the Court that said cause be dismissed at their cost And thereupon It is decreed by the Court that the plaintiffs take nothing by their said suit, that the defendant go hence and recover of the plaintiffs B. A. Shepard and Wm. J. Hutchins all costs of this suit, for which execution may issue.

827 Crist Raver } Plaintiff } Damages.
John Kibler } Defendant }

It is ordered by the Court that the plaintiff in this cause be allowed to file an amended petition.

343 The State of Texas } Plaintiff } Docket Tax
Ranley Autry } Defendant }

And now on this day came and appeared in open Court, Ranley Autry, as principal and James R. Jackson and Samuel S. Dancer as securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the Sum of One Hundred and Fifty dollars, to be levied of their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Ranley Autry be and remain in attendance upon the District Court of Rains county, nine in session and then remain from day to day and from term to term thereafter, and do not depart the Court without Leave, to answer an Indictment preferred against him by the Grand Jurors of Rains county at the Spring Term of the District Court of said county 1855, for exhibiting for Gaming a Gaming Bank called Faro.

282 William B Clark, et als. } Plaintiffs } Damages
v.
Sherman Case. } Defendant }

It appearing to the Court that at a former term a motion was made and sustained by the Court ruling the plaintiffs to enter into Bond and Security for cost, and it further appearing to the Court that the said plaintiffs have not complied with said rule, which was entered of Record

Fall Term, Monday, October 31st 1853.

within the time prescribed by law. It is therefore ordered adjudged and decreed by the Court that said cause be dismissed and that said Defendants recover the plaintiff, Wilson B. Clark, Angra Sanna Clark Martha Hicks, Mary E. Hicks, Wm H. Hicks, John P. Hutchinson Isabella E. Young & Benjamin F. Young all costs in and about this suit expended. For which Execution may issue.

And Thereupon It is ordered by the Court that Court do now adjourn until Friday Morning November 2nd 1855, Half past eight o'clock.

Friday Nov. 2nd A. D. 1855.

Court met 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:

532	The State of Texas v. H. Manchaca, et al.	Plaintiff / Defendants	Suit for Lis
127	Thomas J. Pennyman & Jno G. Swisher et al.	Plaintiff / Defendants	Debt.
1147	Newell W. Burdett v. William Fowler	Plaintiff / Defendant	Case
1660	David L. Evans v. T. S. Roy. Hes	Plaintiff / Defendants	Ejc
7107	L. Fellman v. L. McKee	Plaintiff / Defendant	Debt

And now on this day came the defendants in each of the foregoing causes, by their respective attorneys, and file their answers therein

Fall Term, Wednesday, October 31st 1855.

718	W. A. & W. H. Morris v. J. A. Burdett, Guardian &c	Plaintiff Defendants	Contract
724	Ellen Dabae v. A. M. Davidson	Plaintiff Defendant	Damages.
729	George Hancock v. James L. Sinclair	Plaintiff Defendant	Debt on Note.
733	A. M. & M. C. Burdett v. James L. Sinclair	Plaintiffs Defendant	Debt on Note
738	Chandler & McFarland v. Augustus Fore	Plaintiffs Defendant	Debt.
748	W. C. Phelps v. D. H. Hutchins, etal	Plaintiff Defendants	Debt on Note.
751	Morgan & Smith v. Noah Townsend	Plaintiff Defendants	Revival of Judgment
753	M. C. Hamilton v. Raymond & Easton	Plaintiff Defendants	Debt on Note.
757	Thomas M. Stone v. S. L. Haynie, et. ads.	Plaintiff Defendants	Debt on Note
761	Neal Miller v. O. A. Sanglin	Plaintiff Defendant	Debt on Note.

And now on this day came the defendants in each of the foregoing causes, by attorney, and filed their answers in said causes.

Fall Term, Friday, Nov. 2nd 1855.

762.	R. D. McAnelly vs. S. Douglass Brown	Plaintiff Defendant	Debt	
763.	Reid, Sprague & Co. vs. Ed. A. Glazcock	Plaintiffs Defendant	Debt on Note.	
765.	Reid, Sprague & Co vs. Langhlin & Glazcock	Plaintiffs Defendants	Debt.	
766	A. A. Lowery vs. Fenwin & Cassity	Plaintiff Defendants	Debt on Note.	
770	John A. Green vs. S. Lockwood	Plaintiff Defendant	Debt on Note	
778.	R. A. Peck & Co vs. J. A. J. Bardeen et als.	Plaintiffs Defendants	Debt	
780	Chas. S. Lovell vs. S. M. A. Hall	Plaintiff Defendant	Debt	
783	Geo. Hancock vs. Milton Perry	Plaintiff Defendant	Debt	
784	Martin Shaw vs. E. R. Peck	Plaintiff Defendant	Debt	
785	C. M. Scaff vs. Ed. L. Martin	Plaintiff Defendant	Debt	

And now on this day came the defendants in each of the foregoing causes, by attorneys, and filed their answers thereto.

Fall Term, Friday, Nov. 2nd, 1855

788	John Coats v. John Taney, et. als	Plaintiffs Defendants	Debt
790	A. M. Booth v. A. K. Upshur, et. als	Plaintiff Defendants	For Land
791	Hannah B. Shinn v. B. S. Smith	Plaintiff Defendant	Debt on Acc
793	Fred. M. Chandler v. Sherman Care et al	Plaintiff Defendants	Debt
794	F. W. Chandler v. A. W. Burdett, et. als	Plaintiff Defendants	Debt
796	A. S. Reder v. Barnes & Bruns	Plaintiff Defendants	Debt
795	Oelrichs & Grosbeck v. L. Merelle	Plaintiffs Defendant	Debt
794	F. W. Chandler v. A. W. Burdett, et. als	Plaintiff Defendants	Debt
797	Fulton, Hemsley & Co v. S. Fellman	Plaintiffs Defendant	Certiorari
798	Payne & Grumbles v. Roy & Company	Plaintiffs Defendants	Debt on Acc

And now at this day and time come the defendants in the preceding causes by attorney and plead their answers in each of said causes.

Fall Term, Friday, Nov. 2nd 1855.

	M. B. & G. H. Burden, admrs	Plaintiffs	}	Debt
799	A. B. & S. Gill	Defendant	}	
803	James Hall	Plaintiff	}	Partition
	Francis A. Brown, Admr	Defendant	}	
807	A. H. Lewis	Plaintiff	}	Debt on Note
	Montgomery Harpster	Defendant	}	
808	S. C. Kimball, et al	Plaintiffs	}	Negroes
	Jno. F. Johnson	Defendant	}	
810	C. & A. Fenby & K	Plaintiff	}	Debt on Note.
	John H. Connor	Defendant	}	
813	L. D. Covington & Co	Plaintiffs	}	Debt on Note
	Philip Golden	Defendant	}	
814	John McKean	Plaintiff	}	Debt on Note
	Timothy McKean	Defendant	}	
815	M. C. Hamilton	Plaintiff	}	Debt on Note
	S. C. Cunningham et al	Defendants	}	
816	Wm M. Bradlee	Plaintiff	}	Debt.
	Dempsey Bennett et al	Defendants	}	
817	H. G. & Blakey	Plaintiff	}	—
	Geo. W. Glascock	Defendant	}	

And now on this day came and appeared the Defendants, by Attorneys, in each of the foregoing cases, and filed their answers Thereto

Fall Term, Friday, Nov. 2nd 1855.

819	M. A. Taylor & Garretson & McGee	}	Plaintiff Defendants	} Debt on Note.
820	I. & S. C. Mann, Admrs & Josiah Fisk, et. als	}	Plaintiffs Defendants	} Debt on Note.
821	John F. Purvis & Carleton & McGee	}	Plaintiff Defendants	} Debt on Note.
824	C. C. & A. C. McInnis & Monroe & Upshur	}	Plaintiffs Defendant	} Mandamus.
823	John I. Miller trustee & Josiah Fisk	}	Plaintiffs Defendant	} Debt on Note.
827	Ernst Raven & John Kinsler	}	Plaintiff Defendant	} Damages.
828	S. B. Moore & A. A. Blakey &c	}	Plaintiff Defendant	} Debt.
834	Andrew Allison & Wife & F. S. Roy & Co	}	Plaintiffs Defendants	} Debt.
835	Juan Garcia & Perry Grimsley	}	Plaintiff Defendant	} Debt on Note.
836	Sam B. Moore & F. Dietrich, Admr	}	Plaintiff Defendant	} Debt on Note.

And now on this day came and appeared the defendants in each of the foregoing causes, by attorney, and filed their answers therein.

Fall Term, Friday, Nov. 2nd, 1855.

839	A. Murchison vs John R. McCall	}	Plaintiff Defendant	} Debt.
841½	Luke Pickell vs Frans Brown, etc	}	Plaintiff Defendant	} Mandamus
841½	John Brimmond vs D. H. Simmons, et. al	}	Plaintiff Defendants	} Debt.
842	L. D. Carrington & Co vs Trustees Methodist Church	}	Plaintiffs Defendants	} Debt.
843	N. C. Hamilton vs Trustees Methodist Church	}	Plaintiff Defendants	} Debt.

And now come the Defendants in each of the foregoing causes, by Attorney, and file their answers.

561	John M. Mears, Exr. vs Heirs of Denis C. Mears	}	Plaintiffs Defendants	} Land.

On motion, It is ordered by the Court, that D. F. Carter, an attorney at law of this Court, be and is hereby appointed Guardian ad litem for the minor Heirs of Denis C. Mears, in the foregoing cause.

669	James Lamb vs D. H. Mathews	}	Plaintiff Defendant	} For Dft.

It is ordered by the Court that the Defendant have leave to file an amended answer.

709	Wade H. Morris vs Johnson & Kirkby	}	Plaintiff Defendants	} Certiorari

It is ordered by the Court that the Defendants have leave to file an answer in this cause.

Fall Term, Friday, Nov. 2nd 1855.

710 Joseph Wamsley } Plaintiff
M. T. Caputine dec'd } Defendants } Debt

On this day comes plaintiff by attorney and suggests to the Court the death of defend. M. Caputine

720 W. F. Cardwell } Plaintiff
A. P. Hopkins, d. al. } Defendants } Debt on State

It is ordered by the Court that the plaintiff have leave to file an amended petition

797 Abner Adcock } Plaintiff
John T. Price, Sheff } Defendant } Injunction.

It is ordered by the Court that the defendant have leave to answer.

786 Aiken S. Reed } Plaintiff
J. W. Bonner, d. al. } Defendants } Debt on Note.

It is ordered by the Court that the plaintiff have leave to amend his petition.

798 Payne & Bunn & Co } Plaintiff
Ry & Company } Defendants } Debt on Acc.

It is ordered by the Court that the defendants have leave to amend.

803 James Odell } Plaintiff
Francis Bunn, admr dec'd } Defendants } Partition

It is ordered by the Court that the Defendant, Brown Bunn, be allowed to amend answer and plead further

It is further ordered by the Court that M. H. Bowers an attorney of this Court, be appointed Guardian ad litem to represent the interests of the minor heirs of Asa D. Bunn dec'd

814 John McKean } Plaintiff
Francis McKean } Defendant } Debt

It is ordered by the Court that the defendant have leave to amend his answer.

Fall Term, Friday, Nov. 2, 1855.

823 John B. Mellenville } Plaintiffs
Isaiah Fisk } Defendant } Def.

It is ordered by the Court that the Defendant Fisk have time to amend his answer.

827 Crist Raven } Plaintiff
John Kiehl } Defendant } Damages &c

It is ordered by the Court that the Defendant Kiehl have time to amend his answer.

828 J. B. Moore } Plaintiff
A. J. Blakey } Defendant } Debt

And now comes the Court, and upon his motion, It is ordered by the Court that the plaintiff enter into bond and security for cost & suit within the time prescribed by law otherwise the suit cause will be dismissed.

834 A. Weinsenke } Plaintiff
D. S. Ryther } Defendants } Def.

It is ordered by the Court that the Defendants, Weinsenke, be allowed to amend their answer filed in this cause

835 Juan García } Plaintiff
Perry Emmitt } Defendant } Debt on A/c

It is ordered by the Court that the Defendant be allowed to file an amended answer.

836 Juan B. Moore } Plaintiff
F. Dieterich, et. al. } Defendant } Debt on A/c

It is ordered by the Court that the Defendant have time to amend.

Fall Term, Friday Nov.r 9.th 1855.

5793. M.L. Phelps } Plaintiff
v. } Debt
Hudgins & Cleveland } Defendants

And now comes the plaintiff by attorney and claims a Judgment by default. And it being satisfactorily shewn to the Court that due service of the process has been made in this case, and that the cause of action is liquidated, and also that said defendants have failed to answer within the time prescribed by law. It is ordered that plaintiff have and recover of the defendants Joel Hudgins and John T. Cleveland the sum of two hundred and thirty dollars and seventy seven cents ($230.77) principal & interest to date, and 8 per cent. interest until said sum from this date, for said amount, and all costs of suit, for which execution may issue.

5786. John A. Dean, Admr } Plaintiff
v. } Debt on Note
A.B. Burbank et.al } Defendants

And now comes the plaintiff and claims a Judgment final by default. And it appearing to the satisfaction of the Court that due notice of the process has been made in this cause and that the cause of action is liquidated as evidenced by an instrument of writing; and it also appearing that said defendants have failed to answer within the time prescribed by law. It is ordered adjudged and decreed by the Court that the plaintiff, John A. Dean, Administrator of the estate of Zadoc Long, deceased, do have and recover of the defendants, Geo. L. Allen and A. B. Burbank as principals, and John M. Bailey and M. S. Upham as securities the sum of two hundred and ninety one 40/100 Dollars principal and interest to date, with legal interest on said amount until paid, and all costs in and about this suit laid out and expended for all which execution may issue.

1620 R.C. Peck } Plaintiff
v. } Debt on Note
Chas. Burdett } Defendants

And now comes the plaintiff & claims a Judgment final by default. And it appearing to the Court that due service has been performed upon the said Sherman Chase and upon the administrators of Jesse Burdett, & Peck, and that said defendants have failed to answer within the time prescribed by law; and it also appearing that the cause

Fall Term, Friday, Novr 2^d 1855.

of action is liquidated as evidenced by an instrument of writing
It is therefore ordered adjudged and decreed by the Court that the said plaintiff, A.M. Peck, have and recover of the Defendant, Thurman Case, the sum of three hundred and forty eight dollars ($348.00) principle & interest to date with legal interest on said sum from date until paid, and all costs of this suit, for which execution may issue
It is further ordered by the Court that the said Judgment may be entitled to the Rabata County of Iowa county as a debt and equitable claim against the estate of Jesse Burdett, Dc.

↓ 428 — Warren Whitcomb } Plaintiff / M. M. Sublett } Defendant — Debt on Note

And now comes the plaintiff by attorney and claims a Judgment by default. And it appearing to the satisfaction of the Court that the said defendant has been duly summoned and failed to file his answer, and that the cause of action is liquidated
It is ordered adjudged and decreed by the Court that the plaintiff, Warren Whitcomb have and recover of the defendant, Henry C. Sublett the sum of Two hundred and Sixty seven dollars and sixty six cents, principal & interest to date, with legal interest on said sum until paid, and all costs of suit, for which execution may issue.

↓ 436 — Linda S. Nichols } Plaintiff / S. K. Jennings, Jr. } Defendant — Debt on Note

And now comes the Plaintiff by his attorney and claims a Judgment by default. And it appearing to the satisfaction of the Court that the said Defendant has been duly summoned by the Sheriff, that he has 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
It is therefore ordered, adjudged, and decreed by the Court, that the plaintiff Linda S. Nichols, do have and recover of the Defendant, Samuel K. Jennings, Jr, the sum of Twelve hundred and eighty dollars principal & interest to date, with legal interest on said amount until paid, together with all costs of this suit, for all which execution may issue

Fall Term, Friday, October 2. 1855.

677 W. P. De Normandie } Plaintiff
Lemuel K. Clifton } Defendant } Trespass &c

And now comes the Plaintiff in proper person and moves the Court to dismiss this cause at his cost, Defd. not having answered. And thereupon It is ordered by the Court that the Plaintiff Take nothing by his said action, that the defendant go hence and recover of the Plaintiff. W. P. De Normandie all costs of this suit for which execution may issue.

706 Wm. C. Collins & Wife } Plaintiffs
Timothy A. McKean } Defendant } Injunction.

And now on this day come the plaintiffs 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 the plaintiffs ~~have~~ take nothing by this suit, that the defendant go hence and recover of the plaintiffs, William C. Collins & wife and Mary Collins wife, all costs of this suit, for which execution may issue.

722 A. Bean & Co. } Plaintiffs
J. E. Bean & Co. } Defendants } Attachment.

Upon motion of the parties, It is ordered by the Court that this cause be dismissed, the cause of action having been settled and the costs having been paid

723 S. G. Norvell } Plaintiff
H. M. Sublett } Defendant } Debt on Note

And now comes the said plaintiff by attorney and claims a Judgment by default. And it being satisfactorily shown to the Court that the said Defendant acknowledged service of plaintiffs petition and waived all process, and it also appearing that said Defendant has failed to answer within the time prescribed by law, and it further appearing to the Court that the cause of action is liquidated It is ordered adjudged and decreed by the Court that the plaintiff, S. G. Norvell do have and recover of the Defendant, H. M. Sublett, the sum of three hundred & twelve dollars, principal & interest to date, with legal interest on said sum from date until paid, together with all costs of this suit. For all which execution may issue

Fall Term, Friday, Nov. 2d 1855.

724. S. S. Nowell } Plaintiff
Chas. C. Travis } Defendant } Debt on Note

And now on this day comes the plaintiff by attorney and asks a Judgment for & by default. And it appearing to the satisfaction of the Court that the said defendant acknowledged service of plaintiffs petition and waived all process by his Agent and Attorney in fact, W. C. Hamilton; and it further appearing that the defendant has failed to answer within the time prescribed by law, and that the cause of action is liquidated as shown by defendants written obligation

It is therefore ordered, adjudged and decreed by the Court that the plaintiff, Samuel S. Nowell, do have and recover of the defendant, Chas. C. Travis the sum of three hundred dollars, principal debt and interest to date, with legal interest on said amount from date until paid, and all costs of this suit, for all which execution may issue.

728 R. H. Pick & Co. } Plaintiffs
W. R. Bowman } Defendant } Debt on Note.

And now come the plaintiffs by attorney and move the Court to dismiss said cause at their cost. And it appearing to the Court that the deft. has not answered, it is ordered that the defendant go hence and recover of the plaintiffs, R. H. Pick and Edward Tenyck, under their firm name and style of R. H. Pick & Co. all costs of this suit, for which execution may issue.

736. A. G. Weir } Plaintiff
R. Overgaur } Defendant } For Land.

And now comes the Plaintiff, by attorney, and moves the Court to dismiss this cause at his cost. And thereupon it is decreed by the Court that the deft. go hence and recover of the plaintiff A. G. Weir, all costs of this suit, for which execution may issue.

742 Miles Owen & Co. } Plaintiffs
Thomas Banks } Defendant } Debt on note

And now come the plaintiffs, by attorney, and claim a Judgment by default. And it being shown to the Court that the defendant has been duly summoned

and has failed to answer within the time prescribed by law, and it appearing that the cause of action is liquidated, as shown by an instrument of writing

It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, M. A. Owen, Miles Owen and Wm. H. Winsdale, under their Christian name and style of Miles Owen Dec'd. do have and recover of the defendant Thomas Banks the sum of Two hundred and eighty one dollars and sixty six cents ($ 281.66) principal debt and interest to date, with ten per cent. interest on said sum from date until paid, and all costs of this suit, for all which execution may issue.

1749 — W. H. Anderson v. Russell & Williams } Plaintiff / Defendants } Debt on Note

And now comes into Court the said plaintiff by attorney and represents to the Court that the cause of action is settled between the parties, and that the parties agree that the cause may be dismissed at defts' cost. And thereupon it is ordered by the Court that the cause be dismissed, and that the plaintiff recover of the defendants, John Russell and R. Williams, all costs of this suit, for which execution may issue.

1757 — Geo. Hancock v. Robert & Eq. Hughes } Plaintiff / Defendants } Debt on Note

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 duly summoned 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 an instrument of writing. It is therefore ordered, adjudged and decreed by the Court that the plaintiff Geo. Hancock, have and recover of the defendant, John Hughes the sum of One hundred and eighteen Dollars and twenty three cents ($ 118.23) principal and interest to date, with ten per cent. interest on said amount until paid, and all costs of suit, for which execution may issue.

1768 — Ryan & Collingham v. Temperance D. Smith } Plaintiffs / Defendant } Debt on Note

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 sum-

moved, and that said defendant 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 writing obligatory It is therefore Ordered, adjudged and decreed by the Court that the plaintiffs, Martin K. Ryan and Charles Catlingham, under their firm, name and style of Ryan Catlingham, do have and recover of the Defendant, Temperance F. Smith, the sum of Five Hundred and ninety three Dollars and forty six cents, ($593.46) principal debt and interest to date, with ten per cent. interest on said sum until paid, and all costs of this suit, for which execution may issue

769 F. Dutenck vs U. H. Emery et al } Plaintiff / Defendant } Debt on Note.

And now on this day comes the plaintiff, by his attorney, and claims a Judgment by default. And it appearing to the Court that the Defendants have been duly summoned and that they have ~~been~~ duly neglected to answer within the time prescribed by law; and it further appearing that the cause of action is liquidated as shown by an obligation in writing It is therefore ordered adjudged and decreed by the Court that the plaintiff, F. Dutenck, do have and recover of the defendants, U. H. Emery, Jorge L. Wacton and William M. Wacton, the sum of Three Hundred and twenty seven Dollars and fifty cents ($327.50) principal debt and interest to date, with ten per cent interest on said sum from date until paid, together with all costs of this suit, for all which execution may issue.

771 John A Bremond vs S. K. Jennings & Co. } Plaintiff / Defendant } Debt on Note

And now on this day comes the plaintiff by attorney and claims a Judgment fraud by default. And it appearing to the Court that the defendant has been duly summoned and that he has failed to answer, and it appearing further that the cause of action is liquidated as shown by an instrument of writing It is therefore decreed by the Court that the plaintiff, John Bremond, have and recover of the defendant, Samuel K. Jennings Jr. the sum of two hundred and four 17/100 Dollars, with ten per cent interest on said sum until paid, and all costs of this suit, for all which execution may issue

Fall Term, Friday, Nov. 2d 1855.

773 ✓ B. A. Shepard & Burke } Plaintiffs
Smith & Straythorn } Defendants } Debt on Note.

And now come the plaintiffs by attorney, and claim a Judgment final by default. And it appearing to the Court that the defendants have been duly summoned according to law, are a home failed to answer, plead or demur and it further appearing that the cause of action is liquidated as shown by an instrument of writing: It is therefore ordered adjudged and decreed by the Court that the plaintiffs, B. A. Shepard & A. J. Burke, under their firm name and style of B. A. Shepard & Burke, have and recover of the defendants, Wesley Smith and Newell F. Straythorn, under their firm name and style of Smith and Straythorn, the sum of Eleven hundred and ten Dollars and twenty nine cents ($1110.29) with eight per cent. interest on said sum from date until paid, and all costs of this suit, for all which execution may issue.

0/0
774 ✓ John Bremond } Plaintiff
Thomas Cassidy & H.O. Tuttle } Defendants } Debt on Note.

And now comes the plaintiff by attorney and claims a Judgment by default. And it appearing to the Court that said defendants have been duly summoned and have failed to answer within the time provided, and that the cause of action is liquidated as shown by an instrument of writing It is ordered, adjudged and decreed by the Court that the plaintiff, John Bremond, have and recover of the defendants, Thomas Cassidy and Henry H.O. Tuttle, the sum of three hundred and seventy six dollars and twenty three cents ($376.23) principal and interest to date, with ten per cent interest on said amount until paid, and all costs for all which execution may issue.

776 R.H. Peck & Co } Plaintiffs
Augustus Fore } Defendant } Debt on Note.

And now come the said plaintiffs and claim a Judgment by default. And it appearing to the Court that said defendant has been summoned and has failed to answer, and that the cause of action is liquidated as shown by an obligation in writing It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, R. H. Peck and Edward Fontaine under their firm name & style of R.H. Peck & Co. have and recover of the defendant, Augustus Fore, the sum of two hundred and twenty eight dollars and forty six cents ($228.46) principal debt and interest to date, with ten per cent. interest on said sum until paid, from date, and all costs of suit, for all which execution may issue

Fall Term, Friday, Nov.r 2, 1855.

777 ↓

R. A. Peck & Co. } Plaintiffs
v. } Debt on Note
Ann Wooldridge } Defendant

And now comes the Plaintiff and claims a Judgment by default, And it appearing to the Court that the defendant has failed to answer within the time prescribed by law and having been duly summoned; and it further appearing that the cause of action is liquidated as shown by an instrument of writing It is ordered adjudged and decreed by the Court that the plaintiffs, R.A. Peck and Edward Tennyson under their firm name and style of R.A. Peck & Co. do have and recover of the defendant, Ann T. T. Wooldridge, the sum of One Hundred & Six Dollars and twenty five cents (Principal) principal debt and interest until paid with ten per cents interest until paid, and all costs of suit, for which execution may issue.

792. ↓

T. P. Washington } Plaintiff
v. } Debt on Note.
Moore & Burdett } Defendants

And now comes the plaintiff, by attorney, and claims a Judgment by default, And it being shown to the Court that the defendants have been duly summoned and have failed to answer, and that the cause of action is liquidated, as shown by an obligation in writing It is therefore ordered adjudged and decreed by the Court that the plaintiff, T. P. Washington, have and recover of the Defendants, G. B. Moore and Paul A. Burdett, the sum of One Hundred and eighty four dollars and ninety eight cents (Principal) principal debt and interest to date with eight per cent. interest on said sum from date until paid, and all costs of this suit, for all which execution may issue.

801. ↓

G. M. & W. B. Burdett, Adms } Plaintiffs
v. } Debt on Note.
Henry W. Tibbett } Defendant

And now come the plaintiffs by attorney and claim a Judgment by default. And it appearing to the Court that the deft. has acknowledged service of plffs petition and waived all process, and that he has failed to answer within the time prescribed and that the cause of action is liquidated as shown by an obligation in writing It is therefore ordered, adjudged and decreed by the Court that the plffs G. M. & W. B. Burdett Admrs of Jesse Burdett, Dec'd. do have and recover of the Defendant, Henry W. Tibbett, the sum of Four hundred & seventeen dollars and eighty cents ($417.80) principal debt and interest to date, with twelve per cent. interest on said sum until paid, and all costs of suit, for all which execution may issue.

Fall Term, Friday, Nov. 2d 1855.

811 R. M. Johnson } Plaintiff
J John H. Twiley } Defendant } Debt on Note.

And now comes the plaintiff by attorney, and moves the Court to dismiss said cause. And thereupon said it is ordered by the Court that the defendant go hence and recover of the plaintiff all costs of this suit, for which execution may issue.

804 S. W. Goodrich } Plaintiff
John R. McCall } Defendant } Debt on Note.

And now comes the plaintiff by attorney & claims a Judgment by default. And it appearing to the Court that the defendant has been summoned and has failed to answer, and that the cause of action is liquidated as shown by defts obligation in writing It is therefore ordered, adjudged and decreed by the Court that the plaintiff, S. W. Goodrich, have and recover of the defendant, John R. McCall the sum of One hundred and twenty two dollars and seventy cents (122.70) principal and interest to date, with legal interest on said sum until paid, and all costs, for all which execution may issue.

815 S. W. Goodrich } Plaintiff
A. H. Cook } Defendant } Debt on Note.

And now comes the plaintiff and claims a Judgment by default. And it appearing to the satisfaction of the Court that the deft has been duly summoned and has failed to answer. And it further appearing that the cause of action is liquidated, It is ordered adjudged and decreed by the Court that the plaintiff, S. W. Goodrich, have and recover of the defendant, A. H. Cook, the sum of three hundred and fifty four dollars and fifty five cents, principal debt and interest to date, with eight per cent. interest on said sum until paid, and all costs, for which execution may issue.

806 W. B. Maddox } Plaintiff
B. S. Fitzgerald } Defendant } Debt on Note

It appearing to the Court that the defendant has been duly served with process and has failed to answer, and further, that the cause of action is liquidated It is ordered, adjudged and decreed by the Court that the plaintiff W. B. Maddox, have and recover of the defendant, B. S. Fitzgerald, the sum of One hundred and sixteen 34/100 dollars, with ten per cent. interest on said sum till paid, and all costs, for all which execution may issue.

Fall Term, Friday, Nov. 2, 1855.

801 C. & A. Tenbyck } Plaintiffs
v. } Dft.
Banyan Payne } Defendant

And now on this day came the plaintiffs by their Attorney, and claim a Judgment by dfault. And it being satisfactory to the Court that the dfendant has been summoned & has failed to answer; and it further appearing that the cause of action is liquidated It is ordered & decreed by the Court that the plaintiffs, C. Tenbyck & A. Tenbyck, under their firm name and style of C. and A. Tenbyck, have and recover of the dfendant, Banyan Payne, the sum of One hundred and fifteen dollars and sixty seven cents, principal debt and interest to day, with ten per cent. interest on said sum until paid, and all costs, for which execution may issue.

811 C. & A. Tenbyck } Plaintiffs
v. } Debt on Note.
Henry W. Tibbs } Defendant

It is ordered by the Court, upon motion of the parties that this cause be dismissed And thereupon it is ordered by the Court that the plaintiffs recover of the defendant, Henry W. Tibbs, all costs of this suit, for which execution may issue.

822 R. H. Peck } Plaintiff.
v. } Debt on Note
M. K. Brown } Defendant

And now comes the plaintiff and claims a Judgment by dfault. And it appearing to the Court that the dft. has been duly summoned, and has failed to answer; and, further, that the cause of action is liquidated It is ordered that the plaintiff, R. H. Peck, have and recover of the dfendant, M. K. Brown, the sum of four hundred and twenty six dollars and thirteen cents, principal and interest to date, with ten per cent. interest on said amount until paid, and all costs, for which execution may issue.

846 C. & A. Tenbyck } Plaintiffs
v. } Debt on Note
M. K. Brown } Defendant

And now on this day comes the plaintiffs and claim a Judgment by dfault. And it appearing to the Court that the dft. has been duly summoned and

Fall Term, Friday Nov 2nd 1855.

has failed to answer; and it further appearing that the cause of action is liquidated, It is ordered, adjudged and decreed by the Court that the plaintiffs Edward Ten Eyck and Alfred Ten Eyck have and recover of the defendant, the sum of eight hundred and twelve dollars and forty nine cents, principal and interest to date with ten per cent. interest till paid, and all costs, for which execution may issue.

847 Campbell Taylor } Plaintiff
B. F. Johnson } Defendant } Debt.

And now on this day comes the plaintiff by attorney and claims a Judgment final by default and it appearing to the Court that the defendant has acknowledged service of plff's petition, and waived all process. It is ordered by the Court that the plaintiff, Campbell Taylor have and recover of the defendant, B. F. Johnson the sum of Nine hundred and ninety seven dollars and fifty cents, with ten per cent. interest on said sum until paid and all costs for all which execution may issue.

And now on this day came and appeared in open Court the Grand Jury in and for the County of Travis, duly elected, empannelled, sworn and charged for and during the present term of this Court, and by their Foreman, W. C. Hamilton, presented to the Court the following Bills of Indictment as follows, viz:

1634 The State of Texas } Plaintiff
Martin Jones + } Defendants } Horse Stealing
James Owen

1635 The State of Texas } Plaintiff
Martin Jones + } Defendants } Horse Stealing
William Jones

1636 The State of Texas } Plaintiff
John Taney } Defendant } Assault & Battery

Fall Term, Friday, Nov. 2d 1855

637	The State of Texas v. Ned Roberts, Ed. Owen, Aaron Burleson & E. O. Warren	Plaintiff / Defendants	Playing cards for money in a public place
638	The State of Texas v. Cap Callahan	Plaintiff / Defendant	Affray & Battery
639	The State of Texas v. John Christian-Cook and Aaron Burleson	Plaintiff / Defendants	Playing cards for money in a house for retailing Spirituous liquors
640	The State of Texas v. Thomas M. Fleming. James Casner & Pepe Burdett	Plaintiff / Defendants	Playing cards for money in a house for retailing Spirituous liquors
641	The State of Texas v. Joseph Davis	Plaintiff / Defendant	Affray.
642	The State of Texas v. John Mc. Bennett. Called Buck Bennett.	Plaintiff / Defendant	Exhibiting Faro
643	The State of Texas v. + Poland	Plaintiff / Defendant	Exhibiting Faro
644	The State of Texas v. William Clopton	Plaintiff / Defendant	Permitting card playing for money in his house for retailing Spirituous liquors
645	The State of Texas v. Green Berg Moore	Plaintiff / Defendant	Affray with intent to kill & murder

Fall Term. Friday, Nov. 2d, 1855.

✓646	The State of Texas v. Stephens + Poland	Plaintiff / Defendants	Playing cards for money in a public place
✓647	The State of Texas v. Daniel Payne + Samuel Duncan	Plaintiff / Defendants	Permitting card playing in their house for retailing Spirituous Liquors
✓648	The State of Texas v. Geo. Gamble, James Comer + Thadeus Beck	Plaintiff / Defendants	Playing cards for money in a house for retailing Spirituous liquors
✓649	The State of Texas v. John McGinnis	Plaintiff / Defendant	Affray with intent to kill + Murder
✓637	The State of Texas v. + Poland	Plaintiff / Defendant	Playing cards in a public place
✓637	The State of Texas v. Alegar Ahsegon	Plaintiff / Defendant	Horse Stealing
✓632	The State of Texas v. Isaac R. Burton ks	Plaintiff / Defendant	Enticing away a Slave
✓633	The State of Texas v. James R Jackson	Plaintiff / Defendant	Betting at Faro
✓634	The State of Texas v. Thomas Moore and Ned Roberts	Plaintiff / Defendants	Allowing card playing for money in their house for retailing spirituous liquors
✓653	The State of Texas v. Henry Vines	Plaintiff / Defendant	Affray + Battery

Fall Term, Friday Nov 2d 1855.

656	The State of Texas	Plaintiff	Cutting timber on land not his own without consent of owner
	v.		
	John McKinnis	Defendant	
657	The State of Texas	Plaintiff	Malicious Stabbing a white man
	v.		
	Ned, a Slave	Defendant	

And thereupon said Grand Jury, through their Foreman, suggested to the Court that there was one Witness before them; And thereupon the Court ordered the said Grand Jury to retire upon a further discharge of their duties.

730	Vanalstyne & Taylor	Plaintiff	Debt on Note
	vs.		
	D. C. Cain &	Defendants	
	Z. A. Pannell		

And now comes the Plaintiffs William Vanalstyne and Edward W. Taylor by their Attorneys, and it appearing to the satisfaction of the Court, that the Defendants, D. C. Cain and Z. A. Pannell have failed to appear within the time prescribed by law and file their answer, but wholly made default.

It is therefore ordered, adjudged and decreed by the Court, that the said Plaintiffs William H. Vanalstyne and Edward W. Taylor have and recover of and from the said Defendants, D. C. Cain and Z. A. Pannell the sum of One hundred and forty four Dollars and Sixty Nine cents principal debt and interest up to the rendition of this Judgment, together with interest thereon at the rate of ten per cent per annum until paid, and all costs in this behalf expended, for which Execution may issue.

1388	J. R. Randle	Plaintiff	Judgment.
	vs.		
	John L. Brown	Defendant	

And now at this day comes the Plaintiff J. R. Randle by his Attorneys and it appearing to the Court satisfaction of the Court, that the Defendant John L. Brown had failed to appear and file his answer within the time prescribed by law, but wholly

Fall Term Friday Nov 2d 1833

made default.

It is therefore Ordered adjudged and decreed by the Court that the said Plaintiff T. R. Randle have and recover of and from the said Defendant John L. Brown the Sum of three hundred and eight Dollars and twenty Cents, principal debt and twenty Dollars and fifty three cents interest on the same up to the second day of November A.D. 1833. together 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.

731 v

Vanalstyne & Taylor } Plaintiffs } Judgment
vs.
Smith & Straythorn } Defendant }

And now comes the Plaintiffs William A. Vanalstyne and Edward W. Taylor by their Attorneys and it appearing to the satisfaction of the Court that the Defendants Wesley Smith and N. I. Straythorn had failed to appear within the time prescribed by law and file their answer, but wholly made default.

It is therefore ordered, adjudged and decreed by the Court that the said Plaintiffs William A Vanalstyne and Edward W. Taylor have and recover of and from the Defendants Wesley Smith and N. I. Straythorn the sum of One thousand five hundred and forty three Dollars and Seventy five cents, principal debt and interest up to the rendition of this Judgment, together with interest thereon at the rate of ten per cent per annum until paid, and all costs in this behalf expended, for which Execution may issue.

764 v

Robt I. Clow } Plaintiff } Judgment
vs.
N. I. Straythorn } Defendant }

And now comes the Plaintiff Robert I. Clow by his Attorneys, at it appearing to the satisfaction of the Court that the Defendant N. I. Straythorn had 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 said Plaintiff Robert I. Clow have and recover of and from the Defendant N. I. Straythorn the sum of Two thousand Six Hundred and Eighty Eight Dollars and Seventeen cents, principal debt and

Fall Term. Friday Nov. 2d 1855.

interest up to the rendition of this Judgment together with interest thereon at the rate of ten per cen per annum 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 Monday Morning, Nov. 5th 1855 at half past eight oclock.

Monday Morning, Nov. 5th 1855.

Court met at half past Eight oclock, pursuant to adjournment. Present the Same as on yesterday

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

2112. The State of Texas } Plaintiff
Rawly Autry } Defendant } Dealing Faro.

And now come the parties by Attorneys and announced themselves ready for trial. and thereupon the defr. plead guilty to the Indictment. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: Thomas Thuman and seven others who being duly elected, sworn empannelled and charged by the Court heard the evidence and returned to court their verdict. And thereupon said Jury returned into Court the following verdict to wit: We the Jury find the Defendant guilty and assess the fine at ten dollars Thomas Freeman, Foreman. Whereupon It is ordered adjudged and decreed by the Court that the said State of Texas have and recover of the defendant Rawly Autry the said sum of ten dollars, together with all costs and that said defr. remain in the custody of the Sheriff until said fine and costs are paid.

2114 The State of Texas } Plaintiff
v.
Sherman Case } Defendant } Using Stony Games

And now on this day come the parties and announced themselves ready for trial. And thereupon the defr. pleads not guilty to the Indictment. And thereupon came a Jury of twelve good and lawful men of Travis county, who being duly elected empannelled sworn and charged, heard the evidence, received 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 defd. not guilty. A. Cains Foreman." Whereupon It is ordered by the Court that the defendant go hence fully acquitted of said charge and that he recover his costs.

467 The State of Texas } Plaintiff
v. } Betting at Faro
Jacob A. Burdett } Defendant

And now come the parties and announced themselves ready for trial. And thereupon the defd. pleads guilty. and a Jury being duly elected, empannelled, sworn and charged, heard the plea and retired; And thereupon said Jury returned into Court the following verdict to wit: "We the Jury, find the defd. guilty and assess the fine at ten dollars. Thos. Freeman, Foreman, Whereupon It is ordered by the Court that the said State of Texas have and recover of the defendt. Jacob A. Burdett, the sum of ten dollars aforesaid and all costs, and that he remain in the custody of the Sheriff until said fine & costs are paid.

O/C
475. The State of Texas } Plaintiff
v. } Betting on Chemin
Jacob A. Burdett } Defendant

In this cause the Jury being unable to agree It is ordered by the Court that they be discharged and a mistrial awarded, and ordered, further, that said cause be continued.

485. The State of Texas } Plaintiff
v. } Betting at Faro.
James S. Gillett } Defendant

And now came the parties by attorney and announced themselves ready for trial. And thereupon the defd. pleads guilty. And thereupon came a Jury of twelve good & lawful men of Travis county, to wit: Thomas Freeman and seven others, who being duly elected empannelled, sworn and charged heard the plea 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 and assess the fine at ten dollars. Thomas Freeman Foreman.

Monday, Fall Term, Nov. 5th 1855

Whereupon, It is ordered, adjudged and decreed by the Court that the said State of Texas have and recover of the defendant, James S. Sutton, the sum of Ten dollars and all costs and that he remain in the custody of the Sheriff until said fine and costs are paid.

1888 ✓ The State of Texas } Plaintiff
vs. } Gambling
Arthur S. Lott } Defendant

And now came the parties and announced themselves ready for trial. and the defendant pleads guilty, and thereupon came a Jury, to wit: B. C. Bonnett and eleven others, who being duly elected, empannelled sworn and charged, they did retire 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 assess the fine at fifteen dollars" B. C. Bonnett, Foreman." Whereupon, It is ordered by the Court that the said State of Texas have and recover of the defendant, Arthur S. Lott, the sum of fifteen dollars, fine as aforesaid and all costs, and that he remain in the custody of the Sheriff until said fine and costs are paid

Ferdenand Dahme. ✓ Declaration of Intention to become a citizen

State of Texas } Ferdenand Dahme being duly
County of Travis } 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 1833, in the county of Stamberg in the Kingdom of Hessen, whence he emigrated in the year 1852, 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 and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Hessen of whom he is now a subject. Ferdenand Dahme
Sworn to and subscribed in open Court, November 5th 1855
Frank Brown Clk

Fall Term, Monday, Nov. 5th 1855

Karl Axmann ✓

Declaration of Intention to become a Citizen

State of Texas } Charles Axmann being 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 1825 in the county of Brunn in Austria, 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 settlement, and he further declares that it is bona fide his intention to become 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 whatever, and particularly to the Emperor of Austria, of whom he is now a subject.

Karl Axmann

Sworn to and subscribed in open court, November 5th 1855 Frank Brunn, Clk.

C. Steiner ✓

Declaration of Intention to become a Citizen.

To the Honorable District Court of Travis county

Your petitioner, Carl Frederick Steiner, represents that he is a native of Germany, that he emigrated to the United States in the year 1850, and has resided therein ever since with an intention of becoming a citizen thereof. And he now avows that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatever, and particularly to Frederick Wilhelm the fourth, King of Prussia, whose subject he was C. Steiner.

Subscribed and sworn to in open Court, this 5th day of November, A.D. 1855 Frank S Brunn Clk. D. C. T. C.

7114 ✓

Joseph Newsham } Plaintiff
vs. } Injunction
John Walton } Defendant

It appearing to the Court that the defendant has failed to appear and show cause why the Injunction granted in this cause should not be made perpetual, and has wholly made default by failing to plead answer or demur. It is ordered by the Court that the Injunction in this cause be continued and that Jeff Weaver of Dft. John Walton, all his costs for which execution may issue.

Fall Term, Monday, Nov.r 5.th 1855.

1789. James R. Danner, adm.r } Plaintiff
v. } Judgment
H. H. Chandler, et al, } defendants

This cause coming on to be heard the plaintiff appeared by his attorney, but the defendants came not; and the defendants not having filed their answer, on motion of plaintiffs attorney, Judgment by default was rendered against defendants.

Thereupon, It is ordered, adjudged and decreed by the Court, that the pltff. James R. Danner, Administrator of the estate of Joseph R. Danner, dec'd, have and recover of the defendants, H. H. Chandler, A. J. Hamilton and Geo. W. Gray the sum of Eight Hundred and 94/100 Dollars, that being the amount of debt and interest sued on, together with his cost of suit in this behalf expended, for which execution may issue.

It is further ordered and decreed by the Court that the deed of mortgage executed by H. H. Chandler, defd. to James R. Danner, administrator of J. R. Danner, dec'd to secure the payment of the promissory notes sued on as purchase money of the said female negro slave Elizabeth and her two children, which said deed of mortgage is dated 29th day of May, 1855, be and the same is hereby foreclosed - and that order of sale of the said female Slave Elizabeth and her two children be issued.

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday morning November 6th 1855, half past eight o'clock.

Tuesday Morning, Nov. 6th 1855.

Court met 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 It is ordered that Court do now adjourn until tomorrow morning half past eight o'clock.

Fall Term Wednesday Nov. 7th 1855

Court met at half past eight o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceeding were had by said Court to wit:

484 ✓ The State of Texas vs Wiley Marshall } Plaintiff / Defendant } Betting at Faro.

And now on this day come the parties to the above entitled cause by their respective attorneys and announce themselves ready for trial whereupon came a Jury Thomas Freeman and eleven others twelve good and lawful men of the County of Travis, who being duly elected empannelled sworn and charged, heard the evidence and retired to consider of their verdict and returned into Court the following verdict to wit; "We the Jury find the Defendant guilty and assess the fine at fifteen dollars. Thomas Freeman, Foreman" Whereupon it is ordered and decreed by the Court that the State of Texas do have and recover of and from the said Defendant Marshall the sum of fifteen dollars together with all the costs in this behalf laid out and expended and that said Defendant remain in the custody of the Sheriff until said fine and costs are paid.

501 The State of Texas vs Thomas Cater } Plaintiff / Defendant } Betting at Faro.

And now come the parties to the above entitled cause by attorneys and announce themselves ready for trial ~~whereupon came~~ a Jury Thomas Freeman and eleven others, twelve good and lawful men of Travis County, who being duly elected empannelled sworn and charged heard the Defendants plea of guilty and rendered the following verdict to wit. "We the Jury find the defendant guilty and assess the fine at Ten dollars John Bremond Foreman And thereupon it is ordered by the Court that the State of Texas, have and recover of the said Thomas Cater the sum of Ten dollars together with all the costs in this suit expended and that he remain in the custody of the Sheriff until said fine and costs are paid.

Fall Term Wednesday Nov. 7th 1855

513 The State of Texas vs William & Jacob Sowell } Plaintiff Defendant } Cutting Timber

And now come the parties and announcy themselves ready for trial whereupon came a Jury of Good and lawful men of Travis County to wit, John Boonn and eleven others, who being duly elected empannelled, Sworn and charged, after hearing the Defendant's plea of not guilty and the evidence in the case, rendered the following verdict to wit "We the Jury find the Defendant not guilty John Bremond Foreman." Whereupon it is ordered by the Court that the Defendant go hence fully acquitted of said charge.

514 The State of Texas vs Wm. H. Montgomery } Plaintiff Defendant } Murder

It is ordered by the Court that a Special venire issue on next Saturday returnable on Monday next at Twelve o'clock for thirty Six Jurors

515 The State of Texas vs Alexander Eanes } Plaintiff Defendant } Betting at Faro.

And now come the parties and announce themselves ready for trial, the Defendant entering the plea of not guilty, whereupon came a Jury of Twelve good and lawful men of Travis County John Bremond and eleven others, who being duly elected empannelled sworn and charged returned into Court the following verdict to wit: We the Jury find the Defendant guilty and assess the fine at fifteen dollars. It is therefore ordered by the Court that the State of Texas do have and recover of and from the said defendant the sum of fifteen dollars and all costs in this suit expended and that he remain in the custody of the Sheriff until said fine and costs are paid.

Fall Term, Wednesday, Nov. 7th 1855.

516 ✓ The State of Texas } Plaintiff
v.
Alexander Eanes } Defendant } Betting at Faro.

In this cause the parties appeared and announced themselves ready for trial. And thereupon came a Jury of good and lawful men who hearing the evidence and charge and plea of not guilty, rendered the following verdict: "We the Jury find the defendant not guilty. Thomas Freeman, Foreman" Whereupon It is ordered by the Court that the defendant go hence fully acquitted of said charge.

525. ✓ The State of Texas } Plaintiff
v.
Wiley Marshall } Defendant } Exhibiting Faro.

And now at this day came the parties and being ready for trial, defendant pleads guilty. And thereupon came a Jury, to wit: Thomas Freeman and eleven others who being duly elected impannelled sworn and charged, and hearing the plea of guilty, returned the following verdict, to wit: "We the Jury, find the defendant guilty and assess the fine at twenty dollars. Thomas Freeman." Whereupon It is ordered by the Court that the said State of Texas have and recover of the Defendant, Wiley Marshall the sum of twenty dollars and all costs of this suit, and that he remain in the custody of the Sheriff until the same is paid.

526 ✓ The State of Texas } Plaintiff
v.
A. J. Sott } Defendant } Betting at Faro

And now come the parties, and having announced themselves ready for trial, defendant entered the plea of guilty. And thereupon came a Jury of good and lawful men of Travis county, to wit: Thomas Freeman and eleven others, who being duly elected empannelled, sworn and charged, heard the evidence, and the charge of Court and rendered the following verdict: "We, the Jury, find the defendant guilty and assess the fine at ten dollars. Thomas Freeman, Foreman." Whereupon It is ordered by the Court that the said State of Texas have and recover of the Defendant, A. J. Sott, the sum of ten dollars, fine assessed by the Jury as aforesaid, and all costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid.

Fall Term, Wednesday, Nov. 7, 1855.

527 The State of Texas } Plaintiff
v. } Betting at Faro.
Pet Cook } Defendant

And now come the parties, and having announced themselves ready for trial, and Defendant having entered the plea of guilty, a Jury was elected, empannelled sworn and charged by the Court, and thereupon said Jury rendered the following verdict, to wit: "We the Jury, find the Defendant guilty and assess the fine at fifteen Dollars. Thomas Freeman, Foreman." Whereupon It is ordered by the Court that the State of Texas have and recover of the Defendant Pet Cook, the sum of fifteen Dollars fine as aforesaid, and all costs, and that he remain in the custody of the Sheriff until said fine and costs are paid.

528. The State of Texas } Plaintiff
v. } Betting
Pet Cook & Alex. Dunn } Defendants

And now come the plaintiff and the Defendant Cook and announced themselves ready for trial. And thereupon came a Jury of good and lawful men of Davis county, to wit: Thomas Freeman and eleven others, who being duly elected, empannelled, sworn and charged heard the plea of guilty and rendered the following verdict: "We, the Jury, find the defendant guilty and assess the fine at twelve fifty Dollars. Thomas Freeman, Foreman." Whereupon It is ordered by the Court that the said State of Texas have and recover of the Defendant Pet Cook, the sum of twelve Dollars and fifty cents, fine as aforesaid, and all costs, and that he remain in the custody of the Sheriff until the said fine and costs are paid.

531 The State of Texas } Plaintiff
v. } Playing Cards &c.
J. G. Howard & A. Nunn } Defendants

And now on this day came the parties, the plaintiff and the Defendant J. G. Nunn, by attorneys, and announced themselves ready for trial. And thereupon the Defendant Howard plead guilty. And thereupon came a Jury of twelve

Fall Term, Wednesday, Nov. 7th 1855

good and lawful men of Travis county to wit. Thomas Freeman and eleven others who being duly elected, empannelled sworn and charged rendered the following verdict: "We the Jury find the defendant guilty and assess the fine at Twelve 50/100 Dollars. Thomas Freeman Foreman." Whereupon, It is ordered by the Court that the said State of Texas have and recover of the said State of Texas the sum of twelve dollars and fifty cents and all costs, and that he remain in the custody of the Sheriff until said fine and costs are paid.

532. The State of Texas } Plaintiff
v. } Betting at Faro
Samuel G. Nowell } Defendant

And now on this day came the parties and announced themselves ready for trial. And thereupon the def't having plead guilty a Jury came of good and lawful men of Travis county to wit: Thomas Freeman & eleven others, who being duly elected, empannelled sworn and charged, rendered the following verdict, "We the Jury, find the defendant guilty, and assess the fine at fifteen dollars Thomas Freeman, Foreman." Whereupon, It is ordered by the Court that the said State of Texas have and recover of the defendant, Samuel G. Nowell, the sum of fifteen dollars, fine as aforesaid, and all costs, and that he remain in the custody of the Sheriff until said fine and costs are paid.

And thereupon it is ordered by the Court that do now adjourn until to-morrow morning, Thursday, Nov. 8th 1855 — half past eight o'clock.

Fall Term, Thursday, Nov. 8th 1855.

Thursday November 8th 1855
Court met at half past eight 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. //

538 ↓ The State of Texas } Plaintiff
Pet Cost & Alex. Dunn } Defendant } Playing Cards

And now on this day came the
plaintiff by attorney and the defendant Alexander
Dunn announced themselves ready for trial.
And thereupon came a Jury of twelve good and
lawful men of Travis county to wit: John Bremond
and eleven others who being duly elected, empannelled
sworn and charged, heard the testimony and rendered the following verdict: "We, the Jury,
find the Defendant guilty and assess the fine at
twelve dollars and fifty cents. John Bremond, Foreman."
Whereupon, It is ordered by the Court that the plaintiff
have and recover of the deft. Alexander Dunn the sum
of twelve dollars and fifty cents, and all costs in
the behalf expended, for ~~which~~ ~~he~~ ~~is~~ ~~taken~~ ~~and~~ execution may issue
and that he remain in the custody of the Sheriff until
said fine and costs are paid.

537 ↓ The State of Texas } Plaintiff
James K. Jackson } Defendant } Betting at Faro.

And now on this day come the parties
and announced themselves ready for trial. and thereupon the defendant plead guilty. Whereupon came a
Jury of good and lawful men of Travis County to wit:
John Bremond and eleven others who being duly elected,
empannelled, sworn and charged, and hearing defendants
plea of guilty, rendered the following verdict: "We, the Jury,
find the Defendant guilty and assess the fine at fifteen
dollars. John Bremond, Foreman." Whereupon came
a

Fall Term, Thursday, Nov. 8th 1855

539. The State of Texas } Plaintiff
Henry Innis } Defendant } Betting at Faro

And now come the parties and announce themselves ready for trial. And thereupon the Defendant pleads guilty to the charge. Whereupon came a Jury of good and lawful men of Travis county, to wit: John Redmond and eleven others who being duly elected, empannelled and sworn, heard the plea of guilty, and being charged by the Court, rendered the following verdict, to wit: "We, the Jury find the Defendant guilty and assess the fine at fifteen dollars. John Redmond, Foreman." Whereupon It is ordered by the Court, that the plaintiff, have and recover of the Defendant, Henry Innis the sum of fifteen dollars and all costs, and that he remain in the custody of the Sheriff until said fine and costs are paid.

541. The State of Texas } Plaintiff
John W. Savana } Defendant } Betting at Faro.

And now on this day came the parties by attorney and announced themselves ready for trial. And thereupon the Defendant pleads guilty to the Indictment. Whereupon came a Jury of good and lawful men of Travis county, to wit: John Redmond and eleven others, who being duly elected, empannelled, sworn and charged, heard the plea of guilty and returned the following verdict: "We, the Jury find the Defendant guilty and assess the fine at fifteen dollars. John Redmond, Foreman." Whereupon It is ordered by the Court that the plaintiff have and recover of the Defendant John W. Savanna, the sum of fifteen dollars and all costs, and that he remain in the custody of the Sheriff until said fine and costs are paid.

543. The State of Texas } Plaintiff
William Stone } Defendant } Betting at Faro.

And now come the parties by attorney and announced themselves ready for trial. And thereupon the Defendant pleads guilty to the Indictment. And thereupon came a Jury of good and lawful men of said county, to wit: John Redmond and eleven others who being duly elected, empannelled, sworn, heard defendants plea of guilty

Fall Term, Thursday, Nov. 8th 1855.

and the charge of the Court and rendered the following verdict, to wit: "We the Jury, find the Defendant guilty and assess the fine at twenty dollars and fifty cents. John Bunnell, Foreman." Whereupon it is ordered by the Court that the plaintiff have and recover of the defendant the sum of twenty dollars and fifty cents, and all costs, and that he remain in the custody of the Sheriff until said fine and costs are paid

The State of Texas } Plaintiff
544 vs } Permitting &c.
John Doran } Defendant

And now on this day came the parties and announced themselves ready for trial. And the Defendant being arraigned plead guilty. Whereupon came a jury of good and lawful men of Travis county to wit: John Bunnell and Duncan, who being duly elected, empannelled sworn and charged to try the issue joined and rendered the following verdict, to wit: "We the Jury find the defendant guilty and assess the fine at one hundred Dollars. John Bunnell Foreman" Whereupon it is ordered by the Court that the said State of Texas have and recover of the Defendant, John Doran, the sum of One hundred Dollars fine aforesaid, and all costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid.

The State of Texas } Plaintiff
545 vs } Allowing Gaming &c
John Doran } Defendant

And now on this day came the parties and announced themselves ready for trial. And the Defendant, enters the plea of Guilty. And thereupon came a jury of twelve good and lawful men of Travis county to wit: John Bunnell and Duncan, who being duly elected, empannelled sworn and charged, heard Defendants plea of Guilty, and rendered the following verdict: "We the Jury find the Defendant guilty and assess the fine at one hundred dollars. John Bunnell Foreman" Whereupon it is ordered by the Court that the State of Texas have and recover of the Defendant John Doran the sum of One hundred Dollars fine as aforesaid and all costs and that he remain in the custody of the Sheriff until said fine and costs are paid

Fall Term. Thursday, Nov. 8th 1855.

559 The State of Texas } Plaintiff
v. } Playing Cards &c
S. A. Jackson } Defendant

And now on this day came the parties to the above cause by Attorney and announced themselves ready for trial. And thereupon the Defendant plead guilty. And thereupon came a Jury of good and lawful men of Travis county, to wit: John Bernard and eleven others who being duly elected, empannelled Sworn and charged, heard the plea of guilty and rendered the following verdict: "We, the Jury, find the Defendant guilty and assess the fine at twelve dollars and fifty cents. John Bernard, Foreman." Whereupon It is ordered by the Court that the said State of Texas have and recover of the Defendant S. A. Jackson, the Sum of Twelve Dollars and fifty cents, and all costs of this suit, and that he remain in the custody of the Sheriff until said fine and costs are paid.

560 The State of Texas } Plaintiff
v. } Playing Cards &c.
James R. Jackson } Defendant

And now on this day came the parties by Attorney and announced themselves ready for trial. And thereupon came a Jury of good and lawful men of Travis county, to wit: John Bernard and eleven others, who being duly elected, empannelled Sworn and charged, heard the plea of guilty, and rendered the following verdict, to wit: "We, the Jury, find the defendant guilty and assess the fine at twelve Dollars and fifty cents. John Bernard, Foreman." Whereupon It is ordered by the Court that the said State of Texas have and recover of the defendant, James R. Jackson, the sum of twelve dollars and fifty cents and all costs, and that he remain in the custody of the Sheriff until the same is paid.

561. The State of Texas } Plaintiff
v. } Playing Cards, &c.
William Stone } Defendant

And now come the parties by Attorney and announced themselves ready for trial. And thereupon came a Jury of good and lawful men of Travis county, to wit: "John Bernard and eleven others, who being duly elected, empannelled, Sworn and charged, heard the plea of guilty, and rendered the following verdict, to wit: "We, the Jury, find the Defendant guilty, and assess the fine at fifteen Dollars. John Bernard, Foreman." Whereupon

Fall Term, Thursday, Nov. 8th 1855.

It is ordered by the Court that the said State of Texas have and recover of the defendant, William Stone the sum of fifteen dollars, and all costs, and that he remain in the custody of the Sheriff until the same is paid

572 The State of Texas v. Henry W. Tubbs } Plaintiff / Defendant } Betting at Faro

573 The State of Texas v. Henry W. Tubbs } Plaintiff / Defendant } Betting at Faro

In each of the preceding causes, the Jury having returned a verdict of "not guilty". It is ordered by the Court that the said Defendant go hence fully acquitted of said charge.

574 The State of Texas v. Henry W. Tubbs } Plaintiff / Defendant } Playing Poker &c

And now come the parties and announced themselves ready for trial. And thereupon the defendant pleads not guilty, and moves the Court to quash the Indictment. And the Court overruled said motion, and thereupon came a Jury of good and lawful men of said county, to wit: John Brown and eleven others who being duly elected, empanneled, sworn and charged heard the evidence and rendered the following verdict "We, the Jury find the Defendant guilty, and assess the fine at Ten dollars. John Brown 2. Foreman." Whereupon It is ordered by the Court that the said State of Texas have and recover of the Defendant, Henry W. Tubbs, the sum of Ten Dollars fine as aforesaid, and all costs in this behalf expended, and that he remain in the custody of the Sheriff until said fine and costs are paid.

575 The State of Texas v. Henry W. Tubbs } Plaintiff / Defendant } Playing Cards &c

And now come the parties and announced themselves ready for trial. And thereupon the Defendant plead guilty. Whereupon came a Jury of good and lawful men of said County, to wit. John Brown and eleven others

Fall Term, Thursday, Nov 8th 1855

who being duly elected, empannelled sworn and charged, heard defendants plea of guilty and rendered the following verdict, to wit: "We the Jury find the defendant guilty, and assess the fine at ten dollars John Bremond Foreman" Whereupon It is ordered by the Court that the said State of Texas have and recover of the defendant Henry M. Baker, the sum of ten dollars and all costs, and that he remain in the custody of the Sheriff until the same is paid

5-77 ✓ The State of Texas vs Alexander Eanes — Plaintiff — Defendant — Betting at Monte

And now on this day come the parties to the above entitled cause by attorneys and announce themselves ready for trial whereupon came a Jury of Twelve good and lawful men John Bremond and eleven others who being duly elected empannelled sworn & charged and the Defendants plea of not guilty returned into Court the following verdict to wit; "We the Jury find the Defendant ~~guilty~~ guilty and assess the fine at Ten dollars. John Bremond Foreman." Wherefore it is ordered and decreed by the Court that the State of Texas do have and recover of and from the said Defendant the sum of Ten dollars as fine and all the costs of this suit. and that the said Defendant remain in the custody of Sheriff until said fine and costs are paid.

583 / The State of Texas vs James R Jackson — Plaintiff — Defendant — Playing cards &c

And now on this day come the parties by Attorneys and announce themselves ready for trial and thereupon the Defendant pleads guilty to the charge whereupon came a Jury of Twelve good and lawful men of Travis County to wit; John Bremond and eleven others who being duly elected empannelled sworn and charged by the Court rendered the following verdict to wit; "We the Jury find the Defendant guilty and assess the fine at Twelve dollars and fifty cents. John Bremond Foreman." Whereupon it is ordered by the Court that the State of Texas recover of the defendant James R Jackson the said sum of Twelve dollars and fifty cents and all costs of this suit and that he remain in the custody of the Sheriff until the same is paid.

Fall Term Friday Nov. 9th 1855

And thereupon it is ordered by the Court that Court do now adjourn until Friday morning November 9th 1855 at half past eight o'clock

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Friday November 9th 1855. Court met at half past eight O'clock A. M. pursuant to adjournment, whereupon the following proceedings were had by said Court to wit:

586 The State of Texas vs Joseph A. Smith } Plaintiff / Defendant } Betting at Faro.

And now on this day come the parties to the above entitled cause and announce themselves ready for trial and thereupon the Defendant pleads guilty to the Indictment whereupon came a Jury of lawful good and lawful men of Travis County, to wit: John Bremond and eleven others who being duly elected empannelled sworn and charged by the Court rendered the following verdict to wit: "We the Jury find the Defendant guilty and assess the fine at Fifteen dollars. John Bremond Foreman." Whereupon it is ordered by the Court that the State of Texas do have and recover of and from the said Joseph A. Smith the sum of Fifteen dollars as fine and all the costs in this suit expended and that he do remain in the custody of the Sheriff of Travis County until said fine and costs are paid

Jacob Hentman Ex Parte
Declaration of Intention to become a Citizen.

The State of Texas
County of Travis } Jacob Hentman being 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 1830 in the Kingdom of Wurtemburg whence he emigrated in the year 1850 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 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

Fall Term Friday Nov. 9th 1855

King of Warlemburg of whom he is now a subject
Sworn to and Subscribed } Jacob Hentman
in open Court Nov. 7th 1855
Frank Broun clk

Charles Riedel Ex Parte
Declaration of Intention to become a Citizen
State of Texas
County of Travis } Charles Riedel being 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 1814 in the Kingdom Sachsen city of Altenburg whence he emigrated in the year 1852 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 and of the State of Texas and renounce forever all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the King of Sachsen of whom he is now a subject.
Charles Riedel

Sworn to and Subscribed
in open Court Nov. 6th 1855
Frank Broun clk

Charles Batsch Ex Parte
Declaration of Intention to become a Citizen
State of Texas
County of Travis } Charles Batsch being 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 1821 in the city of Berlin in the Kingdom of Prussia whence he emigrated in the year 1851 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 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 King of Prussia of whom he is now a subject.
Charles Batsch

Sworn to and Subscribed
in open Court November 7th 1855
Frank Broun
clk.

Fall Term Friday Nov. 9th 1855

Holger Ludvig Olvik Ex Parte
Declaration of Intention to become a Citizen.

State of Texas
County of Travis } Holger Ludvig Olvik being duly sworn according to the District Court of the County of Travis in and for the State of Texas, doth declare that he was born in the year 1824 in the city of Copenhagen in the Kingdom of Denmark whence he emigrated in the year 1852 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 and of the State of Texas and renounce forever all allegiance and fidelity to every Foreign Prince Potentate, State or Sovereignty whatsoever and particularly to the King of Denmark of whom he is a Subject.

Holger Ludvig Olvik

Sworn to and Subscribed
in open Court Nov. 9th 1855
Frank Brownlee Clk

John Nak Ex Parte
Declaration of Intention to Become a Citizen

State of Texas
County of Travis } John Nak being 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 1819 in the Kingdom of Bavaria whence he emigrated in the year 1840 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 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 King of Bavaria of whom he is now a Subject.

John Nak

Sworn to and Subscribed
in open Court Nov 9th 1855
Frank Brownlee Clk

John A Johnson Ex Parte
Declaration of Intention to become a Citizen —

State of Texas
County of Travis } John A Johnson being duly sworn according

Fall Term Friday Nov. 9th 1855

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 1823 in the Kingdom of Sweden in the city of Sonkoping whence he emigrated in the year 1851 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 and of the State of Texas and renounce forever all allegiance and fidelity to every Foreign Prince Potentate State or Sovereignty whatsoever and particularly to the King of Sweden of whom he is now a Subject

J. J. Johnson

sworn to and Subscribed
in open Court Nov. 8th 1855
Frank Brown Clk

John Pettenson Ex Parte
Declaration of Intention to Become a Citizen -

State of Texas
County of Travis } John Pettenson being 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 1823 in the Kingdom of Sweden whence he emigrated in the year 1851, 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 State and of the State of Texas and renounce forever all allegiance and fidelity to every Foreign Prince, Potentate State or Sovereignty whatsoever and particularly to the King of Sweden of whom he is now a Subject

Johan Pettenson

sworn to and Subscribed
in open Court Nov. 8th 1855
Frank Brown Clk

The State of Texas } Plaintiff
v. } Playing Poker &c
Henry H. Swan } Defendant

And now on this day come the parties by attorney and proceed to the Trial of said cause, defendant entering the plea of not guilty. And the Jury empaneled in this cause having rendered a verdict of not guilty it is ordered by the Court that the defendant go hence fully acquitted of said charge

Fall Term, Friday, November 9th 1855.

597 The State of Texas } Plaintiff
J. A. Jackson } Defendant } Playing Cards &c.

And now on this day come the parties to this cause by their attorneys, and announced themselves ready for trial. And the defendant enters the plea of guilty. And thereupon came a Jury of twelve good and lawful men of Travis county, who being duly elected, empannelled, sworn and charged, heard defendants plea of guilty and rendered the following verdict: "We, the Jury, find the defendant guilty, and assess the fine at twelve Dollars and fifty cts. John Simmons, Foreman." Whereupon It is ordered by the Court that the State of Texas have and recover of the Defendant, J. A. Jackson, the sum of Twelve Dollars and fifty cents, fine as aforesaid, and all costs in this behalf expended

The State of Texas } Plaintiff
604 v. } Assault &c.
Raphael Muzzo } Defendant

In this cause the parties having gone into trial, and the Jury having heard the evidence and charge, and having returned a verdict of "not guilty". It is ordered by the Court that the Defendant go hence fully acquitted of said charge.

The State of Texas } Plaintiff } Defrauding
606 v. } Boarder
Henry D. Edwards } Defendant } &c

The State of Texas } Plaintiff } Defrauding
609 v. } Boarder
Selim J. Simmons } Defendant } &c

In each of the last preceding causes the Jury having been empannelled, sworn and charged by the Court, and having returned verdicts of "Not Guilty." It is ordered by the Court that the said Defendants go hence fully acquitted of said charges.

Fall Term, Friday, November 9th 1855.

611 The State of Texas } Plaintiff
John S Thorn } Defendant } Forgery

610 The State of Texas } Plaintiff
612 John S. Thorn } Defendant } Forgery

In each of the last preceding causes
It is ordered by the Court, On motion of the District Attorney, that the Recognizances heretofore entered into by Defendants at a former term of this Court be set aside and held for naught, and that said Defendant remain in the custody of the Sheriff until he enter into Recognizance herein in the sum of Twenty-Five hundred Dollars in each cause. And thereupon it is ordered that said causes be continued, as upon application of the District Attorney. And thereupon it is further ordered that attachments issue for M. M. Edwards and John S. Potts who have been subpoened on behalf of the plaintiff

614, 618, 619, 620, 621, 622, 623 & 624

The State of Texas } Plaintiff
Boyd & Offley } Defendant } Forgery &c

It is ordered by the Court that xxx each of said causes, eight in number, be set for trial on Wednesday of the third week of the next term of this Court, and ordered further, that an attachment issue to the sheriff to B. F. Harper and W. W. C. Stanfield who have been duly subpoened

637 The State of Texas } Plaintiff
Wm a Slave } Defendant } Assault, &c.

And now on this day appeared the Plff. by the District Attorney, and the Defendant in his own person, and also by Attorneys; and the said Defendant, thereupon was arraigned in due form of law, and plead "Not Guilty" to the Indictment And thereupon the parties, by Attorney, announced themselves ready for trial. And thereupon the Clerk of this Court was directed to administer to the Jurors who had

Fall Term, Monday Nov. 9, 1855

been summoned, the oath required by law to be administered in capital cases, when Defendant's Attorney excepted to the same, the said Jury having been elected by both parties to serve in said cause. And thereupon the Defendant moved the Court to have the Jury sworn as directed by the Statute in the trial of criminal cases, not capital, for the trial of the charge in this cause: And thereupon the said exception and motion of Defendants Attorney was sustained by the Court.

And thereupon the District Attorney moved the Court and asked leave to enter a Nolle Prosequi in said cause, and to order the Defendant into the custody of the Sheriff which was sustained and allowed by the Court. And thereupon the Defendant, by Attorney, moved the Court that the trial of said cause should be proceeded with, which motion the Court refused And thereupon the Defendant by his Attorney excepted to the ruling of the Court Upon each of said motions of the Plaintiff by the District Attorney, and filed in said cause his Bill of Exceptions.

And now on this day came and appeared in Open Court the Grand Jury in and for the County Travis duly elected empannelled sworn and charged for and during the present term of this Court, and by their Foreman M. C. Hamilton, presented to the Court the following Bills of Indictment as follows, to wit:

658	The State of Texas vs Ned, a Slave	} Plaintiff } Defendant	}	Assault &c.
659	The State of Texas vs James Burdett	} Plaintiff } Defendant	}	Assault & Battery
660	The State of Texas v Constantine A. Hopkins	} Plaintiff } Defendant	}	Assault with intent and Murder

June Term Thursday Nov. 9th 1882

	The State of Texas	Plaintiff	
✓ 661	v		Playing Poker
	Alfred Cottingham & James Cosner and Ted Roberts	Defendants	
	The State of Texas	Plaintiff	
✓ 662	v		Playing Cards for money &c.
	Ted Roberts & H. C. Edmiston & Pete Parsons	Defendants	
	The State of Texas	Plaintiff	
✓ 663	v		Cattle Stealing
	Bob Tarver	Defendant	
	The State of Texas	Plaintiff	
✓ 664	v		Allowing gaming &c.
	Thomas Stone & James Cosner	Defendants	
	The State of Texas	Plaintiff	
✓ 665	v		Assault & Battery &c.
	Wiley Marshall	Defendant	
	The State of Texas	Plaintiff	
✓ 666	v		Assault &c.
	James T. Roy	Defendant	
	The State of Texas	Plaintiff	
✓ 667	v		Assault &c.
	Wiley Marshall	Defendant	
	The State of Texas	Plaintiff	
✓ 668	v		Obstructing Officer
	Wiley Marshall & Joseph Davis	Defendants	
	The State of Texas	Plaintiff	
✓ 669	v		Assault & Battery
	Henry Vinas	Defendant	

Fall Term, Thursday, Nov. 9th 1858.

670	The State of Texas v. Joseph Davis	Plaintiff / Defendant	Assault & Battery &c.
671	The State of Texas v. Wiley Marshall & Jeff. Fretwell	Plaintiff / Defendants	Assault & Battery &c.
672	The State of Texas v. Wiley Marshall	Plaintiff / Defendant	Assault &c.
673	The State of Texas v. Wiley Marshall	Plaintiff / Defendant	Assault & Battery &c.
674	The State of Texas v. Allegar Abegon	Plaintiff / Defendant	Grand Larceny

And thereupon the said Grand Jury through their Foreman, Morgan O. Hamilton, presented to the Court that there was no further business before them; and thereupon the Court ordered the said Grand Jury to be discharged from a further attendance upon the Court during the present Term.

824	O. C. & A. D. McGinnis v. H. L. Upshaw, Exc.	Plaintiffs / Defendants	Mandamus

It is ordered by the Court that the plaintiffs have leave to file an amended petition.

And thereupon It is ordered by the Court that Court do now adjourn until 10 o'clock to-morrow morning Saturday, December 18th 1858, that post office

Fall Term Saturday Nov 10th 1855

Saturday Morning Nov 10th 1855.

Court met at half past eight o'clock A.M. pursuant to adjournment. Present the same as yesterday. Whereupon the following proceedings were had by said Court, to-wit:

936. The State of Texas } Plaintiff
John Tanny } Defendant } Assault & Battery.

And now on this day come the parties by Attorney and announced themselves ready for trial. Whereupon the Defendant plead not guilty. Whereupon came a Jury of good and lawful men of Travis county, to-wit: John Redmond and eleven others, who being duly elected empannelled, sworn and charged, rendered the following verdict upon the law and evidence submitted to them: "We, the Jury, find the Defendant guilty and assess his fine ten Dollars. John Redmond, Foreman." Whereupon it is ordered by the Court that the said State of Texas have and recover of the Defendant John Tanny the sum of ten dollars, fine as aforesaid, and all costs in this behalf expended, and that he remain in the custody of the Sheriff until the same is paid.

John Rosengren Ex Parte
Declaration of Intention to become a Citizen

State of Texas }
County of Travis } John Rosengren being 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 1818. in the Kingdom of Sweden whence he emigrated in the year 1851, 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 and of the said State of Texas, and renounce forever, all allegiance and fidelity to any Foreign Prince, Potentate, State or Sovereignty, whatsoever, and particularly to the King of Sweden of whom he is now a subject.
Sworn to and subscribed in open Court Nov 8th 1855. John Rosengren
Frank Brown, Clk.

Fall Term, Saturday Nov. 10th 1855

John Johnson Ex. Parte
Declaration of Intention to become a Citizen

State of Texas }
County of Travis } John Johnson being 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 1816, in the Kingdom of Sweden, 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 settlement; and he further declares that it is bona fide his intention to become 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 King of Sweden of whom he is now a subject.

Sworn to and subscribed in open Court Nov 8th 1855.
Frank Brown, Clk

John Johnson

John Johnson Ex Parte
Declaration of Intention to become a Citizen

State of Texas }
County of Travis } John Johnson being 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 1822, in the Kingdom of Sweden, 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 settlement; and he further declares that it is bona fide, his intention to become a Citizen of the United States and of the State of Texas, and renounce forever all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty, whatsoever, and particularly to the King of Sweden of whom he is now a subject.

Sworn to and subscribed in open Court Nov 9th 1855
Frank Brown, Clk

John Johnson

Fall Term Saturday Nov 11th 1838.

Daniel Heard Ex Parte
Declaration of Intention to become a Citizen

State of Texas }
County of Travis } Daniel Heard being 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 1825. in the Kingdom of Sweden whence he emigrated in the year 1848, 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 and of the State of Texas, and renounce forever, all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty, whatsoever, and particularly to the King of Sweden of whom he is now a subject.

Sworn to and subscribed in open Court Nov 9th 1838
Frank Brown, Clk.

Daniel Heard

William O. Shaughnes Ex. Parte
Declaration to become a citizen of United States.

State of Texas }
County of Travis } William O. Shaughnes, being duly sworn in the District Court of the County of Travis in and for the State of Texas according to law, doth declare that he was born in the year 1839, in the Kingdom of Great Britain whence he emigration in the year 1837, 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 America, and of the State of Texas, and renounce forever, all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty, whatsoever, and particularly to Victoria Queen of Great Britain and Ireland of whom he is now a subject.

Sworn to and subscribed in open Court Nov 9th 1838.
Frank Brown, Clk.

William O. Shaughnes

Fall Term, Saturday, Nov 10th 1855.

5218 Joseph Dreyfus & Co } Plaintiffs
M. Joseph & Co } Defendants } Def.

And now on this day came the parties, plaintiffs, by their attorney. And it appearing to the satisfaction of the Court that the Defendants have failed to appear and file their answer within the time prescribed by law, but wholly made default. And it further appearing to the Court that this suit was brought upon a liquidated demand.

It is therefore Ordered adjudged and decreed by the Court that the plaintiffs Joseph Dreyfus and S. S. Langstaun under their firm name and style of Joseph Dreyfus & Co. do have and recover of and from the Defendants M. Joseph and S. H. Isenberg, under the firm name and style of M. Joseph & Co. the sum of One Hundred and Twenty Three Dollars and Sixty Cents, for their principal debt and interest to this date, with interest at the rate of ten per cent. per annum until paid, together with all the costs in this behalf expended for all which execution may issue.

Charles Halmstrong Ex Parte
Declaration of intention to become a Citizen of the United States
State of Texas }
County of Travis } Charles Halmstrong being duly sworn in open Court in the District Court of the County of Travis in and for the State of Texas according to law doth declare that he was born in the year 1826 in the Kingdom of Sweden, whence he emigrated in the year 1852 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 and of the State of Texas, and renounce forever all allegiance and fidelity to every Foreign Price, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is now a subject.

Charles Halmstrong

Sworn to and subscribed in open Court Nov 9 1855.
Frank Brown, Clk.

Fall Term Saturday Nov. 10th 1838.

Thomas Wight Reddell Jeffrey Ex Parte
Declaration of intention to become Citizen of United States

State of Texas }
County of Travis } Thomas Wight Reddell Jeffrey being 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 1828 in the Kingdom of Great Britain whence he emigrated in the year 1837 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 America and of the State of Texas and renounce forever all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to Victoria Queen of Great Britain and Scotland of whom he is now a subject.

Sworn to and subscribed in }
open Court Nov. 9th 1838 } Thomas Wight Reddell Jeffrey
Frank Brown. Clk. }

Louis Dohme Ex Parte
Declaration of intention to become Citizen of the United States

State of Texas }
County of Travis } Louis Dohme being 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 1828 Kur Hessen in Germany whence he emigrated in the year 1833 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 America and of the State of Texas and renounce forever all allegiance and fidelity to every Foreign Prince Potentate, State or Sovereignty, whatsoever and particularly to the Prince of Kur Hessen of Germany of whom he is now a subject.

Sworn to and subscribed in } Louis Dohme
open Court Nov. 10th 1838. }
Frank Brown. Clk. }

Fall Term. Saturday, Nov. 10th 1838.

Benjamin Brauner Ex Parte.

And the said Benjamin Brauner having filed his 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 Ph. Lehman and William Schroeder, Citizens of the United States that the said Benjamin Brauner was known to them for the last five years as resident of the 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 Benjamin Brauner has made his declaration to become a Citizen of the United States in the District Court of the County of Bastrop, 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 Benjamin Brauner, having in open Court taken 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 King of Prussia, whereof he was before a subject.

It is therefore Ordered by the Court that the said Benjamin Brauner be and is hereby admitted a Citizen of the United States and that the Clerk of this Court issue to him a certificate accordingly.

Charles Wemmuths Ex Party.

And the said Charles Wemmuths having filed his 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 John L. Bucas and Charles W. Prepler, Citizens of the United States that the said Charles Wemmuths 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 that the said Charles Wennmohs has made his declaration to become a Citizen of the United States, in the District Court of the County of Austin, 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 Charles Wennmohs having in open Court taken the oath prescribed by law to support the Constitution of the United States, and 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 Grand Duchey of Mackelburg Germany, whereof he was before a subject.

It is therefore ordered by the Court that the said Charles Wennmohs, be and is hereby admitted a Citizen of the United States, and that the Clerk of this Court, issue to him a certificate accordingly.

Adolphus Fox Ex Party.

And the said Adolphus Fox, 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 John L. Buaas and Charles W. Preßler Citizens of the United States, that the said Adolphus Fox 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 the said Adolphus Fox being also satisfied that the said Adolphus Fox has made his declaration to become a Citizen of the United States in the District Court of Fe County of Paris, 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 Adolphus Fox 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 Grand Duchey of Mackelburg Germany whereof he was before a subject.

Fall Term, Saturday Nov. 11th 1837

It is therefore Ordered by the Court that the said Adolphus Fox, be and is hereby admitted a Citizen of the United States, and that the Clerk of this Court issue to him a Certificate accordingly.

Hubert A. Burgensen Esq Pety.

And the said Hubert A. Burgensen 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 L. Maurice Doerk and Louis Maldeky Citizens of the United States, that the said Hubert A. Burgensen 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 Hubert A. Burgensen 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 Hubert A. Burgensen having 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 Emperor of the King of France whereof he was before a subject.

It is therefore Ordered by the Court that the said Hubert A. Burgensen be and is hereby admitted a Citizen of the United States, and that the Clerk of this issue to him a Certificate accordingly.

Fall Term, Saturday, Nov. 10th 1883

Erhard Frut - Ex Party

And the said Erhard Frut 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 William Power and Chr. Wichelm Citizens of the United States, that the said Erhard Frut was known to them for the last five years as residing within the limits and under the Jurisdiction of the United State, 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 Erhard Frut 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 as according to the act of Congress in such case made and provided, and the said Erhard Frut 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 Frederick Wilhelm of Germany, whereof he was before a subject.

It is therefore Ordered by the Court, that the said Erhard Frut be and is hereby admitted a Citizen of the United States, and that the Clerk of this Court issue to him a Certificate accordingly.

William Schmoutz, Ex Party.

And the said William Schmoutz 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 William Power and Chr. Wilhelm, Citizens of the United States, that the said William Schmoutz 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

Fall Term Saturday Nov. 10th 1855.

States and well disposed to the good order and happiness of the same and being also satisfied that the said William Schnoutz 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 William Schnoutz having in open Court taken the oath prescribed by law to support the Constitution of the United States, and that he doth declare 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 Lapsen, whereof he was before a subject.

It is therefore ordered by the Court, that the said William Schnoutz be and is hereby admitted a Citizen of the United States, and that the Clerk of this Court issue to him a certificate accordingly.

Martin Brestner Ex Parte.

And the said Martin Brestner 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 William Bower and Ch. Wilhelm Citizens of the United States, that the said Martin Brestner 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 Martin Brestner 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 Martin Brentner 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 King of Germany, whereof he was before a subject.

It is therefore ordered by the Court, that the said Martin Brentner be and is hereby admitted a citizen of the United, and that the Clerk of this Court issue to him a certificate accordingly.

Edward Lemmennon, Ex Parte.

And the said Edward Lemmennon 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 George W. Davis and Michael Leiller citizens of the United States, that the said Edward Lemmennon 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 Edward Lemmennon had 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 Edward Lemmennon 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 King of Germany whereof he was before a subject.

It is therefore ordered by the Court that the said Edward Lemmennon be and is hereby admitted a citizen of the United States, and that the Clerk of this Court issue to him a Certificate accordingly.

Fall Term Saturday Nov. 10th 1855

Karl Weise Ex Parte

State of Texas }
County of Travis } Karl Weise, being 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 1827, in the State of Odessa Germany whence he emigrated in the year 1852 to the United States of America, and has selected the State of 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 and of the said State of Texas and renounce forever all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatever and particularly to Heinz Prince of Odessa, and to the King of Germany, of whom he is now a subject.

Karl Weise.

Sworn to and Subscribed in Open Court Nov. 12th 1855
Frank Brown Clk.

And thereupon It is ordered by the Court, that Court do now adjourn until Monday morning, November 12th 1855. half past eight O'clock

Monday Morning November 12th 1855

Court met Half past eight O'Clock A.M. pursuant to adjournment. Present the same as on ~~Yesterday~~ Saturday, whereupon the following proceedings were had by said Court as follows, to wit;

111	The State of Texas	Plaintiff	Murder
	v.		
	Andrew Jackson	Defendant	
131	The State of Texas	Plaintiff	Forgery
	v.		
	Andrew J. Snider	Defendant	
132	The State of Texas	Plaintiff	Assault
	v.		
	Blake Thompson	Defendant	& Battery &c

Fall Term. Monday Nov. 12th 1855.

✓ 143	The State of Texas vs Mc Needham	Plaintiff Defendant	Murder
✓ 142	The State of Texas vs E. C. Travelstead	Plaintiff Defendant	Larceny.
✓ 140	The State of Texas vs E. C. Travelstead	Plaintiff Defendant	Larceny
✓ 132	The State of Texas vs E. C. Travelstead	Plaintiff Defendant	Larceny.
✓ 133	The State of Texas vs B. H. Thompson	Plaintiff Defendant	Murder.
✓ 303	The State of Texas vs George Fox	Plaintiff Defendant	Horse Stealing
✓ 303	The State of Texas vs Geo. Fox	Plaintiff Defendant	Grand Larceny.
✓ 181	The State of Texas vs W. G. W. Powers	Plaintiff Defendant	Playing cards.
✓ 182	The State of Texas vs W. G. W Powers	Plaintiff Defendant	Betting at Faro Bank
✓ 204	The State of Texas vs Josiah Hudson	Plaintiff Defendant	Cutting Timber
✓ 393	The State of Texas vs Ben. F. Hill	Plaintiff Defendant	Betting at Faro

Fall Term, Monday, Nov. 12th 1855.

✓ 394	The State of Texas	Plaintiff	Betting at Faro
	v.		
	Ben. F. Hill	Defendant	
✓ 398	The State of Texas	Plaintiff	Exhibiting A.B.C.
	v.		
	Thos. J. Moore	Defendant	
✓ 399	The State of Texas	Plaintiff	Exhibiting A.B.C.
	v.		
	Thomas J. Moore	Defendant	
✓ 439	The State of Texas	Plaintiff	Gaming.
	v.		
	James Casner	Defendant	
✓ 4441	The State of Texas	Plaintiff	Assault &c.
	v.		
	Geo. W. McCoy	Defendant	
✓ 4445	The State of Texas	Plaintiff	Gaming
	v.		
	+ Fleming	Defendant	
✓ 459	The State of Texas	Plaintiff	Permitting Slave to hire her own time
	v.		
	Elijah Rowles	Defendant	
✓ 460	The State of Texas	Plaintiff	Allowing woman Slave to hire own time
	v.		
	William H. Fowler	Defendant	
✓ 462	The State of Texas	Plaintiff	Defrauding Overseer
	v.		
	S. H. Cock	Defendant	
✓ 463	The State of Texas	Plaintiff	Horse Stealing
	v.		
	Joseph Hodges	Defendant	
✓ 464	The State of Texas	Plaintiff	Assault & Battery
	v.		
	Joshua L. Sullivan	Defendant	

Fall Term, Monday, Nov. 12th 1855.

✓ 469	The State of Texas	Plaintiff	Swindling	
	v.			
	William Barat	Defendant		
✓ 471	The State of Texas	Plaintiff	Allowing Slave to hire his time	
	v.			
	Joseph Wright	Defendant		
✓ 472	The State of Texas	Plaintiff	Permitting Slave to hire his time.	
	v.			
	Francis Dieterich	Defendant		
✓ 473	The State of Texas	Plaintiff	Cutting timber on land not his own	
	v.			
	William Kelley	Defendant		
✓ 477	The State of Texas	Plaintiff	Murder	
	v.			
	James Maurice Morris	Defendant		
✓ 478	The State of Texas	Plaintiff	Swindling	
	v.			
	William Baimst	Defendant		
✓ 479	The State of Texas	Plaintiff	Playing Cards.	
	v.			
	Terry Cneal	Defendant		
✓ 490	The State of Texas	Plaintiff	For not performing duties of Overseer.	
	v.			
	Joseph Lee.	Defendant		
✓ 495	The State of Texas	Plaintiff	Betting at Faro.	
	v.			
	Henry P. Brewster	Defendant		
✓ 496	The State of Texas	Plaintiff	Playing Poker	
	v			
	Henry P. Brewster	Defendant		
✓ 503	The State of Texas	Plaintiff	Arson	
	"Joe" a Mulatto Slave	Defendant		

Fall Term. Monday. Nov. 12th 1883.

↓ 516	The State of Texas v. John Wilson	Plaintiff Defendant	Assault & Battery
↓ 512	The State of Texas v. Ewing F. Bowan	Plaintiff Defendant	Assault with intent to kill &c.
↓ 519	The State of Texas v. Henry P. Brewster	Plaintiff Defendant	Betting at Faro
↓ 520	The State of Texas v. Henry P. Brewster	Plaintiff Defendant	Betting at Faro
↓ 529	The State of Texas v. Gray Clements William Foster & Thos Anderson	Plaintiff Defendants	Gaming
↓ 523	The State of Texas v. William Cruze	Plaintiff Defendant	Assault & Battery
↓ 524	The State of Texas v. Theophilus Anderson	Plaintiff Defendant	Exhibiting Faro
↓ 530	The State of Texas. v. William Foster	Plaintiff Defendant	Exhibiting Faro.
↓ 533	The State of Texas v. Marcus B. Roper	Plaintiff Defendant	Dealing Faro.
↓ 534	The State of Texas v. Mc. B. Roper	Plaintiff Defendant	Betting at Faro.
↓ 538	The State of Texas v. Henry P Brewster	Plaintiff Defendant	Playing Poker for money &c.

Fall Term. Monday. Nov. 12th 1883

✓ 564	The State of Texas v. James Lumbard	Plaintiff Defendant	Exhibiting Faro
✓ 566	The State of Texas v. Lewis Lumbard	Plaintiff Defendant	Playing Cards for money &c.
✓ 568	The State of Texas v. Gray Clements	Plaintiff Defendant	Exhibiting Monte
✓ 569	The State of Texas v. Gray Clements	Plaintiff Defendant	Gaming
✓ 570	The State of Texas v. Wilson Green	Plaintiff Defendant	Gaming
✓ 571	The State of Texas v. Wilson Green	Plaintiff Defendant	Gaming
✓ 576	The State of Texas v. Truman B. Beck	Plaintiff Defendant	Murder.
✓ 581	The State of Texas v. William Sawyer	Plaintiff Defendant	Assault & Battery. &c.
✓ 591	The State of Texas v. Ambrose Bradley	Plaintiff Defendant	Cutting down and carrying away timber &c.
✓ 592	The State of Texas v. John F. Grumbles	Plaintiff Defendant	Assault & Battery.
✓ 593	The State of Texas v. Josephus Meeks	Plaintiff Defendant	Permitting Card playing for money &c.

Fall Term. Monday. Nov. 12th 1855.

599	The State of Texas	Plaintiff	Playing cards for money &c.
	v.		
	Theophilus Anderson	Defendant	
602	The State of Texas	Plaintiff	Playing cards for money &c.
	v.		
	Henry P. Brewster	Defendant	
603	The State of Texas	Plaintiff	Assault with intent to kill &c.
	v.		
	Frank Kirby	Defendant	
605	The State of Texas	Plaintiff	Assault with intent to kill &c.
	v.		
	Green B. Moore	Defendant	
613	The State of Texas	Plaintiff	Forgery
	v.		
	William Kolman	Defendant	
613	The State of Texas	Plaintiff	Assault & Battery with intent to kill &c.
	v.		
	William Cruze	Defendant	
616	The State of Texas	Plaintiff	Gaming
	v.		
	J. M. Fleming	Defendant	
625	The State of Texas	Plaintiff	Forgery
	v.		
	William A. Bates	Defendant	
626	The State of Texas	Plaintiff	Marking & Branding Cattle
	v.		
	Henry Lohman	Defendant	
627	The State of Texas	Plaintiff	Forgery
	v.		
	Charles L. Haley	Defendant	
628	The State of Texas	Plaintiff	Forgery
	v.		
	Lucas De Cordova	Defendant	

Fall Term, Monday, Nov. 12th 1838.

✓629	The State of Texas v. Doct. Hughs	Plaintiff / Defendant	Betting at Faro.
✓631	The State of Texas v. David H. Cook	Plaintiff / Defendant	Forgery.
✓632	The State of Texas v. William A. Bates	Plaintiff / Defendant	Forgery
✓634	The State of Texas v. Martin Jones + James Owen	Plaintiff / Defendants	Horse Stealing
✓635	The State of Texas v. Martin Jones + William Jones	Plaintiff / Defendants	Horse Stealing
✓637	The State of Texas v. Fox Roberts, et. als.	Plaintiff / Defendants	Playing cards for money in a public place.
✓638	The State of Texas v. Cap Callahan	Plaintiff / Defendant	Assault + Battery
✓639	The State of Texas v. John Christian Cook and Aaron Burleson	Plaintiff / Defendants	Playing cards for money, etc.
✓640	The State of Texas v. Thomas Mc. Fleming, et. als.	Plaintiff / Defendants	Playing cards for money, etc.
✓642	The State of Texas v. John Mc. Bennett	Plaintiff / Defendant.	Exhibiting Faro.

Fall Term Monday Nov 12th 1855.

644	The State of Texas v William Clopton	Plaintiff / Defendant	Permitting cards playing &c.
645	The State of Texas v Green Berry Moore	Plaintiff / Defendants	Affray with intent to kill &c
647	The State of Texas v Daniel Payne et al.	Plaintiff / Defendants	Permitting cards playing &c.
648	The State of Texas v Geo. Gamble et als.	Plaintiff / Defendants	Playing cards for money &c.
649	The State of Texas v Silas McKinnis	Plaintiff / Defendant	Affray with intent to kill &c.
653	The State of Texas v James R. Jackson	Plaintiff / Defendant	Betting at Faro.
654	The State of Texas v Thomas Moore et al.	Plaintiff / Defendant	Allowing card playing &c.
656	The State of Texas v John McKinnis	Plaintiff / Defendant	Cutting timber &c.
659	The State of Texas v James Burdett	Plaintiff / Defendant	Affray & Battery
660	The State of Texas v Constantine A Hopkins	Plaintiff / Defendant	Affray with intent to kill &c.
661	The State of Texas v Alfred Cottingham et. als	Plaintiff / Defendants	Playing Poker

Fall Term Monday, Nov. 12th 1855.

✓ 662	The State of Texas Ed Roberts et. als.	v.	Plaintiff Defendants	Playing cards for money &c.
✓ 663	The State of Texas Bot. Turner	v.	Plaintiff Defendant	Cattle Stealing
✓ 664	The State of Texas Thomas Moore et. al.	v.	Plaintiff Defendants	Allowing gaming &c
✓ 665	The State of Texas Wiley Marshall	v.	Plaintiff Defendant	Assault & Battery upon an Officer &c.
✓ 666	The State of Texas James V. Rofs	v.	Plaintiff Defendant	Assault with intent to Kill &c.
✓ 667	The State of Texas Wiley Marshall	v.	Plaintiff Defendant	Assault with intent to Kill &c.
✓ 668	The State of Texas Wiley Marshall et. al.	v.	Plaintiff Defendant	Obstructing Officer
✓ 669	The State of Texas Henry Vines	v.	Plaintiff Defendant	Assault & Battery
✓ 670	The State of Texas Joseph Davis	v.	Plaintiff Defendant	Assault & Battery with intent to Kill &c.
✓ 671	The State of Texas Wiley Marshall et. al.	v.	Plaintiff Defendants	Assault & Battery with intent to Kill &c.
✓ 673	The State of Texas Wiley Marshall	v.	Plaintiff Defendant	Assault with intent to Kill &c.

Fall Term. Monday. Nov. 12th 1883.

673	The State of Texas / Wiley Marshall	Plaintiff / Defendant	Assault & Battery with intent to Kill &c.
674	The State of Texas / Allejas Obregon	Plaintiff / Defendant	Grand Larceny.

It is Ordered by the Court, That the above and foregoing cases be and are hereby Continued until the next Term of this Court.

395	The State of Texas / Thadeus Beck	Plaintiff / Defendant	Exhibiting Monte
396	The State of Texas / Thadeus Beck	Plaintiff / Defendant	Exhibiting Monte
397	The State of Texas / Thadeus Beck	Plaintiff / Defendant	Betting at Faro
410	The State of Texas / + Weaver	Plaintiff / Defendant	Exhibiting Monte
410	The State of Texas / Wm Clopton	Plaintiff / Defendant	Gaming
411	The State of Texas / Wm Clopton	Plaintiff / Defendant	Gaming
412	The State of Texas / William Clopton	Plaintiff / Defendant	Gaming
433	The State of Texas / Martin K. Ryan	Plaintiff / Defendant	Assault with intent to Kill C

Fall Term. Monday. Nov. 12th 1883.

✓ 434	The State of Texas v. Elihu Cosner	Plaintiff Defendant	Gaming	
✓ 435	The State of Texas v. Elihu Cosner	Plaintiff Defendant	Gaming	
✓ 436	The State of Texas v. Elihu Cosner	Plaintiff Defendant	Gaming	
✓ 442	The State of Texas v. William Hinds	Plaintiff Defendant	Gaming	
✓ 443	The State of Texas v. William Hinds	Plaintiff Defendant	Gaming	
✓ 444	The State of Texas v. William Hinds	Plaintiff Defendant	Playing Poker	
✓ 497	The State of Texas v. Joseph Warren	Plaintiff Defendant	Assault & Battery	
✓ 504	The State of Texas v. Joseph A Smith	Plaintiff Defendant	Betting At Faro	
✓ 517	The State of Texas v. Alexander Evans	Plaintiff Defendant	Betting at Faro	
✓ 535	The State of Texas v. William Wyatt	Plaintiff Defendant	Dealing Faro	
✓ 540	The State of Texas v. Pat Cook	Plaintiff Defendant	Betting at Faro	

Fall Term. Monday, Nov. 12th 1855.

542	The State of Texas vs. J. Newton Jackson	Plaintiff Defendant	Exhibiting Faro
546	The State of Texas vs. John Horan	Plaintiff Defendant	Allowing gaming &c.
552	The State of Texas vs. William L. Stone	Plaintiff Defendant	Exhibiting Faro
555	The State of Texas vs. Samuel G. Norvell	Plaintiff Defendant	Playing Boston &c
556	The State of Texas vs. Wiley Marshall	Plaintiff Defendant	Exhibiting Monte
563	The State of Texas vs. William Wyatt	Plaintiff Defendant	Exhibiting Faro
567	The State of Texas vs. Oliver H. Marney	Plaintiff Defendant	Exhibiting Faro
578	The State of Texas vs. Hugh Evans	Plaintiff Defendant	Betting at Monte
579	The State of Texas vs. Thomas Evans	Plaintiff Defendant	Betting at Monte
584	The State of Texas vs. Samuel G. Norvell	Plaintiff Defendant	Playing cards for money &c.
595	The State of Texas vs. Arthur F. Lott	Plaintiff Defendant	Playing cards for money &c.

Fall Term. Monday. Nov. 19th 1883.

1396	The State of Texas vs James R. Jackson	Plaintiff / Defendant	Playing Cards for money &c.
1600	The State of Texas vs Wiley Marshall	Plaintiff / Defendant	Playing Cards for money &c.
1630	The State of Texas vs James R. Jackson	Plaintiff / Defendant	Appeal.
1646	The State of Texas vs Stephens & Poland	Plaintiff / Defendant	Playing Cards for money &c.

It is Ordered by the Court, that the above and foregoing cases be dismissed on motion of the District Attorney, and that the defendants go hence without day.

And thereupon, It is ordered by the Court that Court do now adjourn, until to-morrow morning Tuesday, November 20th 1883 half past eight o'clock.

Tuesday Morning, November 20th 1883 Court met 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;

1650	The State of Texas vs Poland	Plaintiff / Defendant	Playing Cards for money &c.

And now come the parties by Attorney and announced themselves ready for trial, And thereupon the Defendant plead guilty to the charge, Whereupon came a Jury of good and lawful men of Travis County, to wit; Alexander Ecles and eleven others, who being duly elected, empannelled, sworn and charged, heard Defendants plea of guilty, and returned the following verdict "We the Jury find the Defendant guilty and assess the fine at Ten Dollars, A. Ecles Foreman"

Whereupon It is Ordered by the Court

Fall Term Tuesday Nov. 13th 1855

that the State of Texas have and recover of the Defendant Pleas the sum of Ten Dollars fine as aforesaid, and all Costs in this behalf expended, And that he remain in the Custody of the Sheriff until the same is paid.

562 The State of Texas } Plaintiff } Exhibiting Roulette
v. }
William Wyatt. } Defendant }

And now come the parties by Attorney and announced themselves ready for Trial. And thereupon the Defendant plead guilty to the Charge. Whereupon came a Jury of good and lawful men of Travis County, to wit; Alexander and eleven others, who being duly elected, empannelled, sworn and charged, heard Defendants plea of guilty and returned the following verdict "We the Jury, find the Defendant guilty and assess the fine at Twenty Dollars. A. Evans Foreman"

Whereupon, It is Ordered by the Court, that the State of Texas have and recover of the Defendant William Wyatt the sum of Twenty Dollars fine as aforesaid, and all Costs in this behalf expended, and that he remain in the custody of the Sheriff until the same is paid.

536 The State of Texas } Plaintiff } Exhibiting Fine.
v. }
William Wyatt. } Defendant }

And now come the parties by Attorney, and announced themselves ready for trial. And thereupon the Defendant plead guilty to the charge. Whereupon came a Jury of good and lawful men of Travis County, to wit; Alexander Evans and eleven others, who being duly elected, empannelled, sworn and charged, heard Defendants plea of guilty and returned the following verdict "We the Jury find the Defendant guilty, and assess the fine at Twenty Dollars A. Evans Foreman"

Whereupon It is ordered by the Court that the State of Texas, have and recover of the Defendant William Wyatt the sum of Twenty Dollars, fine as aforesaid, and all costs in this behalf expended, and that he remain

Fall Term. Tuesday. Nov. 13th 1883.

in the custody of the Sheriff until the same is paid.

1538 The State of Texas } Plaintiff
v. } Betting at Faro.
William Wyatt. } Defendant

And now come the parties by attorney and announced themselves ready for trial, And thereupon the Defendant plead guilty to the charge. Whereupon came a Jury of good and lawful men of Travis County, to wit; Alexander Eans and eleven others, who being duly elected, empannelled, sworn and charged, heard Defendants plea of guilty and returned the following verdict. "We the Jury find the Defendant guilty and assess the fine at Fifteen Dollars, A. Eans Foreman." Whereupon It is Ordered by The Court, that the State of Texas have and recover of the Defendant William Wyatt the sum of Fifteen Dollars, fine as aforesaid, and all costs in this behalf expended, and that he remain in the custody of the Sheriff until the same is paid.

6243. The State of Texas } Plaintiff
v. } Exhibiting Faro.
Poland } Defendant

And now come the parties by Attorney and announced themselves ready for trial, And thereupon the Defendant plead guilty to the charge. Whereupon came a Jury of good and lawful men of Travis County, to wit; Alexander Eans and eleven others, who being duly elected, empannelled, sworn and charged, heard Defendants plea of guilty and returned the following verdict. "We the Jury find the Defendant guilty and assess the fine at Fifty Dollars. A. Eans Foreman." Whereupon It is Ordered by the Court that the State of Texas have and recover of the Defendant Poland the sum of Fifty Dollars, fine as aforesaid, and all costs in this behalf expended, and that he remain in the Custody of the Sheriff until the same is paid.

Fall Term Tuesday, Nov. 18th 1835.

Jacob Schraven Ex Parte.
Declaration of intention to becom a Citizen
The State of Texas }
County of Travis } Jacob Schraven being 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 twenty, in the Kingdom of Prussia, whence he emigrated in the year 1831, to the United States of America, and 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, 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 King of Prussia, of whom he is now a subject.

Jacob Schraven

Sworn to and subscribed in open Court this the 13th day of Nov. A.D. 1835.
Frank Brown, Clerk
of said District Court

Bamhard Jappe Ex Parte.
Declaration of intention to become a Citizen.
The State of Texas }
County of Travis } Bamhard Jappe, being 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 Seventeen, in the Kingdom of Prussia, whence he emigrated in the year 1835. 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 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 King of Prussia, of whom he is now a subject.

Bamhard Jappe.

Sworn to and subscribed in open court this the 13th day of Nov. A.D. 1835 } Frank Brown, Clerk. of said District Court.

Fall Term. Tuesday Nov. 13th 1883.

John Frut. Ex Parte.
Declaration of intention to become a Citizen.

The State of Texas }
County of Travis } John Frut being 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 twenty two in the Kingdom of Germany, whence he emigrated in the year 1849 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, 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 Frederick Wilhelm Wilhelm of Germany of whom he is now a subject.

John Frut.

Sworn to and subscribed in open Court this the 13th day of Nov. A.D. 1883
Frank Brown, Clerk of said District Court.

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow morning - Wednesday, November 14th 1883 half past eight o'clock A.M.

Wednesday Morning, November 14th 1883
Court met 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:

Gustav Kather. Ex Parte.
Declaration of intention to become a Citizen

The State of Texas }
County of Travis } Gustav Kather being 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 thirty five in Prussia, whence he emigrated in the year 1858 to the United States

Fall Term. Wednesday, Nov. 14th 1855.

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, 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 King of Prussia of whom he is now was late a subject.

Sworn to and subscribed in open Court, this the 13th day of Nov. A.D. 1855. Frank Brown, Clerk of said District Court

Gustav Rather

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658 The State of Texas } Plaintiff
Ned, a Slave } Defendant } Stabbing, &c.

And now on this day appeared the parties by their attorneys; and the defendants plea in abatement was, thereupon, overruled by the Court. And thereupon the demurrer to the plea in bar was sustained by the Court. And thereupon the Defendant excepted to the said ruling of the Court. And thereupon the Defendant entered the plea of not guilty

658 The State of Texas } Plaintiff
Ned, a Slave } Defendant } Stabbing, &c

And now on this day came and appeared in open Court Thomas M. Glasscock, William A. McMillan and Silas Stowe and acknowledged themselves and each of them, to owe and be indebted unto the State of Texas in the sum of Two Hundred and Fifty Dollars each, to be levied of their Goods and Chattels, Lands and Tenements, but to be void upon condition that they and each of them do and personally appear before the District Court of Travis county to be held at the city of Austin on the eighth Monday after the first Monday in March A.D. 1856, then and there to testify and the truth to speak on behalf of the Plaintiff in a certain cause in said Court pending wherein The State of Texas is Plaintiff and Ned, a Slave of Silas Stowe, charged with maliciously stabbing one Mc Millan, a white person, with intent him the

Fall Term, Wednesday, Nov. 14th 1855.

said McMillan to kill and murder, is Defendant, and that they have remain from day to day and from term to term and from day to day of each term, and that they do not depart the Court without leave

658 The State of Texas } Plaintiff
Ned a Slave } Defendant } Stabbing &c

And now comes into Court Thomas W. Glasscock and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of two hundred and fifty dollars, to be levied of his goods and chattels, lands and tenements But to be void upon condition that he do and personally appear before the District Court of Travis county, to be held at the City of Austin on the eighth Monday after the first Monday in March, 1855, then and there to testify as Witness for the defendant in a certain cause in our said Court pending wherein The State of Texas is plaintiff and Ned, a Slave, as Silas Parsons is Defendant, charged with maliciously stabbing one McMillan a white person with intent to kill and murder, and that he then remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave

Henry Hauke Ex Parte
Declaration of intention to become a Citizen

The State of Texas }
County of Travis } Henry Hauke, being 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 twenty eight, in the King of Prussia, whence he emigrated in the year 1832 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 and of the said State of Texas and renounce forever all allegiance and fidelity to every Foreign Prince, Potate, State or Sovereignty whatsoever, and particularly to the King of Prussia

Fall Term. Wednesday, Nov. 14th 1833.

of whom he is a subject.
Sworn to and subscribed in open Court this the 14th day Nov. A.D. 1833.
Frank Brown, Clerk.
of said District Court.

Henry Hauke

John Malon Ex Parte
Declaration of Intention to become a citizen
The State of Texas
County of Travis

John Malon being duly sworn according to law, in the District Court for 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 fifteen, in the Kingdom of Great Britain and Ireland, whence he emigrated in the year 1831 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, 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 Queen Victoria of Great Britain and Ireland, of whom he is a subject.

Sworn to and subscribed in open Court, this the 14th day of Nov. A.D. 1833. Frank Brown
Clerk of said District Court.

John his mark Malon

Joseph Lemmick Ex Parte.
Declaration of intention to become a citizen.
The State of Texas
County of Travis

Joseph Lemmick being 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 five, in the Kingdom of Great Britain and Ireland, whence he emigrated in the year 1831, to the United States of America, and has selected the State of Texas as the place of his intended settlement, and he further

Tall Term, Wednesday, Nov. 14th 1855.

declares that it is bona fide his intention to become 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, Sovereignty, whatsoever, and particularly to Queen Victoria of Great Britain and Ireland of whom he is a subject.

Sworn to and Subscribed in open Court this the 14 Nov 14 day of Nov. A.D. 1855.

Frank Brown Clerk
of said District Court.

Joseph his X mark Lemerick

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658 ✓

The State of Texas } Plaintiff
vs
"Ned" a Slave } Defendant } Stabbing &c

And now on this day came and appeared in open Court Silas Parsons, as principal and Geo. G. Steele, John Hancock and Alexander Swain, (by leave of the Court) his securities, and acknowledged themselves jointly and severally to owe and be indebted unto The State of Texas in the sum of Twenty five Hundred — Dollars, to be levied of their respective Goods and Chattels, Lands and Tenements. But to be void upon condition that the said Silas Parsons produce the body of the said "Ned" a slave of his, before the District Court of Travis county, to be held at the Courthouse thereof in the City of Austin on the 3rd Monday after the 1st Monday in March, 1856, then and there to answer to an Indictment preferred against him, the said "Ned", a slave of Silas Parsons for maliciously stabbing one Mc Mellan, a free white person, with intent him, the said Mc Mellan, to kill and murder, and that the said defendant then remain from day to day and from term to term and from day to day of each term and that he do not depart the Court without leave

Order. Pitts & Burchard.

And thereupon It is ordered by the Court that Thomas S. Pitt and Phineas Burchard be fined thirty dollars, each for failing to attend as petit Jurors, they having been summoned by the Sheriff, and that Scire Facias issue to each of them returnable to the next term of this Court, commanding them then and there to appear and show cause, if any they may have, why this Judgment should not be made final

Fall Term, Thursday, Nov. 15th 1855.

And thereupon, It is ordered by the Court that Court do now adjourn until Thursday Morning, November 15th 1855, half past eight o'clock

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Thursday, Nov. 15th 1855

Court met 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:

Pacot Hamberger Ex Parte.

And now on this day come Pacot Hamberger a native of Landau Bavaria, presented his petition praying to be admitted to become a citizen of the United States, And he having declared on oath here in open Court, that it was bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Bavaria, of whom he was at that time a subject, and the said Pacot Hamberger having on his solemn oath declared, and also made proof thereof by competent testimony C. Stine and L. Stumpf, citizens of the United States, that he had resided within the United States of America, next preceding his arriving at the age of twenty one years and continued to reside therein to the time of making his said application, that including the three years of his minority, he had resided within the limits and under the jurisdiction of the United States five years and upwards, and that during the three years next preceding it had been bona fide his intention to become a citizen of the United States; and it appearing to the satisfaction of the Court that during the said period of five years he had behaved as a person 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 the said Petitioner having declared on his solemn oath before this Court that he will support the Constitution of the United States, and that he absolutely and entirely renounce and abjure all allegiance and fidelity to Every foreign Prince, Potentate, State or Sovereignty whatever, and particularly to the King of Bavaria, of whom he was before a subject.

Fall Term, Thursday, Nov. 15th 1855.

It is therefore ordered and considered by the Court that the said Jacob Hamberger be and is hereby admitted a citizen of the United States; and that the Clerk of this Court issue to him a certificate accordingly.

August Palm Ex Parte.

And now on this day comes August Palm a native of Sweden presented his petition praying to be admitted to become a citizen of the United States. And he having declared on oath here in open Court, that it was bona fide his intention to become a citizen of the United State, and to renounce forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden, of whom he was at that time a subject. And the said August Palm having, on his solemn oath, declared, and also made proof thereof by competent testimony of John S. Price and Laurentz Palm Citizens of the United States, that he had resided within the United States of America, next preceding his arriving at the age of twenty one years, and continued to reside therein to the time of making his said application, that including the three years of his minority, he had resided within the limits and under the jurisdiction of the United States five years and upwards, and that during the three years next preceding, it had been bona fide his intention to become a citizen of the United States; and it appearing to the satisfaction of the Court, that during the said period of five years he had behaved as a person 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 the said Petitioner having declared on his solemn oath before this Court, that he will support the Constitution of the United States, and that he absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatever, and particularly to the King of Sweden, of whom he was before a subject.

It is therefore ordered and considered by the Court, that the said August Palm be and is hereby admitted a citizen of the United States, and that the Clerk of this Court issue to him a certificate accordingly.

Fall Term: Thursday. Nov. 15th 1855.

George Houck Ex Parte.

And now on this day come Geo. Houck a native of Austria, presented his petition, praying to be admitted to become a Citizen of the United States, and he having declared on oath here in open Court, that it was bona fide his intention to become a Citizen of the United States, and to renounce forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Emperor of Austria of whom he was at that time a subject. And the said George Houck having, on his solemn oath, declared, and also made proof thereof by competent testimony of W. Oliphant and P. C. Oliphant, citizens of the United States, that he had resided within the United States of America, next preceding his arriving at the age of twenty one years and continued to reside therein to the time of making his said application, that including the three years of his minority, he had resided within the limits and under the jurisdiction of the United States five years and upwards, and that during the three next preceding, it had been bona fide his intention to become a citizen of the United States; as it appearing to the satisfaction of the Court, that during the said period of five years he had behaved as a person 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 the said Petitioner having declared on on his solemn oath before this Court, that he will support the Constitution of the United States, and that he absolutely and entirely renounce and abjure all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatever, and particularly to the Emperor of Austria, of whom he was before a subject.

It is therefore ordered and considered by the Court, that the said George Houck be and is hereby admitted a citizen of the United States, and that the Clerk of this Court, issue to him a Certificate accordingly.

And thereupon, It is ordered by the Court that Court do now adjourn until Friday Morning, November 16th 1855, half past Eight o'clock

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Fall Term, Friday, Nov 16, 1855.

Friday Morning, Nov. 16, 1855

Court met 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:

408 ✓ The State of Texas } Plaintiff
Pleasant Barnhill } Defendant } Forfeiture.

In this cause this day came the District Attorney, A. H. Chalmers, who prosecutes for the State in this behalf, and the said defendant Pleasant Barnhill being three times solemnly called, came not, but made default; and it appearing to the court that the said defendant, Pleasant Barnhill, as principal, and Davis C. Swin, and James Casner as his securities, had entered into recognizance in open Court in the sum of One hundred dollars on the tenth day of May, A.D. 1855, conditioned that the said defendant Pleasant Barnhill, make his personal appearance at the District Court of said County of Travis then in session, 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 the Spring Term, A.D. 1854, of said District Court, for playing at a certain game with cards called "Poker" upon which money was bet, and that he do not depart thence without leave of said Court; and the said defendant Pleasant Barnhill, 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, Pleasant Barnhill, 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 Pleasant Barnhill, and the said Davis C. Swin and the said James Casner 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

Fall Term, Friday, Nov. 16, 1855.

1419 The State of Texas } Plaintiff
vs } Forfeiture
Pleasant Barnhill } Defendant

In this cause this day came the District Attorney, A. W. Chalmers, who prosecutes for the State in this behalf; and the said Defendant, Pleasant Barnhill, being three times solemnly called, came not, but made default; and it appearing to the Court that the said Defendant, Pleasant Barnhill, as principal, and David C. Sumi and James Casner, as his securities, had entered into Recognizance in open Court in the sum of One Hundred Dollars, on the 10th Day of May, A.D. 1855, conditioned that the said Defendant Pleasant Barnhill make his personal appearance at the District Court of said County of Travis then in Session, 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 "playing at a certain game with cards, called Poker, upon which money was bet," 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 Pleasant Barnhill 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 Pleasant Barnhill, 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 Pleasant Barnhill and the said David C. Sumi and the said James Casner 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 show cause, if any they can, why the Judgment should not be made final against them as aforesaid.

Fall Term, Friday, Nov. 16th 1855.

437	The State of Texas	Plaintiff	Judgment Nil Si.
	vs.		
	James Cosner	Defendant	

In this cause this day came the District Attorney, A. N. Chalmers, who prosecutes for the State in this behalf; and the said Defendant, James Cosner, being three times solemnly called, came not, but made default; and it appearing to the Court, that the said Defendant, James Cosner, as principal, and David C. Irwin and Daniel J. Irwin as his securities, [illegible] did heretofore enter into their Recognizance in open Court in the sum of One hundred Dollars on the 10th day of May, A. D. 1855 conditioned that the said Defendant James Cosner make his personal appearance at the District Court of said County of Travis then in session, 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 "playing at a certain Game with cards called Poker, upon which money was bet, 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 Cosner, 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 James Cosner, 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 James Cosner, and the said David C. Irwin and the said Daniel J. Irwin, 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 show cause, if any they can, why this Judgment should not be made final against them as aforesaid.

438	The State of Texas	Plaintiff	Judgment Si. Fi.
	vs.		
	James Cosner	Defendant	

In this cause this day came the District Attorney A. N. Chalmers, who prosecutes for the State in this behalf, and the said Defendant, James

Fall Term, Friday, Nov. 16th 1855.

Casner being three times solemnly called, came not, but made default; and it appearing to the Court that the said Defendant James Casner, as principal, and Davis C. Irwin and David T. Irwin as his securities, had entered into Recognizance in open Court, in the sum of One Hundred Dollars on the 10th day of May A.D. 1853, conditioned that the said Defendant James Casner make his personal appearance at the District Court of said County of Travis then in session 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 "playing at a certain game with cards called Poker upon which money was bet," 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 Casner 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 James Casner, 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, James Casner, and the said Davis C. Irwin and David T. Irwin, 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 the 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.

1491.	The State of Texas v. Charles A. Harrison	Plaintiff Defendant	Judgment Pro. Fi.

In this cause this day came the District Attorney, A. St. Chalmers, who prosecutes for the State in this behalf; and the said Defendant Charles A. Harrison, being three times solemnly called, came not, but made default; and it ap-

praying to the Court that the said Defendant Charles A. Harrison, as principal and T. D. Ormsby and D. Cummings, 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 21st day of March, A. D. 1855, conditioned that the said Defendant Charles A. Harrison, make his personal appearance at the District Court of said County of Travis to be begun and held at the Courthouse of said County in the City of Austin on the eighth Monday after the first Monday in March, A. D. 1855 to answer the Indictment preferred against him by the Grand Jury of Travis county at the May Term A. D. 1854 of said District Court, for Betting at Faro, 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 A. Harrison, 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, Charles A. Harrison, 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 Charles A. Harrison, and the said T. D. Ormsby and the said D. Cummings, 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 this Judgment should not be made final against them as aforesaid.

defendant

And thereupon it is ordered by the Court that Court do now adjourn until Saturday Morning, Seven Oclock 17th 1855, half past eight o'clock.

Fall Term Saturday, Nov. 17th 1855

Saturday, Nov. 17th 1855.

Court met 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:

The State of Texas } Plaintiff
v. } Judgment Nisi
Geo W. Scott } Defendant

In this cause this day came the District Attorney, A. M. Chalmers, who prosecutes for the State in this behalf; and the said Defendant, George W. Scott being three times solemnly called, came not, but made default; and it appearing to the Court that the said Defendant, George W. Scott, as principal, and Sebron G. Sneed and Edward R. Peck as his securities, had entered into Recognizance in open Court in the sum of One hundred dollars, on the 12th Day of May. A.D. 1855, conditioned that the said Defendant George W. Scott, make his personal appearance at the District Court aforesaid Annex of Travis to be begun and holden at the Court House of said County then in session, to be begun and holden at the Court House of said county in the City of Austin on the eighth Monday after the first Monday in September A.D. 1855, To answer the Indictment preferred against him by the Grand Jurors of Travis county, at the said Term, A.D. 1855, of said District Court for "Betting at Faro," and there remain from day to day and from term to term of said Court, and that he don't depart thence without leave of said Court, and the said Defendant, George W. Scott, 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 George W. Scott, to answer said charge, which they wholly failed to do.

It is therefore considered, adjudged and decreed by the Court, that the said Recognizance of the said defendant, George W. Scott and the said Sebron G. Sneed and the said Edward R. Peck be and the same is hereby forfeited, and that

Fall Term, Saturday, Nov. 17th 1855.

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 they and each of them to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid

The State of Texas } Plaintiff
J. M. Bennett, } Defendant } Judgment Nisi.

In this cause this Day came the District Attorney, A. M. Chalmers, who prosecutes for the State in this behalf, and the said defendant J. M. Bennett, being three times solemnly called, came not but made default; and it appearing to the Court that the said Defendant, J. M. Bennett, as principal, and J. R. Jackson and Wm. L. Stone 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 10th Day of September A. D. 1855, conditioned that the said Defendant J. M. Bennett, 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 September A. D. 1855 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 for Gaming a Gaming table called Faro, 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. Bennett, 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 J. M. Bennett, 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 J. M. Bennett and the said J. R. Jackson and the said Wm. L. Stone, be and the same is hereby forfeited, and that the State of Texas do have and recover 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.

608

Fall Term, Saturday, Sept. 17th 1853.

↓ 521

The State of Texas } Plaintiff
James F. Smith } Defendant } Judgment Nil Si.

In this cause this day came the District Attorney A. H. Chalmers, who represents for the State in this behalf; And the said Defendant James F. Smith, being three times solemnly called, came not, but made Default, and it appearing to the Court that the said Defendant James F. Smith & James Shaland & Alexander H. Barnes and John S. Simmons his Securities, had entered into Recognizance in open Court in the sum of One Hundred Dollars, on the 11th Day of May, A. D. 1853, conditioned that the said Defendant James F. Smith, make his personal appearance at the District Court of said County of Travis then in session to answer the Indictment preferred against him by the Grand Jurors of Travis county at the Spring Term A. D. 1853, of said District Court for Betting at a Gaming Table called Faro, 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 James F. Smith, 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 James F. Smith, 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 James F. Smith, and the said Alexander H. Barnes and the said John S. Simmons 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 thereby, 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, Saturday, Nov. 17th 1855

1574 The State of Texas } Plaintiff
v. } Murder.
Wm. H. Montgomery } Defendant

And now on this day came the Plaintiff by the District Attorney, and the Defendant in proper person and also by attorney, and announced themselves ready for trial. And thereupon the Defendant having been arraigned plead not guilty to the Indictment and the allegations therein contained. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: D. H. Peck, W. A. Fowler, J. M. Davis, G. K. Cowling, Owen O'Brien, John Horan, Hugh McBride, J. D. Brown, H. M. Fowler, D. F. Chapman, D. B. Howe, and Joseph Simmons who being duly elected by the parties, and empannelled and sworn, heard the evidence introduced 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 not guilty. J. D. Brown, Foreman."

Whereupon, It is ordered, adjudged and decreed by the Court, that the said Defendant Wm. H. Montgomery go hence without day, fully acquitted of said charge.

And thereupon it is ordered by the Court that the Court do now adjourn until Monday Morning, the 19th 1855, half past eight o'clock.

Monday Nov. 19th 1855.

Court met 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:

585 The State of Texas } Plaintiff
v. } Selling at Faro.
Constantine A. Hopkins } Defendant

In this cause this day came the District Attorney, A. H. Chalmers, who prosecutes for the State in this behalf; and the said defendant Constantine A. Hopkins being three times solemnly called, came not, but made default;

Fall Term, Monday, Nov. 19th 1855.

and it appearing to the Court that the said Defendant Constantine A. Hopkins, as Principal, and James A. Bourdge, C. F. Cathings, James Willis, F. M. M. Hall and J. J. Anderson 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 11th day of September, A. D. 1855, conditioned that the said defendant Constantine A. Hopkins, 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 8th Monday after the first Monday in September, A. D. 1855, 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. Setting at a Gaming Table called Faro, 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 Constantine A. Hopkins 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 Constantine A. Hopkins to answer said charge, which they or either failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court that the said Bond of the said Defendant Constantine A. Hopkins and the said James A. Bourdge, and the said C. F. Cathings, and the said James Willis, and the said F. M. M. Hall and the said J. J. Anderson, 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, Monday, Nov 19th 1855

√587

The State of Texas } Plaintiff } Betting on
vs. } } Judgment nisi.
Thomas J. Moore } Defendant }

In this cause this day came the District Attorney, A. H. Chalmers 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 David C. Gunn and David S. Gunn as his sureties, had entered into Recognizance in open Court in the sum of One hundred Dollars on the 12th Day of May, A.D. 1855, 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 Court House of said County in the City of Austin on the eighth Monday after the first Monday in September, A.D. 1855, to answer the Indictment preferred against him by the Grand Jury of Travis county at the Spring Term A.D. 1855, of said District Court for Betting at a Gaming Bank called Faro exhibited for Game in a House in the City of Austin known as Brads Saloon, 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 Thomas J. Moore, being three times solemnly called and required to answer said charge, came not, but utterly 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 expressly failed to do.

It is, therefore, considered, ordered, adjudged and decreed by the Court, that the said Recognizance of the said defendant Thomas J. Moore and the said David C. Gunn and the said David S. Gunn 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 show cause, if any they can, why this Judgment should not be made final against them as aforesaid.

Fall Term, Monday, Aug. 19th 1855

No 611

The State of Texas } Plaintiff
Burwell S. Lewis } Defendant } Judgment Nisi

On this cause this day came the District Attorney, A. A. Chalmers, who prosecutes for the State in this behalf; and the said Defendant Burwell S. Lewis, being three times solemnly called, and D. M. Hundley and Owen O'Brien 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 July, A.D. 1855, conditioned that the said Defendant Burwell S. Lewis, 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 eighth Monday after the first Monday in September, A.D. 1855, 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 playing at a game of cards for money, called Draw Poker 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 S. Lewis, 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 Burwell S. 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 Bond of the said defendant Burwell S. Lewis, and the said D. M. Hundley and the said Owen O'Brien, 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, Monday, Nov. 19, 1855.

1611 The State of Texas } Plaintiff
vs. } Recognizance
John S. Thorn } Defendant }

And now on this day come into Court the Defendant, John S. Thorn, as principal, and Silas A. Burdett, Steven H. Burdett, Joel A. Burdett and William B. Ochiltree as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of Twenty Five Hundred Dollars, to be levied of their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said John S. Thorn be and personally appear before the Honorable District Court of Travis county to be begun and held at the Court-house thereof in the City of Austin on the first Monday after the first Monday in ~~September~~ March, A. D. 1856, then and there to answer an Indictment pretend against him, the said John S. Thorn, by the Grand Jurors of Travis county, at the Spring Term of the District Court of said County, A. D. 1855, for Forgery, and that he there remain from day to day and from Term to Term thereafter, and that he do not depart the Court without leave.

1612 The State of Texas } Plaintiff
vs. } Perjury
John S. Thorn } Defendant }

And now comes into Court The Defendant, John S. Thorn, as principal, and Steven H. Burdett, Silas H. Burdett, Joel A. Burdett and William B. Ochiltree as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Twenty Five Hundred Dollars, to be levied of their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said John S. Thorn be and personally appear before the District Court of Travis county to be held at the Court house thereof in the City of Austin on the 8th Monday after the first Monday in March, 1856 then and there to answer an Indictment preferred against him by the Grand Jurors of Travis county, at the Spring Term of the District Court of said county, 1855, for Perjury, and that he there remain from day to day, and from Term to Term thereafter and that he do not depart the Court without leave

Fall Term, Monday, Nov. 16th 1853.

52 The State of Texas } Plaintiff
Isaac R. Burbank } Defendant } Judgment

And now on this day came the parties to the foregoing cause-the plaintiff by the District Attorney and the Defendant by attorney and also in proper person. And thereupon the Defendant being arraigned, plead not guilty to the Indictment and the allegations therein contained. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit: E. A. Pickett, J. H. Jackson, Wm. Cannon, J. S. Roy, J. C. Arrington, D. M. Grisham, James C. Harber, Wallace Tilton, C. H. Hamilton, Stephen D. Cassidy, Hugh McSamuels and Stephen Davis, who being duly elected by the parties, empannelled, sworn and charged by the Court, having heard the evidence introduced and the argument of counsel, 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 of cutting and assess the imprisonment for three years hard labor in the Penitentiary. W. Tilton, Foreman."

And thereupon It is ordered by the Court that the said Isaac R. Burbanks be and is hereby sentenced to three years hard labor in the Penitentiary of the State of Texas in accordance with the verdict of the Jury aforesaid.

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday Morning, November 20th 1853. half past eight o'clock.

Fall Term, Tuesday, Nov. 20th 1855.

Tuesday, November 20th 1855.

Court met 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:

652 The State of Texas } Plaintiff
Isaac R. Barbank } Defendant } Motion, &c.

And now on this day came the parties by attorney, and the Court proceeding to consider the motion filed by Defendant in this cause for a new trial, after hearing the argument of counsel and the questions of law thereon arising, doth order, adjudge and decree that said motion be overruled.

652 The State of Texas } Plaintiff
Isaac R. Barbank } Defendant } Sentence, &c.

And now again came the State by Alexander A. Chalmers, District Attorney, and the said defendant in his own proper person. And the said Defendant being by the Court asked if he had anything to say why judgment should not be pronounced against him in said cause in conformity with the verdict of the Jury heretofore rendered therein. And saying Nothing - It is ordered, adjudged and decreed by the Court, upon the verdict and finding of the Jury aforesaid, that the said Defendant, Isaac R. Barbank, be condemned to hard labor in the State Penitentiary for the term of Three years from this date; and that the said State of Texas do have and recover of and from the said defendant, Isaac R. Barbank, all of her cost in this behalf expended, and that execution issue therefor. And it is further ordered, adjudged and decreed by the Court that the Clerk of this Court make out and certify according to law a transcript of the Record in this case; and that the Sheriff of Travis county forthwith convey said Defendant to said Penitentiary of the State of Texas.

Fall Term, Tuesday, Nov 20th 1855.

641 The State of Texas } Plaintiff
Joseph Davis } Defendant } Assault

And now comes into Court the Defendant Joseph Davis as Principal, and Wiley Marshall and Joseph Pullen as securities, and acknowledged themselves jointly and severally unto one and the indicted unto the State of Texas in the sum of One hundred Dollars to be levied of their respective Goods and Chattels, Lands and Tenements. Put to be void upon condition that the said Joseph Davis do and remain in attendance upon the District Court of Travis county now in session to answer to an indictment preferred against him by the Grand Jurors of Travis county at this the Fall Term of the District Court of said county, 1855. for an assault upon the body of one + Herndon, and that he there remain from day to day and from term to term thereafter and that he do not depart the Court without leave

641 The State of Texas } Plaintiff
Joseph Davis } Defendant } Assault

In this cause this day came the District Attorney A H Chalmers who prosecutes for the State in this behalf; and the said Defendant, Joseph Davis, being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant Joseph Davis as principal, and Wiley Marshall and Joseph Pullen as his securities, had entered into Recognizance in open Court in the sum of One hundred Dollars on the 20th day of November A D 1855, conditioned that the said Defendant Joseph Davis, make his personal appearance at the District Court of said County of Travis then in session at the Courthouse of said county in the City of Austin, to answer to an Indictment preferred against him by the Grand Jurors of Travis county at the Fall Term A D 1855, of said District Court for an assault upon the body of one + Herndon,

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 Joseph Davis, 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
Joseph Davis, 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, Joseph Davis
and the said Wiley Marshall and the said
Joseph Patton, 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 Re-
cognizance 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
vs } Order
C. H. Stapleton } Defendant

It is ordered by the Court
that the Defendants heretofore entered up
on this cause be set aside upon sub-
mitting & paying the cost of the same

William Kusemann Ex Parte.
Declaration of intention to become a Citizen.

The State of Texas
County of Travis } William Kusemann, being 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 Seventeen, in the King-
dom of Prussia, whence he emigrated in the year 1832.
to the United States of America, and has selected the State

Fall Term, Tuesday, Nov. 20th 1838.

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, and of the said State of Texas, and renounce for ever all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia, of whom he is a subject.

Sworn to and subscribed in open Court this the 17th day of Nov. A.D. 1838 } William Kasemann

Frank Brown, Clerk of said District Court.

Charles Domseky Ex Parte.

Declaration of intention to become a Citizen.

The State of Texas }
County of Travis } Charles Domseky, being 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 twenty Six in the Kingdom of Prussia, whence he emigrated in the year 1837 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, and of the said State of Texas, and renounce forever all Allegiance and fidelity to Foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia, of whom he is a subject.

Sworn to and subscribed in open Court this the 17th day of Nov. A.D. 1838. } Carl Domseky

Frank Brown, Clerk.
of said District Court.

John P. H. Reuston Ex Parte.

And the said John P. H. Reuston 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 Josiah Fisk and G. Kirkham Citizens of the United States, that the said John P. H. Reuston was known to them for the

Fall Term, Tuesday Nov. 1st 1853.

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, and well disposed to the good order and happiness of the same and being also satisfied that the said John P. H. Kersten 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 P. H. Kersten 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 affirm all allegiance and fidelity to any foreign Prince, Potentate, State or Sovereignty whatever, and particularly to the King of Prussia, whereof he was before a subject.

It is therefore ordered by The Court that the said John P. H. Kersten be and is hereby admitted a Citizen of the United States, and that the Clerk of this Court issue to him a Certificate accordingly.

Anton Nebgen Ex Parte

And the said Anton Nebgen 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 C. Kiechberg and A. B. McGill Citizens of the United States that the said Anton Nebgen 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 Anton Nebgen has made his declaration to become a Citizen of the United States in The District Court of County of Travis, State of Texas two years previous to the filing his said petition

Fall Term. Sunday A.D. 20th 1833.

" According to the act of Congress in such case made and provided " And the said Anton Siebgen 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 Prince of Nassau whereof he was before a subject.

It is therefore ordered by the Court, that the said Anton Siebgen be and is hereby admitted a Citizen of the United States, and that the Clerk of this Court issue to him a certificate accordingly.

Frederick Stohlt Ex Parte.
Declaration of intention to become a citizen

The State of Texas }
County of Travis } Frederick Stohlt, being 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 thirty four, in the Kingdom of Prussia whence he emigrated in the year 1831 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, 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 King of Prussia Frederick William the Fourth of whom he is a subject.

F. Stohlt

Sworn to and subscribed in open Court, this the 20th day of Nov. A.D. 1833

Frank Brown Clerk.
of said District Court.

Fall Term, Tuesday Nov. 20th 1833.

August Sutor Ex Parte
Declaration of intention to become a Citizen.

The State of Texas }
County of Travis } August Sutor, being 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 twenty One in the Kingdom of Prussia, whence he emigrated in the year 1837, 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, 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 King of Prussia, of whom he is a subject.
Sworn to and subscribed in Open Court this the 20th day of Nov. A.D. 1833. } August Sutor

Frank Brown, Clerk
of said District Court

Frederick Reichau Ex Parte
Declaration of intention to become a Citizen.

The State of Texas }
County of Travis } Frederick Reichau, being 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 Twenty One, in the Kingdom of Prussia, whence he emigrated in the year 1837, 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, 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 King of Prussia, of whom he is a subject.
Sworn to and subscribed in open Court this the 20th day of Nov. A.D. 1833. } Frederick Reichau

Frank Brown, Clerk of said District Court

Fall Term, Tuesday Nov. 20th 1855.

Charles Kenze Ex Parte,
Declaration of intention to become a citizen
The State of Texas }
County of Travis } Charles Kenze, being 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 twenty Seven in the Kingdom of Saxony, 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 settlement, and he further declares that it is bona fide his intention to become 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 King of Saxony, of whom he is a Subject.
Sworn to and subscribed in open Court this the 20th day of Nov. A.D. 1855
Frank Brown, Clerk of said District Court. } Charles Kenze

August Wahrmann Ex Parte.
Declaration of intention to become a citizen
The State of Texas }
County of Travis } August Wahrmann, being 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 Twenty Seven in the Kingdom of Prussia, 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 settlement, and he further declares, that it is bona fide his intention to become a citizen of United States, and of the said State of Texas, and renounce forever all allegiance and fidelity to foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia, of whom he is a subject
Sworn to and subscribed in open Court this the 20th day of Nov. A.D. 1855 Frank Brown Clerk of said District Court } August Wahrmann

Fall Term, Tuesday, Nov. 20th 1855.

August Rothmann Ex Parte.
Declaration of intention to become a citizen.

The State of Texas }
County of Travis } August Rothmann, being 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 thirty in the Kingdom of Prussia, 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 settlement, and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounce forever all allegiance and fidelity to foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia, of whom he is a subject.

Sworn to and subscribed in open Court this the 20th day of Nov. A.D. 1855. } August Rothmann
Frank Brown Clerk of said District Court }

Frederick Kunze Ex Parte
Declaration of intention to become a citizen.

The State of Texas }
County of Travis } Frederick Kunze, being 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 Twenty, in the Kingdom of Prussia, whence he emigrated in the year 1852 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, and of the said State of Texas, and renounce forever all allegiance and fidelity to any foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia of whom he is a subject.

Sworn to and subscribed in open Court this the 20th day of Nov. A.D. 1855 } Frederick Kunze
Frank Brown Clerk of said District Court }

Fall Term, Tuesday, Nov. 20th 1838

Julius Raatz Ex Parte
Declaration of intention to become a Citizen.

The State of Texas
County of Travis } Julius Raatz being duly sworn according to law in the District Court of the County in and for the State of Texas, doth declare that he was born in the year of our Lord One thousand Eight Hundred and thirty two in the Kingdom of Prussia, whence he emigrated in the year 1832 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, 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 King of Prussia, of whom he is a subject.

Sworn to and subscribed in open Court this the 20th Nov. A.D. 1838. } Julius Raatz
Frank Brown, Clerk of said District Court }

John Pfeifer Ex Parte.
Declaration of intention to become a Citizen

The State of Texas
County of Travis } John Pfeifer being 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 fifteen in the Austrian Empire, whence he emigrated in the year 1837 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, and of the said State of Texas, and renounce forever all allegiance and fidelity to foreign Prince, Potentate, Sovereignty whatsoever and particularly to the Emperor of Austria of whom he is a subject.

Sworn to and subscribed in open Court this the 20th day of Nov. A.D. 1838 } John Pfeifer
Frank Brown Clerk of said District Court }

Fall Term, Wednesday, Jan. 21st 1855

And Thereupon It is ordered by the Court that Court do now adjourn until Wednesday, Jan. 21st 1855, half past eight o'clock A.M.

Wednesday, Jan. 21st 1855.

Court met at half past eight o'clock, A.M. pursuant to adjournment. Present The same as yesterday. Whereupon The following proceedings were had by said Court as follows, to wit:

And Thereupon It is ordered by The Court that Court do now adjourn until Monday, The Seventh day of January, A.D. 1856.

Th. H. Duval
Judge 2nd Jud. Dist.

Fall Term, Monday, January 7th 1856.

The Honorable District Court of Travis county met at the Courthouse thereof in the City of Austin, on Monday, the Fourth day of January, 1856, pursuant to adjournment, Present the Hon Thomas H. Duval, Judge of the Second Judicial District and of said Court, Edward Downs, clerk of said Court, and John J. Price, Sheriff of Travis county

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

Fall Term, Monday, January 7th, 1856.

No 293

Paulsen Flesher
vs
The Heirs of Mary Ann Flesher } Decree quieting title

In this case comes the plaintiff by his Atorney and also come the defendants Mary S Flesher, Marie V. Flesher, William P. Flesher, Kalina Flesher and Melinda Flesher by their Guardians ad litem appointed by the Court William Byrd and George W. Paschal, and it appearing to the Court that the said defendants had each been duly served with the process of this Court, and it appearing together that their interests had been duly represented by their said guardians ad litem, and the case coming on to be heard upon the petition, answers and proof, the said plaintiff by his Attorney, as well also, as the defendants by their guardians Waiving a Jury the matters and things in controversy as well of law as of fact were submitted to the Court.

Whereupon the Court doth find, That the said Paulsen Flesher was married in the State of Virginia to Mary Ann Daken, That in the year 1849 the said Flesher with his said wife, and their Children the above named Defendants removed from the State of Virginia, and in December of the said year settled in the County of Travis in the State of Texas. It further appears and is found by the Court, That the said Mary A. Flesher died intestate in the said County of Travis, leaving the said Defendants her heirs at law. That previous to the death of the said Mary A. Flesher the said Paulsen, purchased from William B Standifer the following described tract or parcel of land. Situate, lying and being in the County of Travis in the State of Texas, on the East side of the Colorado River, on the West prong of Willbarger Creek. Beginning on the North East Corner of Survey No 40 made for Dames Manor at a Stake from which a Mesquit tree bears East forty varas. Thence North 30° East at 470 varas Willbarger Creek at One thousand Nine hundred and one varas at Stake & mound, Thence North 60° West at 1330 varas Willbarger Creek, at one thousand Nine hundred and one

a Stake and mound in one vara of a small Pecan bush, thence South 30 West one thousand Nine hundred and one varas to a Stake on the North line of Survey No 43- thence South 60° East one thousand nine hundred and one varas to the place of beginning.

And it further appearing to the Court, from the evidence, the said land so purchased by the said Paulser Flesher was paid for by him out of money brought by him from the State of Virginia upon his removal from thence, it being the proceeds of the sale of his real Estate in that State. and that the whole of the purchase money for said land was paid by the said Flesher out of his own individual property. The Court does therefore so find the fact to be.

It further appearing to the Court, that said Paulser Flesher had contracted to sell the said land obliging himself for a general warranty title to the same.

Therefore with a view of Establishing the title of said Plaintiff as well as of quieting the title of his vendee it is ordered, adjudged and decreed, that the land aforesaid be declared the separate property of the said Paulser Flesher from any claim or pretended claim set up or to be set up by the said Defendants as to any community interest they may have through their Mother the said Mary A. Flesher.

And it is further ordered, that the said Mary S. Flesher. Maria S. Flesher William P. Flesher Sulina Flesher and Melinda Flesher be forever enjoined and precluded from setting up any claim to the said land, by virtue of any such community interest between the said Mary A. Flesher deceased, and the said Plaintiff.

It is further ordered that the plaintiff pay all the costs in this behalf expended, for which execution may issue.

Carl Schafer Exparte.

Declaration of intention to become a Citizen.

The State of Texas }
County of Travis } Carl Schafer, being 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

The Term, Monday, January 7th 1856

One Thousand Eight hundred and twenty three, in the Empire of Austria. whence he emigrated in the year 1853. to the United State 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, and of the said State of Texas, and renounce forever all allegiance and fidelity to every foreign Prince, Potentate State or Sovereignty whatsoever, ~~to~~ and particularly to the Emperor of Austria, of whom he is a subject.
Sworn to and subscribed in open Court, this the 3rd day of Dec A.D. 1855.
Frank Brown Clerk of said District Court.

Carl Schafer

Terrence Cunningham Ex parte.
Declaration of intention to become a Citizen.
The State of Texas
County of Travis

Terrence Cunningham, being duly sworn according to law on 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 31, in the Kingdom of Great Britain and Ireland, whence he emigrated in the year 1849, 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 State, 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 Victoria, Queen of Great Britain and Ireland, of whom he is a subject.
Sworn to and subscribed in open Court, this the 22nd day of Nov. A.D. 1855.
Frank Brown, Clerk of said District Court.

Terrence Cunningham

Fall Term, Monday, January 7, 1856.

J. F. A. Bahn Ex parte
Declaration of intention to become a Citizen
The State of Texas }
County of Travis } J. F. A. Bahn, being 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 twenty three in Prussia, whence he emigrated in the year 1837 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, and of the said State of Texas, and renounce forever all allegiance and fidelity to foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King Prussia, Of whom he is a subject.
Sworn to and subscribed in open Court, this the 15th day of Dec. A.D. 1855. } J. F. A. Bahn
Frank Brown, Clerk of said District Court }

Charles Frederick Anschutz Ex parte
Declaration of intention to become a Citizen
The State of Texas }
County of Travis } Charles Frederick Anschutz, being 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 thirty two in the Kingdom of Saxony, whence he emigrated in the year 1852, 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, 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 King of Saxony, of whom he is a subject.
Sworn to and subscribed in open Court, this the 15th day of Dec. A.D. 1855 } C. Frederick Anschutz
Frank Brown, Clerk of said District Court }

Fair Term, Monday, January 7th 1856

Pacet Leser Ex parte
Declaration of intention to become a citizen
The State of Texas }
County of Travis } Pacet Leser being duly sworn according to law, in the District Court of the County of Travis, sit and for the State of Texas, doth declare that he was born in the year of our Lord, One thousand eight hundred and Twenty Six in the Kingdom of Saxony, whence he emigrated in the year 1852, 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 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 King of Saxony, of whom he is a subject.
Sworn to and subscribed in open Court this the 18th day of Dec. A.D. 1855.
Frank Brown, Clerk of said District Court.

Pacet Leser

Gottfried Marohn Ex parte
Declaration of intention to become a citizen
The State of Texas }
County of Travis } Gottfried Marohn being 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 Nineteen, in Russia whence he emigrated in the year 1852, 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, 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 King of Russia of whom he is subject.
Sworn to and subscribed in open Court this the 28th day of Dec. A.D. 1855. - Frank Brown, Clerk of said District Court.

Gottfried Marohn

Fall Term, Tuesday, January 8th 1856.

And thereupon it is ordered by the Court that Court do now adjourn until Tuesday morning January 8th 1856. half past nine o'clock, A.M. Tuesday, Jany 8th 1850.

Court met at half past nine o'clock A.M. Present the same as yesterday, whereupon the following proceedings were had, to wit:

John Braga Ex parte.

And the said John Braga, having filed here in open Court his petition, praying to be admitted to become a citizen of the United States and that the Court being satisfied by the oaths of G. Kirchberg and Anton Seeligen, Citizens of the United States, that the said John Braga 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 Braga has made his declaration to become a citizen of the United States in the District Court of the County of Travis, Texas 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 Braga 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 Prince of Spain, whereof he was before a subject.

It is therefore Ordered by the Court, that the said John Braga, be and is hereby admitted a citizen of the United States, and that the Clerk of this Court issue to him a certificate accordingly.

William Thum Ex parte

And the said William Thum, 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 J. Kirchberg and E. Faut, Citizens of the United States, that the said William Thum 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

Fall Term, Tuesday, January 8th 1839

of the same, and being also satisfied that the said William Thum, 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 William Thum, 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 King of Prussia, whereof he was before a subject.

It is therefore Ordered by the Court that the said William Thum, be and is hereby admitted a citizen of the United States, and that the Clerk of this Court issue to him a Certificate accordingly.

John Ernest Mowinckle Ex parte.

And the said John Ernest Mowinckle having filed here in Open Court his petition praying to be admitted to become a citizen of the United States, and that the Court being satisfied by the oaths of Anton Hogan and John Brayer citizens of the United States, that the said John Ernest Mowinckle 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 Ernest Mowinckle 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 Ernest Mowinckle having in Open Court taken the oath prescribed by law to support the Constitution of the United States.

Fall Term, Monday, January 8th 1856.

And that he doth absolutely and entirely renounce all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatever, and particularly to the King of Norway, whereof he was before a subject.

It is therefore Ordered by the Court that the said John Ernest Mennicke be and is hereby admitted a citizen of the United States, and that the Clerk of this Court issue to him a Certificate Accordingly.

And thereupon It is ordered by the Court that Court do now adjourn until Wednesday Morning January 9th 1856, half past nine o'clock

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Wednesday, January 9th 1856.

Court met at half past 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:

Wm Black — And thereupon It is ordered by the Court that Wm Black be admitted to practice as an Attorney and counsellor at law in the several District and Inferior Courts of this State he having produced in open Court his certificate of admission to practice in the Supreme Court of Texas

B.C. Bennett — And thereupon It is ordered by the Court that B. C. Bennett be fined the sum of Twenty Dollars for failing to appear and take his seat on the Petit Jury, he having been duly summoned by the Sheriff, and that Scire Facias issue to him returnable to the next term of this Court, commanding him then and there to appear and show cause, if any he may have, why this Judgment should not be made final against him.

X — And thereupon It is ordered by the Court that Court do now adjourn until Wednesday Morning January 9th 1856, half past nine o'clock

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Wednesday, January 9th 1856.

Court met at half past 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:

4 in 4 — S. B. Swett } Plaintiff
v. } Attachment
C. Arright } Defendant }

And now on this day came the parties to the foregoing cause, by attorney, and having announced ready for trial of the same, whereupon came a Jury of good and lawful men of Travis County, to wit: Wm Oswald, J. M. Gibbons, C. R. Harriston, A. Sims, H. Causey, J. W. Shepherd, J. D. Friend, J. C. Webberson, R. M. Wilcox,

Fall Term, Wednesday, January 9th 1856.

C. B. Rambo, Henry Overstreet and B. Cheek, who being duly elected, empannelled sworn and charged, heard the evidence, argument of counsel and charge of Court and retired to consider of their verdict; And thereupon said Jury returned into Court the following verdict, viz, We the Jury find for the plaintiff the sum of five hundred and twenty nine Dollars and fifteen and two thirds cents he therein sets, Alexander Evans, Foreman."

Whereupon It is ordered, adjudged and decreed by the Court that the plaintiff, S. G. Snead, have and recover of the defendant, Claiborne Arrington, and the Securities on his Replevy Bond to wit: Thos. C. Stanley and John S. Arrington, the sum of five hundred and twenty nine dollars and fifteen and two-third cents and all costs in this behalf by him laid out and expended, & for all which execution may issue

And thereupon It is ordered by the Court that Court do now adjourn until Thursday Morning, January 10th 1856. half past nine o'clock.

Thursday, January 10th 1856.

Court met at half past 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:

406 S. G. Snead } Plaintiff } Attachment
v.
C. Arrington } Defendant }

And now comes the defendant and moves the Court for a new trial in said cause, said motion being filed. And the Court considering the same doth order that the same be overruled. And thereupon the Defendant in open Court gives notice of an appeal to the Supreme Court.

411 S. G. Snead } Plaintiff } Attachment
v.
C. Arrington } Defendant }

And now comes the defendant by attorney and moves the Court for an arrest of the Judgment rendered in this cause. And the Court considering the same doth order that the same be overruled. And thereupon the defendant gives notice in open Court, of an appeal to the Supreme Court.

Fall Term, Thursday, January 10th 1856.

411 German Emigration Comp'y } Plaintiff
v. } Injunction
Stephen Wooley, Exr. } Defendant

It is ordered by the Court that the above cause be continued, as upon application of said plaintiffs by affidavit filed.

And thereupon It is further ordered that the District Clerk of Comal county require the witnesses in said cause Stephen Wooley and Mersebach, to come before him and answer to Interrogatories propounded to them in this cause

407 Abram, Marshall & Jones } Plaintiffs.
v. } Injunction.
Claiborne Arrington } Defendant

And now on this day come the parties to this cause by attorney and filed their agreement as to the terms upon which this cause is to be determined. And thereupon It is ordered by the Court, as per agreement aforesaid, that this cause be continued until the final determination of the cause of No. 406, of Sneed v. Arrington, which is appealed to the Supreme Court, and that such Judgment shall be rendered in this cause as in the one above named, and this cause, in all respects, to take the same course as the said cause of Sneed v. Arrington

And thereupon It is ordered by the Court that Court do now adjourn until to morrow Morning, Friday, January 11th 1856, half past nine o'clock.

Friday, January 11th 1856.

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

19 E. D. C. Robson } Plaintiff
v. } Injunction.
Jno. B. Thompson } Defendant

It is ordered by the Court that the above cause be continued generally.

Fall Term, Friday, January 11th 1856.

1118. R. M. McAfee &c. } Plaintiffs
M. Zeller } Defendant } Debt.

In this cause this day came the parties and having announced, proceeded to the trial of the same. And thereupon came a Jury of good and lawful men of Travis county, to wit: Wm O'Connell and eleven others, who being duly elected, empannelled, sworn and charged, heard the evidence and retired to consider of their verdict. And thereupon said Jury returned into Court and reported that they were unable to agree upon a verdict. And thereupon the Court ordered a mistrial, and that said Jury be discharged from the consideration of said cause; and that the same be continued.

And thereupon It is further ordered by the Court that the Defendant have leave to amend.

1113 R. D. McAnelly } Plaintiff
Simon Pardee } Defendant } Land.

It is ordered by the Court that the above cause be continued generally.

437 Wingfield, Price & Co. } Plaintiffs
v. } Debt.
Hugh Nelson. } Defendant.

It is ordered by the Court that the foregoing cause be continued as upon application of defendant.

1138 B. A. & G. C. Payne } Plaintiffs
v. } Land.
Josiah G. Dunn } Defendant

It is ordered by the Court that the above cause be continued

Fall Term, Friday, Janury 11th 1856.

4126. Wm. Clampkins } Plaintiff
✓ A. N. Wapkins } Defendant } Debt

It is ordered by the Court that the abme cause be continued generally

494 John St. Yonng } Plaintiff
✓ D. C. Callins, et. als. } Defendants } Land.

And now come the parties by attorney and agree that this cause may be dismissed at cost of plaintiff. And thereupon it is ordered by the court that this cause be dismissed; that the defendants go hence and recover of the plaintiff, John St. Yonng, all costs in this behalf expended, for which execution may issue.

531 ½. James I. Ward } Plaintiff
H. L. Paschal et al } Defendants } Trespass.

It is ordered by the court that the above cause be continued generally.

531 3/4 Lucinda Price } Plaintiff
Rufus Litchell } Defendant } For Freedom

It is ordered by the court that the above cause be continued generally.

532 The State of Texas } Plaintiff
✓ A. Manchaca, et. als } Defendants } Forfeiture.

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

547. John Marshall } Plaintiff
D. M. Hamplin } Defendant } Injunction

It is ordred by the court that this cause be continued as upon consent of parties

Dale Term. Friday, January 11th 1856.

551. Wade A. Morris } Plaintiff
v. } Debt.
Wm H. Burden } defendant

And now came the parties and agree that this cause be dismissed at plaintiffs cost. And thereupon it is ordered by the Court that this cause be dismissed; that plaintiff take nothing by his suit; that defendant go hence and recover of the plaintiff, Wade A. Morris all costs in this behalf expended for which execution may issue.

597. Thomas J. Adams } Plaintiff
v. } Injunction.
Spears & Scallion } defendants

In this cause appeared the defendants by their attorneys, and suggested the death of the defendant Miriam Scallion; and Thomas J. Scallion, administrator of Miriam Scallion, dec'd, appeared by his attorneys, and asked leave to be made a party defendant to this suit. It is ordered, adjudged and decreed by the Court that the said Thomas J. Scallion, as administrator of Miriam Scallion, be made a defendant to defend and prosecute the rights of the estate of Miriam Scallion, deceased in this suit.

560 Larkin H. Price } Plaintiff
v. } Land
Michael Shank } defendant

And now on this day came the parties by attorney and proceeded to the trial of this cause, and thereupon a Jury was empannelled to try the same. Whereupon by consent of parties the cause was withdrawn from the Jury and continued.

569 Charles H. Jones } Plaintiff
v. } For Slander
Geo. W. Glascock } Defendant

It appearing to the Court that at a former term hereof a rule was entered against

Hall Term, Friday, January 11th 1856.

the plaintiff requiring him to enter into bond and security for the costs of this suit, attorney of plaintiff having been present and notified, and it further appearing that said plaintiff has failed to comply with said rule as required by the statute and order of this Court — It is ordered, adjudged and decreed by the Court that this cause be dismissed, that the defendant go hence and recover of the plaintiff, Charles H. Jones, all costs in this suit expended, for which execution may issue.

571 — C. W. Mason, Plaintiff; v.; I. D. Cleveland, Defendant — For Corn.

It is ordered by the court that the above cause be continued generally

577 — Jas. W. Hampton, Plaintiff; v.; J. M. H. Hall, Defendant — For Debt.

On this day the death of the plaintiff was suggested to the court, and thereupon it was ordered by the Court that the administrator of said plaintiff be made a party plaintiff to this cause; and ordered further, that this cause be continued

578 — C. L. Wood, Plaintiff; v.; E. B. Rawls, Defendant — Debt on Acc

And now on this day comes the plaintiff by attorney and moves the court for a continuance of this cause, affidavit having been filed by pltff. for said continuance. and the court hearing the argument of counsel on said application, and considering the same insufficient, doth order that Judgment of non-suit be rendered And thereupon It is ordered by the court that the plaintiff take nothing by his said action, that the defendant go hence and recover of the plaintiff, Christopher L. Wood, all costs in this behalf expended, for which execution may issue.

And thereupon It is ordered that Court do now adjourn until 9 o'clock on this day morning January 12th 1856, ½ past 9 o'clock

Fall Term, Saturday, January 12th 1856.

Saturday, January 12th 1856.

Court met at half past 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:

X

John Moodie Ex parte

Declaration of intention to become a citizen

The State of Texas }
County of Travis } John Moodie, being 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 twenty Six in the Kingdom of Great Britain, whence he emigrated in the year 18--, 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 and of the said State of Texas and renounce forever all allegiance and fidelity to every Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Queen of Great Britain of whom he is a subject.

Sworn to and subscribed in open Court, this the 10th day of Dec. A.D. 1855. John Moodie

Frank Brown, Clerk of said District Court.

N

Peter Meyer Ex parte

And the said Peter Meyer 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 H. C. Bergenner and H. Sledge citizens of the United, that the said Peter Meyer 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 Peter Meyer 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 Peter Meyer

Fall Term, Saturday, January 12th 1856

having in open Court, taken the oath prescribed by to support the Constitution of the United State, 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 Adolf of Nessau, whereof he was before a subject.

It is therefore ordered by the Court that the said Peter Meyer be and is hereby admitted a Citizen of the United State, and that the Clerk of this Court issue to him a Certificate accordingly.

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883 ✓ Thomas W. Ward } Plaintiff
v.
J. A. Burden, et. als } Defendants } Debt

And now on this day came the parties and submitted this cause to the Court And the Court considering the pleadings in the case and the questions of law and of fact therein arising Doth find for the plaintiff. And thereupon it is ordered, adjudged and decreed by the Court that the plaintiff Thomas Wood Ward do have and recover of the defendants Jos A. Burden and Lewis W. Burden and Marion A. Houston the sum of Six hundred and one dollars and thirty five cents, amount of principal and interest to date together with the costs in this suit expended and ten per cent. interest on said principal until paid for all which execution may issue. It is further ordered by the Court that the above Judgment may be certified to the Probate Court of Travis county as a just and valid claim against the estate of Jesse Burden, dec'd, to be had in due course of administration

603 Robert Allen } Plaintiff
v.
Albert Rust } Defendant. } Right of Property

It is ordered by the Court that the above cause be continued as upon consent of parties

642

Fall Term. Saturday January 12th 1856.

714

Joseph Newsham } Plaintiff
v. } Mandamus
John Watson } Defendant

And now comes the defendant by attorney and by motion files move the Court to set aside the Judgment by default heretofore rendered in this cause during the present term of this Court. And the Court considering the same, after hearing the argument of counsel on said motion. Doth order that the said motion be overruled

618

Benj. F. Owen } Plaintiff
v. } Fac Mandamus
S. Crosby, Com^r } Defendant

And now comes the plaintiff by attorney and dismiss his suit as to the heirs of George Payne. And thereupon comes the defendant by the District Attorney and demurs to the petition of plaintiff, and thereupon the Demurrer of plaintiff defendant was overruled by the Court. And the said cause coming on for a finial hearing on the petition, answer and evidence introduced by said parties, the same was submitted by mutual consent of said parties to the Court, as well as the matters of fact as of law. And it appearing from said evidence that the plaintiff is entitled to the relief sought in his said petition; and it further appearing that the Survey on said land in the name of the heirs of George Payn is null and void, and that the land thereon has been rendered vacant by long abandonment thereof.

It is therefore ordered, adjudged and decreed by the Court that said defendant issue to said plaintiff a patent thereon on his said survey in the terms of the law, which Survey is described as follows: Situated on the waters of South San Gabriel, beginning on the N. E. corner of David F. Owen's league at a stone mound from which a live oak bears S. 33° E. five varas, and one bears S. 5° E. twelve varas. Thence N. 71 E. at 2371 varas with David Harmon's league line at twenty-five hundred and fifty varas a stone mound for the N.E. corner of this Survey and the S. E. corner of said Harmon's survey from which a live oak bears S. 22° E. fourteen varas, and one bears N. 65° E. ten varas. Thence S 19° E. with Stephens line and at 1060 varas passing the N. W. corner

of McKinney's survey and at twenty five hundred and fifty varas with said McKinney's line at a stone mound and the N. E. corner of E. Blakey survey from which a black oak bears S. 19° E. eight varas marked X and one bears N. 59° E. four varas. Thence S. 71° W. twenty five hundred and fifty varas with the north line of Blakey's survey to a stake on David H. Owen's league line from which a blackjack bears N. 19° W. fifteen varas, and a post oak bears N. 59° E. thirty varas. Thence N. 19° W. twenty five hundred and fifty varas with said Owens line to the place of beginning

And it is further ordered, adjudged and decreed that a writ of Mandamus may issue for the due enforcement of this decree, and that the plaintiff, Benjamin H. Owen, pay all costs of this suit, for which execution may issue

And thereupon It is ordered by the Court that Court do now adjourn until Monday morning, January 14th 1856, half past nine o'clock.

Monday, January 14th 1856.

Court met at half past 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:

561 John W. Wear, et al. } Plaintiffs } Land
v. }
Heirs of H. E. Weare } Defendants }

It is ordered by the Court that the Sheriff be allowed to amend the return endorsed on the citation and brief statement for publication issued in this cause, and returned into Court.

643. George W. White } Plaintiff } Damages
v. }
Lease and Payne } Defendants }

It appearing to the Court that at a former term hereof a motion of the defendants was sustained requiring the plaintiff to enter into bond and security for the costs of this suit; and it further appearing that the said plaintiff has not complied with

Fall Term, Monday, Jan. 14th 1839.

said rule as required by law, It is ordered, adjudged and decreed by the Court that the defendants go hence and recover of the plaintiff Selarge C. White, all costs of this suit, for which execution may issue.

392	D. H. Heald v. Lewis Williams & Co	Plaintiff / Defendants	Debt on Note

And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. And having a Jury empanelled the cause to the Court. And thereafter the demurrer of plff. to defendants plea was sustained by the Court; And the Court considering the qustions of law and of fact arising, finds for the plaintiff.

And thereupon It is ordered adjudged and decreed by the Court that the plaintiff, D. H. Heald, do have and recover of and from the defendants, Lewis Williams and Wesley Smith, under their firm name and style of Williams & Co, the sum of Six Hundred and Seven dollars and eighty nine cents, (607.89) principal debt and interest on the note sued on to this date, and interest on said amount until paid, and all cost, in this behalf laid out and expended, for all which execution may issue.

437	M. D. Johnson, Admr v. Stephen Crosby, Comr	Plaintiff / Defendant	Mandamus
440	Shepard & Hutchins v. Fielding L. Ray	Plaintiff / Defendant	Damages
447	H. C. Burdett v. William Fowler	Plaintiff / Defendant	For Rent
448	David B. Oldham v. Mathews & Burdett	Plaintiff / Defendants	Debt

Fall Term, Monday, January 14th 1856.

652 ✓ H. C. Chandler } Plaintiff
v.
J. H. & D. N. Banks } Defendants } Continuance

It is ordered by the Court that the last preceding suit cause be continued.

653 ✓ Henry Stussy & Co. } Plaintiffs
v.
S. K. Jennings, Jr } Defendant } Debt on Note.

And now on this day came the plaintiffs by attorney and daniel a Judgment final by default. And thereupon it appearing to the Court that the defendant has been duly summoned according to law, that he has wholly made default by neglecting and refusing to file any defence in said cause, and it appearing also that this action is brought upon a liquidated demand, as shown by an instrument of writing called a promissory note produced by plff. in open Court

It is ordered, adjudged and decreed by the Court that the plaintiffs do have and recover of the defendant, S. K. Jennings, Jr., the sum of Five Hundred and thirty one dollars principal debt and interest to date, with legal interest on said sum until paid, and all costs in this behalf by plaintiffs expended, for all which the execution may issue.

658 ✓ John C. Shrimp } Plaintiff
v.
Joseph Newsham } Defendant } Town Lot.

It is ordered by the Court that this cause be continued until the next term hereof.

661 ✓ Timothy McKeon } Plaintiff
v.
Edward Roberts } Defendant } Debt

And now comes the plaintiff by attorney and moves the Court that this cause be dismissed at his cost, defendant not having answered. And thereupon it is ordered by the Court that this cause be dismissed, that deft. &

Fall Term, Monday, January 14th, 1856.

thence and recover of the plaintiff, Timothy McKeon, all costs of this suit, for which execution may issue.

664	M. C. Hamilton v. C. A. Langhlin, dec'd	Plaintiff Defendants	Debt.	

And now on this day come the parties by their attorneys, and agree that this cause may be dismissed at plaintiffs cost, and move the Court thereto. And thereupon It is ordered, adjudged and decreed by the Court that the foregoing cause be dismissed, that defts. go thence and recover of the plff. M. C. Hamilton, all costs of this suit, for which execution may issue.

678	Horace L. Upshaw v. A. N. Hopkins	Plaintiff Defendant	Certiorari	
679	M. C. Hamilton v. Wm. Bradford, dec'd	Plaintiff Defendants	Venue, &c	
680	Walker Wilson v. George Hancock	Plaintiff Defendant	Certiorari	

It is ordered by the Court that the last preceding three causes be continued until the next term hereof.

681	R. T. Brumrigg v. S. W. Kirkley	Plaintiff Defendant	Certiorari	

It appearing to the Court that the cause of action between the parties has been settled, and the parties agreeing thereto, It is ordered that this cause be dismissed at the cost of S. W. Kirkley. It is therefore ordered that the defendant, S. W. Kirkley, pay all costs in this suit expended, for which execution may issue.

Fall Term, Monday, January 14th 1856.

708 W. A. & W. H. Morris } Plaintiffs
v. } Certiorari
J. A. Bindell, Guardian } Defendant }

And now come the parties and agree that this cause may be dismissed at plaintiffs cost. And thereupon It is ordered, adjudged and decreed by the Court that the plaintiffs W. A. Morris and W. H. Morris, pay all costs in and about this suit expended, for which execution may issue.

711 R. H. Peck & Co. } Plaintiffs
v. } Debt
John H. Conner } Defendant }

And now comes the deft. by attorney, and withdraws his answer filed in this cause. And thereupon it appearing that there is nothing to bar or preclude plaintiffs demand and that the same is liquidated and owing as shown by defendants promissory note produced in Court

It is ordered, adjudged and decreed by the Court that the plaintiffs, R. H. Peck and Edward Tompkins, under their firm name and style of R. H. Peck & Co., have and recover of the defendant, John H. Conner, the sum of two hundred and fifty three dollars and twenty cents, principle debt and interest until paid, and ~~all~~ interest on said sum at the rate of ten per cent. per annum until paid, and all costs in this behalf by them expended, for all which execution may issue.

712 R. H. Peck & Co. } Plaintiff
v. } Debt.
A. B. McGee } Defendant }

And now at this day the Court proceeds to render Judgment against the defendant upon the pleadings and evidence in the cause, and it appearing that the cause of action is liquidated as shown by an instrument of writing called a promissory note, and that defendant makes no defence, it is ordered, adjudged and decreed by the Court that the plaintiffs, R. H. Peck & Co. under their firm name and style of R. H. Peck

Fall Term, Monday, January 14th, 1856.

& Co., have and recover of the defendant, A. B. McGee the sum of One hundred and Sixty Seven dollars and Sixty cents, ($167.60) principal debt and interest made date, with ten per cent. interest on said sum until paid, and all costs in this suit expended for all which execution may issue.

713 R. H. Peck & Co. } Plaintiffs
Roy & Glascock } Defendants } Debt on Note

And now come the plffs. by attorney and claim a Judgment final by default, and it appearing that the defts. have been duly served with process and have failed to answer and that the cause of action is liquidated

It is ordered adjudged and decreed by the Court that the plffs. R. H. Peck and Edward Roy by R, under their firm name and style of R. H. Peck & Co. do have and recover of the defendants, E. S. Roy and Jorge A. Glascock, the sum of Two hundred and ten dollars and twenty five cents, principal debt and interest until paid, with interest on said sum at the rate of ten per cent. per annum until paid, and all cost in this suit expended, for all which execution may issue.

714 R. H Peck & Co } Plaintiffs
v. } Debt.
A. H. Cook } Defendant

And now comes the defendant by attorney and withdraws his answer filed in this cause. And thereupon it appearing to the Court that the cause of action is liquidated as shown by defendant's promissory notes, and that there exists nothing in bar or preclusion of plaintiffs' demand

It is ordered, adjudged and decreed by the Court that the plaintiffs R. H. Peck and Edward Roy by R, under their firm name and style of R. H. Peck & Co. do have and recover of the defendant A. H. Cook, the sum of four hundred and forty four dollars and five cents, with ten per cent. interest on said sum until paid, and all costs of suit, for all which execution may issue.

Hall Term, Monday, January 14th 1856.

716 Richard Wells } Plaintiff } Motion,
Thomas L. Pitt } Defendant }

On motion of the Clerk, it is ordered by the Court that the Plff. enter into bond and security for the cost of this suit on or before the first day of the next term hereof, otherwise the same will be dismissed at his cost, Plff's attorney being present and notified.

808 A. G. Kimbell } Plaintiff } Negroes
v. } }
J. H. Johnson } Defendant }

On motion, It is ordered by the court that the defendant have leave to file an amended answer.

709 Wade A. Morris } Plaintiff } Certiorari
v. } }
Johnson & Keithley } Defendants }

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 Iredell county, to wit: B. A. Stanley and divers others, who being duly elected, empannelled sworn and charged, heard the evidence introduced by the parties, and the argument of counsel, 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 his bill as above mentioned in fifteen dollars. B. A. Stanley, Foreman."

Whereupon, It is ordered, adjudged and decreed by the Court that the said J. H. Johnson and J. M. Keithley under their firm name and style of Johnson & Keithley pay unto W. A. Morris, upon the execution aforesaid, John H. Ferguson and Jno. Boyden, the sum of thirty five dollars found as due by the Jury aforesaid, with legal interest thereon until paid, and all costs in and about this suit expended, for all which execution may issue.

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday morning, January 15th 1856, half past nine o'clock

Fall Term, Tuesday, January 15th 1856

Tuesday, January 15th 1856.

Tuesday Court met at half past nine o'clock, A.M. pursuant to adjournment. Present the same as yesterday. Whereupon the following proceedings were had by said Court as follows, to wit:

And thereupon the Court refused to grant jury trial on special cause, in account of interest; and by consent of the parties in the following cases, Judge Robt S. Lyons presided in the same and made the following orders, as follows, to wit:

622 Samuel S Wains vs Thomas Cassidy et als. } Plaintiff / Defendants } To Foreclose &c

And now at this day came the parties by their respective attorneys, and announced themselves ready to try said cause, and waived their right to try the cause by a Jury, and also waived all exceptions that might be taken to the trial of the same by the Judge of the Second District, and submitted the cause to the Court. And the Court having heard the evidence adduced by the parties, is of opinion that the plaintiff justly established his demand against the said defendant Thomas Cassidy, and that the entire property mortgaged is liable for the payment thereof. It is therefore ordered and adjudged that the said plaintiff recover of the said defendant Thomas Cassidy the sum of two hundred and twenty dollars ($220.00) with interest thereon at the rate of twelve per cent. per annum from the date hereof until paid, and all his costs in this behalf expended, and that the mortgage to secure the payment thereof be and the same is hereby foreclosed, and the equity of redemption of the mortgagor perpetually barred and the same is hereby barred and taken away.

And it is further ordered, adjudged and decreed that an order of sale be issued to the Sheriff of Travis county, directing and commanding him to sell the following property, which was mortgaged to secure the payment of the debt upon which this judgment is rendered, viz: Lot Number Twenty in Block Number Twenty Four fronting on Congress Avenue in the City of Austin, and County of Travis, originally patented to Samuel Whiting, and also twenty six feet adjoining the above, the said twenty six feet being a part of lot number five in said block number number Twenty

Fall Term, Tuesday, January 15th 1856.

running back and fronting twenty six feet on the alley that divides said block, and having the same amount of front on said avenue; and also all the improvements, rights, members, hereditaments and appurtenances to the said lot and the said twenty six feet belonging or in any wise incident or appertaining; and it is further ordered that if the proceeds of such sale be insufficient to pay the judgment and costs, further execution shall be issued against the said Thomas Cassidy for such balance as shall remain unpaid. It is further ordered that no order of sale execution shall be issued on said Judgment before the first day of June, 1856.

✓ 453. John Wahrenberger } Plaintiff
Dillet & Bickner } Defendants } Segregation

It is ordered by the Court that the forgoing cause be continued at the affidavit of defendant.

✓ 726 Ellen Neal } Plaintiff
A. M. Weirdon } Defendant } Damages

It is ordered by the Court that the forgoing cause be continued generally

✓ 775 R. F. Bennigg } Plaintiff
John Woodford et. al. } Defendants } Debt

It is ordered by the court that alias citation issue to Stay's county in this cause for John Woodford and that the same be continued

✓ 780 Chas S. Cook } Plaintiff
J. M. Austin } Defendant } Debt

It is ordered by the Court that the defendant have time to answer

✓ 791 W. M. & Booth } Plaintiff
N. L. Nelson et. al. } Defendants } Same

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

Fall Term, Tuesday, January 15th 1856.

8214 Wilson Dean } Plaintiff
v. } Debt.
B. H. Pachal } Defendant

And now comes the defendant and
agrees that Judgment may be rendered against
him, making his defence in bar of plaintiffs demand. And thereupon it is ordered,
adjudged and decreed by the Court that the plff.
Wilson Dean have and recover of the defendant,
Benjn H. Pachal, the sum of one hundred and
sixty one dollars and thirty seven cents, with legal
interest on the same until paid, and all costs of
suit, for all which execution may issue.

4154 Jno. M. Dobson's Heirs } Plaintiffs
v. } Petition in Attachment
Joseph M. Robertson } Defendant

And now at this term come the parties
by their attorneys, and by agreement, it is ordered, ad-
judged and decreed that the plaintiffs recover of the
defendant the property described in the petition
viz: the north half of lot number two (2) in
Block Number Sixty five (65) fronting on Congress Avenue
in the City of Austin and the improvements thereon.
Also, that they recover the rents and profits accrued from
the use of said property and due to the defendant from
the use thereof.

And in order to ascertain the amount
of rents, William P. De Normandie is appointed
Auditor to state an account, showing first the just
amount of rents.
2. The amount of the balance of the Judgment
of Dunn vs. Dobson's administrators after deducting
all payments
3. The fair expenses of administering and taking
care of the property, allowing one hundred and fifty
dollars, counsel fee, for it
And that he state his account at
this term of the Court.)

R. J. Townes.

Fall Term, Tuesday, January 15th 1856.

And thereupon the Special Court having disposed of the business brought up, the Hon. Thos. H. Wood, Judge of the Second Judicial District resumed the bench and presided. Whereupon the following proceedings were had, as follows, to wit:

710 ✓ Joseph Warnslow } Plaintiff
v.
M. T. Caperton, et.als. } Defendants } Debt on Note.

And now on this day comes the plaintiff in the above entitled cause by his attorneys, and suggests the death of defendant, A. W. Caperton, and dismisses as to said defendant. And it appearing to the satisfaction of the Court that the defendant, M. T. Caperton, has failed to appear within the time prescribed by law and file his answer, but already made default. It is therefore ordered, adjudged and decreed by the Court, that the plaintiff, Joseph Warnslow, have and recover of and from the defendant, M. T. Caperton, the sum of three hundred and four dollars and fifty seven cents, his principal debt and interest up to the rendition of this Judgment, together 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.

547 John Morshall } Plaintiff
v.
Joseph W. Warnslow } Defendant. } Injunction.

It is ordered by the Court that the foregoing cause be continued as upon affidavit of plaintiff.

629 ✓ Thomas J. Perryman } Plaintiff
v.
J. J. Fairchild, et.al. } Defendants } Debt on Note

And now come the parties and waiving a jury, submitted the cause to the Court, And upon the pleadings and evidence in the case the Court proceeds to render judgment for plaintiff. And thereupon it is ordered, adjudged and decreed by the Court, that the plaintiff, Thomas J. Perryman, do have and recover of the defendants, James J. Fairchild and John M. Fairchild the sum of fifteen hundred and eighty four dollars and eighty two cents, with interest at twelve percent. per annum on the same until paid, and all costs in this suit by plaintiff expended, for all which execution may issue.

Fall Term, Tuesday, January 15th 1856

660	David L. Crass v. Roy & Co	Plaintiff / Defendants	Def.

It is ordered by the Court that the defendants have leave to answer, subject to terms.

707	L. Tillman v. L. Mohr	Plaintiff / Defendant	Def.

And now on this day came the parties by attorney and announced themselves ready for trial, whereupon came a Jury of good and lawful men of this county, to wit: J. M. Graham and eleven others, who being duly elected, empannelled sworn and charged, heard the evidence and argument of counsel, 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 the sum of one hundred and forty six dollars with interest and cost up to the time when a legal tender was made. J. M. Graham, Foreman."

Whereupon It is ordered, adjudged and decreed by the Court that the plaintiff L. Tillman recover of the defendant, L. Mohr, the sum of one hundred and forty six dollars, amount found to be due by the Jury aforesaid, with legal interest on the same until paid, and all costs of this suit for all which execution may issue.

716	Richard Wells v. Thomas J. Pitt	Plaintiff / Defendant	Negro.

It is ordered by the Court that this cause be continued

717	D. S. Bruce & Co v. A. G. Compton	Plaintiffs / Defendant	Debt
718	D. S. Bruce & Co. v. A. G. Compton	Plaintiffs / Defendant	Debt

It is ordered by the Court that the foregoing two causes be continued upon affidavit of defendant

Fall Term, Tuesday, January 15th 1856.

719 Lewis Ransdell } Plaintiffs
Thos C. Collins } Defendant } Land Certificate

It is ordered by the Court that this cause be continued, as upon application of Plffs by affidavit.

720 N. D. Cardwell } Plaintiff
A. N. Staphins, et al } Defendants } Debt on Note

It is ordered by the Court that the plaintiff enter into bond and security for the costs of this suit on or before the first day of the next term hereof, otherwise the same will be dismissed at his cost.

727 Hamilton, Chandler & Co } Plaintiffs
George Pomeroy } Defendant } Debt.

It is ordered by the Court that this cause be continued, being a suit brought by citation by publication.

734 J. J. Cleveland } Plaintiff
John R. McCall } Defendant } Certiorari

It is ordered by the Court that the clerk of this Court issue a writ of Certiorari to J. J. Evans, Justice of the Peace, for a more perfect record in this cause.

735 Christian Wechlin } Plaintiff
Peter Frank } Defendant } Debt

It appearing to the Court that this suit was brought by publication, It is ordered that the same be continued

737 Chandler & McFadden } Plaintiffs
John L. Truitt } Defendant } Debt.

It is ordered by the Court that the foregoing cause be continued generally.

Fall Term. Tuesday, January 15th 1856

738.	Chandler & McFarland vs Augustus Fore	Plaintiffs Defendant	Debt

It is ordered by the Court that the plaintiffs have leave to file an amended petition subject to exception

739.	K. C. Freeman, Jr. et al vs William L. O'Bleness	Plaintiffs Defendant	Debt.

It is ordered by the Court that this cause be continued, the same having been brought by publication

740	Davis O'Brien vs A. B. Compton	Plaintiff Defendant	Certiorari

And now comes the plaintiff and moves the Court, by motion filed, to dismiss the certiorari granted in this cause, And the Court considering the same, Doth order that the petition for certiorari of defendant be dismissed, and that the said plaintiff recover of the said A. B. Compton and his sureties, C. B. Duncan and Thomas Freeman the sum of twenty dollars, principal with ten per cent. damages in said sum, and eight per cent. interest from the 4th day of June 1855, the date of the rendition of the Judgment in the magistrates Court, until the Judgment is satisfied, together with all costs of this suit, for all which execution may issue.

741	Dunn & Cole vs R. N. & N. T. Foreland	Plaintiff Defendants	Negro

It is ordered by the Court that this cause be continued as upon consent of parties

743.	N. A. Finch vs R. N. Allen	Plaintiff Defendant	Debt on Note

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

Fall Term, Tuesday, January 15th 1856.

7751 Morgan L. Smith } Plaintiff } Judgment
Nath. Townsend } Defendant }
It is ordered by the Court that the defendant have leave to file an amended answer subject to exception

7752. W. C. & R. R. Duncan } Plaintiffs } Debt on Note.
Grass & Beal } Defendants }
It is ordered by the Court that this cause be continued

7754 Susannah Smith } Plaintiff } Divorce
Adolph Smith } Defendant }
It is ordered by the Court that this cause be continued, the same having been brought to the present term by publication.

7758. J. M. Pelham } Plaintiff } Debt.
C. C. Watson et ux } Defendants }
It is ordered by the Court that this cause be continued

7761 Silas Miller } Plaintiff } Debt on Note
C. A. Laughlin } Defendant }
It is ordered by the Court that the defendant have leave to file an amended answer subject to exception

7798 Payne & Gunnells } Plaintiffs } Debt
Roy & Company } Defendants }
It is ordered by the Court that the defendants have leave to answer subject to such terms as may be imposed by the Court

8214 C. C. & A. D. McGuire } Plaintiffs } Mandamus
Horace E. Upshur } Defendant }
And now comes the Plffs by attorney

Fall Term, Tuesday, January 15th, 1856.

and move the Court to dismiss this cause, And thereupon It is ordered by the Court that this suit be dismissed, that the Defendant go hence and recover of the Plff. & A. McGinnis and A. D. McGinnis all costs of this suit, for which execution may issue

634 C. M. Rose, Jr. } Plaintiff
v. } Debt.
F. Dietrich, Admr. } Defendants

It is ordered by the Court that the Defendants have leave to amend their pleadings upon the payment of all costs that have accrued to this date

And thereupon It is further ordered by the Court, upon motion, that the Plffs. have leave to amend, subject to such terms as may be imposed.

838. John B. Costa, Ch. Jno. } Plaintiff
v. } Debt
F. Dietrich, Admr. } Defendants

It is ordered by the Court that the Defendants have leave to amend upon payment of all costs that have accrued in this cause up to this date

And Thereupon It is ordered by the Court That the Plaintiff have leave to amend subject to terms

597 Thomas Adams } Plaintiff
v. }
Rebecca C. Spear & }
Thomas P. Scallion } Defendants
Admrs of Miriam Scallion Dec }

In this case appeared the parties plaintiff and Defendants by their Attorneys, and by agreement of parties, the Injunction is hereby dissolved, and by agreement of parties of the parties, the defendants Rebecca C. Spear and Thomas P. Scallion Administrator of Miriam Scallion, decd. are to have Judgment against the Plaintiff Thomas C. Adams for the full amount of the original Judgment and costs upon which the Injunction was granted.

Fall Term, Tuesday, January 13th 1835.

It is therefore ordered, adjudged and Decreed by the Court that the Defendants Rebecca C. Peddicord Spear and Thomas P. Scallion Administrator of Miram Scallion Dec'd. do have and recover of and from the Plaintiff Thomas Adams, the sum of Four hundred and twenty five 1/100 Dollars, for their principal debt and interest up to this date, with interest at the rate of eight per cent. per annum until paid, and the sum of Sixteen 83/100 - Dollars, costs in the original suit and all costs of this suit in this behalf expended, for all which Execution may issue.

733 ✓

Morgan C. Hamilton } Plaintiff
vs. } Judgment.
Nathaniel C. Raymond and James D. Easton } Defendants

And now on this day come the parties to this suit by their Attorneys, and waived the intervention of a Jury, and submitted the matters in issue in said cause to the Judgment of the Court. And it appearing to the satisfaction of the Court that the Defendants Nathaniel C. Raymond as principal, and James D. Easton as Endorser are justly indebted to the said Plaintiff Morgan C. Hamilton in the sum of Four Hundred and Thirty Six Dollars and Seventy four cents, as principal and intelest.

It is therefore Ordered, adjudged and decreed by the Court that said Plaintiff Morgan C. Hamilton, do have and recover of and from the said Defendants Nathaniel C. Raymond as principal and James D. Easton as Endorse, the sum of Four hundred and Thirty Six Dollars and Seventy four cents, as principal and interest up to the rendition of this Judgment together with interest upon the same of two hundred and Eighty Dollars and Sixty cents of said amount, at the rate of eight per centum per Annum until paid. And interest on the sum of one hundred and fifty Six Dollars and fourteen cents being the balance of said sum of four hundred and thirty six dollars and Seventy four cents, at the rate of ten per centum per annum until paid, and also that said Plaintiff have and recover of said Defendants all the costs in this behalf expended, for all which execution may issue.

Fall Term, Tuesday, January 15th 1856

759. Thomas W. House, Plaintiff
vs.
Samuel G. Haynie, Abner H. Cook & Nathaniel C. Raymond, Defendants
} Judgment

And now on this day comes the parties to the above stated cause by their Attorneys and waive a Jury and submits said cause to the Court, and it appearing to the satisfaction of the Court, that the Defendants Samuel G. Haynie, Abner H. Cook and Nathaniel C. Raymond are justly indebted to the Plaintiff Thomas W. House in the sum of Four Thousand, Nine Hundred and fifty two Dollars and Sixty seven cents, principal debt and interest.

It is therefore ordered, adjudged and decreed by the Court that the said Plaintiff Thomas W. House have and recover of and from the said Defendants Samuel G. Haynie, Abner H. Cook and Nathaniel C. Raymond the sum of Four Thousand, Nine hundred and fifty two Dollars and Sixty seven cents principal debt and interest up to the rendition of this judgment, together with interest thereon at the rate of eight per Cent per annum until paid, and all costs in this behalf extended, for all which Execution may issue.

623. Fielding S. Roy, Plaintiff
vs.
Leander Brown, Defendant
} Debt on Note

623 Leander Brown, Plaintiff
vs. Cross bill
Fielding S. Roy, Defendant
} Debt on Note

And now come the parties and agree that the foregoing cause may be dismissed according to agreement filed. And thereupon It is ordered, adjudged and decreed by the Court that the said Leander Brown recover of the said F. S. Roy all the cost of the aforesaid suit, for which execution may issue; and that the said F. S. Roy recover of the said Leander Brown all of the cost of the cross cause in this cause, for all which execution may issue.

And thereupon It is ordered by the Court that Court do now adjourn until Thursday, January 16th 1856, upon good cause

Fall Term, Wednesday, January 16th 1856.

Wednesday, January 16th 1856.

Court met at half past 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:

643 — George W. White vs Case and Payne — Plaintiff / Defendants — Damages

It is ordered by the Court that the foregoing cause be continued generally

632 — N. D. Blakey vs T. S. Roy — Plaintiff / Defendant — Debt on Acc

It is ordered by the Court that the above cause be continued as upon the affidavit of plaintiff.

660 — David L. Leap vs T. S. Roy Her — Plaintiff / Defendants — Debt on Acc

And now on this day came the parties by their attorneys, and the defendants plaintiff having to prosecute his suit It is ordered by the Court that Judgment of non suit be entered against plaintiff. And thereupon it is ordered adjudged and decreed by the Court, that the plaintiff, David L. Leap, take nothing by his suit, and that the defendants recover of the said plaintiff, David L. Leap, all costs of this suit, for which execution may issue.

665 — Moore & Barnett vs Western Stage Comy — Plaintiffs / Defendants — Debt on Note

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

669 — James Lamb vs I. H. Mathews — Plaintiff / Defendant — Ant Lot.

It is ordered by the Court that the foregoing cause be continued as upon consent of parties.

Full Term. Wednesday, January 15th 1856.

762 R. D. McAnelly } Plaintiff
vs } Judgment
S. Douglas Brown } Defendant

And now in this case comes the parties by their Attorneys and waive a Jury and submits said cause to the Court and it appearing to the satisfaction of the Court that the Defendant S. Douglas Brown is justly indebted to the Plaintiff Robert D. McAnelly, administrator of the Estate of Cornelius McAnelly dec'd. in the sum of Three Hundred and Seventy Dollars and Eighty five cents, principal debt and interest.

It is therefore ordered, adjudged and decreed by the Court, that the said Plaintiff Robert D. McAnelly administrator of the Estate of Cornelius McAnelly deceased, have and recover of and from the Defendant S. Douglas Brown the sum of Three Hundred and Seventy Dollars and eighty five cents principal debt and interest up to the rendition of this Judgment, together with interest thereon, at the rate of Eight per cent per annum until paid, and all costs in this behalf expended, for all which Execution may issue.

725 Warren Matchee } Plaintiffs
v. } Attachment.
Walter W. Stutt } Defendant

It is ordered by the Court that the foregoing cause be continued

729 George Hancock } Plaintiff
v. } Debt on Note
James G. Swisher } Defendant

And now comes the defendant by attorney and withdraws the plea filed in this cause and thereupon the Court considering the cause, and defendant saying nothing in bar or preclusion of plaintiffs demand, doth find for the said Plff. And thereupon it is ordered adjudged and decreed by the Court that the plaintiff, George Hancock, do have and recover of the Defendant James G. Swisher the sum of two thousand and forty three 43/100 Dollars ($2043.43) principal debt and interest to date, with twelve per cent. interest on said sum from date adjudged, and all costs, for all which execution may issue.

& acknowledge satisfaction in full of the judgment in the case of George Hancock vs James G. Swisher No. 729. George Hancock by Carter & Bowden Attys.

Fall Term, Wednesday, Jany 16th 1856.

732 Louis Stuart } Plaintiff } Certiorari
Dennis Welch } Defendant }

And now at this day came the parties to this cause 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. M. Bickham and three others who being duly elected, impannelled sworn and charged by the Court, and having the evidence adduced and the argument thereon, withdrawn and rendered in Court the following verdict, to wit: "We the Jury find for the defendant one dollar and forty nine cents this the 16th June 1856 J. M. Bickham Foreman."

Whereupon It is ordered adjudged and decreed by the Court, that the defendant Dennis Welch recover of the plaintiff, Louis Stuart, the sum of one dollar and forty nine cents, and all costs in the Magistrate's and this Court, for which execution may issue.

733 A. M. & M. C. Burdett } Plaintiffs } Debt on Note
James E. Swisher } Defendant }

And now comes the defendant by attorney and withdraws the plea filed in this cause and agrees that Judgment may be rendered by default. And the Court considering the cause, find for the plaintiffs. And thereupon It is ordered adjudged and decreed by the Court that the plaintiffs recover of the defendant, James E. Swisher, the sum of One hundred and forty one dollars and forty cents, amount of principal debt and interest to date, with ten per cent. interest on said sum from this date until paid, and all costs of this suit, for all which execution may issue.

738. Chandler McFarland } Plaintiffs } Debt.
Augustus Fore } Defendant }

It is ordered by the Court that the foregoing cause be continued

Fall Term, Wednesday, January 16th 1856.

7 44 Enoch Otway } Plaintiff
S. B. Collins } Defendant } Debt on Note

And now comes the plaintiff by attorney and claims a Judgment by default And it appearing to the Court that the defendant makes no defence and that he is justly indebted to plaintiff in the amount claimed to be due in his petition as shown by his promissory note now on file, It is adjudged, adjudged and decreed by the Court that the plff. Enoch Otway recover of the defendant, S. B Collins, the Sum of Four Hundred and forty nine dollars and forty nine cents ($449.49) principal debt and interest to date, and all costs eight per cent. interest on said sum from this date until paid and all costs of suit, for all which execution may issue

7 45 Francis T. Duffau } Plaintiff
v. } Debt on Note
Henry P. Brewster } Defendant

And now come the parties, and waiving a Jury, submit the cause to the Court. And the Court considering the pleadings and evidence in the cause proceed to render Judgment for the plaintiff

And thereupon It is ordered, adjudged and decreed by the Court that the plaintiff, Francis T. Duffau, recover of the defendant Henry P. Brewster, the Sum of One Hundred and thirty four dollars and seventy four cents ($134.74) with interest on said sum at the rate of ten per centum per annum from this date until paid, and all costs of this suit, for all which execution may issue

7 47 James Cramer } Plaintiff
v. } Debt on Note
Wm. R. Baughman } Defendant

And now comes the plaintiff by attorney and claims a Judgment by default. And the Court considering that deft. has been duly summoned and has failed to file any defence to plff's petition and that the cause of action is liquidated

Fall Term, Wednesday, January 16th 1856.

It is adjudged adjudged and decreed by the Court that the plaintiff James Heaney have and recover of the defendant, William R. Bandeman the sum of two hundred and Seventeen dollars principal debt and interest to date, with eight per cent interest on said sum from date until paid, and all costs of this suit, for all which execution may issue.

7 50 | D. S. & W. B. Bader | Plaintiffs | Debt on Ac
| William Fowler | Defendant |

And now on this day came the parties by their attorneys and agreed that this cause may be dismissed at their mutual cost. And thereupon It is ordered adjudged and decreed by the Court that the plaintiffs recover of the defendant William Fowler one half of the costs of this suit, for which execution may issue.

And it is further ordered by the Court that the one half of the costs of this suit may be certified to the Probate Court of Travis county as a just and valid claim against the estate of Isaac Bader, Sr. deed to be paid by the administrators of said estate in due course of administration

7 66 | A. S. Emery | Plaintiff | Debt on Note
| Cassidy & Finnin | Defendants |

It is ordered by the Court that the defendants have leave to amend on terms that may be imposed by the Court.

1 770 | D. Vardeman | Plaintiff | Debt on Note
| W. B. & W. McGehee | Defendants |

It is ordered by the Court that the above causes be continued for service on the defendants Reynolds and McGehee

And Thereupon It is ordered by the Court That Court do now adjourn until Thursday January 17th 1856. 9 o'clock A. M.

Fall Term, Thursday, January 17th 1856

Thursday, January 17th 1856.

Court met at half past 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:

7 55 G. W. Holden } Plaintiff
Isaiah Fisk } Defendant } Debt.

And now on this Day come the parties, plaintiff and defendant by their attorneys and announced themselves ready for trial. And thereupon came a Jury of good and lawful men of Travis county, to wit: S. M. Swisher and eleven others, who being duly tried, empannelled and Sworn as the law directs, and after hearing the evidence adduced by the parties, the argument 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 the amount of the note sued on this the 17th Jan'y 56. S. M. Swisher, Foreman."

It is therefore ordered, adjudged and decreed by the Court that the plaintiff G. W. Holden, do have and recover of and from the Defendant Isaiah Fisk the sum of one hundred and five Dollars and Sixty six cents, the principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum from this date until paid, together with all costs in this behalf expended, for all which executions may issue.

5 15 Spencer & Freeman } Plaintiffs
Asa S. T. Hoadley } Defendants } Debt.

And now on this Day come the parties by their attorneys, and waive a Jury and submit the cause to the Court. And the Court having heard the evidence and argument of counsel, It is Therefore considered by the Court that the plaintiffs, John S. Spencer and Thomas Freeman, have nothing

Fall Term, Thursday, January 17th 1856.

by their bill or petition, and that said Defendant Ann F. F. Wooldridge, owner of them do costs in this behalf expended, for which execution may issue.

7 34 / John F. Cleveland } Plaintiff
John R. McLean } Defendant } Certiorari

In this cause appeared the parties by their attorneys, and it appearing to the Court that this case had been wrongly docketed, that it should have been docketed in the name of John R. McLean v. John F. Cleveland instead of John F. Cleveland v. John R. McLean, It is therefore ordered that said cause be hereafter docketed in the name of John R. McLean v. John F. Cleveland.

7 34. John R. McLean } Plaintiff
John F. Cleveland } Defendant } Certiorari

In this cause come the parties by their attorneys and announced themselves ready for trial, and waiving a Jury submitted the matters in controversy to the Court. It is therefore ordered, adjudged and decreed by the Court that the plaintiff, John R. McLean, take nothing by this suit, that the Defendant, John F. Cleveland, go hence without day, and recover of and from the plaintiff, John R. McLean all the costs of this suit, in this behalf expended, for which execution may issue.

592 D. H. Field } Plaintiff
v. } Motions
Williams and Heo } Defendants

It is ordered by the Court that the motions to set aside the Judgment heretofore rendered in this cause and for a new trial be severed, and thereupon the defendants, in open Court, gave notice of an appeal to the Supreme Court

And thereupon It is ordered by the Court that the last preceding order be set aside and held for naught.

Fall Term, Thursday, January 17th 1856.

660 David L. Crop } Plaintiff } Bff
vs.
Roy, Watson & Watson } Defendants

And now on this day came the parties by their attorneys and the said Plaintiff, by attorney submits his motion to set aside the Nonsuit taken in said cause on a previous Day of the Term and reinstate the same upon the docket of the Court. And it appearing to the Court that sufficient grounds are shown for the reinstatement of said cause, It is ordered by the Court that the same be reinstated, and that the Plaintiff, David L. Crop, pay all the costs which have accrued in said cause up to the present time. It is therefore ordered, adjudged and decreed by the Court that the said defendants, The Roy, Dec'd. & Watson and Wm. M. Watson, do have and recover of and from said Plaintiff, David L. Crop, all the costs which have accrued in this cause up to the time of the reinstatement of the same, for which execution may issue.

763. Reid, Sprague & Co. } Plaintiffs
vs.
Geo. W. Glascock } Defendant } Debt on Note

In this case come the parties plaintiffs and defendant by their attorneys, and the defendant withdrawing his plea and answer, the parties submitted the cause to the Court. And it appearing to the satisfaction of the Court that there is nothing in bar or preclusion of plaintiffs' demand — It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, Aaron E. Reid, Joseph A. Sprague, John B. Bogert and James I. Tracy, do have and recover of and from the defendant, George W. Glascock, the sum of five hundred and seventy four dollars and forty one cents, principal debt and interest up to the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum until paid, together with all costs in this behalf expended, for all which execution may issue.

Fall Term, Thursday, January 17, 1856.

765 Reid, Sprague & Co. } Plaintiffs. } Debt.
v.
C. A. Langhlin & Geo. W. Glasscock } Defendants

In this cause appeared the parties, plaintiffs and defendants, by their attorneys, and the defendants withdrew their pleas and answers in this cause. And it appearing to the Court that there is nothing in bar of the plaintiffs' demand,

It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, Aaron S. Reid, Joseph A. Sprague, John B. Bogert and James T. Tracy, under their firm name and style of Reid Sprague & Co. do have and recover of and from the defendants, C. A. Langhlin and George W. Glasscock, the sum of seven hundred and twenty one dollars, principal debt and interest up to the rendition of this Judgment 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.

746. Bird D. Kendrick, Admr. dec'd } Plaintiffs } Mandamus.
v.
James M. Swisher, Auditor & James B. Shaw, Comptroller } Defendants

And now on this day comes the plaintiff by his attorney, and the defendants being solemnly called, came not, but made default. And it appearing to the satisfaction of the Court here that the defendants have failed to make any answer or return to the plaintiff's petition for mandamus nor to withstanding they were duly and lawfully notified and summoned to do so. And it also appearing to the Court that there is due to the plaintiff, as administrator, the sum of eight hundred and forty eight dollars and ninety cents, which has been duly audited and allowed ever since the eleventh day of July, A.D. 1836, eighteen hundred and thirty six, as by exhibits to said petition appears, which said sum, together with interest at the rate of eight per cent. per annum ought to be audited and allowed

It is therefore ordered, adjudged and decreed by

Fall Term, Thursday, January 17th 1856.

the Court here that the said defendants audit and allow the said claim: for the said sum and interest thereon at the rate of eight per cent. per annum from the said eleventh day of July, eighteen hundred and thirty six, and issue to said plaintiff a certificate for said sum. It is further ordered, adjudged and decreed that the clerk issue a peremptory Mandamus to said defendants, embodying this Decree.

It is further ordered that pay all costs of this suit, for which execution may issue.

19 C. S. C. Robertson, admr } Plaintiff
v. } Injunction.
James B. Shaw, Compr. } Defendant

It is ordered by the Court, on motion of plaintiff, that the aforegoing cause be dismissed, and that defendant recover of the said plaintiff, all costs, for which execution may issue.

4214. Nathl. Townsend } Plaintiff
v. } Damages
Stalman & De Frate } Defendants

It is ordered by the Court that this cause be continued as upon affidavit of defendant.

683. The State of Texas } Plaintiff
v. } Scire facias
Theophilus Anderson } Defendant

684 The State of Texas } Plaintiff
v. } Scire facias
A. B. Burleson } Defendant

685 The State of Texas } Plaintiff
v. } Scire facias
A. B. Burleson } Defendant

688 The State of Texas } Plaintiff
v. } Scire facias
A. B. Burleson } Defendant

689 The State of Texas } Plaintiff
v. } Scire facias
A. B. Burleson } Defendant

Fall Term, Thursday, January 17th 1856.

690	The State of Texas v. A. B. Burleson	Plaintiff Defendant	Scire Facias.
692	The State of Texas v. Augustus B. Slaughter	Plaintiff Defendant	Scire Facias
695	The State of Texas v. J. W. Prestige	Plaintiff Defendant	Scire Facias
700	The State of Texas v. James S. Sullen, et al.	Plaintiff Defendants	Scire Facias
701	The State of Texas v. John Horan, et. als	Plaintiff Defendants	Scire Facias
702	The State of Texas v. John Horan, et. al	Plaintiff Defendants	Scire Facias
703	The State of Texas v. John Horan, et al.	Plaintiff Defendants	Scire Facias

And now on this day comes the District Attorney and moves the Court that each of the foregoing causes may be dismissed at the cost of the defendants respectively therein named. Parties agreeing thereto. And thereupon It is ordered, adjudged and decreed by the Court, that the said Judgments nisi at the term thereof rendered against said defendants be set aside and held for naught, and that the said State of Texas have and recover of the said defendants and each of them, all of the costs of the suits in which their names appear as defendants, for which execution may issue.

Fall Term, Thursday, January 17th 1856.

686	The State of Texas v. N. Straughorn	Plaintiff Defendant	Scire facias
687	The State of Texas v. S. Lockwood	Plaintiff Defendant	Scire facias
691	The State of Texas v. Wm Dinsmore	Plaintiff Defendant	Scire facias
693	The State of Texas v. Christian Adams	Plaintiff Defendant	Scire facias
694	The State of Texas v. Adline Warren	Plaintiff Defendant	Scire facias

It is ordered by the Court that the foregoing causes be dismissed from the Docket

696	The State of Texas v. Henry Vines.	Plaintiff Defendant	Scire facias

It appearing to the Court that at a former term hereof Judgment nisi was rendered against the defendant as a defaulting witness, and that he has been duly served by writ of Scire facias read to appear and show cause why said Judgment nisi should not be made final and it further appearing that the said defendant has wholly failed to appear, and wholly made default, It is ordered adjudged and decreed by the Court that said Judgment nisi be made final, and that the said State of Texas recover of the defendant, Henry Vines, the sum of twenty five dollars judgment nisi as aforesaid, and all costs in this cause expended, for all which execution may issue.

Fall Term, Thursday, January 17th 1856.

698 The State of Texas } Plaintiff
v. } Scire Facias.
W. G. W. Powers, et. al. } Defendants

In this cause comes the District Attorney and asks a Judgment against the defendants. And it appearing to the satisfaction of the Court that on the 14th day of May the defendants entered into bond in the sum of three hundred dollars Powers made default in a civil cause and forfeited his bond in said cause wherein The State of Texas was plaintiff and the said Powers was defendant on which forfeiture Judgment nisi was entered up against him and his securities, to wit. A. B. Cantley and A. C. McClure; and the said defendants having acknowledged due and legal service of the writ of Scire Facias issued in this cause, and have filed no answer herein

It is ordered, adjudged and decreed by the Court that the said Judgment nisi be made final, and that the said State of Texas have and recover of and from the said W. G. W. Powers, A. B. Cantley and A. C. McClure the sum of three hundred dollars, the amount of said Judgment nisi, and all costs in this suit expended, for which execution may issue.

699 The State of Texas } Plaintiff
v. } Forfeiture
H. P. Brewster et. al. } Defendants

In this cause, it appearing to the Court that on the 14th May 1855, Judgment nisi was entered against the defendants on a forfeited appearance bond; and it further appearing to the Court that writs of Scire Facias issued to said defendants, commanding them to appear at this term of the Court and show cause why said Judgment nisi should not be made final, and it appearing that said defendants have failed to answer and are in default. It is ordered, adjudged and decreed by the Court that the Judgment nisi be made final and that the said State of Texas have and recover of and from the said H. P. Brewster, J. R. Jackson and L. G. Norvell the sum of one hundred dollars and all costs of this suit, for which execution may issue.

And thereupon It is ordered by the Court that Court do now adjourn until Friday morning, January 18th 1856 half past nine o'clock.

Fall Term, Friday, January 18th 1856.

Friday Morning, January 18th 1856

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

697 The State of Texas } Plaintiff
vs } Scire Facias
William Frasier } Defendant

It is ordered by the Court that the foregoing cause be continued for term

748 W. C. Phillips } Plaintiff
vs } Debt on Note
J. H. Hutchins, Admr. &c. } Defendant

And now comes the Plff. by attorney and dismisses his suit as to the Defendants, J. C. Hamilton J. H. Hutchins, Admr of J. C. Hamilton. And thereupon the Court proceeds to render Judgment against the defendants A. H. Cook and George W. Glasscock upon the pleadings and evidence, the same being submitted to the Court.

And thereupon It is ordered adjudged and decreed by the Court that the plaintiff, W. C. Phillips, have and recover of the defendants A. H. Cook and George W. Glasscock, endorsed, the sum of three hundred and Sixty one dollars and three cents, amount of principal debt and interest to this date with ten per cent. interest on said sum from this date until paid, and also all costs in this behalf expended, for all which execution may issue.

736. G. W. Glasscock } Plaintiff
vs } Certiorari
H. G. Blakey, &c } Defendant

And now come the parties 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: C. W. Hamilton and eleven others, who being duly elected, tried, empannelled and sworn heard the evidence, argument of counsel and charge of Court, and retired and returned into Court the following verdict, to wit: "We, the Jury, find for G. W. Glasscock, thirty one dollars and thirty five cents January the 18th C. W. Hamilton, Foreman."

Fall Term, Friday, January 18th 1856

It is therefore ordered, adjudged and decreed by the Court that the said H. W. Glasscock have and recover of the said H. G. Blakey, surviving partner of the firm of Glasscock & Blakey, the sum of thirty one dollars and thirty five cents, with six per cent. interest on said sum from this date until paid, and all costs of this suit, for which execution may issue.

767 ↓ Abner H. Cook } Plaintiff
John T. Price, Hff. } Defendant } Injunction

It is ordered by the Court that the defendant, Price, have leave to file an amended answer, and that Thomas N Horne be allowed to intervene
and that the same be continued

772 ↓ John A. Green, Admr } Plaintiff
v.
S. Lockhart } Defendant } Debt on Note

And now come the parties by their attorneys, and waiving a Jury submit the cause to the Court. And thereupon the Court overules defendants plea and proceeds to render Judgment against the said defendant. And thereupon it is ordered, adjudged and decreed by the Court that the plaintiff, John A Green, as he is the owner of the defendant, S Lockhart, the sum of three hundred and ninety six dollars and sixty seven cents, principal debt and interest up to this date, with ten per centum interest on said sum from date until paid, and all costs of this suit, for all which execution may issue

787 ↓ S. B. Giles } Plaintiff
v.
Geo. W. Hughes } Defendant } Certiorari.

And now come the parties by attorney and question arising upon petition to dismiss certiorari the Court sustains the said motion. And thereupon it is ordered adjudged and decreed by the Court, that the petition for certiorari be dismissed, and that the said plaintiff, S B Giles recover of the said George W. Hughes and the securities on his certiorari bond, to wit: D. J. Nichols and John H. Connor, all the costs in this behalf expended, for which execution may issue.

Fall Term, Friday, January 18th, 1856.

795 Dolhonde & Trasbeck } Plaintiffs
v. } Debt on Note
L. Monelle } Defendant

And now come the defendant by attorney and withdraws the plea filed in this cause, and agrees that Judgment may be rendered by default. And thereupon It is ordered adjudged and decreed by the Court, that the plaintiffs J. J. B. Dolhonde and A. Trasbeck, under their firm name and style of Dolhonde & Trasbeck, recover of the defendant L. Monelle, the sum of Four hundred and Seventy Dollars and Eighty-five cents, principal debt and interest to this date, with legal interest on the same from date until paid and all costs of suit, for all which execution may issue.

761 Neal Miller } Plaintiff
v. } Debt on Note
C. A. Laughlin } Defendant

And now come the parties and submit the cause to the Court for trial, and thereupon the exception of plaintiff to defendants answer was overruled by the Court. And thereupon from the evidence in the cause and the pleadings, It is adjudged by the Court that the plaintiff Neal Miller, have and recover of the defendant C. A. Laughlin, the sum of One hundred and twelve dollars the amount of his principal debt and interest upto the date of the rendition of this Judgment, with legal interest on the same from this date until paid, and all costs of this suit, for all which execution may issue.

715 W. L. Roberts } Plaintiff
v. } Debt
I. S. Holman } Defendant

And now come the parties by attorney and the demurrer of defendant to plaintiffs petition heretofore filed by the Court and the answer filed to be subject to exception

And thereupon It is ordered by the Court that Court do now adjourn until Monday morning January 21st 1856 half past nine o'clock

Fall Term, Monday, January 21st, 1856.

Monday Morning, January 21st, 1856.

Court met at half past 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:

721 Owen O'Brien } Plaintiff
v. } Debt on Note
A. G. Compton, et als } Defendants

Leave having heretofore been given to the defendant Sawyer to amend his answer upon payment of costs, It is ordered, adjudged and decreed by the Court that execution may issue against the defendant F. P. Sawyer, for the costs of this suit.

And thereupon the Court proceeds to render judgment against the defendant Compton by default, the defendant Sawyer being released from liability on the note sued on in this action And thereupon the Court considering the pleadings and evidence, doth order, adjudge and decree, that the plaintiff, Owen O'Brien, have and recover of the Defendant, A. G. Compton, the sum of eighty one dollars and fifty cents, principal debt and interest to this date, with eight per cent. interest per annum on said sum from this date until paid, and all costs in this behalf expended, for all which execution may issue

744 A. G. Compton } Plaintiff
v. } Certiorari
Owen O'Brien } Defendant

And now again come the parties to this cause by attorneys. And thereupon the Court orders that the Judgment heretofore entered in this cause be set aside and held for naught. And thereupon the argument of counsel on the motion to dismiss the certiorari in this cause was heard whereupon the Court considering the same, doth order and decree that the petition be quashed and that this cause be remanded to the Justices court for execution

And thereupon, It is ordered by the Court that the defendant O'Brien, in favor of the plaintiff, A. G. Compton, and the securities on his certiorari bond, to wit, Thomas Freeman and E. B. Smith, all costs of this suit, for which execution may issue.

Fall Term, Monday, January 21st 1856.

777 — R. H. Peck & Co. } Plaintiff
P. A. Burdett, et al } Defendants } Debt on Note

And now come the parties by attorney and submit this cause for trial to the Court without a Jury. And the Court, upon the pleadings and evidence, proceeds to render Judgment in favor of the Plaintiffs. And thereupon It is ordered, adjudged and decreed by the Court that the Plaintiffs, R. H. Peck and Edward Tenbyck under their firm name and Style of R. H. Peck & Co. do have and recover of the defendants, Paul A. Burdett and Silas A. Burdett the sum of Four hundred and Eighty one dollars and twenty Six cents, amount of principal debt and interest up to this date with interest on said sum at the rate of eight per cent. per annum from this date until paid, and all costs of this suit, for which execution may issue.

Received the within Judgment in favor of R. H. Peck & Co. vs P. A. Burdett et al 21st day Jan'y 1856 W. Pollard Sheriff by [illegible] D.C.

776 — A. J. Hamilton } Plaintiff
v.
Augustus Fore } Defendant } Debt on Note

780 — Orin L. Cook } Plaintiff
v.
I. M. M. Hall } Defendant } Debt on Note

It is ordered by the Court that the two last preceding causes be ~~dismissed~~ continued.

781 — I. D. Giddings } Plaintiff
v.
A. G. Compton } Defendant } Debt on Note

It is ordered by the Court that the foregoing cause be continued

782 — Freeman, Bro. & Co. } Plaintiffs
v.
W. B. McGehee, et al } Defendants } Debt on Note

It is ordered by the Court that this cause be continued for service on the defendant McGehee, and that alias citation issue returnable to the next term of this Court.

Fall Term, Monday, January 21st, 1856.

149 Hattie Lewis } Plaintiff } Sci. Fa.
v.
Edwin Nash } Defendant }

100 E. C. Pool, Exr } Plaintiff } Sci. Fa.
v.
Edwin Nash } Defendant }

It is ordered by the Court that the two last preceding causes be continued and that the plaintiffs enter into bond and security for the costs of these suits on or before the first day of the next term hereof otherwise the same will be dismissed at their cost.

783 George Hancock } Plaintiff } Debt on Note
v.
Milton Perry } Defendant }

And now come the parties by attorney and submit the cause to the Court for trial. And it appearing to the Court that the cause of action is liquidated It is ordered adjudged and decreed by the Court that the plaintiff, George Hancock, have and recover of the defendant, Milton Perry the sum of One hundred and Seventy four dollars and Sixty one cents ($174.61) amount of principal debt and interest to date, with twelve per cent. interest on said sum from date until paid, and all costs of this suit, for all which execution may issue.

788 John Cook } Plaintiff } Debt on Note
v.
John Janey et al } Defendants }

It is ordered by the Court that the foregoing cause be continued

793 F. H. Chandler } Plaintiff } Debt on Note
v.
S. Love et al } Defendants }

794 F. H. Chandler } Plaintiff } Debt on Note
v.
N. W. Burdett, dec'd } Defendants }

Fall Term, Monday, January 21st 1856

776 F. A. Chandler } Plaintiff
v. } Debt
H. H. Burdett, Jr. } Defendant

It is ordered by the Court that the last preceding three cases be continued as upon application of deft. H. H. Burdett by affidavit

819 M. A. Taylor } Plaintiff
v. } Debt on Note
Carlton & McGill } Defendants

And now come the parties by attorney and represent to the Court that the cause of action has been settled between the parties and agree that the cause may be dismissed at defendants cost. And thereupon It is ordered by the Court that this cause be dismissed, that the defendants go hence and recover of the defendant the Plaintiffs moiety of them, to wit: R. A. A. Carlton and A. B. McGill all the costs of this suit for which execution may issue

791 A. B. Shinn } Plaintiff
v. } Debt on Note
B. F. Smith } Defendant

It is ordered by the Court that this cause be continued

784 Martin Moon, Pff. } Plaintiff
v. } Suit on Note
Edward R. Peck } Defendant

And now on this day come the parties by their attorneys, and waiving a jury submitted the cause to the Court, and the Court, after having heard the evidence and argument of counsel, finds in favor of the Plaintiff the sum of three hundred and thirty three dollars, the balance due on the note sued on, for the principal and interest
It is therefore considered by the Court that the said Plaintiff Martin Moon, have and recover of and from the said defendant, Edward R. Peck, the said sum of three hundred and thirty three dollars so found by the Court, together with all of his costs in this behalf expended, for which execution may issue.

Fall Term, Monday, January 21st 1856.

1786 N. E. Rector } Plaintiff
vs.
J. W. Bonner and Dempsey Bonner } Defendants } Debt.

And now on this day come the parties plaintiff and defendants, in the above entitled suit by their attorneys, and announce themselves ready for trial, and having a Jury submitted the cause to the Court. And it appearing to the satisfaction of the Court that the defendant J. W. Bonner, ought not to have been sued in this action but was wrongfully made a defendant herein, it is therefore ordered, adjudged and decreed by the Court that this suit be dismissed as to the defendant J. W. Bonner, and that said defendant J. W. Bonner, do have and recover of and from the plaintiff, N. E. Rector, all the costs which have accrued in this suit by reason of the wrongful suing of the said J. W. Bonner herein, for which execution may issue.

And the Court having heard the evidence adduced by the parties plaintiff, N. E. Rector, and defendant Dempsey Bonner, and the agreement of counsel, and it appearing to the satisfaction of the Court that the said plaintiff is entitled to a Judgment against the said defendant for the Sum of two hundred and thirty four dollars ($234.24) and twenty five cents for principal debt and interest to this date, with eight percent. interest per annum from this date until the same is paid, and also the all costs in this behalf expended as between the plaintiff and the defendant, Dempsey Bonner

It is therefore ordered, adjudged and decreed by the Court that the said plaintiff, Nelson E. Rector, do have and recover of and from the defendant Dempsey Bonner, the said Sum of two hundred and thirty four dollars and twenty five cents, and eight per cent. interest per annum thereon from the date of the rendition of this Judgment until the final satisfaction of the Same, and also all costs in this behalf expended as aforesaid for all which execution may issue.

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday Morning, January 22nd 1856, at half past nine o'clock.

Fall Term Tuesday Jany 22nd 1856

Tuesday January 22nd 1856. Court met at half past 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:

Declaration of Intention to become a Citizen

The State of Texas }
County of Travis } George Seaborn Simcox being 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 twenty eight in the Kingdom of Great Britain, whence he emigrated in the year 1850 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 his bona fide his intention to become 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 Queen of Great Britain of whom he is a subject

George G. Simcox

Sworn to and Subscribed in open Court, this the 22nd day of Jany A.D. 1856. Frank Brown Clerk of said District Court

Declaration of Intention to become a Citizen

The State of Texas }
County of Travis } Michael Rathke being 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 twenty seven in the Kingdom of Russia whence he emigrated in the year 1852 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 and of the said State of Texas and renounce forever all allegiance and fidelity to

Fall Term Tuesday Jany 22nd 1856

every Foreign Prince Potentate State or Sovereignty whatsoever and particularly to the King of Russia of whom he was late a subject

Michael Ratzke

Sworn to and Subscribed in open Court this the 21st day of Jany A.D. 1856

Frank Brown
Clerk of said District Court

741 Hannah B. Shaw } Plaintiff
W. J. Smith } Defendant } Debt

And now come into open Court the parties, plaintiff and defendant, to this cause by their attorneys and agree that the Court may render Judgment in favor of the Defendant for the sum of Three hundred and Twenty Nine Dollars and Thirty cents ($329.30) And thereupon the attorney of the plaintiff suggests to the Court the marriage of the plaintiff with one Sidney Alonzo H. Mays. And Thereupon the Court doth set aside the continuance heretofore ordered in this cause by consent of the parties

Whereupon It is ordered by the Court that the plaintiff Hannah B. Mays, do have and recover of the defendant, W. J. Smith the sum of three hundred and twenty nine 30/100 Dollars, and all costs of this suit, for which execution may issue.

718 Payne & Grimales } Plaintiffs
Roy & Company } Defendants } Debt on Acc.

And now come the parties plaintiffs and Defendants; and the defendants, George S. and William H. Wharton move the Court to strike from the defendant F. L. Roy, which said motion the Court refused. And Thereupon the Court allowed the defendants to amend answer on payment of the costs of said amendment. And Thereupon the parties having announced themselves ready for trial, proceeded to the trial of the same, And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: J. M. Swisher and

Fall Term, Thursday, July 22d 1858

dexter others who being duly elected, tried, empannelled, sworn and charged, after hearing the evidence and argument thereon, 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 two Hundred and fifty dollars forty cts. this the 21st of July, 1858. E. H. Graham Foreman"

Whereupon It is ordered, adjudged and decreed by the Court the Plaintiffs Jas. S. Payne and John D. Tomaly, under their firm name and Style of Payne & Tomaly have and recover of the Defendants, F. T. Roy, Jorge S. Walton and William M. Walton, under their firm name and style of F. T. Roy & Co. the sum of Two Hundred and Fifty Dollars and Forty cents, as found by the Jury aforesaid, and all their costs in this behalf expended, for which execution may issue.

799 W. B. & S. H. Burden, Admrs } Plaintiffs
Ashford B. McGee } Defendant } Suit on Note

And now on this day come the parties by attorney and submit this cause for trial & the Judgment of the Court. And thereupon the parties Court considering the pleadings and evidence both find for the Plffs. And thereupon It is ordered, adjudged and decreed by the Court, that the Plffs. Silas H. Burden and Alcinia B. Burden, Admrs of the estate of Jesse Burden, deceased, the sum of Four hundred and thirty eight dollars and fifty five cents, principal debt and interest on the note sued on in this case, and twelve per cent. interest on said sum from this date until paid, and all costs of this suit, for which execution may issue

802 P. D. Alexander et. ux. } Plaintiffs
vs } Suit
S. A. Marwick } Defendant } Bond

It is ordered by the Court that this cause be continued

Fall Term, Tuesday, January 22, 1856.

813 ✓ James Hall } Plaintiff
v.
Frank Brown, Admr } Defendant } Land.

It is ordered by the court that this cause be continued generally.

811 ✓ E. & A. Ten Eyck } Plaintiffs
v.
John H. Conner } Defendant } Suit on Note

In this cause appeared the parties by their respective attorneys and waiving a Jury submitted the cause to the Court. And the Court, thereupon from the pleadings and evidence, finds for the plaintiffs

And thereupon It is ordered adjudged and decreed by the Court that the plaintiffs, Edward Ten Eyck and Alfred Ten Eyck, under their firm name and style of E. and A. Ten Eyck do have and recover of and from the defendant John H. Conner, the sum of Four hundred and Forty three dollars and Seventy One cents ($443.71) principal debt and interest on the note sued on to this date, with ten per centum interest per annum on said sum from this date until paid, and all costs of this suit, for which execution may issue.

Mandamus & Injunction in favor of this judgment, No. 810 — Aug. 18, 56
B & A Ten Eyck

812 ✓ John Haak } Plaintiff
v.
Aldham & Marshall } Defendants } Certiorari

And now come the parties to this cause by attorney and proceed to argue the motion filed by plaintiff to dismiss the petition for certiorari granted in this cause. And thereupon It is ordered, adjudged and decreed by the Court that the petition herein be quashed and dismissed and that this ~~the~~ cause be remanded to the Mayor's Court for observance and execution. And it is further ordered and decreed by the Court that the said plaintiff John Haak, recover of the said M. L. Aldham and John Marshall, under their firm name and style of Aldham and Marshall, and the securities on their certiorari bond, to wit: A. F. Marshall and A. W. Terrell, all costs in this cause in this Court expended, for which execution may issue.

Fall Term, Tuesday, January 22nd 1856.

813 S. D. Carrington & Co. } Plaintiffs } Debt
Philip Golden. } Defendant.

And now on this day came the parties by their attorneys, and announced themselves ready for trial. And thereupon the Defendant withdrawn his appearance filed and both parties agree to waive a Jury and submit the cause to the Court. And thereupon on inspection of the pleadings and evidence It is ordered, adjudged and decreed by the Court that the plaintiffs, S. D Carrington and David Clark, under their firm name and style of S. D. Carrington & Co. do have and recover of and from the Defendant, Philip Golden, the sum of One Hundred and Seventy Six Dollars and Thirteen cents ($176.13) amount of principal debt and interest up to this date on the note sued on, and ten per cent. interest on said Sum from this date until paid, and all of their costs herein and execution may issue.

814 John McKeon } Plaintiff } Debt
Timothy McKeon } Defendant }

It is ordered by the Court that this cause be continued as upon consent of parties

817 H. S. Blakey } Plaintiff }
v.
Geo. W. Glascock } Defendant }

And now comes the defendant and moves the Court that the plaintiff be required to enter into bond and security for the costs of this suit. And thereupon It is ordered by the Court that the plaintiff enter into bond and security for the costs of this suit, on or before the first day of the next Term hereof, otherwise the same will be dismissed at his cost.

And thereupon it is further ordered by the Court that this cause be continued

Fall Term, Tuesday, January 22nd 1856.

821 John F. Ferris } Plaintiff
v. } Debt.
Carlton & McGee } Defendants

And now on this day come the parties and move the Court to dismiss this cause at their mutual cost, the cause of action between them having been settled

And thereupon It is ordered adjudged and decreed by the Court, that this suit be dismissed and that the plaintiff recover of the defendants R. A. Carlton and A. B. McGee all the costs in and about this suit expended, for which execution may issue

And thereupon It is ordered by the Court that Court do now adjourn until Wednesday Morning, January 23rd 1856, half past nine o'clock

Wednesday
January 23rd A.D. 1856.

Court met at half past 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:

797 Fulton Hensley & Co } Plaintiffs
— vs —
L Fellman } Defendant } Debt

And now come the respective parties to the above entitled cause by their Attorneys and announce themselves ready for trial whereupon comes a Jury to wit: C. W. Hamilton and eleven others twelve good and lawful men who being duly sworn after hearing the evidence and argument of counsel 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 defendant Forty two dollars and Forty cents his set off. C. W. Hamilton Foreman." And it being admitted by the Plaintiffs' Counsel that defendant had made a legal tender to said Plaintiffs in case the defendant was entitled to his said setoff

Fall Term Wednesday Sany 23d 1856

of Forty two dollars and Forty cents. It is therefore ordered adjudged and decreed by the Court that the said Plaintiffs Fulton Hensley and Company do have and recover of and from the said defendant L. Fellman the just and full sum of Thirty six dollars and seven cents the amount admitted to be due by said tender for which execution may issue. It is further ordered adjudged and decreed by the Court ~~that~~ that the defendant L Fellman do have and recover of and from the Plaintiffs Fulton Hensley and company and their securities all the costs in and about this suit laid out and expended in the Court below and in this Court for which execution may issue.

816

Ira M. Bradlow } Plaintiff
v. } D.T.
Dempsey Bonner, et al } Defendants

And now in this case comes the parties plaintiff and Defendants by their attorneys and waive a Jury and submit the cause to the Court. And it appearing to the satisfaction of the Court that the Defendant J. W. Bonner was wrongfully Sued, said suit is dismissed as to him. And it is ordered that he recover of the Plff. Ira M. Bradlow, all costs incurred by such wrongful suing.

And it further appearing to the satisfaction of the Court that there is nothing in bar to the plaintiffs demand against Dempsy Bonner as principal and M. W. Trigg as endorser. It is therefore ordered adjudged and decreed by the Court that the said Plaintiff. Ira M. Bradlow have and recover of and from the said Defendants Dempsey Bonner as principal and M. W. Trigg as endorser the Sum of one hundred and eighty Dollars and fifty two cents principal debt and interest up to the rendition of this Judgment with interest thereon at the rate of eight per cent. per annum until paid together with all costs in this behalf expended as against said defendants Dempsy Bonner and M. W. Trigg. for all which execution may issue

Fall Term, Wednesday, Jany 23. 1856.

A. A. Emery } Plaintiff
8117 v. } Debt.
Montgomery & Carpenter } Defendants

And now in this case come the parties Plaintiff and defendant by their attorneys. And the defendants with their pleas and answers in this case And it appearing to the satisfaction of the Court that there is nothing in bar or preclusion of plaintiffs demand It is therefore ordered, adjudged and decreed by the Court that the plaintiff Richard A. Emery, have and recover of and from the defendants, William C. Montgomery and C. Carpenter, under the firm name and style of Montgomery & Carpenter, the sum of Seven hundred and fifty three dollars and fifteen cents ($753.15) principal debt and interest up to the date of the rendition of this Judgment, with interest thereon at the rate of eight per cent. per annum until paid, together with all costs in this behalf expended, for all which execution may issue

And Thereupon It is ordered by The Court that Court do now adjourn until Thursday January January 24th 1856.

Thursday January 24. 1856.

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

Raphael Moody Ex parte.

And the said Raphael Moody 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 Joseph Reuches and B Lahmen, citizens of the United States, that the said Raphael Moody was known to them for the last five years as residing within the limits and under the Jurisdiction of the united States 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

Fall Term, Thursday, January 21st 1836.

States, and well disposed to the Good order & the same and happiness of the same, and being also satisfied that the said Raphael Moody has made his declaration to become a citizen of the United States in the District Court of Parish of Caddo in the State of Louisiana, two years previous to the filing his said petition "According to the act of Congress in such case made and provided" And the said Raphael Moody having in open Court 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 William, King of Wirtemberg, one of the Germany States, whereof he was before a subject.

It is therefore ordered by the Court, that the said Raphael Moody be and is hereby admitted a citizen of the United States, and that the Clerk of this Court issue to him a certificate accordingly.

Joseph Martin Ex parte.

And the said Joseph Martin having filed here in open court his petition praying to be admitted to become a citizen of the United and the Court being satisfied by the oaths of Gustavus Schleicher and Hermann Willkie citizens of the United States, that the said Joseph Martin 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 Joseph Martin has made his declaration to become a citizen of the United States in the District Court of the County of Bexar, 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 Joseph Martin having in open Court taken the oath prescribed by Law, to support of the Constitution of the United States, and that he

Fall Term. Thursday, January, 24th 1856.

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 Grand Duke of Baden, whereof he was before a subject.

It is therefore ordered by the Court that the said Joseph Martin be and is hereby admitted a citizen of the United States, and that the Clerk of this Court issue to him a certificate accordingly.

And thereupon It is ordered by the Court that Court do now adjourn until Friday morning January 25th A.D. 1856, half past Nine o'clock

Friday, January 25th 1856.

Court convened at half past Nine o'clock A.M. pursuant to adjournment, Present The same as on yesterday Whereupon the following proceedings were had by said Court & Jurors, to wit:

818 ✓ John B. Bares } Plaintiff } Suit for Trial of the
v. } } Right of Property.
John A. Green } Defendant }

And now on this day came the parties in this cause by their attorneys and announced themselves ready for trial, and thereupon came a Jury of twelve good and lawful men of Knox County, to wit, Charles W. Thornton and seven others who being duly sworn, empannelled, ~~and~~ sworn, heard the evidence and argument of counsel thereon, and having received the charge of the Court, retired to consider of their verdict. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury, find the property levied on subjected to the execution of the plaintiff. C.W. Thornton, Foreman.

Whereupon It is ordered adjudged and decreed by the Court that the levy Simon levied on by the Sheriff by virtue of the execution issued from this Court in the case of John B. Bares v. Wesley Smith be and is hereby made subject to sale by virtue of said verdict, judgment and execution

It is further ordered by the Court that the plaintiff recover of the defendant, John A. Green all costs of this suit, for which execution may issue.

Fall Term, Friday, January 25th, 1856.

1837. C. M. Jones Gr. &c } Plaintiff
F. Patrick Admr &c } Defendants } Suit on Bond

On motion of the District Attorney
It is ordered by the Court that the foregoing cause
be dismissed from the Docket.

1854 Heirs of Jno. M. Dobson } Plaintiffs
Joseph W. Robertson } Defendant } Debt.

And now on this day came the parties
by attorneys and the Auditor heretofore appointed in this cause
made the following report to the proofs and conclusions of which
the parties agreed

1854 Dobson's Heirs v. Joseph W. Robertson.

The Auditor appointed in this case has examined the Records in
the Probate Court, and in the District Court in the case of Thos
Jones Admr of James Black vs Charles Lindsey, Admr of Jno
M. Dobson, and D. R. Shook vs Joseph W. Robertson, and also
R. L. Rutherford, and from the evidence by obtained and from
the evidence produced by said Robertson, he does his conclusions,
and renders an account between the parties as follows:

Joseph W. Robertson

In Account with

Dobson Heirs Dr.

To Amt rec from Black from July 27 to Dec 27, 1850			75 00
" " " " Allen & Woodridge from January 1, 1850 to Jan. 1. 1853			300 00
" " " " Pitts from Jan. 1. 1853 to Jan 1. 1854			240 00
" " " " Pitts " Jan. 1. 1854 to Sept 25th 1854			203 33
" " " " Rutherford " Sept 4. 1854 to Jan 1. 1856			396 66
" " amount for 128 11 acres of land sold May 6th 1851 12 mos cr.			128 00
" " " " 147 6 " do do			147 60
" Credits. By amt allowed Allen & Woodridge for Principle		180 00	
" " " " Pitts " "		60 00	
" " " " Rutherford " "		30 00	
" " " Paid Judgment against Charles F. King, Admr de bonis non		200 00	
" " Int. on said do from Dec 27/48 to May 6 1852		54 00	
" Counsel fees as per agreement		150 00	
" Expenses of taking testimony		100 00	
" Balance due Dobsons Heirs		776 57	
		$1500 57	$1500 57
To Balance as per above			$776.57

Fall Term, Friday, January 25th 1856.

" Making a balance due from said Robertson to said Dobbins Heirs of
" Seven hundred and seventy six 59/100 dollars, no interest being allowed said
" Robertson on the amount of the Judgment paid after the maturity of the notes
" received for the sale of the lands; no interest charged upon the note received by
" Robertson, nor any credit given for having care of the property, the use of the
" money received being deemed a sufficient compensation therefor

" The parties, Dobbins heirs, by attorney S.A. Purviance,
" and Robertson, in person, agree that the above account is correct and that
" one hundred dollars shall be paid March 1, 1856, and one half of the
" balance on 1 day from 1 of March, the other half in nine months

" W. P. De Normandie, Auditor."

And now by consent the Court renders the following Decree, viz:

It is ordered, adjudged and decreed by the Court, that the plaintiffs recover of the defendant the ~~said~~ South half Lot, to wit: the South half of Lot Number two (2) in Block Number Sixty (60) fronting upon Congress Avenue, together with the appurtenances thereto; and that their right of possession commence, as against the defendant, from the first day of January, 1856 from and after which day the plaintiffs are entitled to receive the rents

It is further ordered, adjudged and decreed by the Court that the plaintiffs recover of the defendant the sum of Seven hundred and Seventy six dollars and fifty nine cents for which amount may issue as follows: One hundred dollars on the first day of March, 1856; three hundred and eighty eight 29/100 dollars on the first day of September, 1856, and three hundred and eighty eight 29/100 Dollars on the first day of March, 1857, and to bear interest at eight per centum per annum, and to operate as a Judgment bill from date.

It is further ordered adjudged and decreed, by the Court that the plaintiffs recover of the defendant, Joseph W. Robinson, all their costs, to wit: the costs of the Auditor twenty five dollars) for all which an execution may issue.

703 ✓

Henry Blood, Plaintiff
v.
James B. Shaw and John M. Swisher, Defendants
} Mandamus

And now on this day came the parties by their Attorneys, and the Judge of the Court having been of counsel in this cause, the parties mutually agreed to try the cause before Robert S. Townes, an Attorney of this Court. And the defendants by Attorney filed their Demurrer to the plaintiff's petition. And the Court proceeding to consider the law of the cause, does consider that the Treasury Notes described in the petition were entitled to draw interest, until the first day of July A.D. 1857, according to their respective tenors, and the Statutes respectively

Fall Term. Friday. January 29th 1836.

authorizing their issue. But because, in the opinion of the Court the power of the Auditorial Board over the subject matter has ceased,

It is therefore ordered, adjudged and decreed that the said Demurrer be sustained and the petition dismissed, And that the Defendants recover all their costs in and about this suit expended.

John W. Wear Wm. Styles and John T. Haynes Plaintiffs

561 vs.

The Heirs of Finis E. Wear Defendants

On this, the 25th day of January A.D. 1836 appeared the parties plaintiffs by their Attorneys, and the Defendants by Benjamin F. Carter Esqr. appointed by the Court, as a guardian ad litem to represent and defend the interest of said Defendants, and said parties Plaintiffs and Defendants submitted said cause to the Court upon the bill, answer and the testimony, and after argument by Counsel and due consideration of the testimony and law herein.

It is ordered, adjudged and decreed by the Court, that the said Plaintiff John W. Wear have and recover of the Defendants, the Heirs of Finis E. Wear deceased, to wit, Elizabeth, Nimrod, Melvina, Mary A. and Lucy Wear, the several tracts or parcels of land described in said petition, as situated in said County of Travis, one tract of one hundred and eighty four acres and fourteen hundred square varas out of a League of land granted to John A. Hainey, and subsequently owned by the Heirs of Aaron Boyce, and by them, to wit: Mathew Mofs and Mary Ann Mofs his wife transfered to Samuel Wilson and Rosa Wilson his wife, on the 20th day of October 1846, and by the said Wilson and wife transfered to the said Finis E. Wear on the 24th of January 1849. One other tract containing one hundred and seventy seven (177) acres transfered to the said Finis E. Wear by Thomas A. Horne on the 24th day of January 1849, and also one other tract of land containing three acres, being a part of the headright

third of a league of land granted to William Standifer and by him transfered to said Finis E. Wear on the 6th day of April 1829, and all the right, title claim and interest of said Defendants as the heirs of said Finis E. Wear be divested out of them and fully and completely vested in the said Plaintiff John W. Wear and his heirs. And because it appears to the Court here that said Plaintiff John W. Wear has sold, granted and conveyed said first described tract of land to said William Styles, and that the said John W. Wear has also sold the afore second described tract of land, for one hundred and seventy seven acres to said John T. Haynes and conveyed the same by deed.

It is ordered, adjudged and decreed by the Court that the titles to said tracts or parcels of land be respectively confirmed to the said William Styles and the said John T. Haynes.

It is further ordered, adjudged and decreed by the Court, that the said Defendants, Elizabeth, Simrod, Selvina, Mary A. and Lucy Wear, heirs of said Finis E. Wear deceased, have and recover of said John W. Wear the following described tracts or parcels of land situated in the County of Morgan in the State of Missouri and being described as follows, to wit, South East ¼ of the North East ¼ of Section 19 in Township No. 43 of Range 19 containing 40 acres, and the West ½ of the North West ¼ of Section 20 in Township 43 of Range 19 containing 80 acres, and the West ½ of the South West ¼ of Section 30 in Township 43 of Range 19 containing Sixty four & 5/100 acres, and the West ½ of the North West ¼ of Section 17 in Township 43 of Range 19; and the South East ¼ of the South West ¼ of Section 30 in Township 43 of Range 19; and also the South West ¼ of the South East ¼ of Section 30 in Township 43 of Range 19, and that the title to the aforedescribed tracts or parcels of land be and the same is divested out of the said John W. Wear, and fully and entirely vested in the said Defendants the aforesaid Heirs of Finis E. Wear Dec'd. And It is further ordered adjudged and decreed by the Court that said Defendants have and recover of the Plaintiff John W. Wear, William Styles and John T. Haynes all costs in this behalf expended, and that Benjamin F. Carter Esqr. the Guardian ad litem aforesaid be allowed the sum of Twenty-five dollars to be taxed in the bill of costs, for all which said costs execution may issue.

And thereupon It is ordered by the Court that Court do now adjourn until Saturday, January 26th 1836 [illegible] next [illegible]

Fall Term, Saturday January 26th 1856.

Saturday, January 26th 1856.

Court met at half past 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:

518 John D Bann } Plaintiff } Trial of Right of Property
John A. Green } & Garnishee }

It is ordered by the Court that the Judgment and decree upon the verdict of the Jury rendered in this cause at this Term of the Court be so amended as to read as follows:

It is therefore ordered, adjudged and decreed by the Court that the Sheriff proceed to expose the levy made on said negro by virtue of the Judgment and execution in favor of the Plaintiff against Wesley Smith, and that said Plaintiff John D. Bann, recover of and from the said claimant, John A. Green and his sureties on bond, to wit: Abram Grasbeck and D.A. Shepard, damages at the rate of ten per centum on the sum of six hundred and ninety eight dollars and sixty cents, (to wit: sixty nine dollars and sixty eight cents) that being the amount claimed under said execution, together with all costs in this behalf expended, for all which execution may issue.

And thereupon it is ordered by the Court that Court do now adjourn until Monday morning, January 28th 1856, half past nine o'clock.

Monday Morning, January 28th 1856

Court met at half past 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:

547½ Morgan C. Hamilton } Plaintiff } Debt.
v.
Thomas H. Turney, Eliza F. Turney & Alford B. McBee } Defendants }

And now on this day came the plaintiff, and the defendants being severally called, came not, but made default, and failed to file any plea or answer to said plaintiff's

petition or make any defence thereto. It is therefore considered, ordered, adjudged and decreed by the Court that the Plaintiff do have and recover of and from the said Thomas M. Jenny and Ashford B. McGill, the sum of Five Hundred dollars, together with interest thereon, amounting to Fifty Five & 34/100 dollars besides the costs of this suit. And it is further ordered, adjudged and decreed by the Court that the mortgage in Plaintiffs petition described be foreclosed, and that the property described in said mortgage to wit: Lots Two (2) and Three (3) and Sixteen feet off the east side of Lot No. Eleven (11) all in Block No. Sixty eight (68) in the City of Austin in the County of Travis, be sold in satisfaction of the foregoing Judgment; and should the proceeds thereof be not sufficient to satisfy the same, then it is further ordered, adjudged and decreed that the Plaintiff have execution against the said Thomas M. Jenny and Ashford B. McGill for the unsatisfied balance as by statute in such cases made and provided.

Declaration of Intention to become a Citizen

The State of Texas }
County of Travis } Peter Smith being 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 on the year of our Lord one thousand eight hundred and — in Ireland, whence he emigrated in the year 1833, 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 and of the said State of Texas, and renounce all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to Victoria, Queen of England, of whom he is a subject. Peter Smith.

Sworn to and subscribed in open Court, this the 28th day of Jany A.D. 1856. Frank Green, Clerk of said District Court.

646

Mary D. Moore and
Wm D Miles as Admr.
of Estate Thomas A. Moore } Plaintiffs

v.

Robert L. Moore et als. } Defendant } Judgment

Aaron Burleson, and George
appointed by the Judgment
Spring Term thereof A.D. 1853. The undersigned Nelson Merrell, D Shapcock, Commissioners of your Honorable Court at the to partition certain real

Fall Term. Monday. January 28th 1856.

estate and slaves set forth and described in said judgment, and belonging to the Estate of Thomas A Moore deceased, between Mary D. Moore the widow of the said Thomas A. Moore deceased, and Robert T. Moore, David C. Gwin and his wife, Rebecca Ann Gwin, Ezekiel O. Warren, and his wife Nancy E. Warren, Mary L. Moore, Nathaniel P. Moore, Sarah P. Moore, Thomas N. Moore, and Margaret P. Moore, beg leave to report to your Honor, that they have discharged as they believe in accordance with Law, the duties assigned them by partitioning said property between said parties in the most just and equitable manner which they were able to devise, and which is as follows, viz:

1st Your Commissioners have appised the value of the property which by said judgment they were required to partition by valuing the Homestead of the said Moore deceased, and which contains three hundred and fifty acres (350) the same being a portion of the Headright League of James Gilliland deceased, situate in the County of Travis, at fifteen Dollars per acre, making in the aggregate the sum of ($5250.00) the Field Notes of said tract are specifically set forth in said judgment of your Honors Court.

2nd They have appised the value of Twenty Nine hundred and fifty two acres of land described in said judgment as a part of the Headright League of the said Thomas A. Moore, and situate in the County of Williamson in the State of Texas, at two Dollars per acre.

3rd They have appised the value of the Labor of land granted to Thomas A. Maze as assignee of Nathaniel Moore, situate in the County of Travis and known as survey No. 45. situate on Gilleland's Creek about 14 miles S.E. from the City of Austin, at five Dollars per acre.

4th They have appised the value of the fourth of a League of land granted to Nathaniel Moore situate in Williamson County on the Salado a tributary of Little River, which is specifically described in said Judgment at one Dollar per acre.

5th They have appised the value of the 640 acres of land situate on Onion Creek in Hays County, the same being a part of the Head Right League of Thomas A. Moore known as League No. 12.

Fall Term. Monday. January. 28th 1856.

at five Hundred and Eighty Dollars and Seventy five cents
6th They have afsefsed the value of the Slaves to be
partitioned as follows.

Silvia	afsefsed at		$ 370.00
Rinah	"	"	" 800.00
Minter	"	"	" 1100.00
Olive	"	"	" 830.00
Bob	"	"	" 930.00
Elijah	"	"	" 400.00
Fillanda	"	"	" 130.00

And we the Commissioners aforesaid appointed as aforesaid, have partitioned, set off and afsigned to each of the parties aforesaid in severalty the foregoing Real Estate and Slaves as follows, to wit:

To Mary L. Moore, widow of Thomas A. Moore the Homestead containing three hundred and fifty acres valued at Five thousand two hundred and fifty dollars, and described as follows.

Being a part of the Head Right League of James Gilliland granted to him by the Government of Cohuila and Texas as a Colonist, and described as being a part of a tract of land containing commencing on the North East line of James Gilliland's Survey at a Stake. Thence S. 61° East 100 vrs. Thence S. 23° 10' E. 100 vrs. S. 47° 15' E. 135 vrs. Thence S. 53° E. 148 vrs. Thence S. 146 vrs. S. 76° 45' E. 65 vrs. Thence S. 4° 30' E. 68 vrs. Thence S. 50° 45' W. 143 vrs. S. 37° E. 213 vrs. S. 38° 45' E. 61 vrs. Thence 16½ E. 110 vrs. Thence S. 83° 33' E. 108 vrs. Thence N. 7 E. 210 vrs. Thence N. 21° W. 118 vrs. Thence N. 65 E. 188 vrs. to an Elm 12 inches in diameter and two small China trees 5 inches in diameter. Thence S. 60° E. 765 vrs. to a Stake an Elm brs S. 67 E. 5 vrs. 12 inches in diameter. Thence S. 30° W. 1190 vrs. to a Stake an Elm brs. 37½ W. 5 vrs. 31 inches in diameter, a China bears North 61° W. 10 vrs. 12 inches in diameter. Thence N. 60° E. 1883. vrs. to a Stake. A Post Oak brs. S. 48 E. 191 vrs. 20 inches in diameter. Thence 30° E. 1100 vrs. to the place of beginning. Containing three hundred and fifty acres.

Also Six hundred and fifty acres of land described as follows Situate on Onion Creek in Hays County being a part of the Head Right of Thomas W. Moore and known as League No. 12. Beginning at a Stone Mound for the South West corner of a 320 acre survey for N. Broadway from whence a Black Jack 4 inches in diameter marked X bears South 1° W 11 varas.

Fall Term. Monday, January 28th 1856

Thence South with the East boundary line of W. B. Travis League at 1520 varas crosses a branch at 2020 varas a Stone mound from whence a Live Oak 10 inches in diameter marked X bears North 82° E. 5 varas another 8 inches in diameter marked X bears North 8½° E. 20 varas. Thence East 170 varas a branch at 348 varas. the North West corner of Reese Butlers Survey 1788 varas a Stone mound from which a Live Oak 10 inches in diameter marked X bears East 12 varas another 6 inches in diamter marked X bears South 3 vrs. Thence North 2120 varas to a Stone mound in Broadway's South boundary line from which a Live Oak 10 inches in diameter marked X bears South 84° W. 11 varas. a Cedar 6 inches in diameter marked X bears South 27° W. 12 varas. Thence West with said Broadway's line 1788 varas to the place of beginning. Containing Six hundred and forty acres of land.

Also one Labor of land granted to Thomas A. Moore as assignee of Nathaniel Moore situate in Travis County, known as Survey No. 43 on Gilliland's Creek about fourteen miles North East of the City of Austin- Beginning at a stake the N.W. corner of Labor No. 42. from which a Pecan marked N. bears S. 40° E. 14 varas, another marked L. bears N. 37 E. 20 varas. Thence North 30° East at 381 varas, crosses Gilliland's Creek at 1000 varas a stake in prairie. Thence North 60° West at 9.80 said Creek at 1000 varas a stake from which a Cottonwood marked N. bears S. 21° E. 74 varas. Thence South 30° W. with the East boundary of Alex. Walkers Survey No. 57. 1000 varas to a stake from which a Musquit bears S. 40° E. 50 varas. Thence South 60° East with the N. line of said Survey one thousand varas to the beginning. Also the following named Negroes, The Woman Silvia, the Woman Cline and the man Hunter as described in the Decree hereto fore rendered.

And to Ezekiel O. Warren and his wife, Nancy E. in the right of the said Nancy E. Seven hundred and forty five and 3/4 acres of land taken off of the West side of a one fourth of a League

Fall Term, Monday, January 28th 1856.

granted - Nathaniel Moore situate in Williamson County on the Salado and deeded by said Nathaniel to Thomas A. Moore. Beginning

And the Negro Boy Elijah. And to Robert Moore two hundred and Sixty and one fourth acres of land situate on the Salado, said 1/4 League being described as follows. The field Notes being fully and completely set out in the decree heretofore rendered as Exhibit "F." And one Negro Boy Bob, and It is further adjudged that Robert Moore pay each of the Minor heirs. Mary L. Nathaniel L. Sarah E. Thomas W. and Margaret L. Moore the sum of four Dollars and Eighty Eight cents.

And to Davis C. Gwin and his wife Rebecca Ann, in the right of said Rebecca Ninety Eight acres of land off of the North West corner of the Thomas A. Moore Head Right situate in Williamson County on Brushy Creek, and marked as lot number Six in the subdivision of said Head Right and begins at a stake and South and West corners of said Thomas A. Moore Survey. Thence S. 10° W. with the Crawford East boundary 153. varas to a stake. Thence S 71° East 1023. varas to a stake. Thence N. 19 W. 638 varas to a stake. Thence with the North boundary line of said Moores Survey. S. 71° West 638. varas to the beginning - And following Negroes Rinah a Woman, and Fillman a boy child.

And to Mary L. Moore five hundred and seventy and two fifths acres of land, being Lot No. 2. in the subdivision of Thomas A. Moore's Survey. Begins on a stake and South East corner of Sarah E. Moore. Thence N. 71° E. 779 varas to a stake, Thence N. 19 W. 4342 varas a stake in the South boundary of lot No. 5.

" Fall Term. Monday. January 28th 1856.

made for Gwin and wife. Thence S. 71° W. 350 varas a stake and South West corner of Lot No. 5. Thence S. 10° W. 883 varas a stake and North East corner of Lot No 1. and with the line of the same S. 19° E. 3371 varas to the beginning.

And to Nathaniel L Moore Lot No. 3. of said subdivision. Beginning on a stake and South East corner of Lot No 4. for Thomas W. Moore. Thence N. 71 E. 643½ varas to a stake. Thence N. 19 W. 3000. varas, a stake &c. Thence S. 71° W. 643½. varas to a stake and the North E. corner of No 4. and with the East boundary line of the same S. 19° W. 3000. varas to the beginning.

And to Sarah L Moore five hundred and Seventy and two fifths acres of land Being Lot No one in said subdivision, Beginning on the South East corner of said Moores Survey. Thence N. 71° E. 1247 varas to a stake in the South boundary line of the same- Thence N. 19° W. 3371 varas to a stake. Thence S. 10° W. 2983. varas with the East boundary of Barnes Crawfords League Thence S. 19° E. 950 varas to the beginning.

And to Thomas W. Moore five hundred and Seventy and two fifths acres of land being Lot No 4. in said subdivision. Beginning on a stake and South East corner of Lot No 3. for Margaret L Moore, Thence N. 71° E. 643½ a stake &c. Thence N. 19° W. 3000. to a stake Thence S. 71° W. 643½ varas. to a stake and North East corner of Lot No 3. Thence S. 19° E. 3000. varas to beginning.

And to Margaret L Moore five hundred and Seventy and two fifths acres of land being Lot No. 3. in said subdivision. Beginning at a Stake and South East corner of Lot No. 2. for Mary L. Moore. Thence N. 71° E. 723. varas a stake Thence N. 19 W. 3000. to a stake in the North boundary line of said Moore's Survey. Thence S. 71° E. 50 varas to the North East corner of Lot No 6. Thence S. 19° E. 638 varas a stake and South East corner of No 6. Thence S. 71° W. 693. varas a stake and North East corner of No 2. Thence S. 19° W. 4342 varas to the beginning.

All of which being duly

Fall Term. Monday January. 25th 1836.

Sworn to in open Court and subscribed is respectfully submitted

Sworn to and subscribed before me in open Court, Janry 18th 1836. Frank Brown, Clk. } Nelson Merrell, Geo. D. Glapcock, Aaron Burleson

Mary L Moore and William P. Miles, Admrs of Thomas A. Moore.

vs

Robert L. Moore, Davis C. Gwin and Rebecca A. Gwin his wife, A. E. Warren, E. C. Warren, Mary L. Moore and Nathaniel P. Moore, Sarah P. Moore, Thomas H. Moore and Margaret J. Moore.

In this cause upon the coming in the report and proceedings of Nelson Merrell, Aaron Burleson, and George D. Glapcack, Commissioners hereinbefore appointed to make partition, and the same being Examined, It is Ordered, adjudged and decreed, that said proceedings and report, be and the same are hereby approved and confirmed, and made of Record, and that the said parties hold in severalty the shares set off and assigned to each respectively by the said Commissioners in the said Report, and that a certified Copy issue to each of the said parties, of such as set off and assigned them - as a muniment of title - And it is further Ordered, adjudged and decreed, that the Plaintiffs Mary L. Moore and William P. Miles, and Defendants Robert L. Moore, Davis C. Gwin and Rebecca A Gwin his wife A. E. Warren, E. C. Warren, Mary L. Moore and Nathaniel P. Moore, Sarah P. Moore, Thomas H. Moore and Margaret J. Moore, pay all the costs of this suit according to their respective interest herein. for all which Execution may issue.

It is further Ordered, adjudged and decreed that all that portion of the Head Right League of Thomas A. Moore not set apart and partitioned in said Report of said Commissioners to the Widow and heirs of Thomas A. Moore, be adjudged to rest with fee simple title in W. D. Thompson and the Heirs of O. B. Smith deceased, in accordance with their prayer in their petition of intervention heretofore filed in said cause.

And thereupon, It is ordered by the Court that the Clerk tax in the bill of costs the sum of

Fall Term, Monday, January 28th 1856.

Eighteen Dollars each for the Commissioners Nelson Merrell and George D. Claycock, and the sum of Eighteen Dollars for Solomon R. Pace, Surveyor.

315 ↓ A. Amey, et.al. } Plaintiffs
E. C. Cunningham et.al } Defendants } For Land

And now come the parties by attorney, and agree that John Hancock, an attorney of this Court, shall sit as Special Judge in this cause at this term of the Court. And thereupon It is ordered by the Court that John R. Smith be appointed Guardian ad Litem to defend the interests of the minor heirs of W. H. Harris, deceased in the foregoing cause.

And thereupon It is further ordered by the Special Court that the parties to said cause have leave to amend their pleadings.

John Hancock,
Special Judge &c

680 George Hancock } Plaintiff
Walker Wilson } Defendant } Certiorari

And now come the parties to this cause by their attorneys, and agree to waive a Jury and submit the same to the Court for trial

And thereupon the Court considering the pleadings and evidence finds for the plaintiff. Therefore, It is ordered, adjudged and decreed by the Court that the plaintiff George Hancock, have and recover of the defendant, Walker Wilson, and the securities on his certiorari bond, to wit: Alexander Evans and Israel Pickens, the sum of one hundred and ten dollars and sixty six cents, with eight per cent. interest on said sum from this date until paid, and all costs of this suit, for all which execution may issue.

820 A. J. & E. C. Mason, Admrs } Plaintiff
Isaiah Fisk, et.al. } Defendants } Debt

And now on this day came the parties to the foregoing cause by their attorneys and waiving a Jury agree to submit the cause to the Court. And thereupon It is ordered,

adjudged and decreed by the Court that the plaintiffs, James and Susan C. Mahon, administrators, have and recover of the estate of David A. Mahon, deceased, have and recover of the defendants, Josiah Fisk, Asa Mc Kenzie and George W. Scott, the sum of three hundred and forty six dollars, amount of principal debt and interest due on the note sued on, and all costs of this suit, for all which execution may issue.

829 ✓ Brosbeck, Rice & Co } Plaintiffs } Debt
v.
S. S. Haynie } Defendant

And now comes the plaintiffs by their attorneys and claim a judgment by default. And thereupon it appearing to the Court that the cause of action is liquidated and that said defendant has already failed to answer to the call of the Sheriff and has failed to file any answer, but wholly made default

It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, Abraham Brosbeck, William M. Rice and H. A. Rice, under their firm name and style of Brosbeck, Rice & Co. do have and recover of the defendant, Samuel S. Haynie the sum of Four thousand nine hundred and thirty 77/100 dollars being the amount of principal and interest due to this date on the note sued on and ten per cent, interest on said sum from this date until paid, and all costs of this suit, for all which execution may issue.

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday January 29, 1856, half past nine o'clock a.m.

Tuesday, January 29, 1856.

Court met at half past 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:

Fall Term Tuesday, January 9th 1855.

834 A Weir Exrx } Plaintiffs
v. } Dct.
Roy & Co } Defendants

And now come the parties by attorney and agree that this cause may be dismissed at Defendants cost, the cause of action having been settled between them. And thereupon It is ordered, adjudged and decreed by the Court that the Plaintiffs have and return of the defendants, F. S. Roy, Lewis L. Walton and William M Walton all costs in and about this cause expended, for which execution may issue; and that this cause be dismissed from the Docket.

836 J B. Moore } Plaintiff
v. } Replevin
F. Deutsch Com } Defendant } Debt

And now come the Plff and move the Court that the Defdt be required to enter into bond and security for the costs of this suit, whereupon which motion is sustained by the Court

838 John B. Costa, Chf. &c. } Plaintiff
v. } Debt
F. Deutsch, Admr. etal } Defendants

And now comes the Plff and move the Court that the Plaintiff be required to enter into bond and security for the costs of this suit, And thereupon It is ordered by the Court that the Plaintiff be required enter into bond and security for the costs of this cause on or before the first day of the next term hereof otherwise the same will be dismissed, the said Plaintiffs Attorney being present and notified

839 A. Murchison } Plaintiff
v. } Debt
John R. McCall } Defendant

And now on this day come the parties by attorney and submit the cause to the Court for trial, waiving a Jury. And thereupon

Fall Term, Tuesday, January 29th 1856.

It is ordered adjudged and decreed by the Court that the plaintiff A. Mendenhall have and recover of the defendants, John R. McCall, the sum of One hundred and ninety four 90/100 dollars principal debt and interest due on the note sued on, to this date, and all costs of this suit, for which execution may issue.

√ 841. John Bunnell } Plaintiff
J. H. Henderson } Defendants } Debt.

It is ordered by the Court that this cause be continued for cause as the defendant not served.

$415 R. H. Peckham } Plaintiffs
S. K. Jennings Jr } Defendant } Debt

And now come the parties by attorney and represent to the Court that the cause of action has been settled between in this cause and consent that the same may be dismissed at plaintiffs cost. And thereupon It is ordered by the Court that this cause be dismissed, and that the plaintiffs, R. H. Peck and Edward Lee Eyck, under their firm name of R. H. Peckham & Co. pay all costs of this suit, for which execution may issue.

√ 529 S. G. Haynie. } Plaintiff
P. B. Cochrane } Defendant } Debt.

And now comes the plaintiff by attorney and claims a Judgment final by default, and it seeming to the Court that the defendant has wholly failed to make any answer to plaintiffs petition, but wholly made default It is ordered adjudged and decreed by the Court that the said Plaintiff have and recover of the defendant, P. B. Cochrane, the sum of Sixty four dollars and fifty three cts, being balance due on the note sued on, with legal interest on said sum from date until paid and all costs in and about this suit expended, for all which execution may issue.

Fall Term, Tuesday, January 29th 1856.

842

L. D. Carrington & Co. } Plaintiffs

vs.

Andrew A. Hopkins, William S. Hotchkiss
Josiah Fisk, Stephen Cummings
Samuel K. Pennings and Wm K. Brown
Trustees of the Methodist Episcopal Church
South Austin Station, and ~~Andrew A. Hopkins~~
Andrew A. Hopkins } Defendants

And now on this day came the Plaintiffs and the Defendants having withdrawn the exception and answer heretofore filed by them and refusing to make any defence to Plaintiffs petition

It is therefore Considered, adjudged and decreed by the Court, that said Plaintiffs L. D. Carrington, Leonidas David Clark, and Andrew Weir do have and recover of and from the said Andrew A. Hopkins, William S. Hotchkiss, Josiah Fisk, Stephen Cummings, Samuel K. Pennings and William K. Brown as Trustees of the Methodist Episcopal Church South for Austin Station, and Andrew A. Hopkins as endorser, the sum of three hundred and Thirty Dollars for his principal debt as also the sum of forty two Dollars and 02/100 interest thereon up to the rendition of this judgment together with costs of the suit.

And it is further ordered, adjudged and decreed that the Mortgage described in Plaintiffs petition, be foreclosed and that the property embraced in said Mortgage Deed, to wit Lots Nos (576) five and Six, in Block one hundred and twenty two (122) in the City of Austin, be sold to the highest bidder in satisfaction of Plaintiffs demand after advertising the same as required by Statute. And it is further Ordered and decreed that if the said Mortgaged property shall not discharge said debt, then that said Plaintiffs shall have Execution for the residue against said Trustees as principals and Andrew A. Hopkins as endorser.

Fall Term. Tuesday. January. 29th 1856.

843
✓

Morgan C. Hamilton } Plaintiff

vs

Andrew S. Hopkins, William S. Hotchkiss
Josiah Fisk, Stephen Cummings
Samuel K. Pennings and William K. Brown
Trustees of the Methodist Episcopal Church
South. for Austin Station and Abner H. Cook } Defendants

And now on this day came the plaintiff and the defendants having withdrawn the execution and answer heretofore filed by them, and refusing to make any defence to plaintiffs petition. It is therefore considered, adjudged and decreed by the Court that the said plaintiff Morgan C. Hamilton do have and recover of and from the said Andrew S. Hopkins, William S. Hotchkiss, Josiah Fisk, Stephen Cummings, Samuel K. Pennings and William K. Brown as Trustees of the Methodist Episcopal Church South for Austin Station, and Abner H. Cook the sum of Nine hundred and Seven Dollars for his principal debt as also the sum of one hundred and twenty 27/100 Dollars interest thereon up to Judgment together with costs of this suit.

And it is further ordered, adjudged and decreed that the Mortgage described in plaintiffs petition be foreclosed, and that the property embraced in said Mortgage deed, to wit, Lots Nos. five and Six (5 & 6) in Block One hundred and twenty two (122) in the City of Austin, be sold to the highest bidder in satisfaction of plaintiffs demand, after advertising the same as required by Statute, and it is further ordered, and decreed, that if the said Mortgaged property shall not discharge said debt then that said plaintiff shall have Execution for the residue.

✓

John Norberh Ex parte
Declaration of intention to become a Citizen.
The State of Texas }
County of Travis } John Norberh, being duly sworn according to Law, in the District Court of the County of in and for the State of Texas, doth declare that he was born in the year of our Lord one thousand eight hundred and seven, in Prussia, whence he emigrated in the year 1832. 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, 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 King of Prussia of whom he is a subject

Fall Term. Tuesday. January 29th 1856.

Sworn to and subscribed in open Court this the 30th day of Jany A.L. 1856. } John Norbeck

Frank Brown. Clerk of said District Court.

578 C. G. Wood } Plaintiff
v. } Motion
C. B. Rawls } Defendant

And now come the parties by attorney and the Court proceeding to consider the motion filed herein to reinstate the cause on the Docket and to set aside the dismissal taken in the same, It is ordered that said dismissal be set aside and cause reinstated at Plaintiffs cost And thereupon It is ordered by the Court that the defendant recover of the plaintiff C.D. Wood all the costs that have accrued in this cause up to this date, for which execution may issue

583 Thos. H. Ward } Plaintiff
v. } Motion
L. A. Burdett et al } Defendants

It is ordered by the Court that the motion for new trial filed by defts in this cause be overuled, And thereupon the Defendants, by attorney, give notice in open Court, of an appeal to the Supreme Court.

717 E. Feltman } Plaintiff
v. } Motion
E. Mork } Defendant.

It is ordered by the Court that the motion to set aside the Judgment rendered in this cause and for a new trial, be overuled. And thereupon the defendants in open Court, give notice of an appeal to the Supreme Court

And thereupon It is ordered by the Court that the defendant have time to make and file the bonds described in Court

719 W. A. Morris } Plaintiff
v. } Motion
Johnson & Kirkley } Defendants

It is ordered by the Court that the motion for a new trial in this cause be and

Full Term, Tuesday. January 29th 1856.

753 M. C. Hamilton } Plaintiff
v.
N. C. Raymond and David K. Easton } Defendant, } Motion

It is ordered by the Court that the motion in arrest of Judgment filed by defendants in this cause be overruled, And thereupon the defendants, by Attorney, in open Court, give notice of an appeal to the Supreme Court.

740 A. J. Compton } Plaintiff
v.
O. O'Brien } Defendant } It is ordered by the Court that the motion for new trial filed in this cause be allowed, and that said cause be reinstated on the Docket.

515 Spence & Freeman } Plaintiffs
v.
Ann T. Woolridge } Defendant } It is ordered by the Court that the motion for a new trial filed by plaintiffs in this cause be overruled, And thereupon the plaintiffs, by attorney give notice, in open Court, of an appeal to the Supreme Court.

732 Lewis Hunt } Plaintiff
v.
Dennis Nash } Defendant } It is ordered by the Court that the motion for a new trial filed by the plaintiff be overruled, And thereupon the said plaintiff, by attorney, give notice, in open Court, of an appeal to the Supreme Court.

755 J. W. Holden } Plaintiff
v.
Sarah Fisk } Defendant } It is ordered by the Court that defendants motion for a new trial be overruled, And thereupon the defendant, in open Court, gives notice of an appeal to the Supreme Court

812 John Hank } Plaintiff
v.
Abham & Marshall } Defendants } It is ordered by the Court that Defendants motion to reinstate this

Fall Term, Tuesday, January 29th 1856

cause on the docket be sustained, to which decision the plaintiff, by attorney, excepts

777 Fielding Mosby &c. } Plaintiffs
L. Pellman } Defendant } It is ordered by the Court that plaintiffs motion for a new trial in this cause be overruled

818 John D. Bann } Plaintiff
Robyn A. Swan } Defendant } It is ordered by the Court that the motion of Defendant in this cause be overruled. And thereupon the defendant, by attorney in open Court, gives notice of an appeal to the Supreme Court. in pursuit of [illegible] judgment

784 Martin Moore } Plaintiff
C. R. Peck } Defendant } It is ordered by the Court that Defendants motion for a new trial in this cause be overruled. And thereupon said defendant, in open Court, gave notice of an appeal to the Supreme Court.

852 F. W. Chandler. } Plaintiff
Thomas & S. H. Bann } Defendants } Judgment.

And now come the parties to the foregoing cause by attorney; and the defendants agreeing that Judgment may be rendered against them; It is Therefore Ordered, Adjudged and Decreed by the Court, that the Plaintiff, Frederick W. Chandler do have and recover of and from the defendants, Thomas H. Bann and Gastin H. Bann, the sum of Six Hundred and Sixty & 50 Dollars the amount of Principal Debt and Interest up to the rendition of this Judgment, together with interest thereon at the rate of eight per cent. per annum until paid, and for the costs in all cost incurred in the suit. Testimonial of the Fall Term 1854 of the District Court of Scott county between F. W. Chandler and Thomas Bann, together with all costs in this behalf expended for all which execution may issue.

Fall Term, Wednesday, January 30th 1856.

And thereupon it is ordered by the Court that Court do now adjourn until Wednesday Morning 9 o, 1856. half past 9 o'clock A.M.

Wednesday, January 30th 1856.

Court met at half past nine o'clock A.M. pursuant to adjournment. Present the same as any adjourning. Whereupon the following proceedings were had by said Court as follows, to wit:

1808 Sarah C. Kimbell & Albert D. Kimbell } Plaintiffs
James F. Johnson } Defendant } Slaves.

And now at this day came the Court came Sarah C. Kimbell and Albert D. Kimbell, plaintiffs in the above intitled cause by Abham & Terrell their attorneys, and James F. Johnson, and announcing themselves ready for trial of said cause; and a jury having been impanneled by the parties; and the matter in issue by consent of the said parties being submitted to the Court for adjudication, after hearing the proof adduced by the respective parties and the argument of counsel. And Because it appears to the satisfaction of the Court that the said Kimbell and wife, by their legally authorized agent, Henry M. Raglin, executed to the said James F. Johnson on the fourth day of June, A.D. 1855, the sum of two thousand dollars, and within two years after the execution of the aforesaid Deed of Sale to the slaves herein after named, and it also appearing that the said Kimbell and wife executed, on the said fourth day of June, A.D. 1855, to the said Johnson, his promissory note for the sum of fifteen hundred dollars, and did and performed all things which were necessary to be done in order to entitle them to the possession and title to said slaves

It is therefore ordered, adjudged and decreed by the Court that the said Sarah C. Kimbell and Albert D. Kimbell, do have and recover of and from the said James F. Johnson, the title and possession of the following named Slaves, viz: Charles, a negro man about 47 years old; Milly a woman about forty years old; Frances, a girl about fourteen years old; David, a boy about ten years old; Eliza, a girl about ten years old; James, a boy about eight years old; and Green, a boy about eight years old; all of which negroes are slaves for life and were conveyed conditionally by said plaintiffs to the said Johnson by conditional Deed of Sale executed on the 8th

Filed Jan 30th 1856 Recd & Entered 15th Nov. 1856. and copy sent to Clerk of Shelby Co. Tenn. Johnson Sheriff's Office Memphis January 30th 1856 James F. Johnson

Fall Term, Wednesday, January 30th, 1856

day of June, A.D. 1853, and that the Clerk issue in favor of said Kimball and wife a writ of Possession for said Slaves against the said Johnson, and that the Sheriff after executing said writ and obtaining possession of said Slaves, deliver the same to Henry W. Raglin, the legally authorized agent of the said Kimball and wife

It is further ordered adjudged and decreed by the Court, that because of objections to the Sale Docket of the Court that James P. Johnson has had the use and possession of said Slaves from the said Seventh day of June A.D. 1853, the day when the said bonds of two thousand dollars and the said promissory note of fifteen hundred dollars was made, until the present time, and that the use of said Slaves was worth the sum of Forty One Dollars per month, making in the aggregate the sum of three hundred and twenty three dollars and eighty nine cents ($323.89) It is therefore decreed that the Clerk of the Court pay to the said Kimballs and wife or their attorneys the said Sum of three hundred and twenty three dollars and eighty nine cents, out of the said sum of two thousand Dollars now in the custody of this Court, and that the said Clerk pay the residue of said two thousand dollars, making the sum of Sixteen hundred and seventy six dollars and eleven cents to the said Johnson, and that the said Clerk deliver to the said Johnson his said promissory note of fifteen hundred dollars, made originally unto B. F. Johnson, the said two thousand dollars and the said note being now on deposite as a tender in and under the custody and control of this Court

It is further ordered, adjudged and decreed by the Court that said petitioners do have and recover of and from the said James P. Johnson all their costs in this behalf expended for which execution may issue.

And Thereupon It is ordered by the Court that Court do now adjourn until Thursday Morning, January 31st A.D. 1856. 1/2 past 9 o'clock

Thursday, January 31st 1856.

Court met at half past 9 o'clock, A.M. Pursuant to adjournment. Present the same as any time. Whereupon the following proceedings were had by said Court as follows, towit:

Recd for Record Brown & Munroe Insurance Co 31 Jan 1856 at 11 o'clock A.M. Attest S. McEntire

Fall Term, Thursday, January 31st 1856.

778 Payne & Grimsley } Plaintiffs
F. S. Ry & Hea } Defendants } It is ordered by the Court that the motion of defendants 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.

740 Owen & Bruin } Plaintiff
A. D. Compton } Defendant } It is ordered by the Court that the motion for a new trial in this cause be overruled.

818 John B. Bowles } Plaintiff
John A. Keen } Defendant } It is ordered by the Court that the motion for ~~a new trial~~ arrest of Judgment in this cause by defendant be overruled. And thereupon the defendant in said Court, gave notice of an appeal to the Supreme Court.

867 L. M. H. Hill } Plaintiff
Jas. M. Crattin } Defendant } It is ordered by the Court that upon Plaintiff's filing a new affidavit in this cause, that the bond and writ be quashed.

740 A. D. Compton } Plaintiff
Owen & Bruin } Defendant } Certiorari

And now come the parties to this cause by attorney and upon motion, after hearing the argument of counsel, It is ordered, adjudged and decreed by the Court that the petition for Certiorari in this cause be quashed and dismissed, and that this cause be remanded to the Justices Court for execution.

And thereupon It is ordered, by the Court that the defendant, Owen & Bruin recover of the plaintiff, A. D. Compton, and the securities on his certiorari bond, to wit Thomas Freeman and C. B. Smith, all costs in this cause in this Court expended, for which execution may issue.

760 Phebe Taylor } Plaintiff } Divorce
M. D. Taylor } Defendant } This cause having been brought by publication, and no appearance being made by

Fall Term, Thursday, January 21st 1858

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

2857 James C. Stephenson &c. } Plaintiffs
v.
Samuel Craft, et. al } Defendants } In this case it appearing to the Court that since the last order in this case Samuel Craft has died, and that John M. Brown has been appointed his administrator, it is ordered that all the right of said Craft be revived in favor of his administrator, and that the administrator be entitled to execution against Wilson Barton.

And it appearing to the Court that there is due to John T. Price twenty one dollars and fifty cents for Keeping Celia under the directions of Armistead Rives, the Receiver, It is therefore ordered that said Administrator pay the same out of the funds received by Samuel Craft in the Decree for the expenses of the Receiver

R. T. Irwin
Special Judge.

2771 Elizabeth Lloyd, et. al. } Plaintiffs } Petition
v.
Richard Lloyd, et. al. } Defendants }

Whereas at the Fall Term of this Court, 1854, there was an adjudication of the rights of the parties, Plaintiffs and defendants, in and to the tract of land in controversy, and a partition ordered to be made to the said several parties according to their respective interests as set forth in the Judgment therein rendered at the said Fall Term, 1854. And whereas at said Fall Term, for the purpose of carrying out said Decree the following named persons were appointed Commissioners to cause a Survey of said back league of land ascertaining the number of acres therein, and then to cause a subdivision of the same among the several owners according to their respective interests under said Decree, which Survey was to be made under the direction of said Commissioners by the County Surveyor of Travis County. And said Commissioners having in obedience to said order, as appears to our satisfaction, caused a Survey to be made of said back league of land, and a partition thereof as for the following report and plat:-

Fall Term, Thursday, January 31st 1856.

Report of N. L. Upshur, Surveyor.

Elizabeth Lloyd, et. al v. Richard Lloyd, et. al. — No. 271.

To the Commissioners Enoch Johnson, Albert Burnam and Wesley Smith, appointed by the 9th. District Court for the County of Travis, to have surveyed and apportioned to the several claimants the land in controversy in said suit

The undersigned Surveyor appointed in connection with said Commissioners to survey said land, begs leave to make the following Report:

The land in controversy is called a Chay of a league and situated at 2.222 acres, but the Survey only contains 1923 acres. This is the error of the original Survey.

The field notes for the entire tract will read as follows: Beginning at the North a Northwest corner of the tract near the residence of Jno. M. Eastley at "A."

Thence S. 31 W. with the old marked line of said Survey 1240 vrs. to a Spring branch, 900 vrs. to another little branch, 2590 vrs. to the Austin & Bastrop road.

Thence S. 28° 45' W. 800 vrs. to a certain Elm tree on the line of Josephus Hornsby's fence, which Wm. Reuben Hornsby, Sen. told me was marked as a line tree when the line was first run - he living with the Surveyor at the time - and which I was compelled to adopt, there being no other marks from there to the river. This you will perceive will make a slight crook in the line, but not of sufficient importance to disturb the division you have already made. This slight crook in the line will make N. W in the division about 18 varas wider from said Elm tree to the back line of the Survey, than the other lots, yet I do not believe that Mr. W will have more than a just share considering that it is coupled with No 4 in the distribution.

Thence S. 30 W. 3530 vars to the timber and thicket of the river bottom, 3440 vrs. to a Huckberry on the bank of the river as a corner, marked with blazes as the Commissioners will remember.

Thence down the Colorado River as follows, viz: N. 65 E. 900 vrs. N. 80 E. 760 vrs. N. 68 E. 130 vrs. N. 50 E. 700 vrs. N. 60 E. 2440; N. 40 E. 320; N. 34 E. 200 vrs. to the River corner of said tract of land, a stake from which a Huckberry 10 in. in dia. brs. N. 52 E. 5 vrs. and a Boxelder 10 in. in dia. brs. north 4 vrs. both marked X.

Thence Auck 30° East 6. 540 vrs. to the East or Northeast corner of said Survey.

Thence N. 60 W. 1363 vrs. to the place of beginning

Falls Town, Thursday, January 31st 1856

In the subdivision of the above mentioned land it will appear that we are working a little backwards, owing to the manner in which the different lots are numbered, as No 11 in the beginning of the Survey, but that I presume, is not a matter of much consequence, as it can well be understood

Lots Nos 12, 15, 16, 17, 18, 19 & 20 are 3590 varas long, and 134 1/2 varas wide, and containing each 85 1/2 acres

Lots Nos 13 and 14 are each 1795 varas long and 269 varas wide and contain each 85 1/2 acres.

Lot No 11 is a fractional Gargir than the above named lots as accounted for before. The line from 134 D long 134 1/2 vs. long, and the back line 18 varas longer. This you will understand.

Lots Nos 10, 2, 3, 9, 8, 7, 6 & 5 are 672 1/2 varas long or back the width of the tract and 580 varas wide from the North east to the Southwest, and contain each 66 7/10 acres

The field notes of Lot No 1 runs as follows: Beginning at the lower corner of the original Survey, viz: Down the River up with its meanders, Unit: S 54 W 200 vs; S 40 W 520 vs; S 60 W 440 vs; S 50 W 700 vs; S 65 W 70 varas

Thence N. 30 E. 3620 varas to a corner in the Spring of lots Nos 2, 8 & 9. Thence S. 60 E. 672 1/2 varas to a corner of No 2 Thence S. 30 W. 1830 varas to the beginning and will contain 333 7/10 acres

To begin Lot No 4 at the most western corner of Lot No 5, the field notes of said road as follows: Thence S. 30 E. 672 1/2 vs. to the South corner of No 5

Thence S. 30 W. 380 varas to the Rio Colorado

Thence up the river with its meanders, to wit: S 45 W 60 vs, S 80 W 760 vs; S. 68 W. 90 vs to the upper corner of the original Tract.

Thence N. 30 E. 1900 varas to the beginning, and containing 201 acres

The above calculations are as near as it is possible to make them on the ground.

The bearing trees at the point "A" are a post oak 12 in. in dia. brg S. 77 E. 3/4 vs. & another Post oak 8 in. in dia. brg N. 50 W. 3/4 vs. marked X

The bearings at the point "B" are as follows: An Elm 10 in. in dia. S. 19 W. 6 3/4 vs. another Elm 8 in. in dia. N. 45 E. 6 3/4 vs. and another Elm 6 in. in dia. S 86 W. 3/4 vs

Fall Term, Thursday, January 31st 1856.

The bearings at the point X are as follows: An Elm 10 in. in dia. brg N. 48½ E. 23 rs. and another Elm 10 in. in dia. brg N. 1¼ E. 41/2 rs. marked Y For a clear understanding of what is written see Order the Commissioners & the map which accompanies this Report, and which is necessarily made a part of said Report

Be known, that should be anything omitted or any thing the Commissioners do not well understand, I will at any time be ready to give any information in my possession May be of the above survey is due hundred dollars $100.00 W. G. Upshaw, Survey'r.

134½
57½

Falls Term, Thursday, January 31, 1856.

And it further appearing that upon the coming in of said Report one of the parties defendant, to wit: Richard Lloyd, objected to same, and prayed for and obtained an order from said Court, to wit: at the Spring Term 1855 for a Re-survey in part of said tract of land, which said Order appointed the said Commissioners Albert Burns, Wesley Smith and Enoch Johnson, and E. H. Sackett, Deputy Survey'r of Falls county, to make said resurvey

And the said Commissioners having returned into Court at this term the Report of said E. H. Sackett, Dep'ty Survey'r, &c. and report of them the said Commissioners as follows to wit:

C. & Co. vs. R. J. Lloyd et Ux.

To the Commissioners Wesley Smith, Albert Burns, and Enoch Johnson, appointed by the Hon. District Court of Falls county at its Spring Term of 1855, to have retraced the west line of the Joseph Dailey Survey - said line having been run by Wm. H. S. Upshur Survey'r &c. under said Commissioners

The undersigned, Survey'r appointed in connection with said Commissioners beg leave to make the following Report.

The order of Court as understood by me requires to ascertain the difference between the Survey made by Wm. Upshur (in reference to the west line of said Daily Survey) and me at which no error made in the said line would be by running straight S. 30 W. to the Run?

The Point B on the accompanying Plat to the point at which Wm. H. S. Upshur runs S. 25 3/4 W. to the Elm for which is at C) to run from the point B. S. 30 W. to the run, and not regard the deviation at the point C said Run at this the run at D. The land included within the lines B. C. D. & D, which land is not included in the Survey of Mr. Upshur, contains 181 acres of land and distributed off to the Lots Nos 4, 5, 6, 7, 8, 9, 10 & 11, which it lies adjoining to will be appointed out as follows: To Lot No 4 6,23 acres. Lots Nos. 5, 6, 7, 8, 9 & 11, 18 acres each, Lot No 11, 8 9 of an acre

All of which is respectfully

Submitted

My fee for the above service is twenty five dollars

E. H. Sackett

Survey'r

Fall Term, Thursday January 31, 1856

Commissioner's Report.

C. F. Eldridge v. R. F. Eldridge et al

To the Hon. District Court of Travis County

The undersigned, Wesley Smith, Albert Burns and Curtis Robinson appointed at the last term of this Court Commissioners to partition the land heretofore divided and partitioned by them under decrees order of this Court, with E. H. Tucker, Deputy Surveyor of Travis County District and to cause the west line of said tract to be resurveyed by running a line beginning at the original N. W. corner of said tract and following the original field notes to the river without regard to the line previously run by N. L. Upshur, which line deviates slightly from the original field notes and which deviation commenced at the Bastrop road and passed a certain Elm tree, and to report to this Court the quantity of land which would be thus found to be between Upshur's line and the line run under this order, respectfully Report:

That they have made said resurvey in obedience to said order, and they herewith submit the report of E. H. Tucker, Dep. Surveyor, whom descending said resurvey, and stating the number of acres between said two lines, and they ask that said Deputy Survey or Report may be taken as a part of this Report. The said Report of E. H. Tucker is accompanied by a plat showing the two lines, and the Commissioners ask that said plat or map may be taken as a part thereof.

The Commissioners further report that the difference between the two surveys is not material and that the quantity of land which falls respectively to each of the shares under the last survey, in addition to that given by the previous survey is so small as to make no material difference in the value of each or any of the shares.

We would further report that since the previous Report made by us, showing (by reference to Mr. Upshur's map of the land) the shares allotted to each of the different owners, and at the suggestion of all the parties at interest, we have changed the shares as heretofore specified, and made that change by erasing the names of parties on the map, and inserting them in accordance with our present partition.

We further report that the division and

Fall Term, Thursday January 31st 1856.

partition as it is now upon this Court a fair and equitable one, as nearly as we have been able to do exact justice in the premises.

The Commissioners would further report that it should be determined by this Court that the line run by Mr. Lockett under the present survey, is the correct west line of the Swamp Land then the quantity of land falling to Shares No. 11, 10, 9, 8, 7, 6, 5 & 4, is increased as made larger as described in Lockett's report, and that these shares will therefore be that extent larger than the shares marked 1, 2 & 3— And that to make all the shares equal it would be necessary for those owning the first named shares to pay to those owning 1, 2 & 3, pro rata for the 18½ acres at the rate of ten dollars per acre, which is a fair valuation of the land

All of which is respectfully submitted

Commissioners. | Albert Brown
Wesley Smith.
C. S. Johnson

And it appearing to the satisfaction of the Court that said Report representing the subdivision of said tract of land according to the foregoing Plat, and the numbers and field notes of the respective tracts and the distribution among the several parties interested according to their rights under the Decree herein is just and fair, & there being no objection thereto It is therefore ordered, adjudged and decreed that the said parties are hereby invested with full and complete title as against each and all of the other parties herein in and to the respective tracts upon which their names are marked in the foregoing Plat, that is to say— the said William Lloyd is hereby invested with full and complete title as aforesaid to Subdivisions Nos. One (1) and Eighteen (18) according to their position on said Plat, and the field notes thereof as contained in the report of D. L. Upshur herein set forth; the said John C. Lee is hereby invested with full and complete title as aforesaid to Subdivisions Nos two, three, nineteen and twenty (2, 3, 19, 20) according to their positions on said Plat and the field notes thereof as contained

in the Report of said H. L. Upshur herein set forth the said Benjamin W. Lloyd is hereby invested with full and complete title as aforesaid to subdivision No. four and eleven (4, 11) according to their positions on said plat and field notes; the said Alexander L. and Robert McKee are hereby invested with full and complete title to subdivisions No. five and twelve (5 & 12) as contained in said plat and field notes; the said Washington Lloyd is hereby invested with full and complete title to subdivisions Nos. Ten and sixteen (10 & 15) as contained in said plat and field notes; the said John H. Lloyd is hereby invested with full and complete title to subdivisions Nos. Seven and Sixteen (7, 16) as contained in said plat and field notes; the said Elizabeth Lloyd is hereby invested with full and complete title to subdivisions Eight and Seventeen (8, 17) as contained in said plat and field notes; the said Jesse D. Lewis and his wife, Betsy Lewis, are hereby invested with full and complete title to subdivisions No. Nine and thirteen (9, 13) as contained in said plat and field notes, and the said Richard D. Lloyd is hereby invested with full and complete title to subdivisions No. ten and fourteen (10, 14) as contained in said plat and field notes.

It is further ordered, adjudged and decreed that the defendant, Richard D. Lloyd, shall pay all costs in this behalf expended, up to the date of the order of partition in this cause, and one-ninth of the cost of partition for which execution may issue.

It is further ordered, adjudged and decreed that the plaintiffs; William Lloyd, Benjamin W. Lloyd, Washington Lloyd, John H. Lloyd, Elizabeth Lloyd, Jesse Lewis, and his wife, Betsy Lewis, shall each pay one-ninth of the costs of partition, and the plaintiff, John C. Lee, shall pay two-ninths of the costs of partition, for which execution may issue.

It is further ordered, adjudged and decreed that H. L. Upshur, District Surveyor of Travis county, shall be allowed the sum of
Dollars for his services in surveying said land, and L. H. Lockett, Deputy Surveyor of Travis county, shall be allowed the sum of

Fall Term, Thursday, January 31st 1856

dollars for his services in surveying said land; and Wesley Smith, Enoch Johnson and Albert Brown each shall be entitled to the same as dollars for their services in partitioning said land.

26	Thomas D. Chambers, et. als.	}	Plaintiffs
	as.		
	John Allgower, et als.	}	Defendants
24	Thomas D. Chambers	}	Plaintiff
	v.		
	Josiah Fisk et. als.	}	Defendants
24	Thomas D. Chambers	}	Plaintiff
	v.		
	James R. Pace	}	Defendant

The motions of the plaintiff in the above entitled causes respectively to change the venue in said causes having been this 30th day of January AD 1856, said causes being, the parties appearing by their respective attorneys and the same having been heard and duly considered, and the Court being of the opinion that said motions should be sustained, the same are hereby granted; and the Court being satisfied from the evidence adduced and the parties having agreed that the county seat of the county of Williamson is the nearest county seat to the county seat within this district of Johnson county and having further agreed that if the Court changed the venue of the above entitled causes the said causes should be sent to the county of Williamson.

It is ordered that the venue of said causes be changed to the District Court in said county of Williamson; and it is hereby further ordered that the Clerk of this Court transfer the causes to be transferred as the papers belonging to the causes No. 26, above stated, to which all the defendants in the above entitled causes respectively were defendants, and which was named or divided into the three above entitled causes, and a transcript of all the orders in said causes to the Clerk of the District Court of said Williamson county, in order that said causes may be there docketed for trial.

Hall Term, Friday, February 1st 1856.

And thereupon it is ordered by the Court that
Court do now adjourn until Friday ~~January~~
February 1st 1856 1/2 past 9 o'clock, A. M.

Friday, February 1st 1856

Court met at half past 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:

721 Owen & Owen } Plaintiff
v. } Defendant } Rule on
Compton & Sawyer } Defendant } Rule ordered
by the Court that the motion of Plaintiff for a
new trial as to the defendant Sawyer, be overruled

24 Thomas J. Chambers } Thomas J. Chambers } Thomas J. Chambers
24 v. } } v.
24 John McGowan et al } Josiah Fisk et al } James R. Pace

In the above entitled causes, upon motion of plaintiffs attorneys
to change the venue in each of said causes to the nearest county
in one of the judicial districts of the State, because of the reasons &
the incompetency of the Hon. Thos. A. Dowd, Judge of 2nd Jud. District
to try the same. And said motions being considered by the Court
and because said Judge considers himself interested in the
result of the question involved in said causes. It is ordered
that the venue of said causes be changed from this Court,
and it appearing that the county of Williamson is the nearest
county in a different judicial district, It is ordered
adjudged and decreed by the Court here, that the
venue in said several causes be changed to said
county of Williamson - there to be tried in the District
Court of said county, and that the clerk of this
Court transmit to the District Court of Williamson
county all the original entries in said causes of
record in this Court and all the papers in
said causes, so that such proceedings may be
had thereon as to justice and equity may
appertain

And thereupon it is ordered that Court do now adjourn until
Saturday February 2nd 1856.

Fall Term, Saturday, Febuary 2nd 1856.

Saturday Morning, Febuary 2nd 1856.
Court met at half past Nine o'clock A. M. pursuant to adjournment. Present the same as yesterday Whereupon the following proceedings were had by said Court as follows to wit:

751

Morgan & Smith } Plaintiff
v. } Judgment.
Nathaniel Townsend } Defendant

This cause having been called and the parties respectively having appeared by their attorneys, and announced themselves ready for trial, and having argued and submitted the exception of the defendants to the petition of the plaintiff. It was ordered by the Court that the same be overruled, And Thereupon the exceptions of the plaintiff to the answer of the Defendant having been also argued and submitted, It was ordered by the Court that the same be sustained as to Defendants plea to the jurisdiction, and as to all of the answer as amended except so much thereof as amounts to a plea of payment. Whereupon the parties having waived a Jury, and submitted the cause to the decision of the Court, It is considered by the court, after hearing the evidence adduced by the parties that the plaintiffs, Morgan & Smith, have and recover of the defendant, Nathaniel Townsend the sum of thirteen hundred and eighty and 83/100 Dollars, and interest thereon at the rate of six per cent per annum until paid, together with all the costs of this suit, to be taxed by the Clerk, and that execution issue therefor. And it is further ordered that the parties in open Court, having given notice of an appeal to the Supreme Court.

And thereupon It is ordered that Court do now adjourn until Monday Morning February 4th 1856 half past nine o'clock.

Monday, Feby 4th 1856

Court met at half past 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:

Fall Term, Monday, February 4th 1856.

The State of Texas }
County of Travis } I, Frank Brown, clerk of the District Court in and for the County and State aforesaid, do hereby certify that the following is a correct Statement of the Civil cases disposed of at the Fall Term of the District Court of Travis county, A.D. 1855, on which a Jury fee of Three Dollars is receivable, to wit:

No.	Style of Cause.			Amt.
130	H. H. Baker	v.	A. H. Cook	$ 3.00
223	Paulza Flesher	v.	Wm of M. A. Flesher	3.00
406	J. D. Pruet	v.	Claiborne Arrington	3.00
434	Wm of Jno. M. Robinson	v.	D. N. Roberts	3.00
515	Spence & Freeman	v.	Wm G. Woodridge	3.00
529	J. L. Haynie	v.	P. & B. Cochran	3.00
545	Joseph Wray Hen	v.	M. Joseph Hen	3.00
561	John H. Wear, et. al.	v.	Wm of Jno C. Wear	3.00
573	W. C. Phillips	v.	J. Hudgins, et. al.	3.00
583	Thos H. Ward	v.	J. A. Burdett, et. al.	3.00
586	J. A. Green, Admr	v.	A. B. Burleson, et. al.	3.00
588	John L. Randle	v.	J. L. Brown	3.00
592	J. H. Heald	v.	Williamson Hen.	3.00
597	Thomas Adams	v.	Spears & Scallion	3.00
618	B. F. Aun	v.	J. Creasy et. al.	3.00
620	R. H. Peck	v.	Case & Burdett	3.00
622	Jane Harris	v.	Thomas Cassidy, dec.	3.00
627	Thos J. Perryman	v.	Jas. L. Davis Jr, et. al.	3.00
628	F. Kutzrich	v.	H. H. Sublett	3.00
636	J. L. Nichols	v.	J. K. Fleming & Co	3.00
646	Mary K. Moore	v.	Wm of Thos A. Moore	3.00
652.	H. W. Chandler	v.	J. H. Banks et. al.	3.00
653	H. Clancy Hen.	v.	J. K. Fleming & Co.	3.00
680	Frank Webb	v.	Geo. Hancock	3.00
714	Joseph Hemsham	v.	John Watson	3.00
717	L. Fellman	v.	J. Hoke	3.00
718	Joseph Warnston	v.	M. J. Crofton et. al.	3.00
711	R. H. Peck Hen	v.	John H. Connor	3.00
712	R. H. Peck Hen.	v.	A. B. McGill	3.00
713	R. H. Peck Hen	v.	Coy & Glascock	3.00
714	R. H. Peck Hen,	v.	A. H. Cook	3.00
721	Owen O'Brien	v.	A. J. Compton et. al	3.00
723	J. J. Powell	v.	N. H. Sublett	3.00
724	J. J. Powell	v.	Charles E. Travis	3.00
729	George Hancock	v.	James L. Hinkle	3.00
730	Van Alstyne & Taylor	v.	Winn & Powell	3.00

Fall Term, Monday, February 1st, 1836

731	Van Alstyne & Taylor	v.	Smith & Strayhorn	$ 3.00
732	Lewis Hunt	v.	Lewis Walsh	3.00
733	H. W. & M. C. Borden	v.	James L. Hanks	3.00
734	John R. McRae	v.	John J. Cleveland	3.00
742	Miles Owen & Co.	v.	Thomas Banks	3.00
744	Enoch Ordway	v.	L. B. Collins	3.00
745	Francis L. Huffam	v.	N. & P. A. Bryan Jr.	3.00
746	B. K. Hendrick	v.	Shaw & Quisley	3.00
747	James Cason	v.	Wm. R. Bauchman	3.00
748	W. C. Phillips	v.	J. M. Hutchins, Admr. et al.	3.00
753	M. G. Hamilton	v.	N. C. Raymond et al	3.00
755	G. M. Holden	v.	Josiah Fisk	3.00
756	G. W. Glascock	v.	M. G. Blakey	3.00
757	George Hancock	v.	John Hughes	3.00
759	E. A. Howe	v.	R. G. Haynie et al	3.00
761	Asa Miller	v.	C. A. Laughlin	3.00
762	R. K. McNeely	v.	G. K. Brown	3.00
763	Reid, Sprague & Co.	v.	G. W. Glascock	3.00
764	R. G. Cox	v.	A. J. Strayhorn	3.00
765	Reid, Sprague & Co.	v.	C. A. Laughlin et al	3.00
768	M. K. Ryan & Co.	v.	Temperance G. Smith	3.00
769	H. Kirkpatrick	v.	W. M. Avery et al,	3.00
771	John Bremond	v.	S. K. Jennings Jr.	3.00
772	John A. Green	v.	E. Lockhart	3.00
773	Shepard & Burke	v.	Smith & Strayhorn	3.00
774	John Bremond	v.	Cassidy & Gubbett	3.00
776	R. H. Peck & Co.	v.	Angustus Fore	3.00
777	R. H. Peck & Co.	v.	Ann Woolbridge	3.00
778	R. H. Peck & Co.	v.	Bardetts et al	3.00
783	George Hancock	v.	Milton Perry	3.00
784	Martin Moore	v.	E. R. Peck	3.00
786	N. G. Reed	v.	R. Bonner	3.00
787	G. B. Gibbs	v.	Geo. W. Hughes	3.00
789	Joseph Tanner	v.	J. W. Chandler et al	3.00
791	W. B. Mays	v.	B. F. Smith	3.00
792	J. P. Washington	v.	Moore & Borden	3.00
795	Rochonde & Graesbeck	v.	A. Menicke	3.00
797	Fuller, Hensley & Co.	v.	E. Feldman	3.00
798	Payne & Grimsley	v.	F. G. Ray & Co.	3.00
799	Burditts Admrs	v.	A. B. M'Gill	3.00
800	Burditts Admrs	v.	W. W. Gubbett	3.00
804	J. W. Goodrich	v.	John R. M'Crae	3.00
805	G. W. Goodrich	v.	A. W. Low'K	3.00
806	W. B. Madden	v.	Fitzgerald	3.00

Fall Term, Monday, February 11th 1856.

807	x Emery	v.	Montgomery & Hempstead	3.00
808	C. G Kimbell et al	v.	T. H. Johnson et al	3.00
809	E. & A. Jennings	v.	x Payne	3.00
810	E. & A. Jennings	v.	John H. Conner	3.00
813	Covington Ex.	v.	Philip Golden	3.00
816	Jas M. Bradlow	v.	R. Brown et al.	3.00
818	John B. Banks	v.	John A. Green	3.00
822	R. H. Peck	v.	H. K. Brown	3.00
820	J. D. C. Mann, Admr	v.	S. Fisk, et al.	3.00
829	Dewberry Ex.	v.	J. G. Haymi et al.	3.00
837	Murchison	v.	John K. McCall	3.00
842	S. R. Cannington Ex	v.	Trustees Methodist Church	3.00
843	M. C. Hamilton	v.	" " "	3.00
844	Wilson Green	v.	Geo. W. Paschal	3.00
846	C. & A. Jennings	v.	W. K. Brown	3.00
847	x - Taylor	v.	B. H. Johnson	3.00
848	M. C. Hamilton	v.	J. M. Timmy et al.	3.00
2?1	Elizabeth Lloyd	v.	R. T. Lloyd et al.	3.00
851	Margaret E. Smith	v.	Nathaniel Jennings	3.00
				$297.00

I hereby certify that the foregoing Statement is correct.

Thos. H. Duval
Judge 2d Jud. Dist.

Attest; Frank Brown, Clk. D. C. Tr.

Statement of Fines and Jury Fees in Criminal Causes.

The State of Texas }
County of Travis } I, Frank Brown, Clerk of the District Courts in and for the County and State aforesaid, do hereby certify that the following is a correct Statement of the Fines and Jury Fees that have been reported to me as having been collected by the Sheriff of Travis county, (John J. Price), in Criminal Causes, up to the adjournment of the present term of the Court – the said Jury Fees being in my possession to be distributed as per rata pay according to law, and the Fines still remaining in the possession of the aforesaid Sheriff

No. of Case	Names of Parties			Fines	Jury Fees
389	The State of Texas.	v.	L. A. Burdett (Sh. T. C. '55)	25.00	5.00
418	"	"	C. C. Travis " "	10.00	5.00
385	"	"	C. C. Travis " "	25.00	5.00
198	"	"	B. C. Carver " "	25.00	5.00

Fall Term, Monday, February 4th 1856.

Fall Term, 1855.

242	"	"	"	R. Autry	10.00	5.00
467	"	"	"	S. A. Burdett	10.00	5.00
458	"	"	"	A. J. Fox	15.00	5.00
526	"	"	"	A. J. Fox	XVIXIV	5.00
511	"	"	"	Thomas Cates	10.00	5.00
515	"	"	"	A. Cano	15.00	5.00
531	"	"	"	G. L. Stovall	12.50	5.00
537	"	"	"	J. R. Peyton		5.00
538	"	"	"	J. R. Jackson		5.00
560	"	"	"	J. R. Jackson		5.00
528	"	"	"	Alex. Dunn	12.50	5.00
539	"	"	"	J. R. Jackson	12.50	5.00
523	"	"	"	Wm Stone		5.00
561	"	"	"	Wm Stone		5.00
542	"	"	"	John Stone	100.00	5.00
545	"	"	"	John Stone	100.00	5.00
541	"	"	"	John H. Dunn	15.00	5.00
574	"	"	"	W. H. Chilcott	10.00	5.00
575	"	"	"	W. H. Chilcott	10.00	5.00
536	"	"	"	John Terry	10.00	5.00
577	"	"	"	A. Cano	10.00	5.00
573	"	"	"	X Poland		5.00
550	"	"	"	X Poland		5.00

I do hereby certify

I do hereby certify that the foregoing Statement is correct

Thos. H. Duval
Judge 2d Jud. Dist

Attest:
Frank Dunn
Clerk D C T C

Fall Term. Monday, February 4th 1856.

Grand Jury.

1	M. C. Saunders, Foreman	1½	days	$ 12.00
2	John W. Baker	8	"	12.00
3	Jas. H. Mathews	8	"	12.00
4	Thomas H. Turner	8	"	12.00
5	James Rogers	8	"	12.00
6	John S. Pierce	8	"	12.00
7	Thomas P. Washington	8	"	12.00
8	William Oliphant	8	"	12.00
9	M. C. McEwen	8	"	12.00
10	Reuben Runnels	8	"	12.00
11	Josiah Bishop	8	"	12.00
12	Wm A. Hamilton	8	"	12.00
13	W B Smith	8	"	12.00
14	Jesse F Burden	8	"	12.00
15	F. R. Tannehill	8	"	12.00
16	Simon Lewis	8	"	12.00
17	Thos Ward Ward	8	"	12.00
18	Eyi Bonzed	8	"	12.00
19	Francis Bichlar	8	"	12.00
20	R. F Waddle	8	"	12.00
		160	"	$ 240.00

Petit Jury

1	Jas. P. McKinney	3	"	$ 4.50
2	C. H. Carter	3	"	4.50
3	Jno Bymond	8	"	12.00
4	George L. Oats	5	"	7.50
5	Jas H Sampson	1	"	1.50
6	James R. Castin	12	"	18.00
7	J. Bastick	13	"	19.50
8	P. K. Marshall	12	"	18.00
9	Thos H. Sims	3	"	4.50
10	Thomas Freeman	8	"	12.00
11	W. K. Carling	16	"	24.00
12	Saml J Hood	12	"	18.00
13	Alex Sams	11	"	16.50
14	L. A. Pickett	14	"	21.00
15	Isaac Wildbahn	1	"	1.50
16	Joseph C. Annington	9	"	13.50
17	Wm A. Connell	14	"	21.00
18	A. B. Slaughter	4	"	6.00
19	Joseph Winston	2	"	3.00
20	James Sadler	6	"	9.00

Fall Term, Monday, February 4th, 1856.

21	Henry Johnson	7	days	$10.50
22	Benj. Short	11	"	16.50
23	B. G. Bennett	6	"	9.00
24	Hugh McDaniel	18	"	27.00
25	John Robb	7	"	11.50
26	Stephen Dawson	22	"	33.00
27	Chas. W. Hamilton	23	"	34.50
28	Francis Kelley	6	"	9.00
29	Aaron Kennedy	7	"	10.50
30	L. J. Adams	11	"	16.50
31	J. A. Jackson	2	"	3.00
32	F. G. Fry	2	"	3.00
33	Jno C. Walker	2	"	3.00
34	L. M. Gresham	18	"	27.00
35	J. J. Cassidy	15	"	22.50
36	J. K. Shepherd	16	"	24.00
37	J. D. Friend	16	"	24.00
38	L. C. Nebbeson	16	"	24.00
39	Robert Wilson	4	"	6.00
40	C. B. Rambo	6	"	9.00
41	Henry Overstreet	16	"	24.00
42	William Gibson	14	"	21.00
43	R. M. Pettigrew	4	"	6.00
44	W. M. Webb	9	"	13.50
45	L. M. Keithly	2	"	3.00
46	W. A. Stanley	13	"	19.50
47	John Selby	14	"	21.00
48	Isaac C. Ross	13	"	19.50
49	James L. Payne	8	"	12.00
50	Wm Keithly	12	"	18.00
51	R. M. Peck	5	"	7.50
52	M. A. Stanton	5	"	7.50
53	Geo. W. Davis	5	"	7.50
54	Owen A Owen	5	"	7.50
55	John Worm	5	"	7.50
56	Hugh McBride	5	"	7.50
57	J. T. Bumpass	6	"	9.00
58	W. M. Jones	5	"	7.50
59	R. F. Chapman	9	"	13.50
60	E. B. Hare	5	"	7.50
61	Joseph Simpson	5	"	7.50
62	R. K. Richardson	2	"	3.00
63	A. M. Cook	2	"	3.00
64	A. P. Black	2	"	3.00

Fall Term, Monday, February 4th 1856.

65	J. R. Jackson	2 "	3.00
66	J. Longbotty	1 "	1.50
67	Leander Bunn	2 "	3.00
		551 "	$824.50

Grand Jury	160	Days	$240.00
Petit Jury	551	"	826.50
Total	711	"	$1066.50

The State of Texas }
County of Travis }

I, John T. Price, Sheriff of Travis county, do hereby certify that the foregoing is a true and correct Statement of the names of Grand and Petit Jurors who served at the Fall Term of the District Court of Travis county, A. D. 1855, the number of days each Juror served and the amounts they are entitled to for such Service respectively

John T. Price,
Sheriff Travis Co.

The foregoing Statement I certify to be correct.

Th. H. Duval,
Judge 2d Jud. Dist.

Order for Bailiffs.

And thereupon It is ordered by the Court that the Clerk of this Court issue to the following named persons certificate of Service as Bailiffs during the present term of this Court, for the number of Days and amounts attached to their respective names as follows, to wit:

C. C. Herk,	Bailiff to Grand Jury	4 Days	$6.00
J. M. Blackwell	" " " "	8 "	12.00
A. P. Swisher	" " District Court	36 "	54.00

Fall Term, Monday, February 4th 1856.

And thereupon it is ordered by the Court that the clerk of this Court do make a complete Final Record of all the original Papers in each and every civil cause decided at this Term of the Court, and that he be and is hereby authorized to charge thereof the sum of fifteen cents per hundred words so recorded, to be taxed and collected as other costs of suit.

Ord Rec!

It is further ordered by the Court that the clerk thereof be and is hereby authorized to charge fifteen cents per hundred words for each and every Interlocutory and Final Order and Decree in each cause recorded in the Minutes of this Term of the Court; and twenty five cents for each copy of each writ admissable to this Term of the Court, all to be taxed and collected as other costs of suit.

Declaration of Intention to become a citizen

The State of Texas }
County of Travis } I Isaac Denis Daly (or Daley) being 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 eleven in the empire of France, whence he emigrated in February 1855, 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 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 Emperor of France, Louis Napoleon, whereof he is a subject.

Isaac Denis Daly

Sworn to and subscribed in open Court this 4th day of February A.D. 1856

Travis Brown Clerk of said Court.

7248

W. C. Phillips } Plaintiff
&
D. H. Hutchins, Admr. dec'd } Defendants } It is ordered by the Court that the motions of Defendants in their cause in arrest of Judgment and for a new trial be overruled. And thereupon the said defendants in open Court, give notice of an appeal to the Supreme Court

Fall Term, Monday, February 4th 1856

The State of Texas County of Travis.

I, Frank Brown, clerk of the District Court in and for the County and State aforesaid, do hereby make the following

Report:

That at the Fall Term of the Travis County District Court, 1855, there was received by me the sum of Four hundred and thirty seven dollars as fees in civil and criminal cases disposed of at said term, and the said sum of money authorized by law to be by me distributed among and between the Jurors who served at said term as pro rata pay for said service, and that after deducting five and one-half per cent. from said amount of Four hundred and thirty seven dollars allowed by statute law, the amount and sum of Four hundred and twenty six dollars and seventy remained to be distributed as aforesaid, and that in accordance with the list of Jurors returned at said term there are ninety seven Jurors who served in the aggregate Seven hundred and eleven days at the rate of one dollar and fifty cents per day, making in the aggregate the sum of One thousand and Sixty six 50/100 Dollars, and that the pro rata pay of said Jurors amounts to the sum of Sixty (60) cents per day, and that certificates have been duly issued to said Jurors severally for the aggregate amount due them, and that the said pro rata due each Juror severally has been allowed, paid, and the same deducted severally from the aggregate amount due each Juror, and the amount remaining unpaid stipulated therein as will appear by reference had thereto.

Frank Brown, Clerk
District Court
Travis County
Texas

The foregoing minutes this day Examined and approved
And thereupon it is ordered by the Court that Court do now adjourn until the next regular term hereof.

Tho. N. Duval
Judge 2nd Jud. Dist

Dist Court Minutes

H

101	Applewhite v. Walter Wilson	259.	11-7
315	Amory, A. v. Cunningham, et al.	700, 250, 273.	11-13
418	Adkins, Cinderella vs. Owen Adkins		114
488	Aids, P. Pet. al. vs. Swisher & Shaw		235.28
501	Allan, John D. vs. U. S. Rep		47
177	Alford, L. P. v. Wm Thompson		493
507	Adams, Thr. D. v. Spears & Sealin	555.538,	1164.
749	Anderson, U. S. v. Insell & Williams		529
802	Alexander, P. W. et. al. v. S. A. Winnie		684

A
B
C
D
E
F
G
H
I
K
L
M
N
O
P
Q
R
S
T
U
V
W
Y
Z

119	Bagley, A v. John M. Castley	86.10
351	Barfield, S. A. v. G. B. Moore & Co	86.17
439	Bemond, John v. Wm. D. Kerr, et als	25
447	Bunden, A. A. vs. A. W. Bunden	435.215.26
345	Banks, John B vs. Nichols & Lea	85
384	Bunden A. W. & C. vs. W. A. Morris	44
410	Bine, A. W. vs. S. K. Blevins Heirs	412.295.274.31
477	Isaac Yancey vs. Thomas Banks	236.27
483	Baldridge, Banks & Co vs. Eggnes & Boyce	416.27
490	Britton, J. B. vs. N. Downsend	210.28
491	Bemond, John vs. G. B. Moore, et als.	208.28
498	Bunden, Saml A. vs. A. W. Bunden	437.216.29
502	Bunden, A. W. vs. G. B. Moore	207.29
525	Bean, A. H. vs. Cassidy & Fennin	134
527	Bemond, John vs. Thos Cassidy	31
528	Bemond, John vs. P. G. Key	51
110	Bahles Wm v W Moore	573.279.1[illegible]11
201	Bennet, Wm & Wife, v. S. Becks Heirs	573.171
296	Burdett, G. v. Platt & Case	415.1721
334	Bennett, D. H. Admr. v. S. H. Cook	220.183
497	Wm Baker, Admr v. S. H. Jennings, Jr.	203
130	H. N. Baker v. A. H. Cook	518.279.273
559	Blakey & Patrick v. Geo W. Hancock, et al	483.472.428.297
117	Banks, G B v. W. Smith	452.303
631	Blakey, H. G. Adm Cathey	458.315.281
644	Bridwell, A. v. A. B. McGill	452.414.457.445.306
647	Burden, A. W. v. Wm Finley	444.516.306
649	Burden, S. H. v. G. B. Moore	487.454.445.317
652	Chandler, D. W. v Banks & Banks	307
654	Blakey, H. G. v. T. G. Key	561.475.307.281
681	Bennigg, R. T. v. S. W. Keichley	646
705	Bland, W. v. Starr & Smoker	693
717	Bunn, J. S. & Co. v. A. G. Compton	652
718	" " " " " "	654
722	Beard & Co. v. J. L. Bruce & Co	527
733	N. W. & M. C. Burdett v. S. G. Finley	663.519
750	Burdette, Admr v. Wm. Frontier	665
771	Bemond, J. v. S. K. Jennings, Jr.	530
774	" " Caperton & Hiblett	531
775	Benning, R. T. v. J. Hallyard, et al.	652
790	Bush, W. M. v. W. L. Upshaw, et al.	657.519
799	Burdette, Admr A. B. McGill	684.520
800	" " W. W. Hiblett	532
816	Bradley, W. v. Bennet & Co	688.520
817	Blakey, H. G. v. Geo. W. Crockett	686.520
818	Banks, J. B. v. J. A. Brown	715.711.696.691
841	Bemond, J. v. J. H. Hamden et. al	707.522

Court organized 5

314 Cain, J. A. P. v. Thomas Glascock .280.281.12

357 Cox, O. R. vs S. C. Blanton .183.307

446 Clark, Wm vs A. N. Hopkins .137.435.201.26

458 Cain, S. M. vs. Tho J. Pitt, et al 27

375 Cooper, M. D. & Co. vs Thomas Banks. 64

419 Compton, Ch. Pro. Wm Clark, et als. 220.182.59

467 Chandler, D. W. vs. Cassidy & Cannon 33

474 Canyl. Wm H. vs. S. Kirk 34

478 Conan & Sullivan vs Charles L. Travis 45

480 Chandler, D. W. vs. Jas A. Smith 46

495 Cook, Mrs Pas. Tho. Glascock, et als 127-29

499 Cocks, J. H. & Sarah K. vs. Brown & Tabor .437.29

517 Crist, Wm Pas. Cassidy & Finnin 246.30

520 Chandler, D. W. vs. Jackson & Glascock 33

282 Clark, Wm. B. et als. v. S. Case .575.115.296.180

Constitu. C. P. (Ex Parte) 460

534 Cannington, L. D. v. Brickman et al. .309

538 Chandler, D. W. v. Wm Parker et al. 310

379 Cushman, Goodwin & Co. v. A. N. Hopkins et al .250.300

395 Chandler, D. W. v. P. L. J. Brown .190.249.302

399 Cunningham, R. v. L. Knight, et al .251.257.302

403 Christian & Lomax v. Tho. J. Pitt 315

410 Cunningham, L. C. et al. v. Collinsworth .252.302

429 Clark, Wm v. Burden & Burden 253.303

430 Cassidy, J. & Co. v. P. M. W. Hall, et al. .250.305

460 Cap. L. D. v. Ray & Co .266.261.254.256.318

466 Cannington, L. D. & Co. v. Holmes & Oldham .250.259.309

468 " " " " Douglas Brown .257.309

452 Chandler, T. W. v. Barnes, et al. .272.245.317

506 Collins Creek, U. C. trustee v. T. McKean 527

520 Caldwell, W. J. v. A. N. Hopkins et al .255.523

537 Chandler Wm Harlan dr. J. J. Immobles .255

538 " " " Ang. Hare .263.256.317

540 Compton, A. G. v. A. O'Brien .270.277.275.270.256

547 Conner, Jno. v. Wm R. Barcham .265

564 Colvin, R. J. v. N. J. Strayhorn .239

567 Cook, U. N. v. John T. Price, Sheff .275.523

588 " John v. John Laney et al. .279.519

589 Carlton, Jas R. vs T. W. Chandler, Exl. .5214.

593 Chandler, T. W. v. S. Case, et al. .279.519

594 " " " N. W. Burdett et al. .279.519

596 " " " " " 250.519

613 Cunningham, L. D. & Co. v. P. Galvin .256.320

8311 Clark, C. v. Cassidy & Roberts on

835 Costa, J. B. Ch. Jno. v. H. Waterick et al. 635.704

842 Cunningham & Snyder v. Meth. Episcopal .308.522

24 Chambers, T. J. v. J. Fisk et al 924

280	Davis, A. C. v. C. Moody et. als.	404.	413
434	Dalcon's Heirs vs. J. H. Robertson	hgr.	282. 291. 297
389	Davis, Jno. A. vs. John T. Alexander		65
449	Dutrieh, F. vs. C. L. Travis		43
450	Deats & Blue vs. Thurman Case		36
451	Deats & Blue vs. Michael De Chaumes		37
460	Davidson, Wilson T. vs. John Marshall & Co		44
479	Dimon, Mary A. vs. Chapin & Co. et. al		46
503	Doyle, Sol. & Mary Ad. vs. Smith & Nichols	222.	29
516	Dutrieh, F. Admr vs. Case & Burdett		50
528	Dry Do. & Co. v. M. Jones & Co	568.	474. 295
626	Dutrieh, F. v. H. G. Blakey	458.	455. 415. 314
628	" " " H. W. Tuttle		526. 305
629	" " " Wm. D. Pratt	456.	453. 418. 305
650	" " " J. B. Sumner		510. 309
651	" " " J. H. Aymond		510. 317
655	Dillard & D. v. Wm. Fowler		318
656	" " Cooley & Howe	428.	418. 308
670	Dutrieh, F. v. Jno. O. Rice	465.	418. 309
679	Detmund &c. U. P. v. S. K. Schifflin	527.	
726	Dural, Ellen v. A. M. Davis &c	651.	517
745	Duffan, H. T. v. M. & P. Brewster		564
769	Dietrich, F. G. H. M. Lemon et. al		530
795	Dalhinde & Grasbeck v. S. Menielle	696.	519

417 Ennis, James vs. John H. Cock. 34
560 Ennis & Carman v. Rufus Tetchell .460, 460. 397

E
F
G
H
I
K
L
M
N
O
P
Q
R
S
T
U
V
W
Y

323	Flusher, P. v. Heirs of Flusher		.126 .23. 16. 121
269	Fore, Aug. v. B. A. Thompson		.279. 14-121
393	Fowler, Wm H. for use, &c. vs. H. P. Brewster		84
445	Freaner, H. vs. Chas. G. Bayles		.493. 413. 32
472	Forbes R. W. vs. H. P. Brewster		53
562	Fore, Aug. v. S. M. Cocks et al		.444. 298
581	Fountain, M. C. v. J. Crosby, & Robeson		.417. 3110
676	Fisk, Pal. v. Miller & Hyde		.489. 489
717	Fellman, L. v. L. Mohr		.po. 654. 576
734	Freeman, D. C. & L. R. v. A. L. Blanton		.656
752	" " " " "	Crosby & Beale	657
760	Fayles, Charles v. M. D. Fayles		.716
797	Fuller, Wesley &c. v. L. Fellman		.pe. 687. 519

Habeas Corpus - Jordan Scott 4
216 Grumbles B. v. J. J. Grumbles 114-118-7
221 " " and Wife v. " 414. 7
222 " " " " " " et al 265 427 74. 8
258 " Edwd v. B. Grumbles & Wife 462. 429. 1808
259 " " " W. L. Aldham 326. 1808
260 " Benj. Jr no. " 466. 1808
261 " " " L. G. Freed 466. 500. 1808
122 Goodlett v. Bassford 10
409 Glasscock, Jno. v. A. L. Hamilton 273. 24
371 Gillespie, Jas. H. Admr vs. L. G. Freind 69
462 Green, John A. Admr vs. J. Kirchberg 67
493 Glasscock, Thos. vs. W. G. Blakey 242. 28
500 Grumbles John L. vs. S. K. Jennings Jr. 47
401 Gorman Chs. A. v. S. Crosby, Chas 655. 574. 472. 187
428 Gilliland, D. v. H. Atwood 427. 237
515 Gunn, W. v Sims & Sanford 524
574 Gunn, R. H. v. W. O. Martin 500. 494. 444. 299
585 Green, J. A. Admr. v. W. W. Hinton et. al. 313.
586. " " " " A. G. Graham, et. al 525
587 " " " " " " 317
589 Gillespie, J. H. v. J. L. Payne, et. al 313.
591 Gunn, J. A. v. J. L. Watkins, et al 314
633. Gilliland, D. et. al. v. D. C. Gunn, et. al. 447. 305. 274
674 Gunn, J. A. & D. v. J. C. Cook, et. al 482
655 Gilliland, D. v. Wm Finlow 318
656 " " " Cawley & Moore 460. 428. 418. 318
316 Grumbles et al v. Pace, et. al 534
741 Gunn & Cole, v. Forehand et. al. 456
756 Glasscock, J. W. v. W. G. Blakey 674
772 Green, J. A. v. J. L. Woodward 675. 578
781 Giddings, J. D. v. A. J. Compton 678
782 Greenway Rev. Hen. v. W. B. McGehee, et. al. 675
787 Giles, S. B. v. Geo. W. Hughes 675
804 Goodrich, S. W. v. J. R. McCall 533
805 " " " A. H. Cook 533
829 Grasscock, Rice Hen. v. J. J. Smythe 705
835 Garcia, Juan v. Perry Grumbles 524, 521, 572
840 Getchell, R. v. Thomas Dunn, Adm 522
844 Grein, W. v. J. W. Paschal 652

362 Hunter & Benton v. Thomas Banks 63-9
367 Hyde, J. C. v. Francis Kelley .373 42.283. 181. 372.155 9.314.
381 Humphries, Perry vs. Shaw 16.38.24 16
327 Harper, John vs. Rhoda Harper 37-82
343 Hamilton, M. C. vs. L. S. Friend 63
395 Hancock, Geo. vs. John J. Smith, et. als 115
416 Hancock, Geo. vs. S. K. Jennings 88
435 Hancock Geo. vs. S. R. Eggus 32
443 Haynie, S. G. vs. D. McKean, et. als 42
456 Keany, John vs. Sol. K. Mathews 43
466 Hamilton, M. C. vs. Sol. K. Mathews 35
506 Henry, Wade vs. S. K. Jennings, Jr. 48
507 Henry & Fowler vs. S. K. Jennings, Jr. 48
465 Hendrickson, John v. Sol. Sims .436.202
529 S. G. Haynie v. P. B. Cathorn .397.218
554 D. M. Rowley v. A. G. Blakey .441.297
566 Horne, Thos. W. v. Haynie, et. al. .353.398
568 Hamilton, M. C. v. Shaw & Wells 314
597 Harrison, J. W. v. J. M. W. Hall .639.299
592 Heald, J. N. v. Williamson & Co. .567.544.311
594 Hopkins, Drury v. Irwin & Pannell .451.301
605 Hornsby, R. v. L. Knight 316
617 Highsmith, D. v. W. C. Martin .453.303
622 Harris, S. v. Mc Capsey et al v. .650.409.464.313
635 Hill, J. D. v. Shaw & Swisher 1181
645 Hancock, Geo. v. John Horan .409.494.409.409.306.274
657 " Wm Runkle 459
662 Hamilton, M. C. v. Mc. H. Sims 311
664 " " C. A. Daughtin, et al. .664.308
667 Harrell, A. J. v. J. Douglas Brown 325
679 Hamilton, M. C. v. Wm Broadford, Sh. 646.
684 Hancock, Geo. v. W. W. Sims 646.704.
727 Hamilton Hen. v. Geo. Hancock. .655
729 Hancock, Geo. v. J. G. Fisher .662.517
732 Hoyt, J. v. D. Walsh. .711.615
746 Hendrick, B. R. v. Shaw & Fisher .667
753 Hamilton, M. C. v. Raymond & Enslow .711.659.517
755 Malden, G. W. v. J. Fisk .711.666
757 Hancock, Geo. v. John Hughes .529
759 Howe, J. W. v. J. G. Haynie, et. al. .660.517
774 Hardeman, D. v. McPeters, et. al. .665
779 Hamilton, A. J. v. Aug. Fore .677
783 Hancock, Geo. v. M. Perry .679.678
785 Hart, C. M. v. G. L. Walton 518
812 Hoyt, J. v. Oldham & Marshall .714.685
815 Hamilton, M. C. v. Cunningham et al 570
863 " " " Mellet Enslen .709.522
847 " " " J. H. Turney et. al. 696
867 Hall, J. W. W. v. Geo. W. Sherdetta .715

209 Jones, Eason no. Jas R. Pace, et. al. 275. 447
333 Janoan, R. vs. John Tate 280. 13
464 Johnson, John I. vs. George Turner 514. 436. 202. 27
485 Johnson, R. M. vs. W. S. Calahan 60
519 Jones, O. D. v. G. W. Hubbeck 131, 401, 199. 298
519 Johnson, J. D. v. P. M. Marburs 315
515 " " " " A. F. Marshall 315
537 Johnson, M. D. ad. stat. v. J. Brady, Exrs 644
541 " R. M. v. J. N. Loudy 533

I
K
L
M
N
O
P
Q
R
S
T
U
V
W
Y

350 Klein & Ritchie v. G. B. Moore & Co. 6 L.R.(2)
170 Kidd & Co. v. Hamilton & Kidd 20 W.R. 275. 171 - 69
818 Kimball wife v. J. H. Johnson 7 L.J.Ch.N.S. 520

131 Miller, Wm H. v A. W. Cook 86-10-7
270 Mims L. vs M. Phillips, et ae 82-8
47 Miller, Isaac v. A. L. Berry, et ae 73-12
313 Mathews C. S. vs O. K. Rose 86-623-12
408 McAlpin, L. W. v. M. Diller 136.281.188.214
461 " Cassidy & Finnin 140.436.202.27
413 McAnulty R. D. vs. Simon Pardon 134.415.39
414 McKean, John C. vs John R. McCabe 36
448 McGehee W. B. Guardian, vs. Phillips, et ae 223.80.347
492 Mavis, D. B. vs. Roy, Walton & Walton, 210.721. 215.28.237
510 Moore, Martin vs. John M. Eastley 204.30
514 Minor, Jas vs. John Marshall & C 50
518 McKean, J. vs. Jas H. Robertson 325.116-35
519 McKain, J. vs. W. C. Collingsworth 217.30
523 Moore & Burdett vs Meraney & Travis 211.218.31.637.
459 Marshall, John vs. Tho. D. Chapman 167
186 Moore, Martin. v. Wm Bahles 513.279.171
187 Mitchell, R. v. M. C. & S. Burdett 213-171
531 McClelland, Exr. v. Swisher & Shaw 203.324.283
531½ Meggingson & Richards v. Jos. Rowe 265
547 Marshall, John. v. J. W. Hampton 133.137.514.414.458
557 Mims, W. A. v. G. St. J. Burdett 138.1147.1410.297
567 McAnulty R. D. v. Sharp, et al. 324.
571 Mason, C. C. v. J. J. Cleveland 129.210.419.417.399
575 McAnulty R. D. v. John W. Ware 324
576 " " John Sharp et al 324.
603 Mills, R. v. Albert Frost 141.155.
624 Metz, Jr. v. A. Metz 145.153.314
646 Mayo, M. D. v. Heirs of Jno. A. Moore 145.576.275
661 McKean, Jno. v. D. Roberts 145.318
665 Mims & Burdett v. Stage Company 161.309
671 Mathews, P. H. v. Wm Wells et al 475
673 Mayrant, C. v. J. K. Pennington 188
708 Mims & Co. v. J. A. [redacted] 711.647.517
709 " W. A. v. John [redacted]ithly 649.522
725 Mitchell, H. v. W. W. Slaff 662
734 McCall, J. R. v. J. J. Cleveland 669.655
761 Miller Neal v. C. A. Langhlin 676.657.517
762 McAnulty, R. D. v. J. D. Bunn 662.518
784 Mann, M. v. C. R. Rice 712.680.518
791 Mayo, M. B. v. B. F. Smith 653.658.519
806 Madden, W. B. v. J. S. Fitzgerald 533
814 McKean, J. v. J. McKeath 656.523.520
820 Mann, J. & S. C. v. J. Fisk, et. al. 705.521
823 Miller, J. D. Smith v. J. Fisk 524.521
824 McGinnis, C. C. & W. D. v. M. S. Hopkins 657.564.521
828 Mims, S. B. v. M. S. Blakey 521 524.
836 " " " " F. Dietrich & Co. 706.526.521
839 Murchison, A. v. J. R. McCall 707.522

L
M
N
O
P
Q
R
S
T
U
V
W
Y

271 Lloyd, Ex. &c. v. R. Lloyd 716. 186. 211. 9

487 Lycett, A. M. vs Sherman Case 807

619 Lamb, Dr. v. D. H. Mathews 661. 522, 661. 475, 277

625 Lavender, D. D. v. A. J. Hamilton 482

766 Loring, Att. v. Fenwick & Hussey 665. 518

780 Look, C. S. v. J. M. W. Hall 679. 651. 578

149 Lewis, N. v. C. Nash 679

807 Loring, A. H. v. Montgomery Gov. 689. 520

529	Newsham, Jr. v. Roll et al	.296	
1311.	Nichols, D. J. v. E. K. Jennings, Jr.	.526.316	
104	Newsham, J. v. John Walsh	.642.543	
123	Howell, S. E. v. H. W. Sabelle	527	
124	" " "	Chas E. Travis	528.

N
O
P
Q
R
S
T
U
V
W
Y

407	Aldham & Co. v. Ainington	155. 89. 258. 244. 153 - 155-65-254
386	O'Connor, Wm Ingrd. v. L. Fisk, et al	184
618	Avery, B. Bv. S. Crosby, et. al	.142. 464
648	Aldham, D. 93. v. Mathews & Barker	.644. 366.
659	Ordway, Enoch v. L. 93 Collins	.334
721	O'Brien, O. v. A. H. Compton, A. al.	.725, 677
742	Avery Hoo v. The Bank	528
744	Ordway C. v. L. B. Collins	.664

349 + Penny vs. John S Ford .280.14
403 Pack Jas vs W S Alabam .289.460.187.24
266 Pearson Edw A. vs G H Burdett et als 78
438 Payne B. O. vs. Josiah G Dunn .436.435.22
469 Peck R. H. & Co. vs. Hugh Nelson 52
470 " " " " " J W. Robertson 52
471 " " " " " Thomas Cassidy 53
472 Hanks R. M. vs. H. P. Brewster 53
473 Peck R. H. & Co. vs. Josiah Fisk 54
478 " " " " " S. P. Brown 55
486 " " " " " Drusilla Bowles 56
489 " " " " " W. S Alabam 61
504 " " " " " John M. Oastley .216.29
511 Pea, Thos Jas Burdett & Hammett 58
524 Pea, Mary E. vs. Thos. J. Pitt 196.31
275 Pratt & Co. v. R. S. Lloyd 219.173
328 Parker H. H. v. N. M. Sallie .209
337 Peck R. H. & Co. v. McNamee & McNamara .448.481.195
531½ Price, Lucinda v. R. Gilchrist .437.274.437.218
560 Price E. P. v. M. Short .438.441.397
564 Pratt, D. v. Collinsworth & Wife .510.449.467.295
572 Peck, R. H. & Co. v. Shaw & Lockett 316
573 Philips, W. O. v. Hodgin & Cleveland .525.444.
601 Peck, R. H. & Co. v. A. Fore
601 " " " " " S. Cage 317
606 " " " " " J. R. McCall .302.
619 " C. R. v. Jackson & Travis .416.317
620 " R. H. v. Cage & Burdett .526.313.
627 Peay wm. Jno. S. v. Simkins & Hughes .453.516.445.314
711 Peck, R. H. Gen. v. John M. Conner .647
712 " " A. B McGill .647
713 " " Ray & Glasscock 648
714 " " A. H. Cook 648
728 " " W. R. Bonkman 528
748 Phillips, W. O. v. J. H. Hutchins Ad. 734.674.517
758 Pelham, J. M. v. C. & W. Acton et al. .657
776 Peck, R. H. Gen. vs Aug: Fore .531
777 " " " " Ann Woolridge 532
778 " " " " J. A. Burdett, et al. .670.518
800 Pool. C. C. Ex. v. C. Nash. 679
798 Payne Gen. v. Ray Gen .795.684.657.523.519
821 Penn, John F. v. Carleton & McGill .669.521
822 Peck, R. H. v. W. K. Bonn 534
839 Pearce C. M. v. F. Dieterich Adst. et al 655.672.
845 Peck, R. H. Gen. v. S. K. Jennings, Jr. 707

P
Q
R
S
T
U
V
W
Y

19 Robertson, Adam v. Shaw. Conf. 135. 275. 7. 690.
415 Roach, B. v. N. Townsend 469. 472. 473. 476. 479. 2011. 181. 25. 005. 484
444 Townsend
359 Riding, Wife R. vs. Jane E. Tyson, et als 88-89
404 Reid, Sprague & Co. vs. T. McKean 41
462 Rogers, William vs. Sherman Case 415. 202. 58
481 Rice, Wm. W. & Co. vs. A. B. Benson 55
508 Raymond, Jas. A. vs. G. B. Mone, et als. 61. 309. 311
511 Ritter & Sayers v. Kerr & Cox 311
588 Randall, J. R. v. P. L. & Brown 538. 301
590 Raymond & Swisher v. Jennings & Brown 313
616 Rose, A. v. Wesley Smith 452. 313
623 Roy, H. L. v. L. & Brown 660. 455. 314
632 Renick, A. v. J. C. & Hanton 458
715 Roberts, W. L. v. J. L. & Holman 676. 511
719 Rose, L. Imfe v. J. C. Collins 655
763 Rich, Geo. v. C. W. Glasscock 668. 518
765 " " " C. A. Langhlin et al 669. 518
768 Ryan, Geo. v. Jem: J. Smith 529
786 Rector, N. L. v. Banner et al 681. 523. 519
827 Raven, C. v. J. Killilea 524. 521. 515

R
S
T
U
V
W
Y

257 Stephenson, J. C. & Wife vs. S. Craft .178.205.238.195.175.168.8
292 Slocumb, J. R. vs. D. Gilliland .248.282.229.9
406 Sneed, S. G. vs. B. Arrington 333.349.283.244.135.24
441 Smithwick, N. v. D. Glascock et. al 188.216
452 Sneed & Smith vs. Hinton & Wallis .201.84-216
253 Smith, J. W. vs. C. B. Smith, et. al .246.128
317 Shaw, Jas. B. vs. Caldwell's Heirs 158-162-31
314 Sneed, S. G. vs. John M. Bike, et. al. 66
436 State, D. A. vs. S. D. Eggers 42
468 Simpson, Henry vs. B. L. & L. L. Johnson 45
484 Shaw, Benjamin W. vs. A. M. Hopkins .203.28
496 Brockdale, P. S. McKean & Bailey 59
509 Spears R. J. & M. Sevier vs. Wm. Adams et al. 214.30
515 Spence & Freeman vs Ann T. Worthridge .711.666.481.427.216.200.173.30
521 Spence & Freeman vs C. C. Travis 57
341 Sinclair, Jas. Dec. John L. Grimsley 233.157
Stewart, W. v. S. Crosby Adm. et al 410
555 Sneed, S. S. v. M. Stockton .463.446.427.297
513 Shaw, R. C. C. P. v. Moore & Burden .312.
582 Shepard & Nutt Sum v. J. M. W. Hall .585.310
594 Floyd, S. C. v. D. Davis 462
598 Sneed & Turner v. Jane Wall 317.
611 Sinclair, D. M. v. D. & B. Gilly 325
640 Shepard & Nutt Sum v. N. & Ray .441.457.306
653 Stuley, N. & C. v. J. K. Jennings & Co .645.317
658 Shumpert, J. W. v. Jos. Newsham .645.318
743 Smith, W. A. v. R. N. Allen .656
751 Smith, M. L. v. N. Jamison & .726.657.517
754 Smith, S. v. Adolph Smith .657
773 Shepard & Burke v. Smith & Shaw Com .531

134 Tanner, Guardian v. Alabama, et al 35 10.11
199 Turner, Pleasant ex. James M. Turley 13
427 Tynes, R. N. v. A. N. Hopkins .415.200.25
433 Townsend N. v. A. C. Brown .441.311.151.25
444 " " " Kalman & Dr. Trade .670.281.26
505 Tew Ex'ck. A. vs. Hugh Nelson 57
405 Thompson & Fare v. M. Dillon .231.189
393 Thomas, Seth v. Shannon Case .150.311
492 Trust d. D. v. Wm Allshaut .463
789 Tanner J. R. v. F. H. Chandler et al .514.
819 Tew Ex'ck C. & A. v. B. Payne .533 4.
810 " " " " J. N. Compton .185.324
811 " " " " H. A. Inbelt .834
819 Taylor M. A. v. Carleton & McGill .685.321
846 Tew Ex'ck C. & A. v. A. K. Brown 535
847 Taylor, C. v. B. F. Johnson 535.

T
U
V
W
Y

Senior Docket (Fall Term, 1854)

431 Veghte & Bergh vs. Peter B. Lowe
463 Van Alstyne, Wm. A. v. D. D. Haynie
730 Van Alstyne vs Taylor v. Smith & Pannell
731 " " " Smith & Haynie

3.
411
538.
539

437 Wingfield, Tice & Co. v. Hugh Nelson .136.284.435.188.25
433 Wahrenberger, John v. Jones & Bickner .431.435.295.202.181.26
411 Whitehead, Wm. H. vs. Jno. D. Alexander 34
412 Wilson, James M. vs. A. N. Hopkins 60
440 Wallace, Alfred, vs H. G. Oldham 60
512 White, Geo. H. vs. Case & Monroe .284.30
513 White, Geo. H. vs Thurman Case 40
522 Ware, Jas. vs. Mary Ann Ware 31
286 Wooldridge, D. K. v. Spence & Freeman .276.271
457 Sarah Wells v. Jno. D. Pitt, et al 196
530 Jas. L. Ward v. D. L. Paschal, et al. .637.437.218
343 R. Wills, Adm. v. John Webster .510.280
Jno. Wear, D. W. et al. v. Henry & H. C. Wear .690.633.522.298
570 Walden, Jno. D. Slaughter et al. .486.471.417.399
578 Wood, C. G. v. C. J. P. Rawls .710.639.451.300
583. Ward, Jno. W. v. P. H. Bardell, et als. .710.641.300
584 West, C. S. v. Johnson & McGill .445.301
609 Williams R. H. v. Jno R. Lewis .455.449.302
602 Watson, M. et als v. C. J. Henry, et als .466.276.274
643. White, Geo. W. v. Case & Payne .661.643.643.494.425
710 Warnsbee, Jno. v. M. D. Corpenter, et al. .653.523
716 Wells, R. v. Jno. D. Pitt .654.649
735 Wilhelm, Peter v. Peter Fennell .653.
736 Wier, A. G. v. R. Greenbaur 528
792 Washington, J. P. v. Moore & Burdett 532
803 Wall, J. v. Jones Penny Ad. et al. .655.520.523
834 Weir, A. Mrs v. H. S. Key Ex. .521.520.706

V
W
Y

494 Young, John A. as D. C. Collins, et. als. 25 J. 137. 70. 23

(Index)

420	The State of Texas	vs.	John B Stone	39.
423	"	"	" Andrew Yager	197.25
429	"	"	" W. L. Upshur	640
431	"	"	" Gray Clements	40
434	"	"	" J. D. Wooldridge	199.25
419	"	"	" N. W. Burdett	196
421	"	"	" P. Burchard	197
422	"	"	" Geo. W. Logan	197
424	"	"	" S. G. Harwell	197
425	"	"	"	198
426	"	"	" G. Haas et al	198
429	"	"	" W. L. Upshur	69
432	"	"	" Tho. Glascock et al.	199
532	"	"	" A. Marchaca et al. 517	824
533	"	"	" C. Bennett, et al.	318
534	"	"	" C. C. Irwin et al.	318
535	"	"	" H. Mills, et al.	318
536	"	"	" D. C. Irwin, et al.	439 319
537	"	"	" D. J. Irwin et al.	439.319
538	"	"	" D. C. Irwin et al.	439.319
539	"	"	" D. J. Irwin et al	439 319
540	"	"	" D. C. Irwin et al	439.319
541	"	"	" D. J. Irwin, et al	439.319
542	"	"	" J. M. Hewing et al	416.320
543	"	"	" W. H. Fowler, et al.	
544	"	"	" J. A. Burdett, et al.	418.320
545	"	"	" C. C. Irwin, et al	321
546	"	"	" J. A. Burdett, et al	321
683	"	"	Thos. Anderson	670
684	"	"	A. B. Bradsin	670
685	"	"	"	670
686	"	"	A. Strayhorn	672
687	"	"	E. Lockhart	672
688	"	"	A B Bulloms	670
689	"	"	"	670
690	"	"	"	671
691	"	"	Wm Ainsworth	672
692	"	"	A. B. Slaughter	671
693	"	"	Ch. Adams	672
694	"	"	Ad. Warren	672
695	"	"	J. W. Pettigrew	671
696	"	"	Henry Innis	672
697	"	"	Wm Fowler	674
698	"	"	" W. G. W. Irwin et al.	673
699	"	"	H. P. Bunton et al	673
700	"	"	J. S. Sellers et al	671
701	"	"	J. Irwin, et al.	671
702	"	"	" "	671
703	"	"	" "	671


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