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District Court

Minutes

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Travis County

8 90 June 1st 1874

The State of Texas } At a Term of the District Court begun and held at the City of Austin,
County of Travis } within and for the County and State aforesaid, on Monday, the first
day of June, A. D. 1874, the same being the time fixed by law for the meeting of the
June Term, A. D. 1874, of the District Court of said county, Present the Hon. J. P. Richardson, Judge of the 27th Judicial District of the State of Texas presiding. Frank Brown, clerk of the District Court of Travis county: and Geo. B. Zimpelman, Sheriff of Travis county. By D. T. Pendley, Deputy. Whereupon the following proceedings were had by said Court, to wit:

The venire for the Grand Jurors of Travis county, heretofore drawn and issued, executed, and returned into Court, having been called by the Sheriff, the following named persons answered to their names; A. P. Blocker[1], J. W. Said[2], E. S. Saunders[3], James Casner[4], Jas A. Costa[5], M. C. Nuckols[6], Wm Pfluger[7], W. W. Turner[8], R. W. Riley[9], A. Dieterich[10], John Stefox[11], Jo. Manor[12], P. W.[13] Shroeder, Joseph Goodman[14], J. P. Kirk[15], T. J. Markley[16]. And thereupon the above named persons having been duly tried, and sworn, and empanelled according to law, they being duly qualified in every respect, they were duly and legally organized and sworn as the Grand Jury of Travis county for and during the present June Term of said Court. And said Grand Jury having been duly charged by the Court, they were ordered to retire upon a discharge of their duties.

And thereupon It is ordered that the Criminal Docket be set for trial for the 5th Monday of this term of the Court.

3388. The State of Texas v. Charles Turney. Dismissed

✓ 3583 I. Bernstein & Co v. T. & Cater. Comes now the counsel for the Defendant and suggests the Bankruptcy of said Defendant And It is ordered that the cause be continued.

✓ 3632. B. O. Staveley v. Helen M. Staveley. Continued

✓ 3701 Daniel Bailey v. Amanda Bailey. Comes now the Plaintiff by attorney, when on motion It is ordered that the cause be dismissed, and that the said Plaintiff and his security pay the cost hereof to be taxed for which execution may issue

✓ 3733 Wm F. Orr et al v. Wm Klinge. Come now the Plaintiffs by their attorneys, when on motion It is ordered that said Plaintiffs have leave to amend.

✓ 3734 Wm F. Orr et al v. Mary O'Brien. Come now the plaintiffs, when on motion It is ordered that said plaintiffs have leave to amend.

✓ 3735. Wm F. Orr et al v. Wm H. Conoway. Come now the Plaintiffs by their attorneys, when on motion It is ordered that said Plaintiffs have leave to amend

✓ 3740. E. Saunders v. Nathan Meyer. Comes now the plaintiff by his attorney, when on motion It is ordered that the said Plaintiff have leave to amend.

✓ 3924 Herman Schutze v. Bacbina Schutze. Comes the Plaintiff by attorney and suggests the death of the Defendant. And, on motion, It is ordered that the cause be dismissed and that said Plaintiff pay the cost of this suit, for which execution may issue.

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✓ 3631 Mary E. Dowse vs George Dowse. ✓
✓ 3790 J.T. Jackson v. J. & D. M. Lizell. ✓
✓ 3945. B. J. Swenson v. C. Swenson ✓
✓ 3949 J. L. Stewart v. Jordan Goodhue et als ✓
✓ 3953 Eliza Schobey et al. v. Meyer & Green ✓
✓ 3954 E. Braden v. G. M. Braß. ✓
✓ 3956 Duke Mitchell v. J. V. Davis Admr ✓
✓ 3960 F. Hungay v. J. W. Nichols ✓
✓ 3965 Thos. F. Bacthop v. Mary E. Bacthop. ✓
✓ 3967 Heirs of W. Backey v. John Hancock. ✓
✓ 3969 Geo. M. Pac et al v. John Browning et al ✓
✓ 3986 Geo. Schneider & Co. v. A. Myschetsky & Bro. ✓
✓ 3987 W. R. Ware et al v. M. B. Waeker ✓
✓ 3992 Thomas Johnston ✓ v. Niels R. Jensen ✓
✓ 3993 Wm. C. Cabell v. John Hancock ✓
✓ 3996 Emma Berryman v. J. E. Berryman ✓
✓ 3997 J. C. De Grefo v. R. B. Hubbard et al ✓
✓ 4000 J. S. Stewart v. M. K. Miller ✓
✓ 4001 J. S. Stewart v. S. K. Miller ✓
✓ 4003 Daniel Alexander v. John Hughes ✓
✓ 4007 M. D. Miller v. F. M. Rundell et al ✓
✓ 4014 August F. Kamp v. S. Mufpett et al ✓
✓ 4023 Robt Hamilton et al v. J. C. Minter et al ✓
✓ 4027 Henry Brown v. J. B. Perry ✓
✓ 4031 M D Miller v. S. Harrington et al ✓
✓ 4037 M S Scogin et al v. Alfred Smith ✓
✓ 4038 M. D. Matteson v. Heinrich Deichman ✓
✓ 4040 M D Miller v. Stewart & Sullis ✓
✓ 4041 Frank Leason v. J. B. Hurd et al ✓
✓ 4042 W. F. Weller & Son v. S. Hartson ✓
✓ 4043 Brock Sanderson & Co. v. Ben Bonnet ✓

And now on this day comes the clerk and moves the Court to require the Plaintiffs in the last preceding thirty one causes, Numbered respectively 3631. 3790. 3945. 3949. 3953. 3954. 3956. 3960. 3965. 3967. 3969. 3986. 3987. 3992. 3993. 3996. 3997. 4000. 4001. 4003. 4007. 4014. 4023. 4027. 4031 4037. 4038. 4040. 4041. 4042. and 4043 to enter into Bond and security for the cost of said suits. And thereupon It is ordered that the said Plaintiffs respectively be required to enter into bond and security for the cost of said suits, on or before the next Term of this Court, otherwise the same will be dismissed at their cost, the attorneys for said parties respectively having notice of said motion

And Court adjourned till to-morrow at 9 o'clock, A.M.

June 2d 1874.

A P Hoegh Declaration

The State of Texas } Andreas P. Hoegh being duly sworn according to law, in the District
County of Travis } Court of said county, doth declare that he was born in the year
A D 1817 in the Kingdom of Denmark, whence he emigrated in the year 1868 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 renounces
forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sove-
reignty whatsoever, and particularly to the King of Denmark, of whom he is a sub-
ject. Andreas P. Hoegh. Sworn to and subscribed before me this 1st day of June
1874, in open Court. Frank Brown, Clerk.

Tuesday June 2d 1874.

Court met at 9 o'clock A. M. Pursuant to adjournment. Present same as on
yesterday. Whereupon the following proceedings were had by said Court, to wit:

✓ 2228 A. Ten Eyck v. Henry & Hamilton. ✓ And now come the parties by their attorneys when
on motion It is ordered that this cause be dismissed, and that the plaintiff be
adjudged to pay the cost of this suit and the Bill of Cost may be adjudged to cer-
tified to the Administrator of the estate of said Deft to be paid in due course of
administration.

2641 ✓ S. M. Swenson vs James Nicholson et al. ✓ Continued for service.

2644 ✓ S. M. Swenson vs J. B. Hendon et al. ✓ Continued for service.

2803 ✓ B R Townsend et al v. McKinney & Bayles ✓ Continued

2931 ✓ Thos. F. McKinney v. A M Cox ✓ Continued by consent.

2955 ✓ Abby Thompson Admx et al v Barnes & Merrell ✓ Continued

2956 ✓ Abby Thompson Admx et al v. R. N. Riley et al. And now come the parties by their
attorneys, when on motion It is ordered that this cause be dismissed. And
it is further ordered that the cost of this suit be adjudged against the estate of
Thomas J. Chambers, dec'd. to be paid in due course of administration.

2958 ✓ Abby Thompson Admx et al v. Geo Saunders. Continued

2960 ✓ Abby Thompson Admx et al v H. L. Raven. Continued

2976 ✓ Geo. H. Gray v. M. J. Denman. Continued

3030 ✓ Giles H. Burditt v. W. B. Burditt et al. Continued

3107 ✓ A. G Mitchell v. Richer & Hall. Continued

3117 ✓ J. M. Litten v. I. R. Worrall. Continued to make parties

3119 ✓ The State of Texas v. A. J. Hamilton. Dismissed.

3241 ✓ Sherk & Berkson v. Rowe & Dawson. Continued

3289 ✓ Phineas Burchard v. Potter, Hancock & West Continued

3458 ✓ E Marquize & Co. v. C. Asher. Dismissed

3459 ✓ John J. Adams & Co. v. C. Asher. Dismissed

3472 ✓ J. W. Lawrence v. A. McKenzie et al. Dismissed

3528 ✓ Raymond & Lohuis v. A. B. Palm et al. Continued

3638 ✓ J. L. Baker v. James E. Mercy Continued by agreement.

3664 ✓ L. W. Collins v. John Gilbert. Continued for service.

June 3d 1874

3914 Miller & Dowell v. Jno E. Campbell. Continued by agreement.

3927 M. Wear v. Geo. B. Zimpelman. Comes now the Plaintiff by attorney, and upon motion It is ordered that said Plaintiff have leave to amend the petition

3994 F. W. Chandler v. John Palm et al Continued for service.

3998 John C. Raymond et al. v M. E. Hopkins et al And now come the parties by their attorneys, when on motion It is ordered that F. W. Chandler, Esq. be appointed Guardian ad litem for the minor defendants in this case.

4011 Sampson & Henricks v. Sampson C. Moore. Come the parties, when on motion It is ordered that this cause be dismissed, and that the plaintiffs pay all the cost of this suit, for which execution may issue

F. L. Britton Ex Parte And now comes F. L. Britton, Esq. and presents his application for License to practice as an attorney and counsellor at Law in the several District and Inferio Courts of the State of Texas, accompanied by a certificate of good moral character. And it is ordered that said applicant be examined in open Court on to-morrow at 9 o'clock, a.m., and that the following committee be appointed to conduct said examination, to wit: J. M. Morphis, B. Hoopwood and E. J. Davis, Esqrs.

And Court adjourned till to-morrow at 9 o'clock A.M

Wednesday, June 3d 1874.

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

Chas A James Comes Charles A James and presents to the Court his application praying for license to practice as an attorney and Counsellor at Law in the several District and Inferio Courts of the State of Texas, accompanied by a certificate of good moral character. And it is ordered that N. G. Shelley, A. S. Walker and J. W. Robertson be appointed Committee to examine said applicant in open Court on next Saturday.

3558 M. Halm Eppenger & Co. v. A. B. Palm. Continued

3559 Raymond & Hopkins v. A. B. Palm. Continued

3573 Stuart & Blair v. A. B. Palm. Continued

3581 Ben. Walker v. N. B. Mitchell. And now on this day came the plaintiff by his attorney and asks that the writ of inquiry heretofore awarded be now executed. And then came a Jury of twelve good and lawful men of Travis county, consisting of Geo. Dye and eleven others, who being tried, elected, empanelled and sworn according to law, heard the petition, the evidence and the charge of the Court, and after retirement, returned into Court the following verdict, to wit: "We the Jury find for Pltff. the sum of four hundred and ninety-three dollars and 88/100 $493.88 and sixteen dollars and seventy-nine cents, interest, making a total of $510.67 Geo. Dye. foreman." And thereupon It is ordered that Ben. Walker do have and recover of said N. B. Mitchell the sum of Five hundred, Ten & 67/100 Dollars, and the cost of this suit, for which execution may issue.

And thereupon It is ordered, further, that the Garnishees sum-

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moved in this case go hence discharged, with their cost

3586. Hancock & Wilkins v. Thos and Celia McCormick Come the parties and on motion It
X is ordered that this cause be dismissed from the Docket, and that the plaintiffs recover of said Defendants all the cost of this suit, for which execution may issue.

3642. G. M. Bayley & Pond v. S. N. Speer. Continued for service.

3657. E. S Matthews v. Young and Wright Come the parties by their attorneys and
X on motion It is ordered that this cause be dismissed, and that the said E. S Matthews, plaintiff pay all the cost of this suit, for which execution may issue

3842 J. W Taylor and E. V. Taylor v. Henry Franklin. Come the plaintiffs by their
X attorneys and on motion It is ordered that this cause be dismissed and that said Plaintiffs pay all the cost of this suit, for which execution may issue.

3887 Brooks & Emerson v. A. J. Hamilton on motion this cause is dismissed the cost having been paid.

3217 J. C. Morrow v. T. L. Wren. Comes now the Defendant by attorney when on motion It is ordered that said Defendant have leave to amend the answer.

3651 Gould Bros. v. C. Puckett. And now on this day came the parties by their at-
X torneys and announced ready for trial, when came a jury of twelve good and lawful men of Travis county, consisting of J H Wacker and eleven others. duly tried, elected and sworn, who having heard the evidence and the charge of the Court retired for deliberation. When the jury returned into Court the following verdict, to wit: We the jury find for the Defendant. J H Wacker foreman. Whereupon It is ordered that the plaintiffs take nothing in this behalf that the Defendant go hence and recover of the said plaintiffs all the cost of this suit in this Court and the justices Court, for all which execution may issue

3688 William H. Day v. W. J. Cloud et al Continued

3570 John G. Rost & Co. v. H. F. Matthews et al. And now on this day came the
X parties to this cause by their attorneys and announced ready for trial, and waiving a jury submit the case to the Court. And the Court having heard the pleadings and the evidence, and the cause of action being liquidated, It is ordered that said John G. Rost and W. M. Rost and or their firm name of John G Rost & Co do have and recover of H. F. Matthews the sum of Two Hundred and fifty one Dollars and interest thereon at the rate of twelve per cent per annum from this date until paid, and the cost of the suit, for all which execution may issue. And it is ordered that the Defendant John H Conner go hence with his cost.

3696 John Ireland v. C. S. West et al Continued for service.

3703 John L Dyer v. A. H Cook. And now come the parties by their attorneys and
X announce ready for trial. And the Defendant submitted his demurrer to the petition, which being heard and considered, It is ordered that the same be overruled. When came a jury of twelve good and lawful men of Travis County, consisting of Geo. Dye and eleven others, duly tried, elected and

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sworn, who having heard the pleadings, evidence and the charge of the Court returned the following verdict, to wit. "We the Jury find for Jeff the sum of two hundred Gold Dollars and Twenty-Seven dollars & 68/100 Interest. Total $227.68 Geo Dye, foreman." Whereupon It is ordered that J.S. Dye do have and recover of said A.H. Cook the sum of two hundred, twenty-Seven & 68/100 Gold Dollars and the Cost of this suit, for which execution may issue

3705 J.W. English v. R.M. Rufgee And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court And the Court having heard the evidence and duly Considered the same, It is ordered that said J.W. English do have and recover of said R.M. Rufgee the sums of Forty Nine & 7/100 Dollars in Coin together with the cost in this Court and the Court below expended, for which execution may issue. And it appearing that the plaintiff has a lien on the following described property to secure the amount of the judgment rendered herein, to wit. house and lot, a portion of Block No Sixty in Division "E" of the City of Austin, Travis Co. Texas, which house is situated between the houses of H.C. Eanes and Mrs. N.H. Carr, fronting on North Avenue. It is ordered that the lien of said plaintiff as a mechanic, upon the lot of ground and the house thereon, situated on a portion of Block No Sixty in Division "E" of the City of Austin, Travis County, situated between the houses of H.C. Eanes and Mrs. N. H Carr, fronting on North Avenue be foreclosed - and that the clerk issue an order of sale to the Sheriff of Travis county, requiring him to sell, as under execution the above described Real Estate and the house situated thereon, and the proceeds of said sale he shall apply to the satisfaction of the judgment herein, the cost of the suit, and the interest to accrue thereon, and the overplus, if any, he shall pay to the Defendant

And Court adjourned till to-morrow at 9 AM

Thursday June 4th 1874

Court met at 9 o'clock AM pursuant to adjournment Hon. J.P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

F.S. Britton The committee appointed to examine into the Qualifications of F.S. Britton to practice as an Attorney and Counsellor at Law, having performed that duty in open Court, and make Report that said applicant is qualified, and the Court being satisfied therewith, It is ordered that said F.S. Britton be and he is admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas, and that a License issue accordingly.

3739 G.R. Freeman v Joshua Fine et al. Comes now the Plaintiff and on motion duly made it is ordered that said Plaintiff have leave to amend.

3739 G.R. Freeman v. Joshua Fine et al. Come now the Defendants by attorney and on motion duly made It is ordered that said Defendants have leave to amend their answer

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3723 James Brown et al. v. Lucretia Brown et als Continued on affidavit of Plaintiff
3739 G R Freeman v. Joshua Fine et als And now comes A. G Shelley Esq and on motion he is allowed to withdraw his appearance for all the Defendants in this case except F. F. Fine and the minor Defendants under appointment of the Court
3739 G R Freeman v. Joshua Fine et als Continued by the Plaintiff
3748 John A Green et al v. Lucinda Raymond et al. Continued
3752 Sarah F Gilbart et al v. A M Rae et als Continued
3757 R A Lane v. R. B. Swann Continued
3764 Alfred Groom v L. P Cooke et als Continued to make parties
3771 A B Burleson v. A McCallris et als And now on this day come the parties when on motion It is ordered that this Cause be dismissed from the docket and that the cost be adjudged as a just and established claim against the estate of A B Burleson dec'd to be paid in due course of administration

And now on this day came in open Court the Grand Jury of Travis County, duly tried empannelled and sworn, for and during the present Term of this Court and through their foreman A. P. Blocker Esq. presented to the Court the following Bills of Indictments to wit:

3418 An Indictment against ---- Hill for Swindling
3419 An Indictment against Hill for Theft of Gelding
3420 An Indictment against major Chambers. Theft of a Watch
3421 An Indictment against Nelson Jeffries. Theft of red cow
3422 An Indictment against James O'Brien for Theft of $20 Green Back Bill
3423 An Indictment against John Pearce for Theft of Watch.
3424 An Indictment against Perry Zachary for Theft from a house.
3425 An Indictment against Rhodes White for Theft of a mare
3426 An Indictment against Amanda Williams for Theft of Mattrap
3427 An Indictment against Cal Gains for Theft of Gelding
3428 An Indictment against Ed Grooms for Rape
3429 An Indictment against B. Morgano for Murder

And said jury suggesting that there is still further business pending before them they were ordered to retire upon a discharge of the same. And Court adjourned till 9 o'clock to-morrow. Friday, June 5th 1844

Court met at 9 o'clock a m pursuant to adjournment. Present Hon. J. P. Richardson, Judge 29th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit

3498 The State of Texas v. John A. Purnell et. als. And now comes the attorney for the Plaintiff, when on motion It is ordered that this cause be dismissed at the cost of the plaintiff

3732 T & Wren v. J. C. Morrow et als And now comes the Plaintiff by attorney and claims a Judgment by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and made default, It is ordered that the plaintiff T. & Wren, do have and

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reconer of the said Defendants according to the prayer of his Petition
3782 Robert H Smith vs B M Clopton et al And now comes the Plaintiff and
X claims a Judgment by defaut. And because the Defendants have been
cited by personal service, and have failed to answer within the time prescribed
by law and wholly made defaut and the cause of action being liquidated, as
shewn by the instrument in writing sued on and produced, It is ordered that th
said Robert H Smith do have and recover of B M Clopton and J F Smith
the sum of Ninety-Six + 65/100 Coin Dollars, balance of debt and interest due to
this date, with twelve per centum per annum interest thereon from this date
until paid, and the cost of this suit, for all which execution may issue.
3821 J J and W H Tobin v. Houston and Texas Central Rail Road Company.
X And now on this day this cause being called the plaintiffs came, not but the
Defendant came not. And because the defendant has brought this case by
appeal to this Court from the Justices Court, and do not appear to prosecute
the same, It is ordered that the cause be dismissed for want of prosecution
and that said J. J. Tobin and W. H. Tobin do have and recover of the Houston &
Texas Central Railway Company the sum and the securities on their appeal bond
W. B. Davis, R. S. Bacon and W. A. Miller, the sum of thirteen + 20/100 Dollars
that being the amount of the judgment rendered in the Justices Court, together
with the sum of One + 37/100 Dollars Damages, and all the cost in this Court and
the Justices Court, for all which execution may issue.
3875 The State of Texas vs W H Devers et als Comes now the attorney for the Plaintiff
when on motion It is ordered that this Cause be dismissed at the cost of
the State of Texas.
3895. The State of Texas vs J. N. Baker et als And now comes the Counsel for the
plaintiff and claims a judgment by defaut. And because the Defendants
have been cited by personal service, and have failed to answer within the
time prescribed by law and wholly made defaut It is ordered that the
State of Texas do recover of the Defendants herein according to the prayer of
their petition, and that a writ of Inquiry be awarded.
3896 The State of Texas v. A S. Kirk et al Continued for service.
3904. Joseph D. Sayers v. Geo Harris. And now comes the plaintiff and claims a
X judgment final by defaut. And because the Defendant has been cited by per-
sonal service, and has failed to answer within the time prescribed by law and
wholly made defaut: and the cause of action being liquidated, It is ordered
that Joseph D. Sayers do have and recover of the said Geo Harris the sum of
two hundred, eighty-two + 85/100 Coin Dollars, debt and interest due upon the in-
trument sued on to this date, with 15 per centum per annum interest thereon
from this date until paid, and all the cost of this suit, for all which exe-
cution may issue.
3906 Geo W. Slopcock v. C. Culmore et al. And now comes the plaintiff & claims
a judgment by defaut. And because the Defendants have been cited by

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personal service and have failed to answer within the time prescribed by law and made defaut. It is ordered that the plaintiff do have and recover of the Defendants according to the prayer of their petition and that a writ of inquiry be awarded

3907. Julius W Houston v. Alfred Evans And now comes the plaintiff and claims a judgment by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed and wholly made default It is ordered that the plaintiff do have and recover of the Defendant Alfred Evans according to the prayer of the petition, and that a writ of inquiry be awarded.

3911. The State of Texas vs E.B. Dwyer et als Continued for service.

3915 R. A. Smith v. J.P. McKinney et als Comes now the plaintiff and claims a judgment by default. And because the Defendants have been cited and have failed to answer within the time prescribed by law and made default, It is ordered that the Plaintiff do have and recover of the Defendants according to the prayer of his petition and that a writ of inquiry be awarded

3933. E. A Hicks v. Cushmings & Gillett & Grant. Comes now the counsel for the plaintiff and suggests the death of the Defendant. When It is ordered that the cause be continued to make Parties.

3948 X Raymond & Whitis v A. H. Songley. Come the plaintiffs by attorney and claim a judgment final by default And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and wholly made default. And the cause of action being liquidated, It is ordered that James H. Raymond and C. W. Whitis, under their firm name of Raymond & Whitis, do have and recover of A.H. Songley the sum of Eighteen Hundred Seventy Five & 64/100 Dollars in coin, with ten per cent. per annum interest thereon from this date until paid, and all the cost of this suit, for which execution may issue

3951 X B. Radkey v. Brickhouse & Evans. And now comes the plaintiff and claims a judgment final by default And because the Defendants have been cited by personal service, and have failed to answer within the time prescribed by law and wholly made default, and the cause of action being liquidated, It is ordered that B. Radkey do have and recover of J. A. Brickhouse and J. O. Evans the sum of two hundred eighty-one & 29/100 Coin Dollars, debt and interest due upon the note of hand sued on to this date, with ten per centum per annum interest thereon from this date until paid, and all the cost hereof to be taxed, for all which execution may issue.

And it appearing that the following described property has been levied upon by writ of attachment, to wit:

19 blue buckets, valued at $3.00: 1 ten gal. keg marked Peach Brandy $10. 1 box buck wheat. 1 box Kummel, $7.20: 1 box Port wine $6.25: 1 10 gal. keg apple Brandy $10: 1 box supposed to be cherries $4.50: 1 box canned Oysters 2.00: 6 kits mackerel $10: 1 box candy 100 lbs $15: 1 box K Oil $4: 3 kits mackerel 6.00: 1 box Soda. Partly full $3.20. 1 box canned Strawberries $3.25: ½ bbl mackerel partly full $2.50: 1 box

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Soda $4 80. 1 box Port wine $7 50. 1 Keg family Syrup $6 25. 4 Kegs Nails about 170 lbs. 1 box Soda $15 30. 1 coil small rope $5 20. 1 coil rope part $8 00. 2½ bbls Mackerel $16 00 - 3 1 Gal. Kegs $16 00. 1 Bbl Whiskey part full $40. 20 lbs Lard $2 00 1 bbl Whiskey on tap + 1 bbl Vinegar on tap 5 00. 1 whis Key bbl empty 1 00 1 Keg powder part full $3 00 ½ bbl Pecans part full 6 00 2 bbls Sugar part full 6 00. 1 lot hemp sacks 1 00 ½ bbl Split peas 21 00 1 Keg alspice 6 00 1 Keg filberts part full 2 00 1 bbl apples dried part full 2 50. ½ box Candy 2 50. 1 box Rock Candy part full 8 00 1 box Candy part full 3 75 1 bbl Crackers ¾ full 5 00. 1 nail Keg ½ full almonds 2 50. ½ Ream wrap paper 1 00. 53 boxes axle gr 5 00 1 box toilet Soap left 3 cakes 2 50 1 paper box filberts + almonds 1 00 1 box candles ⅔ full $6 00 1 gr. matches 2 50 ⅔ do 1 50 12 leaves Lard 50. 2 small boxes fancy Candy 1 00 4 3/12 doz papers stove polish 3 00. 5 small glasses Candy + nutmegs 2 50 3 7/12 doz. box Blacking 2 25 26 plugs Tobacco 26 lb 12 00 16 lb twist tobacco 12 00 ½ bucket fine cut tobacco 3 00 1 box twist tobacco 32 lbs $24. 2 sacks shot part full 2 50 ½ box Ba 5 00 50 cans fruit 8 00 59 boxes Sardines 10 00 2½ balls twine 25. 13 cans lemon Sugar 2 50 39 boxes mustard 7 00 73 boxes Cans Oysters 12 00. 57 boxes Salmon 10 00 40 pints Porter 10 00 9 bot. pepper sauce 15 00 - 38 boxes Blacking 2 25 - 5½ boxes Cafe 5 00 36 cans fruit 67 00 36 cans fruit 67 00 - 85 pack Smoking tobacco 10 00 4 bot extract 75 16 small Bottles Indigo 75. 13 glasses jelly 2 50 6 small glass jars + 1 full of cloves 2 00 1 box cigars less some 2 00 28 bot. brandy Cherries 10 50 11 bot French liquors 3 50 1 bot. Cognac 75. 9 bot. Port Wine 6 00 1 stove $8 00 700 lb Iron $6 75 50 lb Sheet Iron 4 00 3½ boxes tin $43 20 6 doz pie pans 3 00 7 doz. Cups 1.75. 3 doz 1 gallon Coffee boilers 7 50 10. 1 gallon measures 3 00 12. ½ gal. measures 2 40 13. 2 qt buckets 1 50 1. 4 qt buckets 3 12 12. 6 qt . 3 25 1½ doz. 10 qt 3 21 1 8/12 Oil cans 3 75. 1 8/12 doz Strainers 2 90 6. Cups 2 70 5 washpans 1 25 1 2/12 pair Rust stove 8 00 3 No 6 Marion G. Stoves 27 00 3. 7 . $48 00 1. 8 - . 15 00 7 Stone Jars 8 75 1 doz 2 qt Cups 1 25 total of ten species $621 03 1 house & lot valued at $326 00 over and above the incumbrance of $674 00 total value of property levied upon $947 03 Also Sot N: 9 in Block 8 in the town of Rockdale, Texas, county of Milam. And it is ordered that on the attachment lien of the said Rackley upon the above described Real Estate and personal property be and the same is foreclosed - and that an order of Sale be issued by the Clerk of this Court directed to the Sheriff of Milam County requiring him to levy upon and sell, as under execution, the above described property, and the proceeds thereof he shall apply to the payment of the judgment rendered in this cause, the interest to accrue thereon, and the cost of this suit, and the remainder, if any, he shall pay over to the defendant and the Clerk is allowed 10 cents per 100 words for recording the description of the property herein.

3964 Sarra Steiner v. W. G. Walsh. And now on this day comes the plaintiff and claims a judgment final by default. And because the defendant has been cited by personal service and has failed to answer within the time prescribed by law and made default And the cause of action being liquidated, It is ordered that said Sarra Steiner do have and recover of said W. G. Walsh the sum of Two Hundred, five & 63/100 Specie Dollars, principal debt and interest due upon the note sued on to this

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date, together with the cost of this suit, for all which execution may issue.

3968 W. A. Morris vs Geo. W Paschal et.al. Continued to perfect service

21002 Alice D. Rice, Ex Parte. And now on this day comes onto be heard the petition of Alice D. Rice, a minor residing in Travis County, over the age of seventeen years, praying to have her Disabilities as such minor removed. And the Court having heard said petition, which is supported by affidavit, and the same being duly considered, It is ordered and decreed that the Disabilities of non-age of the said Alice D Rice be removed, and she is hereby declared to be of full age for all legal purposes, and is to be held responsible for all her acts the same as if she were twenty-one years of age.

4006 J. W Hannig v Jesse Stancel et.al. And now comes the plaintiff and claims a judgment by default as to the Defendant Stancel. And said defendant having been duly cited and has failed to answer within the time prescribed by law and wholly made default It is ordered that J. W. Hannig do have and recover of said Jesse Stancel according to the prayer of his petition and that a writ of inquiry be awarded.

4009 Loomis & Christian v. Charles Dieterich. And now come the plaintiffs by their attorneys and claim a judgment by default And because the Defendant has been duly cited and has failed to answer within the time prescribed by law and wholly made default and the cause of action being liquidated, It is ordered that S. Loomis and E. Christian, under their firm name of Loomis & Christian, do have and recover of Charles Dieterich the sum of One hundred, Sixty-five & 93/100 Coin Dollars, debt and interest due upon the instrument sued on to this date, with 12 per centum per annum interest thereon from this date until paid, and the cost hereof to be taxed, for which execution may issue.

4012 Loomis & Christian v. R M Russell. And now come the parties by their attys and on motion and by consent judgment is entered as per agreement on file. And thereupon It is ordered and decreed that S. Loomis and Ed. Christian, under their firm name of Loomis & Christian, do have and recover of R. M. Russell the sum of One hundred and eighty & 01/100 Coin Dollars, with 12% interest and the cost of this suit, for which execution may issue. And it appearing that the plaintiffs have a mechanic's lien upon the following described property to secure the payment of the judgment rendered herein, to wit: a certain house and the lot on which it is situated, in Block No 60 in the City of Austin, in Division "E" fronting on North Avenue, situated between the lots of Mrs. W. H. Carr and H. C Eanes and wife, 69 feet wide and 138 feet long- it is ordered that said lien be foreclosed, and that the Clerk, at the expiration of five months, do issue an order of Sale directed to the Sheriff of Travis County requiring him to levy upon and sell as under execution the above described property and the proceeds thereof he shall apply to the satisfaction of this judgment, the interest to accrue thereon and the cost of the suit and the overplus if any he shall pay over to the Defendant.

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4016 F. Steussy & Son. v. J.T. Jackson. And now come the plaintiffs by their attorneys and claim a judgment by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and made default and the cause of action being liquidated, It is ordered that Frederick Steussy and Mathias Steussy under their firm name of F. Steussy & Son do have and recover of J.T. Jackson the sum of One hundred fifty-eight & 1/100 Dollars, debt and interest thereupon the instrument sued on to this date, with interest thereon at the rate often per centum per annum from this date until paid, and the cost hereof to be taxed, for all which execution may issue

4025 N.O. Sneed et al v. M.R. Jones. Comes now the plaintiffs by their attorneys and claim a judgment by default. And the Defendant, having been cited by personal service and failed to answer within the time prescribed by law and wholly made default and It is ordered that the plaintiffs do recover of the Defendant according to the prayer of their petition and that a writ of inquiry be awarded.

4026 W.B.P. Gaines v. D.M. Wilson. The Defendant having been duly cited and having failed to answer within the time prescribed by law and wholly made default, It is ordered that the plaintiff have and recover judgment for want of an answer.

4034. Benjamin Chote v. William M. Stephenson. Comes now the plaintiff and claims a judgment by default. And because the defendant has been cited by personal service and has failed to answer within the time prescribed by law & wholly made default and the cause of action being liquidated It is ordered that Benjamin Chote do have and recover of William M. Stephenson the sum of One hundred forty-five & 9/100 Dollars, debt and interest due upon the instrument sued on to this date, together with the cost hereof to be taxed, for which execution may issue.

4048 William Alexander v. James P. Newcomb & Co. Comes now the plaintiff by attorney and claims a judgment by default. And the Defendants having accepted service of plaintiff's petition and failed to answer within the time prescribed by law and made default It is ordered that Plaintiff recover of the Defendants herein according to the prayer of his petition and that a writ of inquiry be awarded

4052. M.W. Townsend v. Fred Carleton. And now comes the Plaintiff and claims a judgment final by default and the Defendant having accepted service of plaintiffs petition and having failed to answer within the time prescribed by law and wholly made default and the cause of action being liquidated, It is ordered that M.W. Townsend do have and recover of Fred Carleton the sum of Two Hundred, Twelve & 1/100 Coin Dollars, debt and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from this date until paid, and the cost hereof to be taxed, for which execution may issue

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3928 X J.E. Boulding v. E.W. Shands et.als. And now comes the plaintiff and claims a judgment final by default. And because the Defendants have accepted service of plaintiffs petition and have failed to answer within the time prescribed by law and wholly made default and the cause of action being liquidated, It is ordered that James E. Boulding do have and recover of E.W. Shands, as principal, and A.M. Jackson and A.P. Blocker, endorsers, the sum of One hundred; thirty one & 17/100 Dollars in coin, debt and interest due upon the note sued on to this date, together with interest thereon at the rate of two per cent. per month thereon from this date until paid, and the cost of this suit, for all which execution may issue.

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

Saturday, June 6th, 1844.

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

3959 X Geo. Hancock v. W.F. Robinson. And now comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service, and has failed to answer within the time prescribed by law and wholly made default and the cause of action being liquidated, It is ordered that George Hancock do have and recover of said William F. Robinson the sum of Two Hundred Twenty three & 50/100 Dollars, debt and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from this date until paid, and the cost hereof to be taxed, for which execution may issue.

4029 X John G. James v. T.E. Tullis. And now comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and wholly made default and the cause of action being liquidated, It is ordered that John G. James do have and recover of T.E. Tullis the sum of one hundred, Ten & 4/100 Gold Dollars, debt and interest due upon the note sued on to this date, with twelve per cent per annum interest thereon from date until paid, and all the cost of this suit, for all which execution may issue.

3906 Geo W. Glafcock v. C. Culmore and Fanny Culmore. Come now the Defendants by their attorney: and it appearing that the said Defendants had filed their answer previous to default day, and that the entry of default in this case was entered through mistake It is ordered upon motion that said Entry of Default be set aside and vacated.

3970 X The State of Texas v. A.H. Longley et al. It appearing that at the February term of this Court 1844 Judgment nisi was entered against the Defendants on a forfeited appearance bond for the sum of One Hundred Dollars, on a charge of Betting at a Gaming Bank called Monte. And the security L.E. Edwards having been duly cited to appear and shew cause why said judgment should not be made final, which has not been done, It is ordered that said Judgment nisi be made final, and that the State of Texas do have and recover of said A.H. Longley as principal and L.E. Edwards

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as security, the sum of One Hundred Dollars, as aforesaid, and all the cost of this proceeding for which execution may issue.

3971 The State of Texas v. A & Longley and L & E Edwards. It appearing that at the last
X term of this Court judgment nisi was entered against the Defendants on a forfeited appearance bond for the offence of Betting at a Gaming Bank called monte by the Defendant Longley and the Defendant Edwards having been cited to appear and shew cause why said judgment should not be made final which has not been done. It is ordered that said judgment nisi be made final, and that the State of Texas do have and recover of said A & Longley principal, and L & E Edwards security the sum of One hundred Dollars, as aforesaid, and all the cost of this proceeding, for which execution may issue.

3972 The State of Texas v. P Eckman et als. Come now the parties and the Court having
X heard the Defendants answer and duly considered the same It is ordered that the forfeiture entered in this cause be set aside, and that the Defendants P. Eckman, C L Johanson and A. Swenson pay the Cost of this proceeding, for which execution may issue.

3973 State of Texas v. James Rawles et als Dismissed

3974 State of Texas v. C. Dahey et als It appearing to the Court that at the last term of this
X Court judgment nisi was entered against the Defendants on a forfeited appearance bond for the sum of One Hundred Dollars on a charge against C. Dahey for playing at a game with cards in a public place, and the Defendant Rich. and Mitchell having been served with citation to appear and shew cause why said judgment should not be made final (the Defendant Crafts not being served the case is dismissed as to him) which has not been done. It is ordered that said judgment nisi be made final, and that the State of Texas do have and recover said C. Dahey principal, and Richard Mitchell security the said sum of One Hundred Dollars and the cost of this proceeding, and that execution issue therefor

3978 State of Texas v. S. A. Carlson et als Dismissed

3979 The State of Texas v. R. Holman et als. It appearing that at the last term of this
X Court judgment nisi was entered against the Defendants in this cause for the sum of One hundred Dollars on a forfeited appearance bond for Betting at monte, and they having been served with citations to appear and shew cause why said judgment should not be made final, which they have wholly failed to do It is ordered that said judgment be made final, and that the State of Texas do have and recover of and from said R. Holman as principal and J. McRussell and W. H. Sims as securities the sum of One Hundred Dollars and the cost of this proceeding, and that execution issue therefor

3980 The State of Texas v. Bill Tong et als Dismissed

3982 The State of Texas v. T. Hannibal et als Dismissed

3985 The State of Texas v L. M. Bradley. It is ordered that the fine in this cause be set-
X aside and that the Defendant pay the cost for which execution may issue.

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4018 Eliza J. Turney et als vs A & Turney et als. And now comes T. T. Pendly by attorney when on motion It is ordered that said T. T. Pendly do have leave to file a petition of intervention in this case.

3619 and 3101 G. T. Boardman vs E. Higby et al. Deborova and John Richardson Petitioners for Injunction - J. W. Smith et al. Defendants in Injunction - P. DeCordova Garnishee

On this day came on to be heard finally the petition for Injunction and garnishment in the above cause and the plaintiffs in injunction D. Corwin and John Richardson being now here by attorney and the Defendant E. Higby being now here by attorney and the Injunction Defendant J. W. Smith and H. C. Slaters having made default after they has filed an appearance in this cause in their own person and has accepted in due form of law service of process and the garnishee P de Cordova being present by his answer and a Jury being waived by the Consent of all parties and all the matters and things at issue in this cause both of law and fact, having been submitted to the Court, and the Court having heard the pleading, and evidence of parties and statement of counsel and it appearing to the Court that the Defendant E. Higby is justly indebted to the Plaintiffs in injunction D. Corwin and John Richardson in the sum of $23.20 twenty three + 20/100 Dollars It is therefore decreed by the Court that the said D. Corwin and John Richardson do have and recover of the said E. Higby the sum of twenty three and 20/100 Dollars and all cost of this proceeding for which execution may issue. And it appearing to the Court that the garnishee P. de Cordova is justly indebted to and owing the said defendant E. Higby the sum of twenty-five dollars in coin, with interest thereon at 8 percent. per annum from the 9th day of may A.D. 1873 It is therefore ordered and adjudged by the Court that the plaintiffs in injunction P. de Cordova and John Richardson and the officers of Court do have and recover of and from the said P. de Cordova said sum of twenty five dollars coin, with interest at 8 per cent. per annum from 9th May 1873 for which amount execution may issue, and said amount when collected shall be distributed and applied as follows to wit: 1st Out of it shall first be paid all costs of this proceeding 2d The above judgment in favor of the said Corwin and Richardson for $23.20 against the said Higby shall be paid off and discharged and 3d The residue if any shall be paid over to said Defendant E. Higby. And it is further ordered and adjudged that the temporary injunction executed in this cause restraining James W. Smith a Justice of the Peace in and for Travis County Texas from issuing any execution against the garnishee P. De Cordova in favor of the Deft. E. Higby on a certain judgment obtained by said E. Higby before said James W. Smith as Justice of the Peace on the 9th May, 1873, for $25 coin against the said garnishee P. de Cordova and restraining the said deft Slaters from executing any such execution, be and the same is hereby declared to be perpetual. and thereupon the Defendant E. Higby in open Court gives notice of an appeal to the Supreme Court.

June 6th 1874.

3309. Harris Dudley & Co. v. H. Kleuert. Comes now the Plaintiffs by attorney when on motion It is ordered that the said Plaintiffs have leave to amend

3309 Harris Dudley & Co v. H. Kleuert. And now on this day come the parties to this cause by their attorneys and thereupon the Defendant submitted his demurrer to the petition of plaintiffs which being heard and argued by Counsel and duly considered It is ordered that the same be overruled and thereupon said Defendant excepts to said ruling.

1018 Eliza J Turney et als. v A C. Turney et als And now comes the Counsel for the plaintiffs when on motion It is ordered that T B. Wheeler be appointed Guardian ad litem for the minor Defendants herein.

3741 M Eirich vs. C. L. Nitschke Deft and The City of Austin Garnishee

X And now on this day came the plaintiff and the Garnishee by their attorneys when came on to be heard the answer of said Garnishee. And the same being duly considered, and the exceptions of the Defendant being also considered, the same are overuled Whereupon It is ordered that the Plaintiff M. Eirich do have and recover of and from the Corporation of the City of Austin, Garnishee the sum of Forty One Dollars, therein to be due from said City to the Defendant Nitschke, and that when the said sum shall be paid into Court the same shall be entered as a credit in favor of said Nitschke on the original judgment rendered in this Cause, less the cost of this proceeding in garnishment, which shall be paid out of said sum of $41.00 Forthich judgment of the Court said Defendant excepts

3953. Eliza Schobey et al v Meyer & Green. And now comes the Plaintiffs and dismisses this X suit as to the Defendant Meyer who has not been cited. And thereupon said Plaintiff claims a judgment final by default as to the Defendant Green. And said Green having been cited by personal service and failed to answer within the time prescribed by law and the cause of action being liquidated It is ordered that Eliza Schobey and George W. Schobey do have and recover of said W H Green the sum of Fifteen Hundred Eighteen 58/100 Specie Dollars debt and interest thereon the instrument sued on to this date together with interest thereon at the rate of three per cent. per month from this date until paid and the cost of this suit, for which execution may issue.

1004 Arnold Klein v. Rouleau S. Caperton. And now on this day came the Plaintiff by his attorneys and upon motion in open Court It is ordered that Jno E. Campbell the Surveyor of Travis County go upon the land described in Plaintiff's Petition and find the lines and corners which were established by the Commissioners for the heirs of Louis P. and Mary A. Cook deceased in the year 1860 Heis further ordered to Commence at the junction of Marble creek with Onion creek and survey according to the following field notes: "No. 2 Beginning at the lower corner of No 3 on the creek a stake about 60 varas below a Spring from which a pecan 10 inches in diameter mkd X bears N 25° W. 8 varas Thence S. 1° W. 950 varas to a stake from which a hackberry 10 inches in diameter mkd X bears N. 74° E 35 varas Thence S 30° W. 3632 varas to a stake in prairie thence S 60° E. 600 varas to a stake Thence N. 30° E 2917 varas to a stake from which a Hackberry 15 in dia. mkd X bears S. 57° E. 190 varas thence N. 60° W. 140 varas to a stake thence N 30° E 490 varas

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Crosses Marble creek at 880 varas recrosses same creek 1100 varas a stake at the junction of Marble creek with Onion creek thence up Onion creek with its meanders to the place of beginning" and make a plat or sketch of the same, stating the number of acres and return the field notes and plat to this Court as soon as pofsible, without making any lines or putting up any corners until the further order of the Court and also make and return a separate plat of the portions of said land that are now occupied by the Defendant to this suit, stating the number of acres that said Defendant is in possefsion of, which lies within the boundary of the above described land

1400 5 William Weide v. M. C. Nuckols and A. S. Caperton And now on this day comes the plaintiff by his attorneys, and upon motion in open Court, It is ordered that John E. Campbell the Surveyor of Travis County go upon the land described in plaintiffs petition and find the lines and corners which were established by the Commissioners for the heirs of Louis P Cook and Mary A Cook deceased in the year 1860 He is further ordered to Commence at the junction of Marble creek with Onion creek and Survey according to the following field notes "No 2 Beginning at the lower Corner of No 3 on the creek a stake about 60 varas below a Spring from which a Pecan 10 in dia marked X bears N. 25° W. 8 varas thence S. 1° W. 950 varas to a stake from which a Hackberry 10 in. in dia. marked X bears N. 74° E. 35 vs thence S. 30° W. 3632 varas to a stake in Prairie thence S 60° E. 600 varas to a stake. thence N 30° E. 2717 varas to a stake from which a hackberry 15 in. in dia. marked X bears S. 57° E 190 varas thence N. 60° W. 1400 varas to a stake thence N. 30° E. 1490 varas crosses Marble creek at 880 varas recrosses same creek 1100 varas a stake at the junction of Marble creek with Onion creek thence up Onion creek with its meanders to the place of beginning." And make a plat or sketch of the same, stating the number of acres, and return the field notes and plat to this Court as soon as pofsible, without making any lines or putting up any corners until the further order of this Court And also make and return a separate plat of the portions of said land that is now occupied by the defendants to this suit, stating the number of acres that each of said Defendants is in possession of, which lies within the boundary of the above described land.

1401 4 August F. Kamp v. S. Mufsett and Susan Mufsett And now on this day comes the Plaintiff by his Attorneys and upon motion in open Court It is ordered that John E Campbell, the Surveyor of Travis County, go upon the land described in plaintiffs petition and survey the land described therein and make a plat or sketch of the same, stating the number of acres and return the field notes and plat to this Court as soon as pofsible, without making any lines or putting up any Corners until the further order of this Court And he is further ordered to make and return a separate plat of the portions of land that said defendants are now in possession of which lies within the boundary of the above described land.

1401 7 Frances Burlage v. L E Edwards Comes the Defendant by Attorney and on motion only made it is ordered that the plaintiff in this suit be required

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to enter into bond and security for the cost of this suit on or before the next term of this Court, Plaintiff's attorney being notified

And Court adjourned till to-morrow next at 9 o'clock A.M.

Monday June 8th 1841.

Court met at 9 o'clock A.M. pursuant to adjournment Present same as on Saturday. Whereupon the following proceedings were had to wit.

C A James — And now come the committee appointed to examine Charles A. James touching his qualifications to practice as an attorney and Counsellor at Law, and reporting favorably It is ordered that said Charles A. James be and he is admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of this State and that License issue accordingly

3754. Locke & Marshall v James Davidson. And now comes Mrs. A. E. Davidson by her attorney and on motion It is allowed that said Mrs. A. E. Davidson be allowed to intervene in this cause.

3760 Nalle & Co. v. James Davidson et al. Come the Defendants by their attorneys, when on motion It is allowed that said Defendants have leave to Amend

3811 D. Weber v. C. Pecht Comes now the Plff. by attorney when on motion It is ordered that said Plaintiff have leave to amend the petition

3844 G R. Freeman v. Robert Lewis et al. It is ordered that this Cause be Continued

3844 G R Freeman v. R. Lewis et al. Ordered, on motion, that the Defendants in this Cause have leave to amend their answer.

3845 John D. Kerfoot et al. Heirs of Sefrin Eislin. Continued

3882 A P Billingsley v. Thos Lewiston et al. Ordered, on motion that the Defendants in this Cause have leave to amend their answers

3882 A P Billingsley v. Thos Lewiston et al. Ordered on motion that the Plaintiff in this Cause have leave to amend her petition.

3889 M. M. Galloway v. R. Gallaway Ordered, on motion that the Plaintiff in this Cause have leave to amend.

3891 A Klein v. G. M. Bragg Ordered on motion that the Plaintiff herein have leave to amend.

3916 John Davis et als v C W Prepler. Comes the Defendant Paul Prepler by attorney when on motion It is ordered that said Paul Prepler have leave to amend.

3926 Wm Kaehler v. P. Meyer. Comes the Plaintiff by atty when on motion It is ordered that said Plaintiff have leave to amend

3926 Wm Kaehler v. P Meyer. Continued

3927 M. Wear v. Geo B Zimpelman Comes the Defendant by attorney when on motion It is ordered that said Defendant have leave to amend answer & demurrer.

3941 Geo. Gilbert v. G. M Bragg Come the parties when on motion It is ordered that this cause be dismissed from the Docket as per agreement on file. And the subject matter of the suit having been settled It is ordered that the parties so hence go hence and that said Bragg and the securities on the appeal bond be adjudged to pay the cost of this Court and the Court below for all which execution may issue

June 8th 1874.

4051 Frank Matthews et al. & Parte. Now on this day came on to be heard the petition of Frank Matthews, Frank Brown, J E. Rector, W. S Hatchkiss, Trustees of the Temperance Organization of the City of Austin in Travis County Texas and the Court after considering the facts stated in said petition, under the testimony adduced in support of the same and after considering fully the sixth clause of the Decree of this Court dated October 30th AD 1872 and the sixth clause in a deed of trust from M. A. Taylor to said Matthews, Brown, Rector, Hatchkiss and Robert Elgin dated Oct AD 1872 And after considering fully the rights and authority given to said Trustees by said Decree and Deed, It is ordered adjudged and decreed by the Court that said Trustees or a majority of them are hereby authorized, upon payment of One thousand dollars coin to them or a majority of them, by J. B McFarland, James N. Smith, Lecinder Brown, Alfred Smith, E. S. Matthews and A. O. Home, Jr Trustees of the Cumberland Presbyterian Church in the said City, to make, execute, acknowledge and deliver to said Trustees of said Church and their successors, a deed for and to the following piece of ground to wit a portion of Block No Seventy One in the City of Austin, Travis County Texas and bounded as follows Beginning at a point on the Northern line of said Block No Seventy One, forty six feet from N W Corner of said Block Thence Easterly along said North line 36 feet Thence Southerly on a line parallel with the Western line of said Block One hundred and twenty eight feet thence Westerly on a line parallel with the North line of said Block thirty six feet. thence Northerly on a line parallel with the Western line of said Block one hundred and twenty eight feet to the place of beginning and said Trustees, or a majority of them of said Temperance Organization are hereby authorized and empowered to invest said One thousand Dollars in other grounds or buildings within the limits of said City, as they may think best, and that said Trustees of said Temperance Organization pay the cost of this Proceeding

3796 E. Bremond vs W. L. Lewis et al Come now the Defendants by their attorneys and on motion It is ordered that the said Defendants have leave to amend

3890 D. Jerrold v. J. P. Newcomb & Co. Come the Defendants by attorney when on motion it is ordered that said Defendants have leave to amend

3890 D. Jerrold v. J. P. Newcomb & Co Come now the Plaintiffs by attorney when on motion It is ordered that said Plaintiffs have leave to amend

3890 D. Jerrold v. J. P Newcomb & Co. Continued.

4014 A. J Kamp v Mussett & wife. In this cause on motion of the Defendants It is ordered by the Court that the Order of Survey made and entered in this Cause on the 6th day of June 1874 be set aside and annulled. And it is further ordered by the Court that John O. Campbell, the County Surveyor of Travis County, with the least possible delay, proceed to the Ground and run out the division line between the Thomas H. Mays and Brooks Surveys of land on Walnut creek in said County and ascertain its locality: that he make Survey of the several tracts of land claimed by both plaintiff and defendants on said Mays and Brooks Surveys according to such deeds of conveyance and other data in writing as shall be furnished him by the respective parties or their

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attorneys: that he ascertain the locality of the lands and enclosures claimed by both plaintiff and defendants with reference to said division line between said Mays and Brooks Surveys and that he report in writing his action under this order accompanied with such plats and sketches as will indicate the locality of said division line between the Mays and Brooke Surveys and also the locality of the lands and enclosures claimed by both parties with reference to said division line, at the earliest day practicable during the present term of this Court.

3785 L. J. & W. H. Page v. Sarah & G. H. Bennett. And now on this day this cause being called, and a Rule having been entered at a previous term of this Court requiring the Plaintiffs to enter into bond and security for the Cost of this suit which they have failed to do, it is ordered that this Cause be dismissed for want of Compliance with said rule, and that the Plaintiffs pay all the Cost of this suit for which execution may issue.

3790 J. J. Jackson v. John & D. McDell Continued under Rule for Cost.

3791 Geo Hancock v. J. H. Tivley. Continued

3799 Antonio Paggi v. M. Paggi. On motion It is ordered that this Cause be dismissed and that the Defendants go hence and recover of the Plaintiffs and the Securities on their cost bond all the cost of this suit for which execution may issue.

3802 T. D. Wardlow v. C. M. Wardlow A Rule for security for cost having been entered in this cause at the last term of the Court and the same not being Complied with it is ordered that said cause be dismissed for want of Compliance with said Rule and that said T. D. Wardlow pay the cost of this suit, for which execution may issue

3880 E. A. Hicks v. Cummings & Quast. Continued by Plaintiff

3925 L. C. Edwards v. C. J. R. Edwards. Ordered, on motion, that the Plaintiff in this Cause have leave to amend the petition

3760 Nalle & Co. v. James Davidson et. al. And now on this day came the parties to this cause by their attorneys and announced ready for trial when Came on to be heard the demurrer of Defendant to plaintiffs petition which is overruled. When came a Jury of twelve good and lawful men of Travis County, Consisting of J. L. Johanson and seven others who being tried, elected and sworn, heard the pleadings, the evidence, argument of Counsel and the Charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff 501 Dollars 13 Cents, 67 Dollars 58 Cents interest, or total ($568 71/100) after taking off six Dollars for lumber returned. We the Jury also find that the lumber furnished, was used in building on the premises described in the plaintiffs petition C. L. Johanson foreman." Whereupon It is ordered that Thomas H. Nalle, under the firm name of Nalle & Co. do have and recover of James Davidson the said sum of Five Hundred Sixty-Eight 71/100 Dollars, so found to be due by

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the Jury, and all the cost of this suit, for which execution may issue. And it appearing that the plaintiffs have a lien upon the following described Real Estate to secure the amount of the judgment rendered in this case, to wit: Lots Numbers Six (6) Seven (7) (8) Eight, Nine (9) and Ten (10) in Block No Three (3) of Raymond & White's subdivision of Out Lots Nos 15, 16, & 17, of Division D of the Out Lots of the City of Austin, in Travis County, Texas, and the improvements thereon. It is ordered that said lien be foreclosed, and that the Clerk of this Court do issue an order of Sale directed to the Sheriff of Travis County, requiring him to levy upon and sell as under execution, the above described property, and the proceeds of such sale he shall apply to the satisfaction of the judgment rendered herein, the interest to accrue thereon, and the cost of this suit, and the residue, if any, he shall pay over to the Defendant.

3762 Henry Seekatz v. W. F. Wells. And now come the parties by their attorneys when on motion It is ordered that this cause be dismissed from the docket, and that the Plaintiff do have and recover of the Defendant W. F. Wells all the cost of this suit to be taxed for which execution may issue.

And Court adjourned till to-morrow at 9 o'clock A. M.

Tuesday June 9th 1874

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

3751 Susan Thompson v. Lewis Thompson. This cause being called for trial, and the Plaintiff having been required to give Bond and Security at the last term of this Court which she has failed to do It is ordered that this cause be dismissed for want of compliance with said Rule, and that the Plaintiff pay the cost of this suit, for which execution may issue.

3796 Eugene Bremond v. W. Charles Lewis et als. Comes now the Plaintiff by atty when on motion It is ordered that said Plaintiff have leave to amend.

3890 D. Jerrold v. J. P. Newcomb & Co. Come the Defendants and on motion It is ordered that the Plaintiff be required to enter into bond and Security for the cost of this suit, Plaintiffs attorney being notified.

3932 E. L. Whipple v. S. B. Bunch Admr. Comes the Plaintiff by atty when on motion It is ordered that said Plaintiff have leave to amend.

3945 B. J. Swenson v. C. Swenson. Continued.

4019 Geo. W. Honey v. J. A. Posey
4020 Geo. W. Honey v. J. B. Graham } On motion It is ordered that the Plaintiff in these two causes be required to enter into Bond and Security for the cost of said suits, Plaintiffs atty being notified.

4033 C. C. Dodge v. J. P. Hollingsworth et al On motion It is ordered that the Plaintiff be required to give bond and security for the cost of this suit plaintiffs atty being notified.

4047 Wm. R. Hampton et als v. J. N. Hampton. Ordered, on motion that the Plaintiffs herein be required to enter into bond and Security for the cost of this suit, Plaintiffs atty being notified.

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3808 Ned. Douglas v. J. H. Coleman. And now on this day came the parties to this cause by their Attorneys and announced ready for trial, when came a jury of twelve good and lawful men of Travis County, consisting of E. Perry and the defendants demurrer to the petition being submitted the same is overruled. eleven others, who being tried, elected and sworn according to law heard the pleadings the evidence and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit. "We the Jury find for Plaintiff the sum of Four Dollars and ninety-five cents Coin and without seven ten cents, making a total of $4 95/100 Coin. Elbridge Perry Foreman." Whereupon It is ordered that Ned. Douglas do have and recover of J. H. Coleman the sum of Five & 12/100 Coin Dollars as found to be due and all the cost of this suit. for which execution may issue.

3831 Rufus Holcrom v. Kate Holcrom. This cause being called for trial the Plaintiff appeared and announced ready and the Defendant came not. When came a jury of twelve good and lawful men of Travis County consisting of C. L. Johanson and eleven others who being duly tried and sworn heard the petition the evidence and the charge of the Court retired for deliberation, whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the allegations in plaintiffs petition to be true C. L. Johanson Foreman." Whereupon It is ordered that the Bonds of Matrimony heretofore celebrated and existing between said Rufus Holcrom and Kate Holcrom be set aside, vacated and dissolved, and that the Plaintiff pay the cost to be taxed, for which execution may issue.

3814. John A. Burditt et al. v. M. C. Burditt et al. Continued for service

3830 Reuben Ennis v. J. Cunningham et al. This cause being called for trial and the Plaintiff not appearing in person or by atty to prosecute the same It is ordered that the suit be dismissed for want of prosecution and that the Defendants go hence and recover of said Reuben Ennis and his securities D. N. Robinson and A. S. Rust all the cost of this suit for which execution may issue

3838 Mary Moore v. Charles Pickett Continued

3843 William Chambers v. A. Bledsoe et als. This Cause being called for trial and it appearing that at the last term of this Court a Rule for security for cost was entered and the same not being Complied with It is ordered that the case be dismissed for want of Compliance with said Rule, that the Defendants go hence and recover from Wm Chambers all the cost of this suit. for which execution may issue

3862 The State of Texas v. R. M. Johnson et als Continued for service.

3863 The State of Texas v. R. M. Johnson et als Continued for service

3865 The State of Texas v. Eli W. Franks et als Come the Counsel for the plaintiff and suggest the death of the Defendant Franks And it is ordered that the cause be continued to make his Administrator J. B. Bains a party Defendant.

3867 The State of Texas v. J. M. McKee et als Continued for service

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3870 Browning & Fields v. Geo. Tyler Continued

3883 John Dougherty v. Phil. Davis et als Continued under rule for cost.

3890 D Jerrold v. J. P. Newcomb & Co. Continued

3897 A J Ridge v. E. W. Haller et al. Continued to Settle

3900 C. H. Garden v. Mitchell et al. Continued to perfect service.

3908 J. M. Sitten v. Ernst Raven. This cause being called for trial came the Plaintiff and announced ready and the Defendant came not. When came a Jury of twelve good and lawful men of Travis County consisting of C. L. Johanson and eleven others who being tried and sworn according to law, heard the petition the evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Pff the sum of $423 17/100 C. L. Johanson, foreman." Whereupon It is ordered that J. M. Sitten do have and recover of Ernst Raven the sum of Four Hundred Twenty three 17/100 Dollars and 10 per cent per annum interest thereon till paid and the Cost of this suit for which execution may issue

3998. John C. Raymond et al v. M. E. Hopkins et al. Come the Plaintiffs by atty when on motion It is ordered that said Plaintiffs have leave to amend.

3891. A Klein v. E. M. Brags. And now come the parties by their attys and the Defendant withdraws his answer. And thereupon It is ordered that the said A. Klein do have and recover judgment by default for the sum of One Hundred, Seventy 95/100 Coin Dollars debt and interest due upon the note sued on to this date, together with the Cost of this suit, to be taxed, for which execution may issue.

3898 G. W. Malone v. Geo. Harris. And now comes the Plaintiff and claims judgment by default. And the Defendant having been cited by personal service and failed to answer within the time prescribed by law and made default and the cause of action being liquidated It is ordered that G. W. Malone do have and recover of Geo. Harris the sum of One Hundred Eighty Eight 20/100 Coin Dollars, debt and interest due upon the note sued on to date, with ten per centum per annum interest thereon from this date until paid and all the cost of this suit for which execution may issue.

3969. Geo. M. Pae et al v. John Browning et al. Comes now the Plaintiffs by atty and on motion It is ordered that said Plaintiffs have leave to amend.

3864. The State of Texas v. R B Shaw et als. Ordered on motion that the Plaintiff in this cause have leave to amend the petition.

3918 Alfred Scott v. J. J. Miller. And now come the parties to this cause by their attys and announced ready for trial when came a jury of twelve good and lawful men of Travis County consisting of Geo. Dye and eleven others who being duly tried, empanneled and sworn who having heard the pleadings, the evidence and the charge of the Court, after retirement returned into Court the following verdict, to wit: "We the Jury find for Pff the sum of One hundred and thirty dollars and 80/100 and Interest five dollars and 62/100 making a total of $135 42/100 payable in coin. Geo. Dye foreman." Whereupon It is ordered that Alfred Scott do have and recover of J. J. Miller the sum of One hundred

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thirty-five and 67/100 Coin Dollars so assessed by the Jury together with all the cost of this suit for which execution may issue.

3848. Edward Lederle v. Ann Eliza Lederle. And now on this day this cause being called for trial came the plff. and announced ready - and the Defendant came not, though duly cited. When came a Jury of twelve good and lawful men of Travis County consisting of Geo. Dye and seven others who being duly empannelled and sworn according to law, heard the pleadings, the evidence and the charge of the Court, returned the following verdict, to wit: "We the jury find the facts set forth in plff's petition to be true. Geo. Dye. foreman." Whereupon It is ordered and decreed that the Bonds of Matrimony heretofore celebrated and existing between the said Edward Lederle and Ann Eliza Lederle be and the same are set aside, held for naught, and dissolved, and that said Plaintiff and his security C. W. White pay all the Cost of this suit, for which execution may issue.

And now on this day came in open Court the Grand Jury of Travis County duly tried empannelled and sworn for and during the present Terem of this Court and through their foreman A. P. Blocker Esq Present to the Court the following Bills of Indictments to wit:

3430 An Indictment against Wiley Vandegraff for Assault to Kill &c.
3431 An Indictment against L. C. Edwards for Carrying Deadly weapons
3432 An Indictment against Sil Dodson for Theft of Pigs
3433 An Indictment against C. C. Wynne & T. W. Jackman for unlawful taking & W. & H. Sewing Machine
3434 An Indictment against Slip Smith for theft from a house
3435 An Indictment against Wm Henry Turner for Theft from a house
3436 An Indictment against Harry Smith for Theft of a mare
3437 An Indictment against John Lewis for theft of cow
3438 An Indictment against D. J. O'Brien for Theft of money
3439 An Indictment against Jack Houston for Aslt to Kill & murder
3440 An Indictment against Jack Houston for Aslt to Kill & murder
3441 An Indictment against John Tulk & D. J. McIver. for Aslt to Kill & murder
3442 An Indictment against W. D. Woods & Thos Burleson for theft of cattle
3443 An Indictment against Gilbert Stewart for carrying deadly weapons
3444 An Indictment against Eb Stewart for carrying deadly weapons
3445 An Indictment against Eb Stewart & Gilbert Stewart Burglary
3446 An Indictment against Eb Stewart & Gilbert Stewart Aslt to Kill &c
3447 An Indictment against Eb Stewart & Gilbert Stewart Aslt to Kill &c
3448 An Indictment against Eb Stewart & Gilbert Stewart Aslt to Kill &c
3449 An Indictment against Jim Moore for Bet monte
3450 An Indictment against Newton (a Butcher) for Betting at monte
3451 An Indictment against Bob Reardon for Betting at monte
345-2 An Indictment against Bob Holman for Betting at monte
345-3 An Indictment against Joe Woodward for Exhibiting monte

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3454 An Indictment against John Isvod for Betting at Monte
3455 An Indictment against Billy Patterson for Playing cards &c
3456 An Indictment against Jo Lee for Playing Cards &c
3457 An Indictment against Ed McGehee for Betting at Monte
3458 An Indictment against Lythe (a Butcher) Betting at monte
3459 An Indictment against Jim Burdett for Betting at monte
3460 An Indictment against John Pryce for Betting at Monte
3461 An Indictment against C. Libby for Betting at monte
3462 An Indictment against Major Vandigrafft for Betting at monte
3463 An Indictment against Billy Haynes for Betting at monte
3464 An Indictment against Lill Elliott for Betting at Monte
3465 An Indictment against Jo Burlage for Betting at Monte
3466 An Indictment against Gardner for Betting at Monte
3467 An Indictment against Charles Piggett for Betting at monte
3468 An Indictment against Wiley Craft for Betting at monte
3469 An Indictment against Jo Hallam for Betting at monte
3470 An Indictment against "Mike" for Betting at monte
3471 An Indictment against James Rawles for Betting at monte
3472 An Indictment against "Germany" for Betting at monte
3473 An Indictment against Newell Burdett for Betting at monte
3474 An Indictment against Silas Burdett Jr for Betting at Monte
3475 An Indictment against Dick Warren for Betting at Monte
3476 An Indictment against B H. Davis for Betting at monte
3477 An Indictment against Doyle (a Printer) for Betting at monte
3478 An Indictment against Sanders for Betting at Monte
3479 An Indictment against H. Roberts for Betting "Wheel of Fortune"
3480 An Indictment against Frank Britton for Betting at monte
3481 An Indictment against Charley Coney Permitting monte &c in a house under his control
3482 An Indictment against George Lawrence (col) for Exhibiting Monte
3483 An Indictment against Louis Britton for Betting at Monte
3484 An Indictment against Bill Fenny for Betting at Monte
3485 An Indictment against Alex Sampson Bet "Wheel of Fortune"
3486 An Indictment against F. Everett Bet "Wheel of Fortune"
3487 An Indictment against Ike V. Jones Playing cards &c
3488 An Indictment against Paul Deals for Playing cards &c
3489 An Indictment against Bradley for Bet "at Wheel of Fortune"
3490 An Indictment against Richard Hamilton (col) for Betting at monte
3491 An Indictment against Billy Simms for Betting at monte
3492 An Indictment against Watt Good for Betting at monte
3493 An Indictment against John Finch for Ex monte
3494 An Indictment against Watt Cameron for Exhibiting Faro
3495 An Indictment against "Mum" Swisher for Betting at Monte

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3496 An Indictment against Clay Cauer for Betting at monte
3497 An Indictment against Harvey. for Betting at monte
3498 An Indictment against Maroney for Betting at monte
3499 An Indictment against Leo H. Gray for Betting at Monte
3500 An Indictment against Tom Bowles for Betting at monte
3501 An Indictment against Bill Tobin for Playing Cards &c
3502 An Indictment against Henry Harris (col) for Betting at monte
3503 An Indictment against Ambrose Slade for Betting at monte
3504 An Indictment against W. McArthur (col) Betting at monte
3505 An Indictment against Tony Murphy Betting at Monte
3506 An Indictment against Green Littleton for Betting at Monte
3507 An Indictment against Louis Hell for Betting at Monte
3508 An Indictment against Wash White for Betting at monte
3508 An Indictment against Telephus Johnson for Playing cards &c
3509 An Indictment against Matt Woolsey for Playing cards &c
3511 An Indictment against Hank Adams for Betting at monte
3512 An Indictment against Pink Read for Ex monte
3513 An Indictment against A.R. Morris for Playing Cards &c.
3514 An Indictment against C. H. Randolph for Playing Cards &c
3515 An Indictment against Buck Warren Ex monte
3516 An Indictment against Billy Wilson for Exhibiting monte
3517 An Indictment against Charles Boatman Ex Monte.
3518 An Indictment against Charles Read for Exhibiting monte
3519 An Indictment against L.E. Edwards for Playing cards &c
3520 An Indictment against O.B. Caldwell for Playing Cards &c
3521 An Indictment against Bud Cotton for Exhibiting Monte
3522 An Indictment against Frank Cotton for Exhibiting monte
3523 An Indictment against Base Craft for Betting at Monte
3524 An Indictment against W.D Woods for Carrying a Pistol

And this Grand Jury suggesting that there is still further business pending before them they were ordered to retire upon a discharge of the same.

And thereupon Court adjourned till to-morrow morning 9 o'clk

Wednesday June 10th 1874

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.P. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit

3916 John Davis et al v. Paul Prefler. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County consisting of Thomas E. Rowe and eleven others who being tried, elected, and sworn according to law heard the pleadings, the evidence, and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court

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the following verdict, to wit. "We the Jury find for Plaintiff Seven Hundred Dollars (700.00/100) Thomas E. Rowe, Foreman." Whereupon It is ordered that John Davis and Fannie Davis, by Geo B. Davis their next friend do have and recover of Paul Prefler the sum of Seven Hundred Dollars, so found to be due by the Jury together with all the cost of this suit for which execution may issue.

4033 Charles E. Dodge v. S. P. & J. C. Hastingsworth. In this cause upon motion of the Plaintiff in open Court It is ordered by the Court that upon the Plaintiff executing bond with approved security in the penal sum of Two Thousand Dollars conditioned as the law provides, a writ of injunction issue enjoining and restraining the Defendants from selling, transferring, disposing of, or in any manner interfering with or meddling with any of the property or assets belonging to the "Savings Bank of Austin" and enjoining and restraining them from collecting any claim due to said Savings Bank of Austin, or receiving any money on account thereof or using any of the property and assets thereof. And further upon motion of the Plaintiff, in open Court It is ordered that Geo. B. Zimpelman Sheriff of Travis County, be appointed Receiver to take into his possession and hold the same subject to the order of this Court, all the property belonging to the said Savings Bank of Austin now in the possession of or under the Control of the Defendant, and all the books, papers, notes, bills, accounts and claims of every character, and all the furniture and bank pictures pertaining thereto. That said Receiver shall be empowered to collect and receive all moneys due said Bank upon notes, accounts or other character of claims, and the rents due and to become due, from the First National Bank of Austin for the use of the Safe and Vaults and other fixtures now used by said First National Bank. But before entering upon his duties as such Receiver he shall execute a good and sufficient Bond in the sum of $2000. And further that all necessary writs and process be issued by the Clerk.

3590 John H. Conner et al v. Ella R. Carter et al. Continued by agreement.

3919 C. R. Johns v. Susan L. Ward et al. Continued to perfect service.

3927 M. Wear v. Geo. B. Zimpelman. Continued by the Defendant.

3935 Loomis & Christian v. Bettie A. Ford. Continued

3938 W. W. Calhoun v. M. J. Matteson Come the parties by atty when on motion It is ordered that this cause be dismissed and that the said appellant M. J. Matteson and his securities on appeal Jno. A. Webb and J. W. Bennett pay the cost of this suit for which execution may issue.

3940 M. C. Nuckols v. Price & Gordon. Come the parties by their attys when on motion It is ordered that this cause be dismissed and that said M. C. Nuckols and his securities pay the Cost of this suit for which execution may issue

3942 J. Collins et als v. Simon Bondoin. It is ordered that this cause be dismissed and that the plffs and their security W. T. Dalrymple pay the cost of this suit for which execution may issue

3949 J. S. Stewart v. Jordan Godbue & Co. Continued to perfect Service

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3950 Culver & Scott v. R. N. Lane et al Continued by the Defendant.
3952 E. Raven v. E. J. Davis et al Continued
3954 E. Brader v. G. M. Brass Continued by the Defendant.
3956 Duke Mitchell v. I. V. Davis Admr. Continued under the Rule for cost.
3957 E. Logan v. Heirs of Fanton. Continued to perfect service.
3969 Geo. M. Poe et al v. J. Browning et al. Comes the Defendants by atty when on motion it is ordered that said Defendants have leave to amend
3997 J. C. DeGress v. R. B. Hubbard et al come the Defendants by atty when on motion It is ordered that said Defendants have leave to amend.
4004. A. Klein v. R. S. Caperton. comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend
4005 Wm. Wende v. H. C. Nuckols et al. Come the Defendants Caperton & Thaxton by their atty when on motion It is ordered that said defts. have leave to amend
4019 Geo. W. Coney v. S. A. Posey. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend
4019 Geo W. Coney v. S. A. Posey Continued by agreement.
4027. Henry Brown v. J. P. Perry. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend
4032 M. A. Taylor v. L. G. Britton et al. Comes the Defendant by atty when on motion it is ordered that the Defendants have leave to amend
3958 Warren & Nadler v. Texas Banking & Insurance Co. And now come the parties by their attys when cameon to be heard the Defendants plea to the jurisdiction of the Court, which being Considered It is ordered that said plea be sustained.
3958 Warren & Nadler v. Texas Banking & Insurance Co. Comes now the plaintiffs by atty when on motion It is ordered that said Plaintiffs have leave to amend
(which ruling plaintiffs except)
3961 C. C. Chance v. A. Parker. Continued for service
3962 W. B. Smith et al v. C. Pickett. Continued by agreement
3963 A. S. Johnson et al v. T. A. F. Williams Continued for service.
3965 F. F. Bacthop v. M. E. Bacthop. Continued for service.
3967 Heirs of W. Lackey v. John Hancock. Continued under rule for cost
3969 Geo. M. Poe et al v. John Browning et al Comes the Counsel for the Defts when on motion It is ordered that said atty have leave to become surety on the cost bond of said plaintiffs
4017 Frances Burlage v. L. E. Edwards. And now on this day came the parties to this cause by their attys and announced ready for trial When cameon to be heard defendants demurrer to pffs petition which being Considered the same is overruled. When came a Jury of twelve good and lawful men of Travis County Consisting of Thomas E. Rowe and eleven others who being tried, elected and sworn who having heard the pleadings the evidence and the charge of the Court returned the following verdict, to wit: "We the Jury find for Plaintiff three hundred eighty six Gold dollars. Thos E. Rowe, Foreman." Whereupon It is ordered that Frances Burlage do have and recover of L. E. Edwards the sum of three hundred and eighty six gold

Dollars, so found to be due by the Jury, with interest on said sum at the rate of four per centum per month from this date until paid and the cost of this suit to be taxed for which execution may issue.

3013 James P McKinney v. Thomas Lewiston And now come the Parties by their attys and announced ready for trial when came a Jury of twelve good and lawfull men of Travis County consisting of Geo Dye and eleven others who being tried elected sworn, heard the pleadings the evidence and the charge of the Court returned the following verdict, to wit: "We the Jury find for Plff on the two notes Sixteen hundred & Seventy Dollars 70/100 in Chdwig Interest $16.79 cts pay able in Coin Geo Dye Foreman." Wherefupon It is ordered that James P McKinney do have and recover of said Thomas Lewiston the sum of Sixteen hundred Seventy & 70/100 Dollars in coin, with interest thereon at one per cent per month from date until paid and the Cost of this suit for which execution may issue.

4022 Chas I Evans v. J. C. Scates On this day this cause being called for trial came the Plaintiff and announced ready and the Defendant came not, except by answer which was read to the Jury. And then came a Jury of twelve good and lawful men of Travis County Consisting of Thomas E Rowe and eleven others who being tried empanelled and sworn heard the pleadings the evidence and the charge of the Court returned the following verdict, to wit "We the Jury find for the Plaintiff the sum of $229 25/100 Gold & we further find that the note sued on was given for 160 acres of land as described in Plaintiffs petition on which vendors lien was retained Thos E. Rowe foreman." Wherefupon It is ordered that Chas I Evans do have and recover of and from J. C. Scates the sum of Two Hundred Twenty Nine 25/100 Gold Dollars with interest thereon at the rate of twenty per centum per annum from this date until paid and the Cost hereof to be taxed for which execution may issue And it appearing that the Plaintiff has a lien upon the following described Real Estate to secure the payment of the judgment rendered herein to wit: a tract of land situated in Cooke County Texas lying on Clear Creek, being the West half of a Survey of three hundred and twenty acres patented to John H. Broadnax on the 30th day of June 1858. It is therefore ordered that said lien be foreclosed and that the Clerk do issue an order of sale directed to the Sheriff of Cooke County requiring him to levy upon and sell as under execution the above described Real Estate and the proceeds thereof he shall apply to the satisfaction of this Judgment, the interest to accrue thereon and the Cost of this suit and the overplus if any he shall pay to the Defendant.

3969 Geo. H. Pae et al v. John Browning et al Continued

3986 Geo. Schneider & Co. v. A. Wyschetzky & Bro. Continued for service

3987 H R Ware et al v. M & B Hacker. Continued under rule

3992 Thomas Johnston v. A. P. Jones. Continued for service.

3993 W. C. Cabell v. John Hancock. Continued under the Rule.

3996 E Berryman v. J & E Berryman Continued to perfect Service.

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No 4000 J S Stewart v. M. K. Miller Continued under Rule for cost.

No 4001 J. S. Stewart v. L. K. Miller Continued under Rule for cost.

No 4003 David Alexander v. John Hughes Continued under Rule for cost.

No 4007 M D Miller v. F. M. Rundell et al Continued for Service.

No 4021 Carleton & Roberton v. P McDaniel et als Continued by ~~Defendant~~ plaintiff

No 4023 R & C Hamilton v. J. C. Minter et al: Comes the Defendant by atty and on motion It is ordered that the Defendants in this Cause have leave to answer

No 4024 J D McGary v. Wm A. Davis Dismissed- Cost paid.

No 4035 Thomas Anderson v. Payne & Harrell Continued by Plaintiff

No 4025. N O Sneed et al v. M. R. Jones And now on this day this cause being called for trial came the Plaintiffs and announced ready- and the Defendant came not, though duly cited Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of Geo Dye and eleven others who being tried and sworn heard the petition the evidence and the charge of the Court and after retirement returned the following verdict, to wit "We the Jury find for Plff the sum of Fifteen Hundred & Six Coin Dollars with interest on the Same Sixty Nine Dollars & 7/100 making a total of $1575 00 We the Jury further find that the amount so due by Defendant for the purchase money of certain land described in Plffs Petition Geo Dye foreman." Whereupon It is ordered that Newton O. Sneed and Almedia M. Sneed do have and recover of M. R. Jones the sum of Fifteen Hundred Seventy Five & 00/100 Coin Dollars with interest thereon at the rate of ten per centum per annum from this date until paid and the Cost of this suit for which Execution may issue.

And it appearing that the Plaintiffs have a lien upon the following described Real Estate to secure the payment of the Judgment rendered in this Case to wit: Situate on the Colorado River about 12 miles below the City of Austin in Travis County Texas being a part of the James Gilleland Head Right League and Containing one hundred and eighteen acres Said tract of land being the part which was set apart and allotted to the said Almedia M. Sneed, then Almedia M. Rice, in the partition of the interest of Nancy D. Rice in said Gilleland League among the heirs of said Nancy D. Rice in a certain suit in the District Court of Travis County numbered 2932 entitled Sarah F. Williams et al v. Almedia M. Rice et al which was made by deed date 30th day of March 1870 and particularly described as follows to wit: Beginning at a Stake the lower Corner of Sarah F. Williams from which a Willow 6in 12 in dia. mkd X bears S. 78° E. 15 vrs a gum & ash 14 in dia. mkd X bears N. 75° W. 7 vrs thence N. 30° E. 1100 vrs to a Stake and N E corner of Sarah F. Williams tract from which an Elm 8 in dia. mkd X bears S. 17° E. 8 vrs and another 6 in. dia. mkd X bears N. 53° E. 10 varas. thence S. 61° E. with the S boundary line of the Mathis McLaren tract 485 varas to a Stake from which a Pecan 4 in dia. mkd + bears N. 10° W. 6½ varas, a Elm 6 in. dia. same mark bears S. 82° W. 11 varas. thence S. 30 W with the W. line of Chas D. Rice's land 1152 varas to a Stake in the Bank of the Colorado River

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from which an Elm 17 in dia. mkd X bears N. 22½° W 8½ varas another Elm. dia. Same mark bears N. 11½° E. 12½ varas to which last corner the mouth of Onion creek bears. thence up the Colorado River with its meanders to the place of beginning" It is ordered that said lien be foreclosed and that the Clerk do issue an order of sale directed to the Sheriff of Travis County requiring him to levy upon and sell as under execution the above described Real Estate and the proceeds thereof he shall apply to the payment of the Judgment rendered herein, the interest to accrue thereon and the cost of the suit, and the overplus if any he shall pay over to the Defendant.

And Court adjourned till to-morrow at 9 A M

Thursday June 11th 1874

Court met at 9 o'clock A M pursuant to adjournment. Present same as yesterday. Whereupon the following proceedings were had, to wit.

3877 The State of Texas vs. J N. Baughman et als This day came the District Attorney on behalf of the State and dismisses this suit as to D V Myers and A D McLain not served And the District Atty having informed the Court that the subject matter of this suit has been settled since its institution. It is therefore ordered and decreed that this cause be dismissed at the cost of the Defendants F G Franks, T D. Davis, T C. Barden, J N. Baughman, Henry Hunt and O B Wacker all the cost of this suit for which execution may issue: that the Plaintiff take nothing by this suit and that the Defendants go hence

3955 James P. McKinney v. E. Raven. And now come the parties by their attys and announced ready for trial and waiving a Jury submit the case to the Court. And thereupon the motion of Defendant for a continuance being heard the same is overruled. And the demurrer of the Defendant being heard and considered the same is overruled. And the pleadings and evidence being heard and the same being considered It is ordered that James P. McKinney do have and recover of Ernst Raven the sum of One hundred Sixty Eight X 82/100 Dollars with interest thereon at the rate of ten per centum per annum thereon from this date till paid and the cost of this suit for which execution may issue.

3966 John R. Adams v. Annie Sneed. Comes the Plff by atty and on motion It is ordered that said Plaintiff have leave to amend

4037. M. L. Scogin et al v. Alfred Smith. Comes now the Defendant by atty when on motion It is ordered that said Defendant have leave to amend.

4039 Geo W Tinney v. W. A. Morris. Comes now the Plaintiff when on motion It is ordered that said Plaintiff have leave to amend

4043 Breck Lambert & Co v. Ben Hamet Comes now the Plaintiff when on motion It is ordered that said Plaintiffs have leave to amend

4044 Walton & Shelley v. Creary & Randall Come now the Plaintiffs when on motion It is ordered that said Plaintiffs have leave to amend.

4044 Walton & Shelley v. Creary & Randall. Come now the Defendants when on motion It is ordered that said Defendants have leave to amend their pleadings.

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4032 X M. A. Taylor v. L G Britton et al. And now come the parties by their attys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of W. Woodson and eleven others duly tried elected and sworn who having heard the pleadings the evidence and the charge of the Court returned the following verdict to wit: "We the Jury find for plaintiff $343 18 principal and interest Coin. W. Woodson Foreman." Whereupon It is ordered that M.A. Taylor do have and recover of L G Britton and C. N. Worthington the sum of Three Hundred Forty Three and 18/100 Coin Dollars and the cost of this suit for which execution may issue.

4042 X J M Weller & Son v. L Martson And now come the parties by their attys and announce ready for trial and waiving a Jury submit the Case to the Court and the Demurrer of Defendant being submitted the same is overruled. And thereupon it is ordered that W. L. Weller and G. P. Weller under their firm name of M. L. Weller & Son do have and recover of L. Martson the sum of One Hundred Twelve and 50/100 Dollars debt and interest due upon the note sued on to date, together with the cost of this suit, for which execution may issue.

4028 A. Cunningham v. A. P. Houston. Continued for service.

4036 James A. Phillips v. Lem Ruffell. On motion it is ordered that the clerk do issue a certiorari to the Justice of the Peace who tried this case, to send up all of the Original papers therein.

4037 M. L. Scogin et al v Alfred Smith Continued under the rule for cost.

4041 Frank Leason v. J B Hurd et al. Continued under the rule for cost.

1733 C A Hopkins et al v. Amos Morrill. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

3796 C. Dremond v. W. C. Lewis et al. Continued by the Defendant.

3864 X The State of Texas v. R B Shaw et als. And now on this day came the parties to this cause by their attys and announced ready for trial. When came on to be heard Defendants demurrer which being considered the same is overruled. And thereupon the Counsel for the Plaintiff suggests the death of James S Shaw and the cause, is, on motion dismissed as to him. When came a Jury of twelve good and lawful men of Travis County, consisting of E. Perry and eleven others who being tried, elected and sworn according to law, heard the pleadings the evidence argument of counsel and the charge of the Court and retired for deliberation. Whereupon said Jury returned into Court the following verdict to wit: "We the Jury find verdict for plaintiff in the sum of Fourteen hundred and Forty Dollars and sixteen cents. We also find for Plaintiff at the time of institution of this suit, the sum of Sixty Two hundred and forty Six Dollars and Sixty five cents. Elbridge Perry Foreman." Whereupon It is ordered and decreed that the State of Texas do have and recover of R. B. Shaw principal this securities, William H. Pyle and A. T. Gardner the sum of fourteen hundred and forty dollars and sixteen cents together with the cost of this suit-

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for all which execution may issue. And it appearing that at the time of the institution of this suit said R B Shaw principal was indebted to the State of Texas in the sum of Six thousand two hundred and forty Six Dollars and Sixty five cents, and that the Plaintiff is entitled to damages at the rate of ten per centum on said sum, It is further ordered that the State of Texas do have and recover of said R B Shaw principal and William H. Ryle and A. J. Gardner securities, the sum of Six hundred twenty four Dollars and Sixty Six cents, being ten per centum damages on said sum of $6206.65

4047 Wm R. Hampton et als v. Isaac A. Hampton. Continued under the Rule for cost.

4049. A H Cain vs Wm Drake. And now on this day came the Defendant by his atty and moved to dismiss the appeal in this cause for want of a sufficient appeal Bond And upon an inspection of the same, and it being deemed insufficient It is ordered that the said appeal be dismissed: that a writ of Procedendo do issue to James H. Smith, J. P. Travis county requiring him to proceed to the execution of the Judgment rendered by him in the above styled cause, that the Defendant go hence and recover of and from the plaintiff A H Cain and the security on his cost bond, H. C. Smith, all the cost in this Court laid out and expended for which execution may issue

4050 Jno A Webb & Bro v. David A. James. On this day this cause being called for trial and upon a consideration of the same, and the fact that the Defendant had not entered an appearance in the manner required by law, It is ordered that the appeal by said Defendant be dismissed and that the Plaintiffs John A. Webb and Joseph H. Webb under their firm name of Jno. A. Webb & Bro. do have and recover of and from said David A. James and his securities J. A. Cunningham and H. Thompson the sum of Forty Two & 20/100 Dollars, with the further sum of Four & 22/100 Dollars damages on said sum of $42.28 and all the cost of this Court and the Justice Court, for all which execution may issue

And Court adjourned till to-morrow at 9 A M

Friday June 12th 1874

Court met at 9 o'clock A M pursuant to adjournment. Present same as yesterday. Whereupon the following proceedings were had to wit

1733 C. A. Hopkins et als vs. Amos Morrell. Come now the Plaintiffs by their atty when on motion It is ordered that said Plaintiffs have leave to amend

1733 C. A. Hopkins et als vs Amos Morrell. Come now the Defendants by their atty when on motion It is ordered that said Defendant have leave to amend

3621. E. C. Hinton et al v. C B Nichols et al. Come the Defendants when on motion it is ordered that said Defendants have leave to amend

3622 E. C. Hinton et al v. M. A Powers et als. Come now the Defendants by their atty when on motion it is ordered that said Defendants have leave to amend.

3623 E. C. Hinton et al v. A H Cook et al. Come the Defendants when on motion It is ordered that said Defendants have leave to amend

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3624. E. C. Clinton et al v. T. M. R. & Co. B. Afs. Comes the Defendant by attorney when on motion it is ordered that the Defendant have leave to amend.

3625 E C Clinton et al v. Wm. Oliphant On motion of the Defendant by atty it is ordered that said Defendant have leave to amend.

3894. Samuel J Lanahan v. J H. Robinson & Son. Come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

3957 Elizabeth Logan v. Heirs of Susan A Fanton. On motion It is ordered that J. H. Denton Esq be appointed Guardian ad litem of the minor Defendants in said cause.

3486 X. The State of Texas v. T. Everett. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas do have and recover of and from said Everett the sum of Ten Dollars as a fine and all the cost of this suit, for which execution may issue.

3004 The State of Texas v. Phil Davis. And now on this day came the Defendant in open Court. And it appearing that the Supreme Court hath affirmed the judgment rendered by this Court as per Mandate on file in this case, and the Defendant being asked if he had anything to say why Sentence should not be pronounced against him in accordance with the verdict of the jury who tried him and the judgment of the Court thereon, and giving no sufficient reason, It is ordered that said Phil Davis be and he is hereby directed to be confined to hard labor in the Penitentiary of the State of Texas for the term of ten years, and the Sheriff of Travis County is ordered to take said Defendant to the Superintendent of the Penitentiary of Texas for the purpose aforesaid.

3403 The State of Texas v Ira J. Cox. And now on this day came the Defendant in open Court. And it appearing that the Supreme Court hath affirmed the judgment rendered by this Court as per mandate on file in this Case, and the Defendant being asked if he had anything to say why Sentence should not be pronounced against him in accordance with the verdict of the jury who tried him, and the judgment of the Court thereon, and giving no Sufficient reason It is ordered that said Ira J. Cox be and he is hereby directed to be confined to hard labor in the Penitentiary of Texas for the term of Five years, and the Sheriff of Travis County is directed to take said Defendant to the Superintendent of the Penitentiary of Texas for the purpose aforesaid.

3423 The State of Texas v. John Pearce. And now on this day came the plaintiff by her counsel and came also the Defendant in person and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County, consisting of E. Perry and eleven others who being tried elected and sworn according to law, heard the Indictment read, the plea of guilty by the Defendant and the charge of the Court. Whereupon the Jury returned the following verdict, to wit "We the jury find the Defendant guilty, and fix the time of imprisonment in the State Penitentiary for two years. Elbridge Perry foreman".

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And thereupon the Defendant waives his right to a motion for a new trial, and asks the Court to render judgment and pronounce sentence at once. Whereupon It is ordered that said John Pearce is guilty of Felony as in the Indictment in this behalf is charged, and that he be, and is ordered to be confined to hard labor in the Penitentiary of Texas for the term of two years, in accordance with the verdict of the jury, and that the Sheriff of Travis County do take said Defendant and safely convey him to the Superintendent of said Penitentiary there to be confined at hard labor for two years as aforesaid.

And Court adjourned till to-morrow at 9 o'clock AM

Saturday June 14th 1874

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

3733 Wm F. Arrechalas Wm Klug. Comes the Defendant by atty whereon on motion it is ordered that said Defendant have leave to amend

3734 Wm F. Arrechalv Mary O'Brien Comes now the Defendant by atty whereon on motion it is ordered that said Defendant have leave to amend

3735 Wm F. Arrechalv. Wm McCluskey. Comes the Defendant by atty whereon on motion it is ordered that said Defendant have leave to amend

3320 State of Texas v O.B. Caldwell. Come the Parties & announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty it is ordered that the State of Texas do have and recover of said O.B Caldwell as a fine the sum of Ten Dollars and the cost of this prosecution and that a Commitment issue to collect the same.

And Court adjourned till Monday morning at 9 o'clk

Monday June 15th 1874

Court met at 9 o'clock AM pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

1735 C.A Hopkins et als vs Amos Morrill. And now on this day came the parties to this cause by their attys and announce ready for trial whereupon came a Jury of twelve good and lawful men of Travis County consisting of Geo Dye and eleven others who being tried, elected, and sworn according to law heard the pleadings, the evidence, argument of counsel and the charge of the Court and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for Peffs. one half of the land described in Peffs Petition. We also find the use and occupancy of the land to be worth four thousand Dollars in Coin one half of which we find for Peffs. Geo Dye, Foreman." Whereupon It is ordered and decreed that Preston L. Hopkins, Desmond P. Hopkins, James P. McArthur and his wife Albina McArthur, Mary E Hopkins, surviving widow of Jurian Hopkins decd and as next friend of Walter J. Hopkins, Lellie J. Hopkins, Minnie M. Hopkins, minor children of Jurian Hopkins, Laura Hopkins and Maud Hopkins by Laura Hopkins, surviving widow and child of C.A. Hopkins

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do have and recover of and from said Defendant Amos Howell an undivided one half interest in the following described lands and premises to wit. a certain tract or parcel of land lying and being situated in the County of Travis and State of Texas, containing two hundred and eighty-eight acres designated and described as follows to wit Beginning on a stone mound and South West Corner of a tract for Nicholas McArthur from which a double Line Oak 15 in in dia bears S. 57° 45' E. 109 vrs Thence N. 30° E. 186 varas to a stone mound in McArthurs west boundary line thence N. 60 W. 861 varas to a stone mound on the East side of hill in prairie near a branch Thence S. 30° W. with the East boundary line of Isaac Deckers Cayce 1660 varas a branch 1877 varas same branch 1889 varas a stone mound in abend of said branch: thence S. 60° E. 861 vrs a stone mound on the top of a hill in prairie from which a double Line Oak 15 in. in dia. bears S. 76° 30' E. 109 vrs Thence N. 30° E. 330 vrs to the beginy. And it is ordered that a Writ of Possession do issue Ordering that Commissioners be appointed to partition the said land between the said Plaintiffs and Defendant, the Commissioners being named as follows

and that they make report to this Court under oath as soon as practicable.

And thereupon It is ordered that the said Plaintiffs Herein before named do have and recover of said Amos Howell the sum of Two thousand Dollars, issues and profits of one half of said land during his occupancy of the same, so found to be due by the Jury aforesaid, together with their Cost in this behalf laid out and expended for which execution may issue, and that Writ of Possession issue in accordance with report of Comrs

3957. O. Raven v. C. J. Davis et al. Come now the Defendants when came on to be heard the motion to set aside the Continuance in said Cause which being heard and considered it is ordered that said motion be granted & that said Continuance be set aside and vacated.

4049 A. H. Cain v. Wm Drake. Comes the plff by his atty when came on to be heard the motion to set aside the order quashing the appeal bond in this Case and to reinstate said Cause upon the docket which being heard and considered it is ordered that said motion be overuled.

3633 Thos. J. McGehee v. H. & T. C. R. R. Co. Continued by the Defendant.

3733 Wm F. Orr et. al. v. Wm Kluge. And now come the Counsel for the Defendants & pffs and suggest the death of the Plaintiff O. P. Orr. Whereupon on motion it is ordered that the legal representatives of said O. P. Orr be and are hereby made parties Plaintiff in this suit.

3734 Wm F. Orr et als v. Mary O'Brien Comes now the Counsel for the Pffs & suggest the death of O. P. Orr Whereupon it is ordered that the legal representatives of said O. P. Orr be made parties plaintiff in this suit

3735 Wm F. Orr et als v. W. H. Cushney Comes now the Counsel for the Pffs. when on motion on suggestion of the death of O. P. Orr it is ordered that

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the legal representatives of said O. P. Arr be made parties plaintiff in this case
And now on this day came in open Court the Grand Jury of Travis County duly tried empannelled and sworn for and during the present Term of this Court and through their foreman A.P. Blocker presents to the Court the following Bills of Indictments towit:

35-25 An Indictment against F. Olten for Perjury
35-26 An Indictment against W.D. Woods for Theft of an ox
35-27 An Indictment against Sam Burdill for carrying deadly weapons
35-28 An Indictment against Isariah Johnson alias Jim Johnson Theft from house
35-29 An Indictment against B K. Stewart for Perjury
35-30 An Indictment against Wash White for Threats to Kill &c
35-31 An Indictment against Wash White for Assault to Kill & murder
35-32 An Indictment against Wash White for Threats to Kill &c
35-33 An Indictment against Mayo & Clanton for Theft of a Heifer
35-34 An Indictment against Mayo & Clanton for Theft of Brown Cow
35-35 An Indictment against W. Davis. P.D. Sawyer; Tom Moore. Tom Poston for disturbing (religious worship)
35-36 An Indictment against Dr Smith for Betting at Keno
35-37 An Indictment against W.P. DeNormandie Betting at Wheel of Fortune
35-38 An Indictment against Ed Gray for Betting at monte
35-39 An Indictment against Ed Cook for Betting at monte
35-40 An Indictment against Bud Sawyers for Betting at monte
35-41 An Indictment against John Stringer for Betting at monte
35-42 An Indictment against Billy Wilson for Exhibiting Monte
35-43 An Indictment against Billy Simms for Betting at monte
35-44 An Indictment against Jo Hallam for Exhibiting monte
35-45 An Indictment against Buck Warren for Ex monte
35-46 An Indictment against John Ryan for Betting at monte
35-47 An Indictment against John Sommerville for Theft from a house

And thereupon it is ordered that the Grand Jury return to the further order of their duty.

3012 The State of Texas. vs William Whittington. And now on this day came the counsel for the plaintiff and the defendant came in person and announced ready for trial. Then came a jury of twelve good and lawful men. consisting of E. Perry and eleven others. who being duied elected and sworn according to law. heard the indictment the defendants plea of guilty thereto and the charge of the Court. returned the following verdict. to wit: We the jury find the defendant guilty and fix his sentence at two years in the State penitentiary. Elbridge Perry. Foreman. Thereupon the defendant in open Court waives his right to a motion for a new trial and consents that judgment and sentence may be now pronounced

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Whereupon it is ordered that the defendant William Whittington is guilty of felony as in the indictment is charged. and that he be confined at hard labor in the Penitentiary of Texas for two years. and that he be taken by the Sheriff of Travis County and delivered to the Superintendent of said penitentiary there to be confined for two years as aforesaid.

3418. The State of Texas vs — Kill. And now comes the counsel for the plaintiff and the defendant in person and announced ready for trial. when came a jury of twelve good and lawful men of Travis County. duly tried. elected and sworn. who having heard the indictment. the plea of guilty thereto. and the charge of the Court; returned the following verdict. to wit: We the jury find the defendant guilty. and fix his term of imprisonment. at two years in the State Penitentiary. Elbridge Perry. Foreman. And thereupon the defendant waives his right to a motion for a new trial and consents that judgment and sentence may be now rendered. Whereupon it is ordered by the Court that the defendant Kill is guilty of felony as in this behalf charged. and he be confined to hard labor in the penitentiary of Texas for the term of two years. and that he be taken by the Sheriff of Travis County, and safely confined in said Penitentiary by the Superintendent thereof, for the term of two years as aforesaid

3435 The State of Texas vs W. K. Turner. And now comes the counsel for the plaintiff and the defendant in person and announced ready for trial. when came a jury of twelve good and lawful men of Travis County. duly elected. tried and sworn. who having heard the indictment read. the plea of guilty thereto. and the charge of the Court. returned the following verdict to wit: We the jury find the defendant guilty and fix his term of imprisonment at two years in the State Penitentiary. Elbridge Perry Foreman. Whereupon the defendant waives his right to a motion for a new trial and consents that judgment and sentence may be now pronounced. Whereupon it is ordered by the Court that the defendant W K Turner is guilty of a felony as in this behalf charged and he be confined to hard labor in the penitentiary of Texas. for the term of two years and that he be taken by the Sheriff of Travis County and delivered to the Superintendent

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of said penitentiary there to be confined for two years as aforesaid.

3427. The State of Texas vs Cal Gouis. And now comes the Counsel for the plaintiff and the defendant in person. and announced ready for trial. when came a jury of Twelve good and lawful men of Travis County. consisting of Elbridge Perry. and eleven others who being duly tried. elected and sworn. and having heard the indictment read. the plea of guilty thereto. and the charge of the Court returned the following verdict. to wit:- We the jury find the Defendant guilty and fix the sentence at Five years in the State Penitentiary. Elbridge Perry Foreman. And thereupon the defendant waives his right to a motion for a new trial and consents that judgment and sentence may be now rendered. Whereupon it is ordered by the Court that the defendant Cal Gouis is guilty of felony as in this behalf charged. and that he be confined at hard labor in the Penitentiary of Texas for five years. and that he be taken by the Sheriff of Travis County. and delivered to the Superintendent of said penitentiary there to be confined for five years as aforesaid.

3526. The State of Texas. vs. W. D. Woods. And now comes the counsel for the plaintiff and the defendant in person. and announced ready for trial. when came a jury of twelve good and lawful men of Travis County consisting of Elbridge Perry and eleven others who being duly tried. elected and sworn and having heard the indictment read the plea of guilty thereto and the charge of the Court returned the following verdict. to wit: We the jury find the Defendant guilty and fix his term of imprisonment at two years in the State Penitentiary. E. Perry Foreman. And thereupon the defendant waives his right to a motion for a new trial and consents that judgment and sentence may be now rendered. Whereupon it is ordered by the Court that the Defendant W. D. Woods is guilty of a felony as in this behalf charged. and that he be confined at hard labor in the Penitentiary of Texas for two years and that he be taken by the Sheriff of Travis County and delivered to the superintendent of said penitentiary, there to be confined for two years as aforesaid

and thereupon Court adjourned till 9 a.m. to-morrow.

Tuesday June 16th 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District of Texas presiding. Whereupon the following proceedings were had by said Court, to wit:

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2957 Abby Thompson Admx etal vs R A Rutherford Continued

3259 Wm Neese v Risher & Hall Come the Plaintiffs by atty when on motion it is ordered that said Plaintiff have leave to amend

3781 Thomas J. Pitt v. E. W. Moller Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to demur.

3958 Warren & Nadler v Texas Banking and Insurance Company Comes now the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

3925 L E Edwards v. C. J. R. Edwards Comes now the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

3530 Henry Eddie v. Lewis Thompson et als Come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

3882 X A P Billingsley v. Thomas Lewiston et al And now on this day came the parties to this cause by their atty and announced ready for trial Whereupon came a jury of twelve good and lawful men of Travis County, consisting of H. W. Dodge Jr foreman and eleven others who being duly elected and sworn, heard the pleadings the evidence argument of Counsel and the charge of the Court and after retirement returned into Court the following verdict to wit: "We the Jury find verdict for Plaintiff H. W. Dodge Jr. Foreman." Whereupon It is ordered and decreed that the said Thomas Lewiston and Geo. B. Zimpelman Sheriff of Travis County their agents and employees, be and they are perpetually enjoined and restrained, from selling under Sheriff's sale by virtue of any execution or order of sale now in their hands, or hereafter in the hands of the Sheriff of Travis County in favor of Jno. Lewiston v. Boston No 3539 the following described property to wit: a part of out Lot No 72 in Division D of the Out Lots adjoining the City of Austin beginning at the S. W. Corner of said lot a stake, thence N. 30° E. with the original West line of said Lot 171 vs to a stake in the said line thence S. 60° E. 330 vs to a stake thence S. 30° W. 171 vs to a stake in the S. line of said lot. thence N. 60° W with said line 330 vs to the beginning Containing ten acres: and that the plaintiff go hence and recover of said Thomas Lewiston all her Costs in this behalf expended for which execution may issue.

And Court adjourned till to-morrow at 9 A.M.

Wednesday June 17th 1874

Court met at 9 o'clock a m pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3530 X Henry Eddie v. Lewis Thompson et al And now come the parties to this cause by their attorneys and announced ready for trial. When came on to be heard the demurrer of the Defendants to plaintiff's petition which being considered the same is overruled to. which ruling the Defendants except. When came a Jury of twelve good and lawful men of Travis County consisting of J. H. Walker and seven others

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duly tried elected and sworn who having heard the pleadings, the evidence, and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Defendants J H Wacker, Foreman." Whereupon it is ordered and decreed that said Peff take nothing in this behalf: that the cause be dismissed, that the said Defendants go hence and recover of and from said Henry Eddie and the security on his cost bond Peter Smith and John Spence all their cost in this behalf laid out and expended for which execution may issue

3591 Mary Middlebrooks v Houston and Texas Central Railway Come the parties at this term of the Court and announced ready for trial when came a jury duly tried elected and sworn who having heard the pleadings evidence argument of Counsel and the charge of the Court, after retirement returned that they could not agree upon a verdict. Whereupon it is ordered that a mistrial be awarded.

3718 William Custard Jr v Walter Tips Comes the peff by atty & shows to court & asks leave to amend. Whereupon it is ordered that said plaintiff have leave to amend.

3865 The State of Texas as E W Franks et als. And now on this day by consent of parties the Continuance in this cause entered at a former day of this Term of the Court is set aside, and J B Baines and J R Saunders being made parties hereto as administrators of the Estate of E W Franks Dec'd whose death is suggested. And thereupon came the parties by their attys and announced themselves ready for trial and a jury being waived the cause both as to law and facts is submitted to the Court. And the Court after hearing the Cause being of opinion that the Case is with the Plaintiff. It is therefore ordered adjudged and decreed by the Court that the State of Texas do have and recover of and from J B. Baines and J R Saunders as administrators of the Estate of W. E. W. Franks deceased and from Ellison Rusk, George W. Haley and J W Mayberry the sum of Twelve hundred and eighty eight dollars and four cents the amount found by the Court to be due said plaintiff. And it is further ordered by the Court that Execution issue against said Rusk, Haley and Mayberry for said sum, and for all costs of this suit. And it is further ordered that this Judgment be certified to the Hon. District Court of Coryell County pertaining to estates of deceased persons as a just & legal claim against the estate of said E W. Franks to be paid in due course of administration

3868 The State of Texas v B. T. Scogin et als. And now on this day this cause being called for trial came the plaintiff by her atty and the Defendants came not, when came said Plaintiff announced ready for trial. And then came a jury of twelve good and lawful men of Travis County consisting of E. Perry and eleven others who being tried and sworn according to law, heard the pleadings the evidence and the charge of the Court retired for deliberation Whereupon said Jury returned into Court the following verdict to wit: " We the Jury find for Plaintiff the

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sum of Eighteen thousand eight hundred and Seventy three dollars and forty one cents Elbridge Perry foreman."

Wherefpon it is ordered and decreed that the State of Texas do have and recover of and from the Defendants B. F. Scogin principal & L. G. Scogin George A. King and Robert Wyas securities the sum of Seven thousand four hundred dollars, that being the amount of the Bond sued on in this case, together with all the Cost of this suit, for which execution may issue. And it is further ordered and decreed that the State of Texas do have and recover of the said B. F. Scogin principal the further sum of Eleven thousand four hundred and Seventy three & 41/100 Dollars, together with the sum of Eighteen hundred eighty Seven & 34/100 Dollars, being ten per Centum damages on the sum of $18.873.41, for all which execution may issue.

3869 The State of Texas v. J. H. Roberts et.als And now on this day this Cause being called came the Plaintiff by atty and announced ready for trial & the Defendants came not. Whereupon came a jury of twelve Good and lawful men of Travis County consisting of Elbridge Perry and eleven others duly tried and sworn, who having heard the pleadings the evidence and the charge of the Court retired for deliberation. And thereupon said Jury returned into Court the following verdict to wit: "We the Jury find for Plaintiff the sum of forty two thousand Seven hundred and thirty nine dollars and fifty four cents. Elbridge Perry foreman." Whereupon it is ordered and decreed that the State of Texas do have and recover of and from J. H. Roberts principal, and J. T. Smyth, J. M. Thomas, W. B. Watts and Matilda Turner, formerly Matilda Brooks, the sum of Eighteen thousand dollars, that being the amount of the bond sued on in this case, and all the Cost of this suit for which execution may issue

And it is further ordered that the State of Texas do have and recover of and from J. H. Roberts principal, the further sum of twenty four thousand, Seven hundred thirty nine & 54/100 Dollars, and the further sum of Four thousand two hundred, Seventy Three & 95/100 Dollars, that being ten per centum damages on the said sum of $42.739.54, for all which execution may issue

4033 J. W. Adams v. Wm Hendy. And now on this day came the parties to this Cause by their attys and on motion in open Court it is ordered that this Cause be dismissed from the docket and that the said Plaintiff J. W. Adams and his securities J. S. & B. Smith & Ben Snider pay all the Cost of this suit for which execution may issue.

4047 Wm R. Hampton et al v. Isaac A. Hampton et al. This day came the plaintiffs by their attorney J. R. Freeman and, on motion the Continuance heretofore entered in this Cause is set aside. And the Defendant having entered his appearance herein by written endorsement on the petition and agreed in like manner to the partition as prayed for in the petition and

June 17th 1874

to the other Mayers of the petition, and consenting thereto It is considered by the Court, ordered and decreed that the property named in the petition of pltffs as follows to wit:
160 acres of land Known as the D A Hampton pre emption Survey situated in Travis County
30 acres of land on the Dover league in Williamson County
160 acres of land on Sandy creek in Travis County Known as the Francis Harris Survey sold by Defft at $250 Coin
all of which the parties hereto agree and recognize to belong to and be a part of the Community property of the defft and his late wife Charlotte Hampton deceased together with the following personal property belonging to said Community to wit: 86 head of horses more or less running on the range and unbroke - 10 head of horses, saddle & work animals - 56 head of stock cattle: 1 horse sold by the Defendant at fifty Dollars - 7 head of cattle sold for seven dollars a head by the Defendant: 50 head of hogs, and 2 3 Rec Guns. - be partitioned between the Plaintiffs and the Defendant, and that one half thereof according to quantity quality and value be set apart to the Defendant D A. Hampton to include the family homestead one fourteenth thereof according to quantity, quality and value be set apart to each of the Plaintiffs Wm R. Hampton and Mary A. Swon, which may be allotted out of the live stock of said property - and five fourteenths thereof together be set apart to the other plaintiffs minor and that John Forbrain James P. McGill and George Draper be and they are hereby appointed Commissioners to appraise and make partition of the aforesaid property in accordance with this decree - and at the earliest day practicable to make report to this Court how they have partitioned the same for the further order of this Court, about the same. And it appearing right and proper to the Court that the Defendant should give security for the property which may be set apart in accordance herewith to the plaintiffs who are minors as prayed in said petition it is ordered and decreed that he shall within one month from and after this date give bond to the said minors with two good and sufficient securities in double the amount of the property so allotted to them to be approved by the Clerk of this Court for the proper management and safekeeping of the property allotted them, and in default of so doing he shall deliver the property so allotted to them into the hands of a guardian of the property of said Minors to be appointed by this Court.

And it is ordered and decreed that the costs of this suit in all things pertaining thereto and the partition hereby ordered be borne equally by all the parties hereto in proportion to the amount in value of the property allotted to each - that is one half by the Defendant and one fourteenth by each of the plaintiffs, for which execution may issue

And Court adjourned till to-morrow at 9 A. M.

June 18th 1874

Thursday June 18th 1874

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

3425 Dual Doall v. Lediard & Townsend Come the parties by their atty when on motion it is ordered that said cause be dismissed and that the pff Dual Doall pay the cost of this suit for which execution may issue

3997 J C. DeGress v. R B. Hubbard et al Come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend

4039 Geo W Tunney v. W. A. Morris Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend

3999 Henry Luckinger v. A G Ruddington Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend

And Court adjourned till to-morrow at 9 A.M.

Friday June 19th 1874

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

And now on this day came in open Court the Grand Jury of Travis County duly tried empannelled and sworn for and during the present term of this Court, and through their foreman A.P. Blocker Esq present to the Court the following Bills of Indictments to wit:

3548 An Indictment against N.P. Larsen for Swindling
3549 An Indictment against William H. Green for Forgery
3550 An Indictment against A.S. Mair for making false account.
3551 An Indictment against James P. Newcomb for Swindling
3552 An Indictment against L. W. Davenport alias P. Jones, uttering a forged instrument in writing
3553 An Indictment against F. A. Johnson for Perjury
3554 An Indictment against E. Hallman. for Selling whiskey
3555 An Indictment against Tom Houghton for Theft from a house
3556 An Indictment against Parrell & Sadler Theft of red cow
3557 An Indictment against E. Hallman for Selling whiskey
3558 An Indictment against Frank Hopkins for Betting at Faro
3559 An Indictment against Neal Cain Theft of a colt
3560 An Indictment against Lank Jackson for Assault to Kill &c
3561 An Indictment against Martin Harris for Carrying deadly weapons
3562 An Indictment against W. H. Green for Forgery.

And thereupon the Grand Jury suggested that they had no further business before them. It is ordered that the Grand Jury be discharged from further business during this term.

3171 Ellen E. Newton et als. vs. E. B. Nichols, et als. And now on this day came the plaintiffs by their attorneys and came also the Defendant E. B. Nichols by his attorneys and announced ready for trial. And thereupon said Plaintiffs dismiss their suit as to the Defendants Nichols and Sprague. Whereupon

Saturday June 20, 1874

came a jury of twelve good and lawful men of Travis County consisting of J. Gildart and eleven others who being tried elected and sworn according to law, heard the pleadings, the evidence, argument of Counsel and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Defendant J. Gildart, Foreman." Whereupon It is ordered, and adjudged that said Plaintiffs take nothing in this behalf: that the cause be dismissed: that said Defendants go hence and recover of and from Ellen C. Hunton, Thomas Hunton, Laura W. Kerfoot, Henry D. Kerfoot, J. Howard Kerfoot, Ida C. Kerfoot & John D. Kerfoot, plaintiffs, and the security on their cost bond, R. S. Rust and D. C. Freeman, all their Cost in this behalf laid out and expended for which execution may issue

And thereupon Court adjourned till to morrow at 9 o'clock A.M.

Saturday June 20th 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as yesterday. Whereupon the following proceedings were had to wit:

3952 E. Raven v. E. J. Davis et al. And now come the parties by their attorneys when the Defendant Hitchcock submitted the motion filed in this cause to quash the attachment, and the same being heard, after argument of Counsel and a consideration of the same, it is ordered that the said attachment be quashed, to which ruling of the Court the plaintiff excepts

3952 E. Raven vs. E. J. Davis et als. Now on this day came on to be heard the motion and supplemental motion of Defendants Hitchcock, Davis, Newcombe and Welch to quash attachment herein, and the parties appearing by their attorneys and the said motions having been heard and argued, because it is considered by the Court that the law is with Defendants in these motions it is therefore ordered and adjudged that the attachment issued and served herein be quashed and that all costs of said attachment be paid by Plaintiffs; to which ruling the plaintiffs excepts.

Jane Rosenstein

The State of Texas } Jane Rosenstein being duly sworn according to law in the County of Travis & District Court of said County doth declare that he was born in the year A.D. 1847 in the Empire of Russia where he emigrates in the year 1869 to the United States of America and has selected the State of Texas as the place of his intended settlement and hereafter declares that it is bona fide his intention to become a citizen of the United States and of the State of Texas and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the Emperor of Russia of whom he is a subject. Jane Rosenstein

Sworn to and subscribed before me this 20th day of June 1874. in open Court.

Frank Brown, Clerk

June 20th, 1874.

3741. M. Eirich v. Nitchke et al Come the parties by their attys and defendant submitted his motion for a new trial which being heard and considered it is ordered that said motion be overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3808 Ned Douglass v J. H. Coleman. Come the parties by their attys when the Defendant submitted his motion for a new trial which being heard and considered it is ordered that said motion be overruled. Whereupon the said Defendant gives notice in open Court of an appeal to the Supreme Court.

4035 Thos. Anderson v. Harrell & Payne. Come the Defendants when on motion it is ordered that the Plaintiff give bond and security for the Cost of this suit, on or before the next term the plaintiffs counsel being notified.

4036 Phillips v Rupell. And now come the parties when Plaintiff submitted his motion to dismiss the appeal and the same being heard and considered, it is ordered that the appeal be dismissed. that a writ of Procedendo issue to the Magistrate Enjoining him to proceed with the execution of the judgment rendered by him in this Case. that the cause be dismissed and that the Defendant Lew Rupell pay the Cost of this suit in this Court to be taxed, for which execution may issue.

3864. The State of Texas v. R. B. Shaw et als. Come the parties by their attorneys when the Defendants submitted their motion for a new trial which being Considered it is ordered that said motion be overruled. And thereupon Defendants give notice in open Court of an appeal to the Supreme Court.

3651 Gould Bros v. C. Puckett. Come the parties by their attys when the Peffs in this case submitted their motion for a new trial which being heard and considered, it is ordered that said motion be overruled.

3888 M. C. Hamilton vs James P. & John T. McArthur. And now come the parties by their attys and announced ready for trial and waiving a Jury submit the case to the Court. And the Court having heard the pleadings & the evidence, and duly considered the same. It is ordered that said M. C. Hamilton do have and recover of and from James P. McArthur and John T. McArthur the Sum of Two Hundred and Eighty one Gold Dollars, principal debt and interest due upon the note sued on to this date, with twelve per centum per Annum interest thereon from this date until paid, and all the cost of this suit, for which execution may issue.

3958 Warren & Nader v Texas Banking & Insurance Co. Comes now the Peffs by attys when on motion it is ordered that said Plaintiffs have leave to amend their pleadings

A. L. Melzer A. L. Melzer, a Native of Prussia, having complied with the several Acts of Congress on the subject of Naturalization and taken the oath of allegiance to the Constitution of the United States and of the State of Texas It is ordered that said A. L. Melzer be and he is admitted a citizen of the United States and that a Certificate issue to him accordingly

June 22nd 1874.

1 3939 J. H. Bite v. James Clarke. And now come the parties to this cause by their attys, and announced ready for trial and waiving a Jury submit the Case to the Court. And then came on to be heard the Defendants plea to the jurisdiction of the Court, which being heard and considered, It is ordered that said plea be sustained that the Cause be dismissed, and that said defendant go hence and recover of said plaintiff and his securities Mat. Woodlief & Wm Bruggerhoff all his cost in this Court and the Court below laid out and expended for which execution may issue

1 3881. Raymond & Whitis vs. J. B. Watson et.als. And now on this day came the parties to this cause by their attys and announced ready for trial, and waiving a Jury submit the Case to the Court. And thereupon the Court having heard the pleadings the evidence, and argument of Counsel, and after duly considering the same It is ordered that the said pffs do recover the sum of $50 of the note sued on with interest according to the tenor thereof. And thereupon It is ordered that James H. Raymond and C. W. Whitis, under their firm name of Raymond & Whitis do have and recover of and from John B. Watson and William Rowe as the sum of Fifty Dollars, Gold of the note sued on to this date, together with the further sum of Twenty Eight 90/100 Dollars Gold interest on said sum of $50 to this date, making a total of Seventy-Eight and 90/100 Gold Dollars, with interest thereon at the rate of two per cent. per month in gold from this date until paid, and the cost of this suit, for all which execution may issue

And it appearing that the plaintiffs have a lien upon the following described Real Estate and the improvements thereon to secure the payment of the judgment rendered herein to wit: Being 138 feet front by 128 feet deep off the S. W. corner of Lot No Six (6) in Division "A" of the City of Austin Travis County Texas, It is ordered that said lien be foreclosed and that an order of Sale do issue requiring the Sheriff of Travis County to levy upon and sell as under execution, the above described Real Estate and the improvements thereon and the proceeds thereof he shall apply to the satisfaction of the judgment rendered in this case, the interest to accrue thereon and the cost of the Suit & the overplus if any he shall pay over to the Defendants. And thereupon the said plaintiffs give notice in open Court of an appeal to the Supreme Court. And thereupon Court adjourned till to-morrow 9 A.M.

Monday June 22nd 1874

Court met at 9 o'clock A. M. pursuant to adjournment. Present same as on Saturday. Whereupon the following proceedings were had to wit:

1 3150 W A Shan et al vs John Norwood et.als Come now the Defendants by their attys whereupon on motion it is ordered that said Defendants have leave to amend

1 3988 Miller & Dowell vs Russell & Tuttis Cometh Defendants by attys whereupon on motion it is ordered that said Defendants have leave to amend.

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3989 Miller & Dowell v. Rupell and Tullis. Come now the Defendants by their attys when on motion it is ordered that said Defendants have leave to amend.

4020 G. W. Honey v. B Graham. And now comes the Plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend.

4030 G. W. Honey v. B. Graham. And now comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

4026 W B P Gaines v. D M Wilson comes now the Plaintiff by atty when on motion it is ordered that a Writ of Inquiry be awarded, in this Case, Default having heretofore been entered, for want of an answer.

3929 C. Fischer v Archer & Meyer. And now on this day came the parties to this cause by their attys and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County consisting of E D Walker and eleven others who being tried, elected and Sworn according to law, heard the pleadings, the evidence, argument of Counsel and the charge of the Court, and retired for deliberation. and then returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff $88 35/100 principal, and interest, com. E D. Walker, Foreman." Whereupon it is ordered and adjudged that said Christian Fischer do have and recover of Wm Archer and Philip Meyer under their firm name of Archer & Meyer, the sum of Eighty Eight & 35/100 Dollars, so found to be due by the Jury aforesaid, together with and that the Defendants do recover of said plaintiff all the cost of this suit to be taxed and that execution issue accordingly.

3889 M M Galloway v. R Galloway. Come the parties by their attys when on motion it is ordered that the Defendant R Galloway do pay the plaintiff M M Galloway the sum of Thirty Dollars per month by way of alimony, to begin from the date of the allowance of alimony in vacation and to continue during the pendency of this suit, until the further order of the Court and in default of such payment, execution may issue against the property of said defendant.

3889 M. M Galloway v. R Galloway. Continued by the Defendant.

3988 Miller & Dowell v. Rupell & Tullis Continued

3889 Miller & Dowell v. Rupell & Tullis Continued

3889 M M Galloway v. R Galloway Come now the parties by their attys and on the motion of the plaintiff the order made herein in vacation on the 8th day of January, 1874, that the Defendant pay the plaintiff the sum of thirty dollars per month for her support during the pendency of this suit is made absolute, and it is ordered that the Defendant pay said sum of thirty dollars per month for her support from the 8th day of January 1874 and it being admitted that the Defendant has paid the sum of One hundred & ninety dollars and that there was due on the 8th day of June the further sum of twenty dollars It is ordered that the defendant pay at once the further sum of twenty dollars, and the further sum of thirty dollars on the 8th day of

June 22d 1874

each month hereafter until this cause is determined. And in case of the failure of said defendant Richard Galloway to pay any of said sums as is herein ordered the plaintiff M. M. Galloway may have her execution to recover the same together with her costs

3798 Sylvester Lockwood vs. The Houston and Texas Central Railway Company. And now on this day came the parties by their attys and agree and consent that judgment may be rendered for the sum of $250 Coin in favor of the plaintiff. Whereupon it is ordered that said Sylvester Lockwood do have and recover of the Houston and Texas Central Railway Company the sum of Two Hundred and Fifty Coin Dollars together with the cost of this suit for which execution may issue.

4010 Sampson & Henricks vs. Bird & Shugart. And now on this day came the parties to this cause by their attys and announced ready for trial and waiving a jury submit the cause to the Court. And the Court having heard the pleadings the evidence, and duly considered the same it is ordered that said Geo. W. Sampson and Ben. F. Henricks do have and recover of and from Joseph Bird and Thomas Shugart, under their firm name of Bird & Shugart the sum of Fourteen hundred, Ninety three and 53/100 Gold Dollars principal and interest due upon the notes sued on to date, with interest thereon at the rate of 12 per centum per Annum from date until paid and the cost of this suit, for all which execution may issue.

And Court adjourned till to-morrow at 9 A.M.

Tuesday June 23d 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

3527. Houston and Texas Central v. P. M. Odom. Cause Continued

3527 Houston and Texas Central v. P. M. Odom. Comes now the Plaintiff by atty and on motion it is ordered that said Plaintiff have leave to amend.

4023 A. & Chas. Hamilton vs. J. C. Miller et al. Come now the Plaintiffs by their attys when on motion it is ordered that said Plaintiffs have leave to amend.

3998 John C. Raymond et als vs. M. C. Hopkins et als. On this day this cause being called for trial came the parties by their attys and announced themselves ready for trial. And the plea to the jurisdiction of the Court being sustained and the plaintiffs having amended their pleading and defendants demurrers having been overruled and thereupon a jury was waived, the pleadings read, evidence introduced and the cause being argued by Counsel, and it appearing to the Court that the plaintiffs are entitled to three fourths, in quantity, quality and value of the land described in their petition and all of the improvements on the same, described as follows to wit: a part of Lot No. 8 in Block No. 122 of the City of Austin, in Travis County Texas, beginning at the S.W. Corner of Lot No. 9 in said Block 122, thence west along the S. boundary line of said Lot No. 8 of said Block to a distance of 55 feet: thence North and

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parallel with the East and West lines of said Lot No 8 to the full length of said lot, and to the Alley in said Block: thence E. and along the N. boundary line of said lot No 8 to the N.E. Corner of the same: thence S. and along the E. boundary line of said lot No. 8 to the beginning = And that Defendants are entitled to one fourth in quality, quantity and value of said land and to none of the improvements on the same, It is therefore Considered & ordered that said land be partitioned, and that the plaintiffs have and receive three fourths in quantity, quality and value of said land and all the improvements on the same, and that the Defendants have and receive one fourth, in quantity, quality and value of said land without the improvements on the same. And it is further ordered that Thomas E. Sneed, W. J. Montgomery and S. H. Luckett be and they are hereby appointed Commissioners to make partition of said land in accordance with this order and the law governing in such cases, and make their report for the approval of this Court at its present term. And in the event said Commissioners should believe that said lot of Land Cannot be divided According to the requirements of this decree without injustice being done to the parties hereto then and in that event they are hereby required to report to this Court along with their report hereinbefore provided for the actual cash value in Coin of the improvements on said lot of land and also to report to this Court the evidence upon which they base their opinion of the value of said improvements. It is further ordered that this cause Stand over for further proceedings

3738. James B. Morris et al vs E. T. Eggleston et al. In Travis County District Court June Term 1874. On this day came on to be heard the report of Geo. L Robertson and Dennis Corwin being a majority of the Commissioners appointed by this Court in the decree entered in this cause on the 6th Nov. 1873. to Partition between Mila T. Morris, Polly S Carleton, Alfred E. Townes, Pattie E. Townes, Allen R. Townes, Everard T. Townes and A. Cobb Townes parties to this suit the land mentioned and described in said decree of Nov 6th 1873. And the plaintiffs James B. Morris and Mila T Morris being now here by Attorney and the minor plaintiffs Pattie E. Townes and Allen R. Townes being now here by James B. Morris their next friend and Mila T. Morris their legal Guardian of their persons and Estate, and the Defendants Fred Carleton, Polly S. Carleton and Alfred E. Townes being now here by Attorney and the minor defendant A. Cobb Townes and Everard T. Townes, being now here by F. W. Chandler Esqr. their special Guardian, and it appearing to the satisfaction of the Court that said report ought to be in all things confirmed, It is therefore ordered, adjudged and decreed by the Court by consent of all the aforesaid parties to this cause that said report of said Commissioners Geo. L. Robertson and Dennis Corwin be and the same is hereby in all things confirmed, and the same with the accompanying [illegible] is

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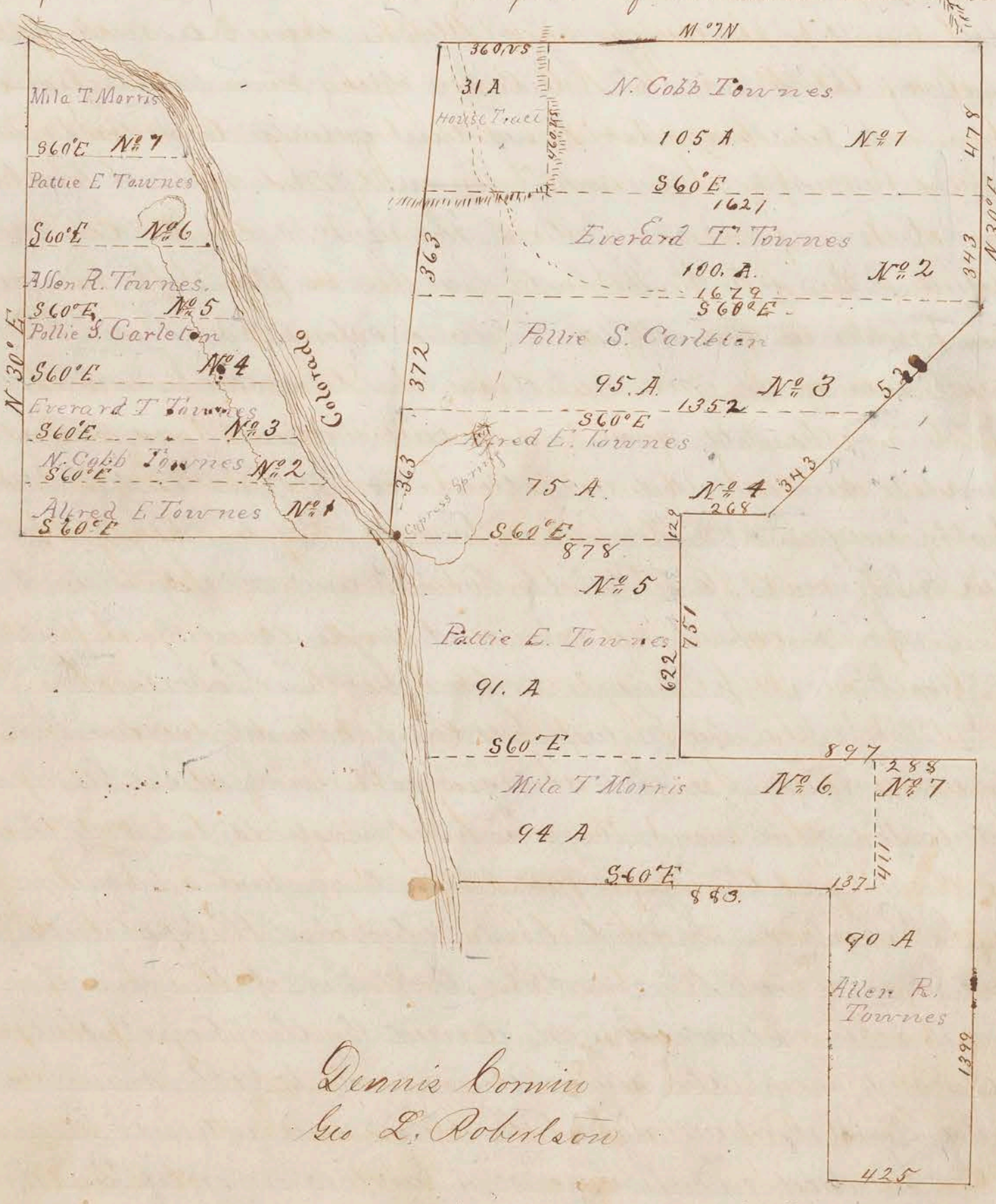
hereby incorporated into and made a part of this decree and is as follows, to-wit:



Dennis Corwin
Geo L. Robertson

13738 J. B. Morris et al vs. E. T. Eggleston et al. To the Hon.ble Judge of the District Court of the Judicial Dist. The undersigned Commissioners appointed by your Hon Court, to Survey and portion certain land in question in the above styled and numbered cause as set forth and described in the order and decree a copy of which has been directed to us by Frank Brown Clerk of the said Court, now submit the following report. Agreeably to the order of your Hon.ble Court we did proceed to survey and portion the said land in the following manner. 1st to set apart a portion of the land surrounding the Townes Residence known as "Edgmont" by beginning on the N. E. corner of the tract conveyed to R. J. Townes, in deed of partition between said Townes and W. P. Mabin dated Sept 10th A.D. 1868. and running thence South 60° E with the line between the said Townes and Mabin tracts 360 varas and made a stone mid. Thence S 30° W 460 varas and made a stone mound. Thence N 60° W to the west line of said Townes tract and with the said line to the place of beginning as will appear on the accompanying sketch and marked thereon "home tract" 2nd We then proceeded to divide the re-

June 23d 1874.

mainder of the land on on the East side of the Colorado in Seven parts or lots as will appear on the sketch before refered to, and which is made a part of this report, the said lots being numbered from 1 to 7 inclusive and which we have partitioned and allotted as follows towit: No 1 to N. Cobb Townes; No 2. to Everard T. Townes; No 3. to Pollie S Carleton; No 4. to Alfred E. Townes; No 5 to Pattie E. Townes; No 6. to Mila T. Morris and No 7 to Allen R. Townes: 3d The land that lies on the west side of the Colorado we partitioned and allotted as follows towit: in seven parts or lots of equal number of acres with lines so as to conform to the exterior South and West lines of the said tract and as will better appear on the sketch before referred to and allotted as follows: Lot No 1 to Alfred E. Townes; No 2 to N. Cobb Townes; No 3. Everard T. Townes; No 4. to Polly S. Carleton; No 5 to Allen R. Townes; No 6. to Pattie E. Townes; and No 7 to Mila T Morris:
All of which is respectfully submitted and signed by us this the 17th day of June A.D. 1874. Dennis Cornin, Geo L Roberson.
We Geo L Roberson and Dennis Cornin do solemnly swear that the above reported partition is as just and fair a division of the land named among said parties as in our opinion can be made considering the circumstance and locality of the land partitioned in said report. Dennis Cornin. Geo. L Roberson. Sworn to and subscribed before me this 17th day of June 1874. Frank Brown Clk By S. M. Lee. dep
And it is further ordered and decreed by the Court that all the parties to this suit except the minor defendant N Cobb Townes be and they are hereby divested of all right title claim and interest in and to Lot No 1 of One hundred and five acres of land more or less on the east side of the Colorado river, and Lot No 2 of acres of land on the west side of the Colorado River as the same appears on the above plat and that all title to the same is hereby vested in the minor defendant N. Cobb Townes: It is further ordered and decreed by the Court that all the parties to this suit except the minor defendant Everard T. Townes: be and they are hereby divested of all right title claim and interest in and to Lot No 2 of One hundred acres of land more or less on the East side of the Colorado River and Lot No 3 of acres of land on the west side of the Colorado River as the same appear on the above plat and that all title to the same is hereby vested forever in the minor defendant Everard T. Townes:
It is further ordered and decreed by the Court that all the parties to this suit except the defendant Polly S Carleton be and they are hereby divested of all right title, claim and interest in and to Lot No 3. of Ninety five acres of land more or less on the East side of the Colorado River and Lot No 4. of acres of land on the west side of the Colorado River as the same appear on the above plat and that all

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title to the same is hereby vested forever in the said defendant Polly S. Carleton; It is further ordered and decreed by the Court that all the parties to this suit except the defendant Alfred E Townes be and they are hereby divested of all right title claim and interest in and to Lot No 4. of Seventy five acres of land more or less on the East side of the Colorado River and Lot No 1 on the West side of the Colorado River of acres as the same appear on the above plat, and that all title to the same is hereby vested forever in the defendant, Alfred E. Townes. It is further ordered and decreed by the Court that all parties to this suit, except the minor plaintiff Pattie E. Townes be and they are hereby divested of all right title claim and interest in and to Lot No 5. of Ninety one acres of land more or less, on the East side of the Colorado River and Lot No 6 of — acres of land on the West side of the Colorado River as the same appear on the above plat, and that all title to the same is hereby forever vested in the minor plaintiff Pattie E Townes. It is further ordered and decreed by the Court that all the parties to this suit except the plaintiff Mila T. Morris be and they are hereby divested of all right title, claim and interest in and to Lot No 6. of Ninety four acres of land more or less on the East side of the Colorado. River and Lot No 7. of acres of land on the west side of the Colorado River as the same appear on the above plat and that all title to the same is hereby vested forever in the plaintiff Mila T. Morris.

It is further ordered and decreed by the Court that all the parties to this suit except the minor plaintiff Allen R Townes be and they are hereby divested of all right title claim and interest in and to Lot No 7. of Ninety acres of land more or less on the East side of the Colorado River, and Lot No 5 of acres on the West side of the Colorado River as the same appear on the above plat, and that all title to the same is hereby - forever vested in the minor plaintiff. Allen R Townes; It is further ordered by the Court that D. W. Chandler Esq special Guardian for the minor defendants N. Cobbe Townes and Everard T. Townes be and he is hereby fully discharged from all liability either from himself or his securities on his bond filed in this cause as said special Guardian and that he be fully discharged from his said trust as special Guardian and that he go hence with his costs without day. It is further ordered adjudged and decreed that the said Commissioners Roberson & Comvin be and they are hereby fully discharged from their said trust, and that they be allowed the sum of Forty, Dollars as Compensation for their services and that the same be taxed as costs by the Clerk in this cause. It is further ordered by the Court that the parties Mila T. Morris, Polly S Carleton, Alfred E Townes, Pattie E. Townes, Allen R. Townes, N. Cobbe Townes 3rd Everard T. Townes be each Taxed with one Seventh of all costs in this suit expended, which may be due and owing the officers of

June 24th 1874.

this Court after the special Commissioner P. de Cordova shall have made his report of the sale of the personal property as the same is provided for in said decree rendered in this cause on the 6th day of November 1873 and after he shall have paid into Court to be applied to the payment of costs the net proceeds of said sale of personal property and that the officers of Court shall have execution against said parties respectively for the balance of said Costs that may thus be found to be due and owing from them respectively at the expiration of thirty days from the adjournment of the present term of this Court. It is further ordered that this cause stand open for the purpose of receiving the report of sales of personal property from the said special Commissioner. P de. Cordova.

And thereupon Court adjourned till to-morrow at 9 Am.

Wednesday June 24th 1874.

Court met at 9 o'clock A M. pursuant to adjournment. Hon. J P. Richardson Judge presiding. Whereupon the following proceedings were had to wit:

3511 The State of Texas v. Hank Adams. And now come the parties by their attys and announce ready for trial and waiving a Jury submit the Case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of said Hank Adams the Sum of Ten Dollars as a fine and all the Cost of this prosecution and that a Commitment issue to collect the same.

4046 J B Hedspeth v R J Murchison. Come the parties when on motion it is ordered that this cause be dismissed at cost of pltff

And Court adjourned till to-morrow at 9 A M

Thursday June 25th 1874.

Court met at 9 o'clock A M pursuant to adjournment. Hon. J P. Richardson Judge thereof presiding. Whereupon the following proceedings were had to wit:

1693 J. B. Cassidy Admr v. Robt A. Smith Admr Deft: Geo. Hancock et al Sarah J. Capidy, Intervenors. And now at this day came the parties to-wit: J. B. Capidy, Admr of Thomas Cassidy Deceased the plaintiff, and Sarah J. Capidy, widow of Thomas Capidy Decd and Robert A. Smith Admr of John King Deceased Defendant herein and Geo. Hancock Intervenor and thereupon the demurrer and various exceptions of the pltff and Sarah J. Capidy to the answer and amended answers of the said Defendant and Intervenor, came on to be heard, and being all considered by the Court It is ordered that said demurrer and exceptions be overruled. And the demurrer and said exceptions of defendant and Intervenor to the pleadings of plaintiff and Sarah J. Capidy being also considered, were overruled. And thereupon all the above named parties appeared by their attys and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis County, to wit: F. M Lewis and eleven others

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duly empannelled and sworn, and having heard the evidence, the argument of Counsel and the Charge of the Court, retired to Consider of their verdict and thereupon returned into Court the following verdict, to wit: "We the Jury find the Settlement Supposed to be made on the 11th of May 1858, between Cassidy & King, to be valid, and to be in full force and effect And furthermore that Plaintiff is justly indebted to Defendant in the Sum of ($3136 65/100) three thousand one hundred and thirty Six Dollars and Sixty eight cents. J. M. Lewis Foreman." And thereupon it is ordered adjudged and decreed that the said Deft. R. A. Smith, Admr do have and recover of and from the said Plaintiff J B. Cassidy Admr the said Sum of Three thousand One hundred and thirty Six and 65/100 Dollars, with legal interest and all the Costs of this Suit. And it further appearing to the Court that the North half of Lot No 4 in Block No 70 in the City of Austin, is bound and charged for the payment of said Sum of $3136 65/100 and interest and all Costs. It is therefore ordered and adjudged by the Court that the Sheriff of said County of Travis, do on a legal Sale day, in accordance with the law governing Sheriffs Sales, duly advertise and sell said North half of said Lot No Four in Block No Seventy, for Cash, to the highest and best bidder, and he is hereby authorized to make a deed for the same to the purchaser, divesting all the right and title of all the parties to this Suit and vesting the absolute right to the same in the purchaser and apply the proceeds of said Sale to the payment of all the costs accrued in this Case and to the payment to the intervenor Geo Hancock, it appearing that he purchased all the title and interest of the said John King in his lifetime in the property in question, the said Sum of $3136 65/100, with the legal interest that may have accrued thereon, and the Surplus arising from such sale, if there be any, to be paid over to the said Sarah J. Cassidy.

It is ordered that after the Sale the said Sheriff is hereby directed and authorized to put the purchaser in the rightful and peaceable possession of said property.

And it further appearing to the Court by the decision of the Supreme Court in this Cause that the title to the South half of Lot No (5) Five in Block No Seventy (70) in the City of Austin, passed by the Sale under the deed of trust to Swenson, It is therefore ordered adjudged & decreed by the Court that the title to said lot Five be and the same is hereby quieted in the said King's and Swenson's assigns, and the said Cassidy's Administrator and the said Sarah J. Cassidy be and they are hereby perpetually enjoined from interfering with or disturbing the title or possession of said half lot.

June 27th 1874

Friday June 26th 1874

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had to wit:

And Court adjourned till to morrow at 9 o'clock A.M.

Saturday June 27th 1874

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

3529 James K. Coleman v. Alfred Smith And now on this day came the parties by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Davis County, Consisting of W. N. Hardeman and eleven others who being tried, elected and sworn according to law, heard the pleadings, the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for Defendant W. N. Hardeman. Foreman." Whereupon it is ordered, adjudged and decreed that the said plaintiff take nothing in this behalf that the cause be dismissed and that the Defendant go hence and recover of said James K. Coleman all his cost in this behalf laid out and expended, for which execution may issue

4017 Frances Burlage et al. L. E. Edwards. And now come the parties by their attys. when came on to be heard Defendant's motion for a new trial which being considered it is ordered that the same be overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court

1733 C. A. Hopkins et als. vs. Amos Morrill. And now on this day came the parties to this cause by their attys. when came on to be heard the motion of Defendant for a new trial which being considered it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

3882 A. P. Billingsley et. Thomas Lewiston And now come the parties by their attys. and then came on to be heard Defendant's motion for a new trial which being considered it is ordered that said motion be overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3300 Henry Eddie v. Lewis Thompson et. als. And now come the parties by their attys when came on to be heard the motion for plaintiff for a new trial which being heard and considered it is ordered that said motion be overruled. Whereupon said plaintiff gives notice in open Court of an appeal to the Supreme Court.

4008 Price & Gray v. J. D. McGary. And now on this day came on to be heard the motion to quash the appeal bond in this case, which being heard and considered it is ordered that said motion be overruled.

1693 J. B. Cassidy Admr. v. John King's Admr. And now on this day came the parties to this cause by their attorneys when came on to be heard the

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motion of J. B. Cafsidy Admr and of Sarah J. Cafsidy for a new trial and in arrest of the jrogment and to set aside the verdict, which being considered it is ordered that said motion be overruled. And thereupon the said J. B. Cafsidy Admr and Sarah J Cafsidy gave notice in open Court of an appeal to the Supreme Court.

3621 E. C. Hamton et al v. B. B. Nichols et als. And now on this day came the parties to this cause by their Atty. when came on to be heard the motion of plaintiffs for a new trial, which being heard and considered it is ordered that said motion be overruled. And thereupon the said plaintiff gives notice in open Court of an appeal to the Supreme Court.

3732 T. L. Wren v. J. C. Morrow et als. And now on this day this cause being called for trial came the plaintiff and announced ready the Defendant having been cited and made default. And upon a hearing and consideration of the Case it is ordered and Decreed that said J C Morrow and Geo. B. Zimpelman Sheriff of Travis County, their agents and any and all persons acting under them are hereby perpetually enjoined and restrained from proceeding under and by virtue of a certain judgment rendered in the District Court of Travis County in the Cause No. 3217 of J. C. Morrow vs T. L. Wren, on or about the 14th July 1872, for the sum of $140 00/100 Spanish Dollars besides costs of suit and that the said T. L. Wren do have and recover of said J. C. Morrow all the costs of this suit for which execution may issue. And it is further ordered that said Wren do have and recover of and from said J. C. Morrow and the security on his Cost bond E. T. Moore, all the cost of said suit No. 3217 of Morrow v. Wren, for which execution may issue

4048 Wm Alexander v. Jas P. Newcomb et al. And now on this day appeared the Mrs Emily E. Hitchcock by her atty, and upon motion duly made it is ordered that said Emily E. Hitchcock have leave to intervene in said cause.

3081 State of Texas vs Jim Robinson Come the parties and announce ready for trial and waiving a Jury submit the case to the Court And the Defendant entering the plea of guilty it is ordered that the State of Texas do have and recover of and from said Jim Robinson the sum of Ten Dollars as a fine and the cost of this prosecution, and that a Commitment issue to collect the same.

3105 The State of Texas v. Johnny Stokes Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant enters the plea of guilty. Whereupon it is ordered that the State of Texas do have and recover of said Johnny Stokes the sum of Ten Dollars as a fine together with all the cost of this prosecution and that a Commitment issue to collect the same.

3205 The State of Texas v. John Stokes Dismissed

3205 The State of Texas v. Jim Robinson Dismissed

3280 The State of Texas v. Sam Miller. And now on this day come the parties and announce ready for trial and waiving a Jury submit the case to the Court.

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And defendant pleading guilty It is ordered that the State of Texas do have and recover of and from the Defendant Sam Miller the sum of Ten Dollars as a fine and the cost of this prosecution and that a commitment issue to collect same.

3467 The State of Texas v. Charles Dugat Come the parties and announce ready for trial
X and waiving a Jury submit the case to the Court. And Defendant pleading guilty it is ordered that the State of Texas do have and recover of the said Charles Dugate the sum of Ten Dollars as a fine and all the cost of this prosecution and that a Capias issue to collect the same.

3471 The State of Texas v. James Rawles Come the parties and announce ready for
X trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty it is orders that the State of Texas do have and recover of the said James Rawles the sum of Ten Dollars as a fine and all the cost of this prosecution and that a Commitment issue to collect the same.

3479 The State of Texas v. A. Roberts Come the parties and announce ready for trial
X and waiving a Jury submit the case to the Court. And Defendant pleading guilty it is orders that the State of Texas do have and recover of said A. Roberts the sum of Ten Dollars as a fine and all the cost of this prosecution and that a Commitment issue to collect the same.

3498 The State of Texas v. O. H. Meroney. And now come the parties announce
X ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty it is orders that the State of Texas do have and recover of said O. H. Meroney the sum of Ten Dollars as a fine and all the cost of this prosecution and that a Commitment issue to collect the same.

And Court adjourned till Monday morning at 9 A.M.

Monday, June 29th 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had to wit:

Theodore Deyman — The State of Texas } Theodore Deyman being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year A.D. 1844 in the Kingdom of Belgium where he emigrated in the year 1865 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 renounces forever all allegiance and fidelity to every foreign Prince, Potentate State or Sovereignty whatsoever and particularly to the King of Belgium of whom he is a subject.

Theodore Deyman

Sworn to and subscribed before me this 29 day of June 1874 in open Court. Frank Brown Clerk By S. M. Lee Deputy.

2572 The State of Texas v. R. C. McLaurin Continued by the State.
2868 The State of Texas v. R. Hamilton et al Dismissed.

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2869 State of Texas v R Hamilton et al Dismissed
3336 State of Texas v Lucian Navarro Come the parties by their attys and announce
X ready for trial and waiving a Jury submit the Case to the Court And the De-
fendant enters the plea of guilty and thereupon it is ordered that the State of
Texas recover of said Lucian Navarro the sum of Ten Dollars as a fine and
all the cost of this prosecution And that a commitment issue to collect same
2890 The State of Texas v Booker Griffith And now come the parties & announce
ready for trial when came a jury duly tried elected and sworn who having
heard the indictment, plea of not guilty the evidence and the charge of the
Court returned the following verdict, to wit: "We the jury find the def-
endant not guilty Geo Dye Foreman." Whereupon it is ordered that
said Defendant go hence fully acquitted and discharged.
2914 The State of Texas v Mack Hams. Come the parties by atty & announce
X ready for trial And waiving a Jury submit the Case to the Court. And
Defendant pleading guilty it is ordered that the State of Texas recover
of said Mack Hams the sum of Ten Dollars as a fine and the cost of
this prosecution And that a Commitment issue to collect the same
2964 The State of Texas v Charles Reade Come the parties by atty & announce
X ready for trial and waiving a Jury submit the Case to the Court And
Defendant pleading guilty it is ordered that the State of Texas recover
of said Charles Reade the sum of Ten Dollars as a fine and all the
cost of this prosecution And that a Commitment issue to collect same.
3501 The State of Texas v. Bill Tobin. And now come the parties by atty &
X announce ready for trial and waiving a Jury submit the Case to the
Court. And Defendant pleading guilty it is ordered that the State of
Texas recover of said Bill Tobin the sum of Ten Dollars as a fine
and the cost of this prosecution & that a Commitment issue to collect same
2968 The State of Texas v. Tilman Hannibal And now come the parties by atty
X and announce ready for trial and waiving a Jury submit the Case to the
Court. And Defendant pleading guilty it is ordered that the State of Texas
recover of said Tilman Hannibal the sum of One Dollar as a fine and
all the cost of this prosecution and that a Commitment issue to collect
the same.
2905 The State of Texas v Maria Simpson Dismissed
2970 The State of Texas v Neill Cain Cont'd by the State
2977 The State of Texas v Barnes Parker et al Dismissed
2903 The State of Texas v Shack Ware Come the parties and announce ready for
X trial and waiving a Jury submit the case to the Court. And Defendant
pleading guilty it is ordered that the State of Texas do have & recover
of said Shack Ware the sum of Ten Dollars as a fine and the cost of
this prosecution and that a Commitment issue to collect the same
2941 The State of Texas v. Jack Wilson Come the parties and announce

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ready for trial and waiving a Jury Submit the Case to the Court And the Defendant pleading guilty it is ordered that the State of Texas do have and recover of the Defendant Jack Wilson the sum of Twenty Five Dollars as a fine and the Cost of this prosecution and that a Commitment issue to Collect the same.

2980 The State of Texas v. C. Calmore Dismissed

3003 The State of Texas v. Jack Jowery Dismissed

3008 The State of Texas v. D. McExcelsteal Continued by the State.

3020 The State of Texas v. Aaron Robinson Dismissed

3070 The State of Texas v. Jack Wilson Dismissed

3075 The State of Texas v. Shack Ware Dismissed

3086 The State of Texas v. Aaron Robinson Come the parties and announce ready
X for trial and waiving a Jury Submit the Case to the Court. And Defendant pleading guilty it is ordered that the State of Texas do have and recover of said Aaron Robinson the sum of Ten Dollars as a fine and the Cost of this prosecution and that a Commitment issue to Collect the same.

3104 The State of Texas v. Bill Tong. Come the parties and announce ready for trial
X and waiving a Jury Submit the Case to the Court. And Defendant pleading guilty it is ordered that the State of Texas do have and recover of said Bill Tong the sum of Ten Dollars as a fine and the Cost of this prosecution & that a Commitment issue to Collect the same.

3107 The State of Texas v. R. B. Faulkner. Continued by the State.

3114 The State of Texas v. J. Jones Continued by the State.

3193 The State of Texas v. Bud Cotton. Dismissed

3521 The State of Texas v. Bud Cotton Come the parties and announce ready for trial
X and waiving a Jury Submit the Case to the Court And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Bud Cotton the sum of ~~Twenty~~ Five Dollars as a fine and the Cost of this prosecution and that a Commitment issue to Collect the same.

3046. The State of Texas v. Wash. Hall. Continued by Defendant.

And Court adjourned till to-morrow at 9 A.M.

Tuesday June 30th 1874

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3001 State of Texas v. M. R. Jones. And now come the parties by their attys and announce ready for trial, when came a Jury of twelve good and lawful men of Travis County consisting of E. D. Walker and eleven others who being tried, elected & sworn according to law heard the plea of not guilty the evidence and the charge of the Court returned the following verdict to wit:

" We the Jury find the Defendant not guilty. E. D. Walker foreman."

Whereupon it is ordered that the said Defendant go hence fully acquitted and discharged.

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3124 The State of Texas v Thomas McCormick. And now come the parties who announced ready for trial and announced when came a Jury of twelve good and lawful men of Travis County consisting of B. F. Fox and eleven others who being tried elected and sworn according to law heard the Indictment, evidence and charge of the Court, and after retirement returned the following verdict to wit: "We the Jury find the Defendant not guilty B. F. Fox Foreman." Whereupon it is ordered that said defendant go hence fully acquitted and discharged.

2968 State of Texas v. Tilman Hannibal Ordered on motion that the Judgment rendered
X in this cause on a former day of this Term be set aside and vacated.

3138 The State of Texas v. M. J. Matteson. Come the parties by their attys when came on to be heard the exceptions of the Defendant to the Indictment in this cause which being heard and duly considered it is ordered that said exceptions be sustained that the cause be dismissed and that the Defendant go hence discharged. Whereupon the District attorney on behalf of the State excepts to the ruling of the Court and gives notice in open Court of an appeal to the Supreme Court.

3139 The State of Texas v. M. J. Matteson. Come the parties when Defendants exceptions to the Indictment being heard and considered it is ordered that the same be overruled. And the cause is continued by the State.

3140 The State of Texas v. F. Williams et als Dismissed

3121 The State of Texas v. James Clements. And now on this day came the parties to this cause by their atty and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of and eleven others who being tried elected and sworn according to law, heard the Indictment the plea of not guilty, the evidence and the charge of the Court, returned the following

3068 The State of Texas v. Doney Christian. And now on this day came the parties
X by their atty's and announced ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty, it is ordered that the State of Texas do have and recover of the Defendant the sum of ten dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3120 The State of Texas v. John Scott. Come the parties by atty when Defendant submitted his exceptions to the Indictment which being considered the same are overruled, to which ruling said Defendant excepts.

3274. The State of Texas v. Jazus Moore. Continued by the Defendant.

3311 The State of Texas v. Green Little Dismissed

3354 The State of Texas v. Henry Spencer. Come the parties by their atty's announce
X ready for trial and waiving a Jury submit the Case to the Court and Defendant pleading guilty it is ordered that the State of Texas do have and recover of said Green Little Henry Spencer the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

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3371 The State of Texas v. Peter Jackson. Ordered that the sevice of Capias and Bond taken in this case be quashed,

3449 The State of Texas v. Jim Moore. Continued by the Defendant.

3473 The State of Texas v. Newell Burdit. Come the parties by their attys and
X announce ready for trial and waiving a Jury submit the case to the Court and Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said Newell Burdit the sum of Ten Dollars as fine and the cost of the prosecution and that a Commitment issue to collect same.

3490 The State of Texas v. Richard Hamilton et. Come the parties & Announce ready
X for trial and waiving a Jury submit the Case to the Court. And Defendant pleading guilty it is ordered that the State of Texas recover of said Richard Hamilton the sum of Ten Dollars as afine and the Cost of this prosecution and that a Commitment issue to collect the same.

3505 The State of Texas v. Toney Murphy Dismissed

3506 The State of Texas v. Green Littleton Come the parties & Announce ready for
X trial & waiving a Jury submit the Case to the Court. And Defendant pleading guilty it is ordered that the State of Texas do have and recover of said Green Littleton the sum of Ten Dollars as afine & the Cost of this prosecution and that a Commitment issue to collect the same.

3514 The State of Texas v. C. H. Randolph Dismissed

And Court adjourned till to-morrow at 9 Am

Court met at 9 o'clock am pursuant to adjournment. Present same as yesterday. Whereupon the following proceedings were had to wit:

3121 The State of Texas v. James Clements. And now on this day came the parties
X to this cause by their attys and announce ready for trial when came a Jury of twelve good and lawful men of Travis County-Consisting of E. D. Walker and eleven others who being tried, elected and sworn according to law heard the indictment, the plea of not guilty the evidence and the charge of the Court, after retirement, returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the fine at fifteen dollars. E. D. Walker foreman" Whereupon it is ordered that the State of Texas do have and recover of said James Clements the sum of Fifteen Dollars and the Cost of this prosecution and that a Commitment issue to collect the same.

3430 The State of Texas v. Maj. Van DeGraaff. And now on this day appeared in open Court Maj. Van DeGraaf as principal, and C. S. West and W. P. Bacon as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of five hundred Dollars to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that the said Maj. Van DeGraaf make his personal appearance before the District Court of Travis County now in session, and there remain from day to day and from term to term thereafter, to answer the Indictment preferred against

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the said Maj. Van De Graaf by the Grand Jury of Travis County at the June term 1874, of the District Court of said County for an Assault with intent to kill and murder, and that he do not depart the Court without leave

2980 The State of Texas v Barnes Parker et als Come the parties by their attys when came on to be heard the second exceptions of Defendants to the Indictment which being heard and considered the same are overruled.

3293 The State of Texas v D. M. Ezell And now comes D M Ezell, as principal and M. D. Mather, H. C. Eanes and Nitchke as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars to be levied upon their goods and chattels lands, tenements and estate But to be void upon condition that the said D. M. Ezell make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter, to answer the indictment preferred against the said D M Ezell by the Grand Jury of Travis County at the February term 1874 of the District Court of Travis County for theft of a Steer, and that he do not depart the Court without leave

3113 The State of Texas v. P. Jones And now on this day came the parties by their attys and the Defendant in person and announced ready for trial When came a Jury of twelve good and lawful men of Travis County, consisting of George Dye and eleven others who being tried, elected and sworn according to law, heard the Indictment, plea of not guilty, the evidence and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess his punishment at three years in the Penitentiary Geo. Dye, Foreman." Whereupon it is ordered by the Court that the said Defendant be and he is hereby ordered to be committed to the County Jail to await Judgment and Sentence.

3142 The State of Texas v Cale Sublett Continued by the Defendant.

3143 The State of Texas v Eli Sharp. Continued by the Defendant.

2695 The State of Texas v A J Baker. Continued by the State.

2967 The State of Texas v. John Harlson. This cause being called for trial the Defendant John Harlson failing to appear and answer to the indictment in this case he and his securities Ed. F. Duff and Edwin R. Ganch being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant John Harlson with the said Ed. F. Duff and Edwin R. Ganch as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 14th day of February 1874, payable unto the State of Texas in the Sum of One Hundred Dollars conditioned that the said Defendant John Harlson make his personal appearance at the District Court of said County of Travis forthwith

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then in session, to answer the indictment preferred against the said defendant John Hartson by the Grand Jurors of Travis County at the June term 1873 for Betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said John Hartson principal, and the said Ed. F. Duff and Edwin R. Gauch the sum of One Hundred Dollars and that this Judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant John Hartson did not appear. And further ordered that citations do issue to the said Securities

And Court adjourned till to-morrow at 9 A.M.

Thursday July 2d 1874

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 25th Judicial District presiding. Whereupon the following proceedings were had by said Court to wit.

3421 The State of Texas v. Nelson Jeffries. And now come the parties by their attys the Defendant also appearing in person and announced ready for trial when came a Jury of twelve good and lawful men of Travis County consisting of B. F. Marshall and eleven others who being tried elected and sworn according to law heard the Indictment, the plea of not guilty the evidence, argument of Counsel and the charge of the Court, retired for deliberation. and thereupon the Jury returned into Court the following verdict, to wit. "We the Jury find the Defendant guilty and affix the punishment to three years in the State Penitentiary B. F. Marshall Foreman." Whereupon it is ordered that the Defendant stand Committed to the County Jail to await judgment and sentence.

3167 The State of Texas v. Peterson. Dismissed

3181 The State of Texas v. Peterson Dismissed

3238 The State of Texas v. Gustav Johnson. Come now the parties by their attys and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said Gustav Johnson the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3170 The State of Texas v. Bob Hagen and John Ezell. And now come the parties by their attys and the Defendants came also in person and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of Geo Dye and eleven others who being tried elected and sworn according to law heard the Indictment, the plea of guilty thereto and the charge of the Court, returned the following verdict to wit: "We the Jury find the Defendants John Ezell and Robert Hagen guilty and affix their punishment each at two years confinement in the State Penitentiary. Geo. Dye,

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foreman." Whereupon it is ordered that said Defendants stand Committed to the County Jail to await jin pursuit and Sentence.

3162 The State of Texas v Ezell & Hayes. Dismissed

3165 The State of Texas v Ezell & Hayes Dismissed

3166 The State of Texas v Ezell & Hayes Dismissed

3168 The State of Texas v Ezell & Hayes Dismissed

3169 The State of Texas v. Ezell & Hayes Dismissed

3171 The State of Texas v. Ezell & Hayes Dismissed

3172 The State of Texas v. Ezell & Hayes Dismissed

3178 The State of Texas v. J. Wiley Croft Come the parties and announce ready for trial
X waiving a Jury submit the Case to the Court And Defendants plead guilty: and thereupon it is ordered that the State of Texas do recover of said J. Wiley Croft the sum of Ten Dollars as afine and the Cost of this prosecution and that a Commitment issue to collect the same.

3229 The State of Texas v. Charles Reed. Dismissed

3260 The State of Texas v J. W. Croft Dismissed

3264 The State of Texas v. Bill Tony Dismissed

3265 The State of Texas v. Bill Tony. Dismissed

3328 The State of Texas v Bass Croft Come the parties and announce ready for trial
X and waiving a Jury submit the Case to the Court And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said Bass Croft the sum of Ten Dollars as afine and the Cost of the prosecution and that a Commitment issue to collect the same.

3333 The State of Texas v. A. P. McKinney. Dismissed

3345 The State of Texas v. Jack Wilson Dismissed

3369 The State of Texas v. P. McKinney. Dismissed

3374 The State of Texas v. Bill Tony. Dismissed

3417 The State of Texas v. John McGowen Dismissed for want of jurisdiction in Justice Court.

3468 The State of Texas v Wiley Croft. Dismissed

3483 The State of Texas v. Louis Britton Come the parties & announce ready for trial and
X waiving a Jury submit the Case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said Louis Britton the sum of twenty dollars as a fine and the Cost of this prosecution and that a Commitment issue to collect the same.

3484 The State of Texas v Bill Tunney. Come the parties & announce ready for trial and
X waiving a Jury submit the Case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said Bill Tunney the sum of Ten Dollars as a fine and the Cost of the prosecution & that a Commitment issue to collect the same.

3570 The State of Texas v. Matt. Woodliff. Come the parties and announce ready for trial and waiving a Jury
X submit the Case to the Court And Defendant pleads guilty. And it is ordered that the State of Texas recover of Matt. Woodliff the sum of Ten Dollars as afine and the Cost of the prosecution

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and that a Commitment do issue to Collect the same

3318 The State of Texas v. Charles Reed Dismissed

3323 The State of Texas v. Pap Craft. Dismissed

3327 The State of Texas v. Samuel Burditt. Come the parties and announce ready for
X trial & waiving a Jury submit the Case to the Court. And the Defendant pleads guilty.
and it is ordered that the State of Texas recover of Samuel Burditt the sum of twenty-
five dollars as a fine & the Cost of the prosecution and that a Commitment issue to
Collect the same.

3132 The State of Texas v. Charles Coney. Dismissed, Indictment quashed.

And Court adjourned till to morrow at 9 AM

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Court met at 9 o'clock A M pursuant to adjournment Present same as
Yesterday. Whereupon the following proceedings were had to wit

3180 The State of Texas v. John Harlson This cause being called for trial the Defendant John
Harlson failing to appear and answer to the Indictment in this case heard his securi-
ties Ed. J. Duff and Edwin R. Jauch being distinctly called at the door of the
Courthouse of Travis County, and the Defendant after a reasonable length of time
still failed to appear. And it appearing to the Court that the Defendant John
Harlson with the said Ed. J. Duff and Edwin R. Jauch as his securities, did
execute the Bail Bond on file in this case substantially as follows: Dated 14th
day of Feby 1874 payable unto the State of Texas in the Sum of One hundred
Dollars conditioned that the said Defendant John Harlson who signs his
name J. W. Harlson, make his personal appearance at the District
Court of said County of Travis forthwith then in session, to answer the
Indictment preferred against the said Defendant John Harlson by the
Grand Jurors of Travis County at the October term AD 1873 for Betting at
Monte, 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,
which said Bond is forfeited And it is considered by the Court that the
State of Texas do have and recover of the said John Harlson as principal
and of the said Ed. J. Duff and Edwin R. Jauch as securities the said sum
of One Hundred Dollars and that this Judgement will be made final
unless good cause be shown at the next term of this Court why the said
Defendant John Harlson did not appear. And further ordered that Citations
do issue to the said Securities

3158 The State of Texas v. Elisha White. And now come the parties by attorney & the
Defendant in person & announced ready for trial and then came a Jury
of 12 good and lawful men of Travis County consisting of Geo. Dye and
eleven others who being tried elected & sworn according to law heard the in-
dictment, the plea of not guilty the evidence, argument of Counsel and
the charge of the Court and after retirement returned the following verdict, to wit:
" We the Jury find the Defendant not guilty Geo. Dye, Foreman."

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Whereupon it is ordered that the Defendant go hence acquitted and discharged
3153 The State of Texas v Charles Coney. And now on this day came the parties by
X their attys and came also the Defendant in person and thereupon the Defendant
presented his Motion for a Continuance which being heard and considered it is
ordered that said motion be overruled. to which ruling the Defendant excepts.
And thereupon came a Jury of twelve good and lawful men of Travis county,
consisting of H Clay Evans and eleven others who being tried, elected and sworn
according to law, heard the Indictment, (the Defendant declining to plead, the Court
entered the plea of not guilty) the evidence, argument of Counsel & the charge of
the Court, retired for deliberation. And thereupon the said Jury returned into Court the
following verdict, to wit: "We the Jury find the Defendant guilty and assess the
fine at Five Hundred Dollars H. Clay Evans foreman." Whereupon it is ordered that the
State of Texas recover of said Charles Coney the sum of Five Hundred Dollars so found
by the Jury together with all the cost of this prosecution and that the Defendant be
Committed to the County Jail until the same are paid in full.

2516 The State of Texas v. R.C. McLaren. Continued by the State.

3108 The State of Texas v. M. D Mathis. Continued by the State.

3509 The State of Texas v Telesphus Johnson Come the parties & announce ready for trial
X and waiving a Jury submit the case to the Court And Defendant pleading
guilty It is ordered that the State of Texas recover of said Telesphus Johnson the
sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment
issue to collect the same.

3153 The State of Texas v. Chas. Coney. Come the parties by atty when came on to be
heard Defendants motion for a new trial which being heard and considered it is
ordered that the same be overruled. and thereupon the defendant gives notice in
open Court of an appeal to the Supreme Court.

3153 The State of Texas v. Charles Coney. Come the parties by their atty when came on to
be heard Defendants motion in arrest of the judgment which being heard and considered
it is ordered that the same be overruled And thereupon the Defendant gives notice
in open Court of an appeal to the Supreme Court.

3153 The State of Texas v. Charles Coney. The defendant Charles Coney, and Simon Loomis &
Charles Wolf as his sureties jointly and severally acknowledge themselves indebted to the
State of Texas in the penal sum of One thousand Dollars for the payment of which well and
truly to be made, they bind each of themselves, their heirs, executors and administrators,
to be levied of their respective Goods, Lands, tenements and estates but to be void on
Condition that the said Defendant Charles Coney, who is charged with the offence of
An aggravated assault and Battery upon one Louis Berschiani appear before the District
Court of the County of Travis, on the 1st Monday of October, 1874, next, there to re-
main from day to day, and from term to term, and not depart without leave of
said District Court, in order to abide the judgment of the Supreme Court of the
State of Texas

3180 The State of Texas v. Farrell & Mecrard Dismissed

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3182 The State of Texas v. S A. Carlson. Dismissed
3153 The State of Texas v C. A. Swenson Dismissed
3184 The State of Texas v John Ryan Dismissed
3195 The State of Texas v Dave Hart. Come the parties by their attys & announce ready
X for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty Whereupon it is ordered that the State of Texas do have & recover of Dave Hart the sum of Ten Dollars as a fine and the Cost of the prosecution & that a Commitment issue to collect the same.
3200 The State of Texas v. Billy Rogers. Dismissed
3207 The State of Texas v A. E. Keenan Dismissed
3199. The State of Texas v Billy Rogers. Dismissed
3222 The State of Texas v. John Evans. And now on this day came the parties to this
X cause by their attys and announced ready for trial when came on to be heard Defendants exceptions to the Indictment which being considered the same are overruled. to which ruling the Defendant excepts. Whereupon came a Jury of twelve good and lawful men of Travis County Consisting of J. M. Lewis & eleven others who having heard the Indictment the plea of not guilty, the evidence, argument of Counsel & the Chage of the Court returned the following verdict, to wit. "We the Jury find defendant guilty and assess the fine at ten dollars. J M. Lewis Foreman. Whereupon it is ordered that the State of Texas do have and recover of said John Evans the sum of ten dollars as a fine and the cost of the prosecution & that a Commitment issue to collect the same.
3437 The State of Texas v. John Lewis. And now on this day came the parties to this cause by their attys the Defendant also coming in person & announced ready for trial when came a Jury of twelve good & lawful men of Travis County Consisting of Geo Dye foreman & eleven others who being tried, elected & sworn according to law heard the indictment read, the plea of not guilty the evidence, argument of Counsel & Chage of the Court and retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We the Jury find the prisoner guilty and assess his punishment at two years in the State Penitentiary. Geo Dye. foreman" Whereupon it is ordered that said Defendant stand Committed to the County Jail to await judgment & Sentence.
2977 The State of Texas v Barnes Parker. This cause being called for trial the witness E. H. Ayers, calle alias E. H. Ayres, failing to appear to testify in this case he being distinctly called at the door of the Courthouse of Travis County, and said witness after a reasonable length of time still failed to appear. And it appearing to the Court that the witness E. H. Ayers did enter into recognizance in open Court substantially as follows. Dated February 23d 1874 payable unto the State of Texas in the sum of Five Hundred Dollars conditioned that the said witness E. H. Ayers make his personal appearance at the District Court of said County of Travis then in session to give evidence on behalf of the State in the above entitled cause No 2977 of the State of Texas vs.

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Barnes Parker charged with Swindling 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, which said Recognizance is forfeited And it is considered by the Court that the State of Texas do have and recover of the said E.H. Ayres alias E H Ayers the said sum of five hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said witness did not appear.

2977 The State of Texas v. Barnes Parker. This cause being called for trial the witness W.H. Griffin failing to appear to testify in this case he being distinctly called at the door of the Courthouse of Travis county and said witness after a reasonable length of time still failed to appear and it appearing to the Court that the witness W.H. Griffin did enter into recognizance in open Court substantially as follows: Dated February 23d 1874 payable unto the State of Texas in the sum of Five hundred Dollars conditioned that the said witness W.H Griffin make his personal appearance at the District Court of said County of Travis then in session to give evidence on behalf of the State in the above entitled cause No. 2977 of the State of Texas vs Barnes Parker, charged with swindling, 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, which said Recognizance is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said E.J W.H. Griffin the said sum of five hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said witness did not appear.

2980 The State of Texas v. Barnes Parker. This cause being called for trial the witness E.H. Ayres alias E.H. Ayres, failing to appear to testify in this cause he being distinctly called at the door of the Courthouse of Travis County and said witness after a reasonable length of time still failed to appear And it appearing to the Court that the witness E.H Ayres did enter into recognizance in open Court substantially as follows: Dated February 23d 1874, payable unto the State of Texas in the sum of five hundred Dollars conditioned that the said witness make his personal appearance at the District Court of said County of Travis then in session, to give evidence on behalf of the State in the above entitled cause No. 2980, of the State of Texas v. Barnes Parker, charged with Passing and Using a forged Power of attorney 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 which said recognizance is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said E H Ayres alias E.H Ayers the said sum of five hundred dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said witness did not appear.

2980 The State of Texas v. Barnes Parker. This cause being called for trial the witness W.H. Griffin failing to appear to testify in this cause, he being distinctly called at the door of the Courthouse of Travis county and said witness after a reasonable length of time still failed to appear. And it appearing to the Court that the witness W.H. Griffin did enter into recognizance in open Court substantially as follows:

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Dated 23d day of February 1874 payable unto the State of Texas in the sum of five hundred Dollars, conditioned that the said witness W. H. Griffin make his personal appearance at the District Court of said County of Travis then in session, to give evidence in behalf of the State in the above cause No. 2980 of the State of Texas v. Barnes Parker, 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 which said Bond is forfeited. And this Considered by the Court that the State of Texas do have and recover of the said W. H. Griffin the said sum of five hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said W. H. Griffin did not appear & cause entered by the State.

3141. The State of Texas v. John Burleson. This cause being called for trial the witness Jack Spray failing to appear and testify in this case, he and his security H. D. Gardner being distinctly called at the door of the Courthouse of Travis County, and the witness, after a reasonable length of time still failed to appear. And it appearing to the Court that the witness Jack Spray with the said H. D. Gardner as his security, did execute the appearance bond on file in this case substantially as follows: Dated 19th day of February 1874, payable unto the State of Texas in the sum of ~~One~~ hundred Dollars conditioned that the said witness Jack Spray make his personal appearance at the District Court of said County of Travis then in session to testify as a witness on the behalf of the plaintiff in the above cause No. 3141 of the State of Texas v. John Burleson 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 which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Jack Spray principal and H. D. Gardner, his security, the said sum of One hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said witness did not appear. And further ordered that citations do issue.

3141 The State of Texas v. John Burleson. This cause being called for trial the witness A. R. Moore, failing to appear and testify in this case he and his security W. W. Hornsby being distinctly called at the door of the Courthouse of Travis county, and the witness after a reasonable length of time still failed to appear. And it appearing to the Court that the witness A. R. Moore, with the said W. W. Hornsby as his security did execute the Bail Bond on file in this case substantially as follows: Dated 19th day of February 1874, payable unto the State of Texas in the sum of One hundred dollars conditioned that the said ~~Defendant~~ witness A. R. Moore make his personal appearance at the District Court of said County of Travis then in session to testify as a witness on behalf of the plaintiff in the above cause No. 3141 of the State of Texas v. John Burleson 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 which said Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said A. R. Moore principal and W. W. Hornsby his security the said sum of one hundred dollars and that this judgment will be made final unless good cause be shown at the

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next term of this Court why the said witness did not appear. And ordered that citations do issue.

3141. The State of Texas v. John Burleson. This cause being called for trial the witness John Kennon, alias J. J. Kennon failing to appear to testify in this cause he and his security M. R. Jones being distinctly called at the door of the Courthouse of Travis County, and the witness after a reasonable length of time still failed to appear. And it appearing to this Court that the witness J. J. Kennon with the said M. R. Jones as his security did execute the Bail Bond on file in this case substantially as follows. Dated 19th day of February 1874 payable unto the State of Texas in the sum of One Hundred Dollars conditioned that the said witness J. J. Kennon make his personal appearance at the District Court of said County of Travis then in session to answer testify as a witness on behalf of the plaintiff in the above cause No 3141 of the State of Texas v. John Burleson 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, which said Bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said J. J. Kennon principal and his security M. R. Jones the said sum of One hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant witness J. J. Kennon did not appear and that citations issue. Cause continued by the State.

3144. The State of Texas v. Juan Avallos. This cause being called for trial the Defendant Juan Avallos failing to appear and answer to the indictment in this case he and his security Charles Coney being distinctly called at the door of the Courthouse of Travis county and the Defendant after a reasonable length of time still failed to appear. And it appearing to the court that the Defendant Juan Avallos with the said Charles Coney as his security did execute the Bail Bond on file in this case substantially as follows: Dated 3d day of March 1874 payable unto the State of Texas in the sum of One hundred Dollars conditioned that the said Defendant Juan Avallos make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred gainst the said Defendant Juan Avallos by the Grand Jurors of Travis county at the February term A.D. 1874. for Betting at Monte and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court which said Bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said Juan Avallos principal and his security, Charles Coney the sum of One hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Juan Avallos did not appear. And further ordered that citations do issue to the said securities.

3223 The State of Texas v. Stewart Dismissed

3525. The State of Texas v. F. Otten. And now comes F. Otten as principal and Wm Windy and Julius Schultze as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of

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Texas in the sum of five hundred dollars to be levied upon their goods and chattels lands tenements and estate But to be void upon condition that T. Otten be and remain in attendance upon the District Court of Travis county now in session and there remain from day to day and from term to term thereafter to answer the Indictment preferred against the said T. Otten by the Grand Jury of Travis county at the June Term 1874 of the District Court of said County for Perjury and that he do not depart the Court without leave.

3548 The State of Texas v. N. P Larsen. Now comes N. P. Larsen as principal and J. B. Galusha and J. D. Warren as his securities and acknowledged themselves jointly & severally justly to owe and be indebted unto the State of Texas in the sum of five hundred dollars to be levied upon their goods and chattels lands tenements and estate But to be void upon condition that the said N. P. Larsen make his personal appearance before the District Court of Travis county now in session, and there remain from day to day and from term to term thereafter, to answer the indictment preferred against said N. P. Larsen by the Grand Jury of Travis County at the June term 1874 of the District Court of said County for Swindling, and that he do not depart the Court without leave.

3530 The State of Texas v. A. S. Mair. And now comes A. S Mair as principal and B. M. Odum and Joseph Nalle as his securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of One thousand dollars to be levied upon their goods and chattels lands tenements and Estate But to be void upon condition that the said A. S Mair make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer the indictment preferred against the said A. S Mair by the Grand Jury of Travis county at the June term 1874 of the District Court of said County for making or Causing to be made a false and fraudulent account against the Lunatic Asylum of the State of Texas and that he do not depart the Court without leave.

3559 The State of Texas v. Neal Cain. Now comes Neal Cain as principal and J. B. Perry and Ed Cleary as his securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Five hundred dollars to be levied upon their goods & chattels lands tenements and estate to be void upon condition that the said Neal Cain make his personal appearance before the District Court of Travis county now in session and there remain from day to day and from term to term thereafter to answer the indictment preferred against the said Neal Cain by the Grand Jury of Travis County at the June term 1874 of the District Court of said County for the theft of a colt and that he do not depart the Court without leave

3176 The State of Texas v. Pink Reed. This cause being called for trial the defendant Pink Reed failing to appear and answer to the indictment in this case he and his securities N. B. Mitchell and J. Gus Patton being duly timely called at the door of the Courthouse of Travis county and the defendant after a reasonable length of time still failed to appear. And it appearing to the

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Court that the Defendant Pink Reed with the said N. B. Mitchell and I. Gus Patton as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 26th day of March 1874 payable unto the State of Texas in the sum of One hundred dollars conditioned that the said Defendant Pink Reed make his personal appearance at the District Court of said County of Travis on the 1st Monday in June 1874 to answer the Indictment preferred against the said Defendant Pink Reed by the Grand Jurors of Travis county at the February term A.D. 1874 for exhibiting for the purpose of gaining a certain gaming Bank called Monte and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court. which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Pink Reed Principal, and N. B. Mitchell and I. Gus Patton securities the said sum of One hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Pink Reed did not appear. And further ordered that citations do issue to the said securities.

3177 The State of Texas v Jim Berry. This cause being called for trial the Defendant Jim Berry failing to appear and answer to the indictment in this case but his securities Henry Fleming and G. Martin being distinctly called at the door of the Courthouse of Travis County, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jim Berry with the said Henry Fleming and G. Martin as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 19th day of February 1874 payable unto the State of Texas in the sum of one hundred dollars conditioned that the said Defendant Jim Berry make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Jim Berry by the Grand Jurors of Travis County at the February term A.D. 1874 for Exhibiting Monte and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court which said bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said Jim Berry principal, and his securities Henry Fleming and G. Martin, the said sum of One hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Jim Berry did not appear. And further ordered that citations do issue to the said securities.

3187 The State of Texas v. Ambrose Steele. This cause being called for trial the Defendant Ambrose Steele failing to appear and answer to the indictment in this case he and his securities Philip Wilson, D. Fulenwider and F. H. Sanders being distinctly called at the door of the Courthouse of Travis county and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Ambrose Steele with the said Philip Wilson, D. Fulenwider and F. H. Sanders as his securities did execute the

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Bail Bond on file in this case substantially is as follows: Dated day of February 1874 payable unto the State of Texas in the sum of One hundred dollars conditioned that the said Defendant Ambrose Steele make his personal appearance before the District Court of said County of Travis forthwith then in session to answer the indictment preferred against the said Defendant Ambrose Steele by the Grand Jurors of Travis county at the February term 1874 for Betting at a Gaming Bank called Monte, 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, which said bond is forfeited. And it is Considered by the Court that the State of Texas do have and recover of the said Ambrose Steele principal, and his securities Philip Wilson, D. Fulenwider and F.H. Sanders the sum of One Hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Ambrose Steele did not appear. And further ordered that citations do issue to the said securities.

3209 The State of Texas v Jim Berry. This cause being called for trial the Defendant Jim Berry failing to appear and answer to the indictment in this case heard his securities Henry Fleming and G. Martin being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jim Berry with the said Henry Fleming and G. Martin as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 19th day of February 1874 payable unto the State of Texas in the sum of One hundred dollars conditioned that the said Defendant Jim Berry make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against the said defendant Jim Berry by the Grand Jurors of Travis County at the February term A.D. 1874 for Betting at a gaming bank called Monte and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court, which said Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said Jim Berry the said sum of One principal, and Henry Fleming and G. Martin securities the sum of One hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Jim Berry did not appear. And further ordered that citations do issue to the said securities.

3216 The State of Texas v. Jack Conner. This cause being called for trial the defendant Jack Conner failing to appear and answer to the indictment in this case he and his securities Wm. Keesee, M. Wear, Nat Moore and John H. Conner being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jack Conner with the said Wm Keesee, M. Wear, Nat Moore and John H. Conner as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 12th day of February 1874 payable unto the State of Texas in the sum of One

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hundred dollars, conditioned that the said defendant Jack Conner, make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Jack Conner by the Grand Jurors of Travis County at the February term A D 1874 for Betting at a gaming Bank called Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said Jack Conner, principal, and Wm Keese, M. Wear, Nat Moore and John H. Conner, securities the said sum of One hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Jack Conner did not appear. And further award that citations do issue to the said securities.

3221. The State of Texas v Billy Haynes. This cause being called for trial the defendant Billy Haynes failing to appear and answer to the Indictment in this case heard his securities Duke Mitchell and J J Dyson being distinctly called at the door of the Courthouse of Travis County, and the defendant after a reasonable length of time still failed to appear and it appearing to the Court that the defendant Billy Haynes with the said Duke Mitchell and J J Dyson as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated 31st day of March 1874 payable unto the State of Texas in the sum of One hundred dollars Conditioned that the said defendant Billy Haynes make his personal appearance at the District Court of said County of Travis on the 1st monday in June 1874 to answer the indictment preferred against the said defendant Billy Haynes by the Grand Jurors of Travis County at the February term A D 1874 for Exhibiting Monte, and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court, which said Bond is forfeited. and it is considered by the Court that the State of Texas do have and recover of the said Billy Haynes principal, and Duke Mitchell and J J Dyson, his securities the said sum of One hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Billy Haynes did not appear. And further award that citations do issue to the said securities.

3231. The State of Texas v. Pink Reed. This cause being called for trial the defendant Pink Reed failing to appear and answer to the indictment in this case he and his securities A. B. Mitchell and I. Gus. Patton being distinctly called at the door of the Courthouse of Travis County and the defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the defendant Pink Reed with the said A. B. Mitchell and I. Gus Patton as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 26th day of March 1874 payable unto the State of Texas in the sum of one hundred Dollars conditioned that the

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said Defendant Pink Reed make his personal appearance at the District Court of said County of Travis at the 1st Monday in June, 1874, to answer the indictment preferred against the said Defendant Pink Reed by the Grand Jurors of Travis county at the July term AD 1874, for Betting at a gaming bank called Monte, and that he 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, which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Pink Reed, principal, and N B Mitchell and J. Geo. Patton securities the said sum of One hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Pink Reed did not appear. And further ordered that citations do issue to the said securities.

3251. The State of Texas v. Moses Swisher. This cause being called for trial the defendant Moses Swisher failing to appear and answer to the indictment in this case bound his security John McGowen being distinctly called at the door of the Courthouse of Travis County, and the defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the said John McGowen as his security did execute the Bail Bond on file in this case substantially as follows: Dated 14th day of July 1874 payable unto the State of Texas in the sum of One Hundred dollars Conditioned that the said Defendant Moses Swisher make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Moses Swisher by the Grand Jurors of Travis County, at the July Term A D 1874 for Betting at a gaming Bank called Monte and that he 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Moses Swisher, principal, and John McGowen security, the sum of One hundred dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Moses Swisher did not appear. And further ordered that citations do issue to the said securities.

3259 The State of Texas v. Fahey. This cause being called for trial the Defendant Fahey alias C. Fahey, failing to appear and answer to the indictment in this case he and his securities W. D. Robinson and A. S. Roberts being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Fahey with the said W. D. Robinson and A. S. Roberts as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 28th day of April 1874 payable unto the State of Texas in the sum of One Hundred dollars conditioned that the said Defendant Fahey make his personal appearance at the District Court of said County of Travis on the 1st Monday in June 1874 to answer the indictment preferred against the said Defendant

July 3d 1874

Fahey by the Grand Jurors of Travis county at the Feby term A D 1874 for playing at a game with Cards at a public place 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, which said Bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said Fahey principal, and W.D. Robinson and A.S. Roberts, his securities the said sum of One hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Fahey did not appear. And further ordered that citations do issue to the said securities.

3276 The State of Texas v. Jacob Smith This cause being called for trial the Defendant Jacob Smith failing to appear and answer to the indictment in this case he and his securities Wm Wilson and B. F. Cotton being duly called at the door of the Courthouse of Travis County and the Defendant upon a reasonable length of time still failed to appear. and it appearing to the Court that the Defendant Jacob Smith with the said Wm Wilson and B. F. Cotton as his securities did execute the Bail Bond on file in this case substantially as follows: Dated day of February 1874 payable unto the State of Texas in the sum of One hundred dollars conditioned that the said Defendant Jacob Smith make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Jacob Smith by the Grand Jurors of Travis County at the February term A D 1874 for Betting at a gaming table called Monte and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court, which said Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said Jacob Smith principal, and Wm Wilson and B. F Cotton Securities the said sum of One hundred dollars and that this judgment will be made final unless good Cause be shown at the next term of this Court why the said defendant Jacob Smith did not appear. And further ordered that Citations do issue to the said securities

3433 The State of Texas v. T. M. Jackman Comes now T. H. Nance v. Jackman as principal, and T. H. Nance and D. J. Murchison as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of two hundred dollars to be levied upon their goods and chattels lands tenements and estate But to be void upon condition that said T. M. Jackman make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer the indictment here found against the said T. M. Jackman by the Grand Jurors of Travis County at the June term 1874 of the District Court of said County for unlawfully taking from the possession of Mr. Edward Hipp and Mrs. Edward Hipp a certain Wheeler & Wilson Sewing Machine and that he do not depart the Court without leave.

July 6th 1874.

and thereupon Court adjourned till Monday morning at 9 o'clock

Monday July 6th 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson, Judge &c presiding. Whereupon the following proceedings were had to wit:

3096 The State of Texas v. Wm Moore. And now come the parties by their attys and announce
X ready for trial and waiving a Jury submit the case to the Court. And defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of the Defendant Wm Moore the sum of Four Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

3275 The State of Texas v. Jacob Smith. Ordered that the forfeiture in this case be set aside and that the cause be dismissed.

3276 The State of Texas v. Jacob Smith. Ordered that the forfeiture in this case be set
X aside. And then came the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. And thereupon it is ordered that the State of Texas recover of said Jacob Smith the sum of ten dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

3377 The State of Texas v. John Cook. And now come the parties by their atty and an-
X nounce ready for trial and waiving a Jury submit the case to the Court. And defendant pleads guilty. Whereupon it is ordered that the State of Texas do recover of said John Cook the sum of Ten Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

3452 The State of Texas v. Bob Holman. Come the parties by their atty same come ready for
X trial and waiving a Jury submit the case to the Court. And defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Bob Holman the sum of Ten Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

3461 The State of Texas v. E. Higby. Dismissed

3489 The State of Texas v. Bradley. Come the parties by their atty & same come ready for
X trial and waiving a Jury submit the Case to the Court. And defendant pleads guilty. Whereupon it is ordered that the State of Texas do recover of Bradley the said sum of ten Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

3495 The State of Texas v. Mon. Swisher. Come the parties by their atty & same come
X ready for trial and waiving a Jury submit the case to the Court. And the defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Mon Swisher the sum of ten dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

3503 The State of Texas v. Ambrose Steele. Come the parties by their atty & announce
X ready for trial & waiving a Jury submit the case to the Court. And defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Ambrose Steele the said sum of ten dollars as a fine and

July 7th 1874

the cost of the prosecution and that a Commitment issue to collect the same.

3537. State of Texas v N P DeNormand ie And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court And Defendant pleads guilty Whereupon it is ordered that the State of Texas do have and recover of said N. P DeNormand ie the sum of ten dollars as a fine and the Cost of the prosecution & that a Commitment issue to collect the same.

3156 The State of Texas v. Wiley Stonk. And now on this day came the District Atty on X behalf of the State and came also the Defendant in person and by atty and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of L K Miller and eleven others who being tried elected and Sworn according to law, heard the Indictment and the plea of not guilty thereto, the evidence, argument of counsel and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury find defendant guilty of Murder in the second degree and assess the punishment at ten years in the State Penitentiary W G Ronntree Foreman." Whereupon it is ordered that the Defendant stand Committed to the County Jail to await judgment and Sentence

And Court adjourned till to-morrow at 9 A M

Tuesday July 7th 1874

Court met at 9 o'clock AM pursuant to adjournment Present same as yesterday Whereupon the following proceedings were had to wit:

3285 The State of Texas v Gilbert Stewart And now on this day came the parties X by their atty the defendant also appearing in person and announced ready for trial, whereupon came a Jury of twelve good and lawful men of Travis County Consisting of H. H Duff and eleven others who being duly tried elected and Sworn, & having heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: Defendant's exceptions to the Indictment are overruled to which said Defendant excepts.

" We the Jury find the Defendant guilty and assess the fine at fifty Dollars H H Duff, Foreman." Whereupon it is ordered that the State of Texas do have and recover of and from the Defendant Gilbert Stewart the said sum of Fifty Dollars and the Cost of the prosecution and that a Commitment issue to Collect the same.

3413 The State of Texas v. Lewis Allen. And now come the parties by their atty and announced ready for trial and waiving a Jury submit the case to the Court. And X Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Lewis Allen the sum of Ten Dollars as a fine and the Cost of this prosecution and that a Commitment issue to collect the same.

3434 The State of Texas v. Step Smith. Dismissed

3573 The State of Texas v. A R Morris Dismissed

July 8th 1874

3540 The State of Texas v. Bud Sawyer. Come the parties and announce ready for trial and waiving
X a Jury submit the case to the Court And Defendant plea as guilty. Whereupon it is ordered that
the State of Texas do have and recover of s Bud Sawyer the sum of Ten Dollars as afine and
the cost of the prosecution and that a Commitment issue to collect the same.

34 37 The State of Texas v. John Lewis. And now on this day came the District Atty on behalf
of the State and came also the Defendant And it appearing that said Defendant John
Lewis has been found guilty by the Jury who tried his case of the offence charged in the
Indictment, to wit: of the theft of a Cow, and said Jury having assessed his punishment
at two years confinement in the Penitentiary, it is ordered that said John Lewis is guilty
of Felony as in the indictment in this behalf is charged and that he be confined to
hard labor in the Penitentiary of the State of Texas for a term of two years And
thereupon said Defendant submitted his motions in arrest of the Judgment and
for a new trial in said Cause which being heard and duly considered, it is or-
dered that said motions be overruled. And thereupon the Defendant gives notice
in open Court of an appeal to the Supreme Court. And because of said appeal
it is ordered that Sentence be suspended to await the result of said appeal.

And thereupon Court adjourned till to-morrow at 9 AM

July 8th 1874.

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

3448 The State of Texas v. Gilbert Stewart et al. And now on this day came the Dis-
trict attorney on behalf of the State and came the Defendants by their attorneys
and also in person, and thereupon the parties sever. And the State and the
Defendant Gilbert Stewart announced ready for trial. Whereupon came a Jury
of twelve good and lawful men of Travis County consisting of C. P. Phillips and
eleven others who being tried, elected, and sworn according to law, heard the In-
dictment read, the plea of not guilty, the evidence, argument of Counsel and
the Charge of the Court, and retired for deliberation. And thereupon said Jury
returned into Court the following verdict, to wit: "We the Jury find the De-
fendant guilty, as charged, and assess the punishment at 5 years in the State
Penitentiary. C. P Phillips, Foreman." Whereupon it is ordered that the said
Defendant stand committed to the County Jail to await Judgment and Sentence

3259 The State of Texas v. Fahey. Come the parties and announce ready for trial and waiving
1 a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon
it is ordered that the State of Texas do recover of said Fahey the sum of ten dollars
as a fine and the cost of the prosecution and that a Commitment issue to collect
the same: And that the forfeiture against the dept & his sureties W D Robinson & A S. Roberts be set aside.

3974 The State of Texas v. C. Fahey et als. Come the parties when on motion it is ordered that
X the forfeiture entered in this case be set aside and that the Defendants C. Fahey and
Richard Mitchell pay all the cost of this proceeding for which execution may issue
and that the forfeiture and final judgment entered in this cause be set aside upon pay-
ment of costs.

July 9th 1874.

3416 The State of Texas v. Matt. Burnham. And now on this day came the District atty on behalf of the State, and came also the Defendant in person and by atty and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county Consisting of E. D. Walker and eleven others who being tried elected and sworn according to law heard the Indictment read, the plea of not guilty thereto, the evidence, argument of Counsel and the charge of the Court, retired for deliberation, and thereupon returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty of murder in the first degree. E D Walker foreman." Whereupon it is ordered that said Defendant stand committed to the County Jail to await judgment and Sentence.

And Court adjourned till to-morrow at 9 A.M.

July 9th 1874

Court met at 9 o'clock AM pursuant to adjournment. Present Hon J Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had to wit.

3281 The State of Texas v. John Hughes. Dismissed

3282 The State of Texas v. John Rutledge Continued by the State.

3286 The State of Texas v Bill Peel. And now comes the District Atty on behalf of the State and came also the Defendant Bill Peel and announced ready for trial When came a Jury of twelve good and lawful men of Travis County Consisting of B F Fox and eleven others duly tried elected and sworn heard the plea of not guilty the evidence argument of Counsel and the charge of the Court and returned the following verdict to wit: "We the Jury find the Defendant not guilty W. F. Fox Foreman." Whereupon it is ordered that said Defendant Bill Peel go hence acquitted and discharged.

And Court adjourned till to-morrow at 9 AM

July 10th 1874

Court met at 9 o'clock AM pursuant to adjournment. Present Same as on yesterday. Whereupon the following proceedings were had to wit:

3429 The State of Texas v. P. Morgans. And now on this day came the District Atty on behalf of the State and came also the Defendant in person and announced ready for trial - the defendant appearing also by Attorney. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of T. J Pitt and eleven others who being tried elected and sworn according to Law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation and thereupon said Jury came into Court and returned the following verdict to wit: "We the Jury find the defendant guilty of murder in the 2d degree and affix the punishment at 6 yrs in the State Penitentiary T J Pitt foreman." Whereupon it is ordered that said Defendant stand committed to the County Jail to await judgment and Sentence.

And Court adjourned till to-morrow at 9 A.M.

July 11th 1874

Saturday July 11th 1874.

Court met at 9 o'clock a.m. pursuant to adjournment. Present Hon. J. P. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had to wit:

3929 Christian Fiehn v. Archer & Meyer. Come the parties by their attys when came on to be heard the motion of the plaintiff to reform the judgment in this case which being heard and considered it is ordered that said motion be overruled. Whereupon said plaintiff gives notice in open Court of an appeal to the Supreme Court.

3121 State of Texas v. Jim Clements. Come the parties by atty when defendant submitted his motion for a new trial which being heard and considered it is ordered that said motion be overruled.

3888 W C Hamilton v. J. P. McArthur et al. Come the parties by atty when Defendants submitted their motion for a new trial which being heard and considered it is ordered that said motion be overruled whereupon said Defendants give notice in open Court of an appeal to the Supreme Court.

3156 The State of Texas v. Wiley Stout. And now come the parties by their attys when Defendant submitted his motion for a new trial which being heard and considered it is ordered that said motion be overruled and thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3156 The State of Texas v. Wiley Stout. And now come the parties by their attorneys when the defendant submitted his motion in arrest of the judgment which being heard and duly considered it is ordered that said motion be overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3416 The State of Texas v. Mat. Burnham. Come the parties by attys when the Defendant submitted his motion for a new trial which being heard and duly considered it is ordered that said motion be overruled. Whereupon the defendant gives notice in open Court of an appeal to the Supreme Court.

3868 The State of Texas v. R. T. Scogin et al. On this day came for hearing defendants motion for a new trial, which being considered it is ordered that said motion be overruled.

3850 The State of Texas v. A. S. Mair. Continued by Consent.

3998 John L. Raymond et al. v. W. E. Hopkins et als. On this day came on to be heard the Report of the Commissioners appointed by the Court by decree of the same entered in this Cause on the 23rd day of June 1874 for the purposes as stated in said decree said Report being as follows: to wit:

John L. Raymond et al. v. W. E. Hopkins et als. We the undersigned Commissioners appointed by the Court to partition the lot of land described in the foregoing and attached copy of the decree of partition made in said cause make the

July 11th 1874

following Report that said lot of land being a narrow strip of only 35 feet in width we find that the Dame is not capable of a fair just and equal division We have therefore examined the improvements made upon said lot of land and after an inspection thereof we value the improvements made on said lot at-
Six hundred and fifty Coin Dollars. Thos C Sneed. R. J. Montgomery. S H Duckett
Sworn to and subscribed before me June 30 1874. "J P Brown Clk."
And it appearing that said Report is in all things in accordance with law, and that said Commissioners have discharged their duties as required in said decree under which they were acting it is therefore ordered and adjudged that said Report be in all things confirmed and the same be made a part of this Decree. And the Court being satisfied that the land to be partitioned is not capable of a fair, just and equal division among the part owners of the same, and it further appearing from said Report that the improvements made on said land are worth the Sum of six hundred and fifty Coin dollars it is therefore further ordered and decreed that the Sheriff of Travis County be and he is hereby authorized and directed to advertise said land and the improvements on the same for sale by advertisement for twenty days posted up at three public places in Travis County one at the Courthouse thereof and at the time and place for Sheriffs Sales in Travis County to sell said land and the improvements on the same, at public auction to the highest bidder for Cash in Coin and report said sale at the next term of this Court for Confirmation and it is further ordered that this Cause be continued until the next term of this Court

No 3738. Jas P Morris et. al. vs E. T. Eggleston et al. On this day Came on to be heard the Report of the Special Commissioner P DeCordova in reference to sale of personal property made by him as provided for in the decree of this Court in this Cause rendered Nov. 6. 1873 which Report is in words and figures as follows, to wit.

P deCordova, Receiver in a/c with the heirs of R. J. Townes.

Nett proceeds of sale at Auction of old furniture & Books		26.15
Sales of Cattle by Morris & Coons		17.50
Sale of Cattle in Paige		100.00
	Specie	143.15
Advertising house for sale $25		
Commissions 10%	14.30	39.30
Bal. on hand subject to order of Court		103.85

The above shows the Amount of money which has come into my hands as Receiver in the above entitled Cause. I have used due diligence in endeavoring to dispose of this property by advertising without receiving any offer. The undersigned makes this Statement of facts and asks further time to dispose of the Real Estate. The proposition to rent this property has been made several times but the Receiver believes he has no authority under the decree to entertain. All of which is respectfully submitted

July 13th 1874

And all the parties to this Cause both plaintiffs and Defendants being now here and it appearing to the Court that said above copied Report ought to be in all things confirmed it is therefore ordered adjudged and decreed by the Court that said above copied Report be in all things confirmed, and that said Commissioners P de Cordova be required to pay over to the Clerk of this Court the sum of One hundred and three $^{83}/_{100}$ Dollars in Coin being the amount rebated subject to the order of this Court as appears from his said report and that the Clerk of this Court be required to sell said $103^{83} in Coin for U. S. Currency and apply the U. S. Currency thus obtained as follows to wit. 1st Pay all Court Costs to date of this proceeding from its reception 2nd the remainder if any he will pay over to the parties authorized to receive it in equal portions and amounts for the benefit of the minor parties to this Cause Pattie E, Allen R, N. Cobbs and Edward T. Townes It is further ordered that the Commissioners P de Cordova be allowed further time to make sale of the real estate and improvements thereon situated as provided for in the decree of this Court heretofore rendered at the 6th Nov. 1873, and that he and is hereby authorized to rent the land & house and other improvements thereon situated until he can make a sale thereof if in his judgment he thinks it advisable, but such renting if made must not interfere with or delay any sale of said land and buildings which he may be able to make. It is further ordered that this Cause stand Continued until the next term of this Court.

3843 The Chancellors v. A Bledsoe et. als. On motion it is ordered that the order entered at a former day of this term Setting aside the order dismissing this Cause for want of compliance with the rule for Cost be set aside: that the Cause be reinstated upon the docket, and Cause continued

3136 The State of Texas v. Wiley Stout. And now comes the Defendant and it appearing that said Wiley Stout has been found guilty by the Jury who tried his case of the crime of murder in the second degree and his punishment ofexed at confinement in the Penitentiary for a term of ten years. it is considered by the Court that said Wiley Stout is guilty of Felony as in the Indictment in this behalf is charged and because said defendant has given notice of appeal to the Supreme Court, it is ordered that Sentence be suspended to await the result of said appeal.

3416 The State of Texas vs Matt. Burnham. And now comes the Defendant and it appearing that said Matt. Burnham has been found guilty by the jury who tried his case of the crime of Murder in the first degree, it is considered by the Court that said Matt. Burnham is guilty of felony as in the indictment in this behalf is charged, to wit- of Murder in the first degree. And because said Defendant has given notice of an appeal to the Supreme Court, it is ordered that Sentence be suspended to await the result of said appeal.

And Court adjourned till Monday morning at 9 Am

Monday July 13th 1874

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon.

July 13th 1874

J. P. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

3305 State of Texas v. Bacchus. Come the parties and announce ready for trial when came a Jury of 12 good and lawful men of Travis county consisting of J A Black foreman others who being tried elected and sworn, heard the Indictment plea of not guilty the evidence, argument of Counsel & the charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant not guilty. J A Black Foreman." Whereupon it is ordered that said Defendant go hence acquitted and discharged.

3221 The State of Texas v. Riley Haynes. Dismissed

3293 The State of Texas v. Ezell et al Dismissed

3294 The State of Texas v. R. Marion Continued

3295 The State of Texas v. Rello Real Continued

3303 The State of Texas v. W. Esper. Continued by the State.

3309 The State of Texas v. Geo. Stauber. Dismissed

3310 The State of Texas v. Carr. Continued by State

3320 The State of Texas v. H. Green. Continued by State.

3322 The State of Texas v. Capt. Thompson. Dismissed

3323 The State of Texas v. H. Kleuert. Continued by the State.

3327 The State of Texas v. Brady. Continued by the State.

3379 The State of Texas v. James Rawles. Dismissed

3463 The State of Texas v. Riley Haynes Dismissed

3420 The State of Texas v. Major Chambers And now comes the State by the District Atty and the Defendant in person and also by atty and announced ready for trial. When came a Jury of 12 good and lawful men of Travis county Consisting of J. Stevens and eleven others who being tried elected & sworn according to law heard the Indictment the plea of not guilty the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at two years in the State Penitentiary J. Stevens Foreman." Whereupon it is ordered that said Defendant be committed to the County Jail to await Judgment and Sentence.

3436 The State of Texas v. Harry Smith. And now comes the State by the District Atty and the Defendant in person and also by atty and announced ready for trial. when came a Jury of twelve good and lawful men of Travis County consisting of Val C. Giles and eleven others who being tried elected & sworn according to law heard the Indictment, the plea of not guilty the evidence argument of Counsel and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Deft guilty and affix the punishment five years in the Penitentiary Val C Giles foreman." Whereupon it is ordered by the Court that said Defendant Stand Committed to the County Jail to await the judgment and Sentence of the Court.

July 13th 1874.

3331 The State of Texas v. Ike Jones. Come the parties and announce ready for trial and
X waiving a Jury submit the case to the Court. And Defendant pleads guilty. Where-
upon it is ordered that the State of Texas recover of Ike Jones the sum of Ten
Dollars as a fine and the Cost of the prosecution and that a Commitment issue to
collect the same.

3335 The State of Texas v. Mose Mitchell. Come the parties and announce ready for
X trial and waiving a Jury submit the Case to the Court. And Defendant pleads
guilty. Whereupon it is ordered that the State of Texas recover of Mose Mitchell the
sum of ten Dollars as a fine and the Cost of the prosecution and that a Commitment
issue to collect the same.

3341 The State of Texas v. John Brown. Come the parties and announce ready for trial
X and waiving a Jury submit the case to the Court. And Defendant pleads guilty.
Whereupon it is ordered that the State of Texas recover of John Brown the sum of ten
dollars as a fine and the cost of the prosecution and that a Commitment issue to
collect the same.

3342 The State of Texas v. Bob. Roberts. Come the parties and announce ready for trial
X and waiving a Jury submit the case to the Court. And Defendant pleads
guilty. Whereupon it is ordered that the State of Texas recover of Bob. Roberts
the sum of ten dollars as a fine and the cost of the prosecution and that a
Commitment issue to collect the same.

3343 State of Texas v. Julius Quast. Continued by the State.

3344. State of Texas v. Dr. Hadra. Dismissed

3347. State of Texas v. James Burditt. Continued by Defendant.

3517. State of Texas v. Chas Boatman Come the parties & announce ready for trial &
X waiving a Jury submit the case to the Court. And Defendant pleads guilty. Where-
upon it is ordered that the State of Texas do recover of said Charles Boatman the
sum of ten dollars as a fine and the cost of the prosecution and that a
Commitment issue to collect the same.

2873 The State of Texas v. Sid. Jones. Come the parties and announce ready for trial
X and waiving a Jury submit the case to the Court. And Defendant pleads guilty
Whereupon it is ordered that the State of Texas do have and recover of Sid Jones
the sum of ten dollars as a fine and the cost of the prosecution & that a Com-
mitment issue to collect the same.

3224. The State of Texas v. Dan Givens. Come the parties and announce ready for trial
X and waiving a Jury submit the case to the Court. And Defendant pleads guilty.
Whereupon it is ordered that the State of Texas recover of Dan Givens the sum of ten
dollars as a fine & the cost of the prosecution & that a Commitment issue to collect same.

3480 The State of Texas v. Frank Britton. Comes the parties and announce ready for trial
X and waiving a Jury submit the case to the Court. And defendant pleads guilty. Where-
upon it is ordered that the State of Texas recover of Frank Britton the sum of
ten dollars as a fine and the cost of the prosecution and that a Commitment
issue to collect the same.

July 14th 1874.

3531 The State of Texas vs Wash. White. And now comes the State and the Defendant by atty and in person and announced ready for trial. When came a jury of twelve good and lawful men of Travis county consisting of Milton Wallis and eleven others who being tried, elected & sworn according to law heard the indictment, the plea of not guilty the evidence, argument of counsel and the charge of the Court and retired for deliberation. And thereupon said jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment to imprisonment in the State Penitentiary for five years Milton Wallis, Foreman." Whereupon it is ordered that said Defendant stand committed to the county jail to await judgment and sentence.

3332 The State of Texas vs Julius Masmann. Continued by the State.

3477. The State of Texas v. Dog b. Continued

3315 The State of Texas v. Henry Brown. This cause being called for trial the Defendant Henry Brown failing to appear and answer to the indictment in this case he and his securities J.B. Weems being distinctly called at the door of the Courthouse of Travis County, and the defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Henry Brown with the said J.B. Weems as his security did execute the Bail Bond on file in this case substantially as follows: Dated day of June 1874 payable unto the State of Texas in the sum of One Hundred Dollars Conditioned that the said Defendant Henry Brown make his personal appearance at the District Court of said County of Travis forthwith then in session to answer the indictment preferred against the said Defendant Henry Brown by the Grand Jurors of Travis County at the February Term A D 1874 for Betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited, And it is considered by the Court that the State of Texas do have and recover of the said Henry Brown principal, and his security J.B. Weems the said sum of One Hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Henry Brown did not appear. And further ordered that citations do issue to the said Security.

And Court adjourned till to morrow at 9 A.M.

Tuesday July 14th 1874

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

3535 The State of Texas v. Tom Houghton. And now on this day comes the District Atty for the State and came the defendant in person and also by atty and announced ready for trial. When came a jury of twelve good & lawful men of Travis County consisting of E.D. Walker and eleven others, who being tried, elected and Sworn according to law, heard the Indictment, the plea of not guilty the evidence, argument of Counsel and the charge of the Court,

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retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit. "We the Jury find the Defendant not guilty. C.D. Walker foreman." Whereupon it is ordered that said defendant go hence acquitted and discharged.

3441 The State of Texas v. J. D. McGee. And now comes the District Atty and the Defendant in person and by atty and announced ready for trial, whereupon came a Jury of twelve good and lawful men of Travis County consisting of J.K. Houghton and eleven others, duly tried, elected and sworn according to Law, who having heard the indictment, the plea of not guilty, the evidence, argument of counsel and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit. "We the Jury find the Defendant not guilty J.K. Houghton Foreman."

Whereupon it is ordered that said Defendant go hence acquitted and discharged

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3349 The State of Texas v. J A Burns. Dismissed

3351 The State of Texas v. J. Farrell Dismissed

3358 The State of Texas v. Rogan Costs by the State.

3359 The State of Texas v. C. Banks. Costs by the State.

3363 The State of Texas v. Albert Costs by the State.

3365 The State of Texas v. Alf Gardner. Dismissed

3366 The State of Texas v. F Reichman Costs by the State.

3379 The State of Texas v. H Green Costs by the State.

3381 The State of Texas v. Geo Swenson Dismissed

3385 The State of Texas v. Ben Sawyer Dismissed

3387 The State of Texas v. Andrew Steele Dismissed

3391 The State of Texas v. C Peterson Service Returned Cost for service

3392 The State of Texas v. Chico Dismissed

3393 The State of Texas v. Kirchgessner Dismissed

3395 The State of Texas v. H Starr. Dismissed

3396 The State of Texas v. R C McLaren et al Dismissed

3401 The State of Texas v. A.S. Donnan Dismissed

3404 The State of Texas v. Wm J Cox Dismissed

3407 The State of Texas v. J Dixon Dismissed

3408 The State of Texas v. A H Longley Costs for service

3409 The State of Texas v. A H Longley Costs for service

3411 The State of Texas v. T Haney. Come the parties and announced ready for trial & waiving a Jury submit the Case to the Court and defendant plead guilty. Whereupon it is ordered that the State of Texas recover of said T. Haney the sum of Twenty dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

3412 The State of Texas v. Manskee Dismissed

3415 The State of Texas v. Ashton. Come the parties by their attys and announce ready for trial and then came a Jury of 12 good and lawful men of Travis County

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consisting of E D Walker and eleven others, who being tried, elected & sworn according to law heard the indictment, plea of not guilty the evidence, argument of Counsel and the charge of the Court retired for deliberation and thereupon said jury returned into Court the following verdict to wit: "We the Jury find the Deft guilty and assess the fine at ten Dollars & to E. D. Walker foreman" Whereupon it is ordered that the State of Texas recover of said Ashton the sum of ten dollars and the cost of this prosecution and that a Commitment issue to collect the same

3475 State of Texas v. Rhoads Whitis. Costs for Defendant

3428 State of Texas v Ed Grooms Costs for Defendant

3430 State of Texas v. Maj Vand. Graaf Costs by Consent

3431 State of Texas v. L E Edwards Continued

3433 State of Texas v. Wynne & Jackman Dismissed

3439 State of Texas v Jack Houston. Costs for Defendant

3440 State of Texas v. Jack Houston. Costs for Defendant

3442 State of Texas v. Woods & Dunleson. Dismissed

3457 State of Texas v. Bob Herndon. Continued

3453 State of Texas v Jo Wadsworth. Continued by Defendant

3456 State of Texas v. Jo. Lee. Dismissed

3462 State of Texas v. Maj. Van D Graaf Continued by Deft.

3464 State of Texas v. Lee Elliott Dismissed

3465 State of Texas v. Jo. Purlee. Costs by Deft

3469 State of Texas v. Jo. Hallum. Dismissed

3476 State of Texas v. B H Davis. Come the parties and announce ready for trial and
X waiving a Jury submit the Case to the Court and Defendant pleads guilty. Whereupon
it is ordered that the State of Texas recover of said B H Davis the sum of Ten
Dollars as a fine & the Cost of the prosecution & that a Commitment issue to collect same.

3478 State of Texas v. Sanders. Continued by the Defendant.

3481 State of Texas v. Corey. Continued by the State.

3485 State of Texas v. Alex. Sampson. Dismissed

3487 State of Texas v. Ike V. Jones. Come the parties and announce ready for trial
X and waiving a Jury submit the Case to the Court And Defendant pleads
guilty. Whereupon it is ordered that the State of Texas have and recover of
Ike V. Jones the sum of Ten Dollars as a fine and the Cost of the prosecution
and that a Commitment issue to collect the same.

3492 State of Texas v. Watt Good. Costs by Deft

3496 State of Texas v. Clay Eaves. Costs by Deft

3499 State of Texas v. Geo. H. Gray Dismissed

3508 State of Texas v. Wash White. Dismissed

3516 State of Texas v. Billy Wilson. Continued

3519 State of Texas v. L E Edwards Come the parties & announce ready for trial or waiving a Jury submit
X the Case to the Court And Defendant pleads guilty. Whereupon it is ordered that the State
of Texas recover of said L E Edwards the sum of Ten Dollars as a fine and the

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cost of the prosecution & that a Commitment issue to collect the same

3530 State of Texas v. Wash. White. Dismissed

3532 State of Texas v Wash. White. Dismissed

3564 State of Texas v. C. Kleinsmith Cont'd by consent.

3522 State of Texas v. Frank Cotton and now come the parties by their attorneys & announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of H Clay Evans and eleven others who being tried, elected & sworn according to law, heard the indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess his fine at thirty Seven Dollars and fifty cents. H Clay Evans Foreman"

Whereupon it is ordered that the State of Texas do have and recover of said Frank Cotton the sum of thirty Seven Dollars and fifty cents and all the cost of this prosecution and that a Commitment issue to collect the same.

4101/7 W R Hampton et al vs Isaac A Hampton. In the District Court of Travis County 11th day of July A.D. 1874. This day came the plaintiffs in the above entitled & numbered cause and the defendant in his own proper person came and the Court having, on the joint motion & application of both the plaintiffs & the defendant set aside the decree entered in said cause at a previous day of the present term of this court and the petition of the plaintiffs having by permission of the Court thereupon been amended so as to make Milton F Hampton on his petition a party plff in said cause and thereupon the said cause coming on to be heard and all the plaintiffs by their attorneys and the defendant in his own proper person consenting to a decree in said cause as in the petition prayed and as to the Court may seem right and proper in the premises it is therefor considered ordered & decreed by the Court that the property mentioned in the plaintiffs petition shall be partitioned & divided to and among the plaintiffs & defendants and the title to the several parts of the same when partitioned be vested in the several parties receiving the same, as it may be allotted them the said property being as follows to wit— One hundred & sixty acres of land known as the D & Hampton pre-emption survey in Travis County. One Hundred & sixty acres of land known as the J T Love survey in Travis County— One Hundred & Sixty acres of land on Sandy Creek in Travis County known as the Francis Harris survey which has been sold by the defendant for two hundred & fifty dollars coin. 30 acres of land on the Dover league in Williamson County 86 head of horses more or less running on the range embrace 10 head of horses saddle & work animals. 56 head of stock cattle 1 horse sold for which defendant received $60 dollars 7 head of cattle sold for seven dollars each received by defendant 50 head of hogs 1 wagon and

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23 bee gums all of which the parties to this suit admit to be the community property of the defendant and his late wife Charlotte Hampton deceased And John Forbess, George Draper and Jeremiah Gregg are hereby appointed commissioners to make partition thereof as follows to wit They shall first take and subscribe an oath before any person authorized to administer an oath, that they will appraise said property and partition the same under this decree fairly and justly from personal examination or evidence to be taken by them on oath of witnesses they shall then appraise said property taking care to appraise none that has been sold by the defendant at a less value than has been received by him for the same and they shall then set apart to the defendant one half thereof according to their appraisement including the family homestead and the property sold by him also if the latter shall not make an excess of one half and of the other half of said property they shall set apart and deliver one eighth part in value to each of the plaintiffs Mary A Dunn Wm R Hampton and Milton T Hampton and the balance thereof they shall set apart in one lot or parcel carefully describing the same to the five plaintiff who are minors to wit, John H. Hampton Eliza J Hampton Isaac A Hampton Jr. Charlotte B Hampton and Christopher C Hampton their said part to be and remain in charge of the defendant on his giving bond and security as herein further provided And at the earliest practible period said commissioners shall report to this Court the oath taken and subscribed by them and attached thereto also a report in writing signed by them of their appraisement of said property and how they have partitioned the same And for the purpose of said appraisement partition and delivery it is ordered and decreed that the defendant shall on demand of said commissioners produce & deliver to them such of said property as may be in his possession for appraisement and delivery to the party to whom they may set the same apart and such of the live stock of said property as may be running on the range and not in the actual possession of the defendant said commissioners shall have gathered if they find it necessary or as far as they may find it necessary for the purposes of partition having careful regard to economy of expense in so doing & rendering to this Court an account of the expense of the same that the same when approved by this Court may be adjudged as costs of this suit against the parties to the same And it is further ordered and decreed that the defendant shall, on the approval by this Court of the report of said commissioners enter into bond with two or more good & sufficient securities to be approved by the Clerk of this Court, payable to said John H Hampton

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Eliza J Hampton Isaac A Hampton Jr Charlotte B Hampton and Christopher C Hampton jointly and severally in double the amount of the value of the property set apart to them, conditioned that if he shall carefully preserve and account for said property and its increase and deliver the same to them to each his share as he comes of age, then the bond to be void, but otherwise of full force effect. And on his failure to give such bond he shall at once turn over and deliver to such guardian as this Court may appoint for said minors the property which may be set apart to them, which may be in his possession

And it is further ordered and decreed that the costs of this suit shall be paid by the several parties to the same as follows to wit: One half by the defendant and one sixteenth by each of the plaintiffs and that execution issue therefor to be levied and collected from each party out of the property set apart to him or her in the partition

And Court adjourned till to morrow morning at 9 o'clock

Wednesday July 15th 1874

Court met at 9 o'clock AM pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had to wit:

3299 The State of Texas v. Dave Hart. This cause being called for trial the Defendant Dave Hart failing to appear and answer to the indictment in this case heard his security Jno M. Swisher being distinctly called at the door of the Court-house of Travis County and the Defendant after a reasonable length of time still failed to appear And it appearing to the Court that the Defendant Dave Hart with the said Jno M. Swisher as his security did execute the Bail Bond on file in this case substantially as follows. Dated day of February 1874 payable unto the State of Texas in the sum of One hundred Dollars conditioned that the said Defendant Dave Hart make his personal appearance at the District Court of said County of Travis forthwith then in session to answer the indictment pefered ajainst the said Defendant Dave Hart by the Grand Jurors of Travis County at the February Term AD 1874 for Betting at a Gaming Bank called Monte and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited - And it is considered by the Court that the State of Texas do have and recover of the said Dave Hart principal, and his security Jno M. Swisher, the said sum of One Hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Dave Hart did not appear. And further ordered that citation do issue to the said security.

3300 The State of Texas v. Al Rust. This cause being called for trial the Defendant Al Rust failing to appear and answer to the indictment in this case he and his security A P Blocker being distinctly called at

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the door of the Courthouse of Travis County, and the Defendant after a reasonable length of time still failed to appear And it appearing to the Court that the Defendant Al. Rust with the said A P Blocker as his security did execute the Bail Bond on file in this case substantially as follows Dated 20th day of June 1874 payable unto the State of Texas in the sum of One hundred Dollars conditioned that the said Defendant Al Rust make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said defendant Al Rust by the Grand Jurors of Travis County at the February term A D 1874 for Betting at Monte, and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court - which said Bond is forfeited And it is Considered by the Court that the State of Texas do have and recover of the said Al Rust principal, and his security A P Blocker the said sum of One hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Al Rust did not appear And further ordered that citation do issue to the said security

3535 The State of Texas v. Warren Davis et als ordered that this cause be dismissed
X as to the Defendant Paston And thereupon come Tom Moore and Warren Davis and announce ready for trial & waiving a jury submit the case to the Court. And said Moore & Davis having retaked, plead guilty Whereupon it is ordered that the State of Texas recover of said Tom Moore and Warren Davis the sum of Five Dollars each and all the cost of this prosecution and that Commitments issue against them respectively. Cont'd as to Sawyer

2818 State of Texas v. John Johnson. And now comes the District Atty and the Defendant in person and also by atty and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis County consisting of W. Hopkins and eleven others who being tried elected and sworn according to Law heard the indictment the plea of not guilty, the evidence, argument of Counsel and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the jury find the Defts. guilty and assess the punishment at two years in the Penitentiary W. Hopkins, Foreman."

Whereupon it is ordered that the Defendant stand Committed to the County Jail to await Judgment and Sentence.

3390 The State of Texas v. Al. Rust. ordered, on motion that the forfeiture entered in this case on yesterday be set aside & cause continued

3424 The State of Texas v. Perry Zachary. And now comes the District Atty on behalf of the State & came also the Defendant in person and by atty & announced ready for trial and then came a Jury of 12 good & lawful men of Travis County consisting of E. D. Walker and seven others who being tried elected & sworn according to law heard the indictment, the plea of not guilty the evidence, argument of counsel & the

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charge of the Court and retired for deliberation. Whereupon said Jury returned into Court the following verdict to wit:

"We the Jury find the Defendant guilty and assess the punishment at two years in the Penitentiary. E. D. Waelin Foreman."

Whereupon it is ordered that the Defendant stand Committed to the County Jail to await Judgment & Sentence.

3560 The State of Texas v. Lank Jackson. And now comes the District Atty and the Defendant in person and announced ready for trial and waiving a ~~jury~~ then came a jury of 12 good and lawful men of Travis County, consisting of H. C. Eaves and eleven others who being tried elected and sworn according to law, heard the indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the defendant guilty of a simple assault and assess his fine at ten dollars. H. C. Eaves foreman" Whereupon it is ordered that the State of Texas recover of said Lank Jackson the sum of ten dollars and the cost of the prosecution & that a Commitment issue to collect the same.

4006 J. W. Hamig v. Jesse Stancil and A. G. Shelley. And now on this day came the pff by his atty the cause being called for trial and announced ready. And the defendant came not. And then came a Jury of twelve good and lawful men of Travis County consisting of F. M. Lewis Foreman and eleven others who being tried, elected and sworn according to law, heard the petition the evidence and the charge of the Court, and returned the following verdict, to wit: "We the Jury find for the plaintiff J. W. Hamig the sum of One hundred and fifty Six Coin dollars and fifty Cents, principal and interest, against both of the Defendants J. Stancil and A. G. Shelley and further find that Defft. Shelley is only liable as security. F. M. Lewis Foreman." Whereupon it is ordered and decreed that J. W. Hamig do have and recover of the said Jesse Stancil and A. G. Shelley the said sum of One hundred. Fifty Six & 50/100 Coin dollars together with the cost hereof to be taxed for which execution may issue. And it appearing that said A. G. Shelley is not a principal debtor, but only security for said Stancil it is ordered that said A. G. Shelley do have and recover of said Jesse Stancil the sum of One hundred fifty Six 50/100 Coin Dollars and the cost of this suit: and in the event said Shelley shall be compelled to pay this judgment or any portion thereof then he shall have execution against said Stancil for the same or any portion thereof that he may be compelled to pay.

3430 The State of Texas v. Newton a Butcher. This cause being called for trial the Defendant Newton a Butcher, alias W. B. Newton failing to appear and answer to the Indictment in this case he and his securities J. Lamb and G. W. Tinney being distinctly called at the door of the Courthouse of Travis County and the defendant after a reasonable length of time still failed to appear And it appearing to the Court that the Defendant Newton with the said J. Lamb and G. W. Tinney as his securities did execute

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the bail bond on file in this case Substantially as follows. Dated 20th day of June 1874 payable unto the State of Texas in the sum of One hundred Dollars conditioned that the said Defendant Newton make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said defendant Newton by the Grand Jurors of Travis county at the June term A D 1874 for Betting at Monte and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court, which said bond is forfeited And it is Considered by the Court that the State of Texas do have and recover of the said W. B. Newton, principal, and J. Camp and G. W. Tinney sureties the sum of One Hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Newton did not appear And further ordered that Citations do issue to the said securities

3474 The State of Texas v. Giles Burditt Jr. This cause being called for trial the Defendant G H Burditt Jr failing to appear and answer to the Indictment in this case he and his securities C. W. Hooker and W L Hill being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time Still failed to appear And it appearing to the Court that the Defendant G H Burditt Jr with the said C. W. Hooker and W L Hill as his Securities did execute the Bail Bond on file in this case substantially as follows Dated 17th day of June 1874 payable unto the State of Texas in the sum of One Hundred Dollars, conditioned that the said defendant G H Burditt Jr make his personal appearance at the District Court of said County of Travis then in sesion to answer the indictment preferred against the said defendant G H Burditt Jr. by the Grand Jurors of Travis County at the June Term A D 1874 for Betting at Monte and there remain from day to day and from term to term of said Court & that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is Considered by the Court that the State of Texas do have and recover of the said G. H. Burditt Jr. principal, and C W Hooker and W. L Hill Securities the said Sum of One hundred Dollars and that this judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant G H Burditt Jr. did not appear And further ordered that Citations do issue to the said Securities.

3488 The State of Texas v. Paul Deats. This cause being called for trial the defendant Paul Deats failing to appear and answer to the indictment in this Case he and his Securities Joseph Lee being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time Still failed to appear. And it appearing to the Court that the Defendant Paul Deats with the said Joseph Lee as his security

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did execute the Bail Bond on file in this case substantially as follows. Dated 11th day of June 1874. payable unto the State of Texas in the sum of One hundred Dollars conditioned that the said Defendant Paul Deats make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Paul Deats by the Grand Jurors of Travis County at the June Term A.D 1874 for Playing Cards in a Public Place, 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, which said Bond is forfeited. And it is Considered by the Court that the State of Texas do have and recover of the said Paul Deats Principal and Joseph Lee Security the sum of One hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Paul Deats did not appear and further ordered that Citation do issue to the said Security

And Court adjourned till to-morrow at 9 o'clock am

Thursday July 16th 1874.

Court met at 9 o'clock am pursuant to adjournment. Present same as yesterday. Whereupon the following proceedings were had to wit:

3895 The State of Texas v. D. N. Baker et als. And now comes the Pleff by his atty & announced ready for trial and then came a Jury of twelve good & lawful men of Travis county Consisting of Val. C. Giles & eleven others who being tried, elected & sworn according to law heard the pleadings the evidence & the charge of the Court and returned the following verdict to wit: "We the Jury find for the Pleff Seventy two 00 dollars. Val. C. Giles foreman" Whereupon it is ordered that the State of Texas do have and recover of the Defendants James B. Cope, John B. Rector, C.L. Rector, D. N. Baker, John J. Smith and R. F. Campbell the sum of Seventy two dollars & all the cost of this suit, for which execution may issue.

3907 ~~Julius~~ W. Honston v. Alfred Evans. This cause being called for trial comes the Pleff & announces ready. When came a Jury of 12 good & lawful men of Travis County, consisting of J. M. Lewis & eleven others who being tried elected & sworn according to law heard the pleadings the evidence & the charge of the Court & returned the following verdict, to wit: "We the Jury find for the Pleff the amt of the note & interest upon the execution being $243 82/100 dollars We also find the note was given for the land described in Pleffs petition. J. M. Lewis Foreman." Whereupon it is ordered that Julius W Honston recover of Alfred Evans the sum of two hundred forty three 82/100 Dollars, with ten per centum per annum interest thereon from this date until paid & all the cost herein to be taxed for which execution may issue. And it appearing that the Pleff has a lien upon the following described real estate to secure the payment of the said judgment rendered herein, to wit: 200 acres of land out of the Alexander McKenzie head of land patented to John W. Honston as his assignee and situated on Davis creek in Bell County and more particularly described as follows to wit: Beginning at the lower S. E. corner of said McKenzie head of land at a stake from which an Elm marked E bears N. 21 W. 100 vrs thence N. 71 W. 625 vrs with the S. line of said

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McKenzie to a marked line. thence N. 19° E. a sufficient distance so that a line S. 71 E to the E. line of said McKenzie tract of land, will include the said amt of two hundred acres— It is ordered that said lien be foreclosed, and that an order of sale issue commanding the Sheriff of Bell county to levy upon and sell, as under execution, the above described Real Estate, and the proceeds thereof he shall apply to the satisfaction of the judgment rendered herein, the interest to accrue, and the cost, and the remainder if any he shall pay over to the Defendant.

3422 The State of Texas v. James O'Brien. Costs by the State. Bail $100

3438 The State of Texas v. D. J. O'Brien. Costs by the State. Bail $100

3466 The State of Texas v. Gardner. Come the parties & announce ready for trial & waiving a jury submit the case to the Court. And Deft. pleads guilty. Whereupon it is ordered that the State of Texas recover of said Gardner the sum of ten dollars as a fine & the cost of the prosecution, & that a Commitment issue to collect the same.

X

3542 The State of Texas v. Billy Wilson. Costs

3543 The State of Texas v. Billy Innis. Costs

3544 The State of Texas v. Jo Hallum. Dismissed

3546 The State of Texas v. John Ryan. Dismissed

3547 The State of Texas v. John Summerville Dismissed

3552 The State of Texas v. G. W. Davenport. Dismissed

3553 The State of Texas v. T. A. Johnson. Costs by Consent.

3554 The State of Texas v. C. Hallman. Dismissed

3557 The State of Texas v. C. Hallman. Dismissed

3559 The State of Texas v. Neal Cain. Continued

3563 The State of Texas v. Chas Coney. Continued

3197 The State of Texas v. Bob Shaw. The parties came & announced ready for trial and waiving a Jury submit the case to the Court. and Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Bob Shaw the sum of ten dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

X

3299. The State of Texas v. Dave Hart. Ordered that the forfeiture entered in this case be set aside, & that the cause be dismissed from the Docket.

3315 The State of Texas v. Henry Brown. Ordered that the forfeiture be set aside & cause cont'd

3426 The State of Texas v. Amanda Williams. Comes Amanda Williams as principal, and Milton Wallace and Anthony Burdett as securities and acknowledge themselves jointly & severally justly to owe & be indebted unto the State of Texas in the sum of three hundred Dollars to be levied upon their Goods and Chattels Lands tenements and estate But to be void upon condition that said Amanda Williams make her personal appearance before the District Court of Travis County now in session & there remain from day to day and from term to term thereafter to answer the indictment preferred against said Amanda Williams by the Grand Jury of Travis county at the June term 1874 of the District Court of said County, for the theft of a Watch and that she do not depart the Court without leave.

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3455 The State of Texas v. Billy Patterson. This cause being called for trial the defendant W. T. Patterson alias Billy Patterson failing to appear and answer to the indictment in this case and his securities J. H. Robinson and J. M. Pratt being distinctly called at the door of the Courthouse of Travis County, and the defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the defendant Billy Patterson with the said J. H. Robinson and J. M. Pratt as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 12th day of June A.D. 1874 payable unto the State of Texas in the sum of One Hundred Dollars conditioned that the said defendant W. T. Patterson make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant W. T. Patterson, by the Grand Jurors of Travis County at the June Term A.D. 1874 for Playing Cards in a public place, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said W. T. Patterson principal, and J. H. Robinson and J. M. Pratt, securities, the said sum of One Hundred Dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said defendant W. T. Patterson alias Billy Patterson, did not appear. And further ordered that citations do issue to the said securities

3525 The State of Texas v. F. Otten. This cause being called for trial the defendant F. Otten failing to appear and answer to the indictment in this case he and his securities Wm Windy and Julius Schutze being distinctly called at the door of the Courthouse of Travis County, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant F. Otten with the said Wm Windy and Julius Schutze as his securities did enter into recognizance in open Court in this case substantially as follows: Dated 3d day of July 1874 payable unto the State of Texas in the sum of five hundred dollars conditioned that the said Defendant F. Otten make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against the said defendant F. Otten by the Grand Jurors of Travis County at the June term A.D. 1874 for Perjury 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, which said Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said F. Otten, principal, and Wm Windy and Julius Schutze securities the said sum of Five Hundred Dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant F. Otten did not appear. And further ordered that citations do issue to the said securities

3539. The State of Texas v. Ed Cook. This cause being called for trial the defendant Ed. Cook alias C. F. Cook failing to appear and answer to the indictment in this case he and his security A. H. Cook being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the defendant Ed Cook with the said A. H. Cook as his security did execute the Bail Bond

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on file in this case substantially as follows. Dated 19th day of June 1874 payable unto the State of Texas in the sum of One hundred dollars, conditioned that the said defendant Ed Cook make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said defendant Ed Cook by the Grand Jurors of Travis county at the June term AD 1874 for Betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said Ed Cook principal, and A H Cook security the said sum of One hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Ed Cook did not appear And further ordered that citation do issue to the said security.

3541 The State of Texas v. John Stringer. This cause being called for trial the defendant John Stringer failing to appear and answer to the indictment in this case he and his securities J M. Miller and Sam K. Richards being distinctly called at the door of the Courthouse of Travis County, and the defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant John Stringer with the said J. M. Miller and Sam K. Richards as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 23d day of June AD 1874 payable unto the State of Texas in the sum of One hundred dollars conditioned that the said defendant J C Stringer make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said defendant John Stringer by the Grand Jurors of Travis County at the June term A D 1874 for Betting at Monte and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said John Stringer principal and J. M. Miller and Sam K. Richards securities the said sum of One hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant John Stringer did not appear. And further ordered that citation do issue to the said securities

2818 State of Texas v. John Johnson. And now comes the defendant in open Court, and being asked if he had anything to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the jury who tried his case, and giving no sufficient reason it is ordered that said John Johnson is guilty of felony as in the indictment in this behalf is charged: and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of two years: and that the Sheriff take the body of the defendant and turn him over to the Superintendent of said Penitentiary for the purpose aforesaid

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3113 The State of Texas v. P. Jones. And now comes the Defendant in open Court and being asked if he had any thing to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case and giving no sufficient reason it is ordered that said P. Jones is guilty of Felony as in the Indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of three years and that the Sheriff take the body of the defendant and turn him over to the Superintendent of said Penitentiary for the purpose aforesaid.

3170 The State of Texas v. John Egell and Bob. Hagur. And now come the Defendants in open Court, and being asked if they had any thing to say why judgment should not be entered and sentence pronounced against them in accordance with the verdict of the Jury who tried their cases and giving no sufficient reason it is ordered that said John Egell and Bob. Hagur are each guilty of Felony as in the indictment in this behalf is charged. and that they be confined at hard labor in the Penitentiary of the State of Texas for a term of two years each, and that the Sheriff take the body of the Defendants and turn them over to the Superintendent of said Penitentiary for the purpose aforesaid.

3420 The State of Texas v. Major Chambers. And now comes the defendant in open Court, and being asked if he had any thing to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case. and giving no sufficient reason it is ordered that said Major Chambers is guilty of felony as in the indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of two years and that the Sheriff take the body of the Defendant and turn him over to the Superintendent of said Penitentiary for the purpose aforesaid.

3421 The State of Texas v. Nelson Jeffries. And now comes the Defendant in open Court, and being asked if he had any thing to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case - and giving no sufficient reason it is ordered that said Nelson Jeffries is guilty of Felony as in the indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of three years and that the Sheriff take the body of the Defendant and turn him over to the Superintendent of said Penitentiary for the purpose aforesaid

3429 The State of Texas v. B. Morgans. And now comes the Defendant in open Court, & being asked if he had anything to say why judgment should not be entered & Sentence pronounced against him in accordance with the verdict of the Jury who tried his case and giving no sufficient reason it is ordered that said B. Morgans is guilty of Felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of Six years, and that the Sheriff take the body of the defendant and turn him over to the Superintendent of said Penitentiary for the purpose aforesaid

3437 The State of Texas v. John Lewis. And now comes the Defendant in open Court, and being asked if he had any thing to say why judgment should not be entered and Sentence pronounced against him in accordance with the verdict of the Jury who

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tried his case and giving no sufficient reason it is ordered that said John Lewis is guilty of Felony as in the indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of two years and that the Sheriff take the body of the Defendant and turn him over to the Superintendent of said Penitentiary for the purpose aforesaid

3531 The State of Texas v. Wash White. And now comes the Defendant in open Court, and being asked if he had anything to say why jud ment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason it is ordered that said Wash White is guilty of Felony as in the indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of five years, and that the Sheriff take the body of the Defendant and turn him over to the Superintendent of said Penitentiary for the purpose aforesaid

3522 The State of Texas v. Frank Cotton. Now come the parties by their attys when the X Defendant submits his motion for a new trial which being heard & considered it is ordered that said motion be overruled. And thereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

2885 The State of Texas v. Virgil Conner. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and also by atty and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county consisting of and eleven others, duly tried, elected and sworn according to law, who having heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into open Court, the following verdict, to wit:

"We the Jury find the Defendant not guilty. H. Coley Eames Foreman"

Whereupon it is ordered that said Defendant go hence finally acquitted and discharged.

And Court adjourned till to morrow at 9 A.M.

Friday July 17th 1874

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

3525 The State of Texas v. F. Otten. Ordered that the forfeiture in this case be set X aside at the cost of Defendant.

3474 The State of Texas v. G.H. Burditt Jr. Come the parties & announce ready for X trial and upon motion it is ordered that the forfeiture in this case be set aside. And the parties announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is adjudged that the State of Texas do recover of G.H. Burditt Jr the sum of Ten dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

/3529 J.H. Coleman v. Alfred Smith. Now comes the parties by attys when the plaintiff submits his motion for a new trial which being heard & considered it is ordered that said motion be overruled.

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whereupon said Plaintiff by atty gives notice in open Court of an appeal to the Supreme Court

4048 Wm Alexander v. J P Newcomb & Co. Come the parties by their attys when came on to be heard the motion herein of Defendants and the intervenor to quash the writ of Sequestration herein, and the same having been argued by the parties and duly considered, the said motion to quash was overruled. to which ruling of the Court Defendants and said Intervenor by their attorney excpt

3436 The State of Texas v Mary Smith Come now the parties when defendant submitted his motions for a new trial and in arrest of the judgment, which being heard and considered it is ordered that said motions be overruled.

3551 The State of Texas v James P. Newcomb Now come W. A. Pitts, John Houghton, R. H. Bibb, J. P. Kirk, C. L. Lowday, L. A. Crooker, W. H. Gaynor, John D. McCall, T. H. Bowman, W. B. Worthan, Joshua Johnson, A. S. Mair, J. W. Wadsworth & Wm Voss, and each of them acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of One hundred dollars each, to be levied upon their goods & chattels lands, tenements and estate, But to be void upon condition that they appear before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in October 1874 then and there to testify on behalf of the plaintiff in the above entitled cause of the State of Texas v. James P. Newcomb, charged with Swindling and that they do not depart the Court without leave.

3551. The State of Texas v. James P. Newcomb. It appearing that Ben. Radkey has been legally summoned as a witness in this case on behalf of the plaintiff and has failed to appear and testify in said Cause, when the same was called for trial, it is ordered that said Ben. Radkey be fined in the sum of one hundred dollars for failing so to attend and that Scire facias issue to him returnable to the next term of this Court commanding him to appear and shew cause if any he can why said judgment nisi shall not be made final.

3563 State of Texas v Charley Loney. Comes on to be heard the exceptions of deft to the information filed in this case, which being considered it is ordered that the same be overruled and cause continued by Defendant.

4048. Wm Alexander v. J P. Newcomb. And now come the parties by their attorneys when the Defendant submitted to the Court his motion for a new trial filed

3522. The State of Texas v. Frank Cotton. The defendant Frank Cotton and T. W. Nolen and W. T. Norton his sureties jointly and severally acknowledge themselves indebted to the State of Texas in the penal sum of One hundred dollars for the payment of which well and truly to be made, they bind each of themselves their heirs, executors and administrators, to be bound of their respective goods, lands, tenements and estate but to be void on condition that the said Defendant Frank Cotton, who is charged with the offence of Exhibiting false, appear before the District Court of the County of Travis on the first Monday of October next then to remain from day to day and from term to term and not depart without leave of said District Court in order to abide the judgment of the Supreme Court of the State of Texas.

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3861 Laura J. Giffen as Wm C. Goiffin On this day this cause being called for trial came the Plaintiff and announced ready and the Defendant came not though only cited and then came a jury of twelve good and lawful men of Travis County consisting of A Stanley and eleven others who being tried elected and sworn according to law heard the petition the evidence, and the charge of the Court returned the following verdict, to wit: "We the Jury find for the Plaintiff the allegations in the Plaintiffs petition to be true. A Stanley Foreman." Whereupon it is ordered and decreed that the Bonds of Matrimony heretofore celebrated and existing between said Laura J. Giffen and Wm C. Giffen be and the same are vacated, set aside and dissolved. And it appearing that there was born to the Plaintiff as the issue of marriage with said Defendant, a Girl Child, now about four years of age, and that the Plaintiff is in every respect, more capable of caring for and properly maintaining and educating said child, it is ordered that the custody of said child be awarded to the Plaintiff and that the Defendant be divested of all right to exercise any control over the same.

3915 R A Smith v. J P McKinney et al. And now on this day comes the Plaintiff and asks that the writ of inquiry heretofore awarded be now here executed. And comes a Jury of twelve good and lawful men of Travis County consisting of A. Stanley and eleven others who being tried elected and sworn according to law, heard the pleadings the evidence, argument of counsel & the charge of the Court, when they returned the following verdict, to wit: "We the Jury find for the plaintiff and assess his damages at the sum of $ 147 22 cts (Cents) A Stanley foreman." Whereupon it is decreed that R A. Smith do have and recover of said J M Lacy and James P McKinney the sum of One Hundred Forty Seven & 22 100 Dollars, and all the cost of this suit for which execution may issue

3998 John C. Raymond et al vs. M E Hopkins et als. Come the pffs by attorneys when on motion it is ordered that the plaintiffs have leave to withdraw their title papers

4048 William Alexander vs James P. Newcomb et al. And now on this day came the parties by their attorneys and the motion to quash the writ of Sequestration coming on to be heard the same was overruled to which ruling the defendant and intervenor excepted. The demurrer of the Plaintiff to the answer of the Defendant and petition of Intervenor coming on to be heard the same was sustained to which ruling the defendant and intervenor excepted whereupon came a jury of twelve good and lawful men of Travis County consisting of F. M. Lewis and eleven others, who being duly tried empannelled and sworn, who after hearing the evidence, and the charge of the Court, retired to consider of their verdict and returned into Court the following verdict, to wit "We the Jury find for Plaintiff the sum of $ 117 37½ Gold principal and interest on promissory notes with the lien on said property as stated in plaintiffs petition. F. M. Lewis Foreman." Whereupon it is ordered and adjudged by the Court that the pff. William Alexander do have and recover of and from the defendants James P. Newcomb and Edwin M. Wheelock the sum of Eleven Hundred, Seventy Three and 75/100 dollars in said Coin. It is further ordered that the lien of the pff on the property sequestered in this case to wit:

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1 lot of Newspaper type Country of Bourgois, Brevier, Nonpariel and Long Primer Book Type comprising copper face, small pica and white faced pica not yet in shape to weigh. Seven double stands with racks, Five double stands without racks. Eight marble composing stones with racks. Three single stands with racks. One book proof press. Four standing galleys. One small roller stand. Three desks One iron safe. One hundred and four news cases. Four Job cases. One letter press. Four tables. One book case and lot of stationery, cards &c. One set book shelving. A number one type cabinet. Fifteen fonts job type A number 2. type cabinet Sixteen fonts Job type. A number three type cabinet Twelve fonts job type. A number four job type cabinet. Twenty five fonts job type. A number five type cabinet. Twenty eight fonts job type. One font ni case. 2 line great primer. Ext. One font ni case. 2 line great primer. Ornate. One font ni case double small pica runed ornate. One font ni case great primer old style. One font ni case. 2 line pica Ex. One font ni case 2 line great primer caps. One font. 2 line great primer in Gothic One font ni case. great primer ray shaded. One font ni case great primer. ornamented. One font ni case 2 line great primer. One font ni case. 2 line English. One case job cuts One font small pica Ex. ni case. One font 2 line english ni case One double pica extra condensed black. One font. 2 line pica C.A. One font. one case. justifications. One font. one case. Thompsons One font 2 line great primer lower case. One font one case long primer condensed black. One case card type. Two cases brass rules labor saving. One case two line english caps and lower case. One case double great primer sidegraphic shaded One font. 2 line great primer clarendon con. One font four line pica extended con black. One font 2 line English dot open. One font 2 line english ant shaded. One font 2 line paragon shaded Ex. One font. 2 line great primer black con. One font. 2 line paragon con. One font great primer 2 lines. One font 2 line paragon. One font great primer shaded. One case 4 line pica. 2 cases great primer madisonian. One case canon caligraph. One case 2 line english. Italian script. One case great P. script. One case pearl. One case canon card ornamented. One case double great primer card ornamented. One case english card text. One case 2 line pica italic. One case 2 line english. One case 2 line pica ora. One case pica ora One case 2 line primer. cond. 2 cases great p. script. One case great primer Hancock script. One case Marion. One script

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One case 2 line small pica mercantile script. One case one font double pica. One set shelving, contents old journals. books &c One Rack of font of large wood type. One set of belting (and iron and) wood wheels for steam power. (4 iron. 3 wood.) Seven office stoves with pipes. Five large book cott cases. One set India Rubber hose. Two clocks. One washstand. Eight news-chases. One book chase. One card cutter, one newspaper directing machine. One lead cutter. One mitering machine. Three racks poster type. of nineteen fonts. 2 boxes metal furniture. Twenty five double galleys. brass. Nine single galleys. brass. One lot blank books. Receipt books. stationery &c. (mixed). Five printing presses. — be foreclosed and that the Sheriff advertise the same as for sales under execution. and that out of the proceeds of said sale he first pay to plaintiff said sum of Eleven hundred and seventy three $^{75}/_{100}$ dollars in gold coin with interest thereon at the rate of eight per cent per annum together with all costs in this behalf expended. and the balance of the proceeds, if any, he pay over to defendants. and in case said above described property, shall not sell for a sufficient amount to pay off and discharge said sum of Eleven hundred and seventy three and $^{75}/_{100}$ dollars in gold coin together with interest and costs as above decreed. Then the plaintiff have execution for such balance as may remain unpaid. and that the officers of court have execution against the plaintiff and defendant respectively for the costs by them incurred

3048. Wm Alexander vs J P Newcomb & Co Now on this day came on for hearing the motion for new trial of Defendants and the intervenor herein, and the same having been heard and considered it was overruled by the Court. Whereupon the said Defendants and said Intervenor gave notice of appeal to the Supreme Court.

3156 The State of Texas v. Wiley Stont. And now comes the Defendant in open Court and being asked if he had any thing to say Why Judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason It is ordered that said Wiley Stont is guilty of Felony as in the Indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of ten years, and that the Sheriff take the body of the Defendant and turn him over to the Superintendent of said Penitentiary for the purpose aforesaid

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3424 The State of Texas v. Perry Zachary. And now comes the defendant in open Court and being asked if he had anything to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the jury who tried his case, and giving no sufficient reason it is ordered that said Perry Zachary is guilty of Felony as in the indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of two years and that the Sheriff take the body of the Defendant and turn him over to the Superintendent of said Penitentiary for the purpose aforesaid.

3436 The State of Texas v. Harry Smith. And now comes the defendant in open Court and being asked if he had any thing to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the jury who tried his case and giving no sufficient reason it is ordered that said Harry Smith is guilty of Felony as in the indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of Five years and that the Sheriff take the body of the Defendant and turn him over to the Superintendent of said Penitentiary for the purpose aforesaid.

3061 State of Texas v. Wes Alexander. Dismissed

3910 The State of Texas v. C. Pfaff et al. Come now the parties plff. and Defendants by their attys respectively and upon motion it is ordered that said parties have leave to amend their pleadings.

And Court adjourned till to-morrow at 9 A.M.

Saturday July 18th 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to-wit:

3910 The State of Texas v. Conrad Franz et al. July 18th 1874.

This day came on for trial the above styled cause. Whereupon the plaintiff and Defendants through their attys waived a Jury and announced themselves ready for trial and submitted the matters in issue to the Court. And it appearing to the Court from the pleadings and evidence that the defendants are indebted to the State in the sum of three hundred and seventy nine & 71/100 Dollars currency. It is therefore Considered adjudged and decreed by the Court that the State of Texas do have and recover of and from the Defendants Conrad Franz, D & E Brannan, C. S. Ryley, I. K. White, Jacob Straus and G Baer the sum of three hundred and seventy nine and 71/100 Dollars in currency and all costs in this behalf expended, for which execution may issue.

3448 The State of Texas v. Gilbert Stewart. And now come the parties when the Defendants Counsel submitted to the Court his motion for a new trial which being heard and duly considered it is ordered that said motion be overruled. And thereupon said Defendant gives notice in open Court of an

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appeal to the Supreme Court. And it appearing to the Court that the jury has fixed the penalty in this case at five years imprisonment in the Penitentiary it is considered and ordered that said Gilbert Stewart is guilty of Felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of five years, and because of the notice of appeal entered herein, it is ordered that sentence be suspended to await the result of said appeal.

And thereupon it is ordered that Certificates issue to the following named persons for Jury Service at the June Term 1874 of this Court, as stated below

Grand Jury

164	A P Blocker	15 days	$ 30.	No 165	J W Baird	15 days	$ 30.
166	Ed L. Saunders	15 "	30. "	167	W C Nuckols Sr.	15 "	30.
168	James Casner	15 "	30 "	169	Jo A. Costa	15 "	30.
169	Jo a Costa	15 "	30 "	170	A Dieterich	15 "	30.
171	Wm Pfluger	15 "	30 "	172	W W Turner	15 "	30.
173	John Steefox	15 "	30 "	174	Jo Manor	15 "	30
175	R H Riley	15 "	30 "	176	P H Schrader	15 "	30
177	Joseph Goodman	15 "	30 "	178	J. P Kirk	15 "	30
179	T J Markley	15 "	30				

Petit Juries

180	J McGowen	5 days	$ 10.00.	No 181	Luke Sneed	5 days	$ 10.00
182	J. W. Young	4 "	8.00. "	183	J. W. Taylor	4 "	8.00
184	A Musgrove	5 "	10.00 "	185	Geo Dye	5 "	10.00
186	C L Johnson	5 "	10.00 "	187	H H Duff	5 "	10.00
188	Geo W. Walling	5 "	10.00 "	189	Milton Wallace	4 "	8.00
190	R B Smith	4 "	8.00 "	191	J M Tibaut	5 "	10.00
192	Joseph Junker	2 "	4.00 "	193	John Robinson	4 "	8.00
194	Alex Dickerson	5 "	10.00 "	195	J. S. Jenkins	5 "	10.00
196	Thos Plummer	4 "	8.00 "	197	Clay Eanes	3 "	6.00
198	Geo. Evans	4 "	8.00 "	199	Ben. Walker	3 "	6.00
200	J H Walker	3 "	6.00 "	201	S C Granberry	3 "	6.00
202	S. J. Pilkington	4 "	8.00 "	203	James Walker	3 "	6.00
204	James Wall	3 "	6.00 "	205	T. J. Pitt	4 "	8.00
206	E Perry	2 "	4.00 "	207	C. Blumentritt	4 "	8.00
208	James Link	2 "	8.00 "	209	E Kuhn	2 "	4.00
210	Wm Wende	5 "	10.00 "	211	J. S. Washburn	6 "	12.00
212	J. L. Warren	6 "	13.00 "	213	A K Norman	5 "	10.00
214	T E Rowe	5 "	10.00 "	215	J D Grubbles	5 "	10.00
216	T. J. Henry	5 "	10.00 "	217	C P Reinke	5 "	10.00
218	C L Johnson	6 "	13.00 "	219	C. Perry	5 "	10.00
220	Milton Wallace	6 "	13.00 "	221	Clay Eanes	5 "	10.00
222	Joseph Junker	6 "	13.00 "	223	Thos Plummer	6 "	12.00
224	James Wall	6 "	13.00 "	225	J S. Jenkins	6 "	12.00

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226	Geo. Dye.	6 days	$ 12.00	227	John Robinson	6 days	12.00
228	Robert Herndon	6 "	12.00	229	W H Fleet	6 "	12.00
230	W. Woodson	5 "	10.00	231	Robert Barr	5 "	10.00
232	J a Black	6 "	12.00	233	R B. Smith	5 "	10.00
234	Lewis Law	5 "	10.00	235	S K Miller	2 "	4.00
236	John Darlery	2 "	4.00	237	Sam Galloway	2 "	4.00
238	James Fowler	5 "	10.00	239	A. Musgrove	3 "	6.00
240	Ben. Lewis	5 "	10.00	241	W H Dodge Jr.	5 "	10.00
242	E S. Deffenbaugh	5 "	10.00	243	Milton Wallace	5 "	10.00
244	B. F. Fox	5 "	10.00	245	E A Hicks	5 "	10.00
246	Geo. Dye	5 "	10.00	247	Sem Chambers	5 "	10.00
248	Clay Eanes	5 "	10.00	249	Joseph Junker	5 "	10.00
250	J. McGowen	5 "	10.00	251	J. C. Gilbert	5 "	10.00
252	J. S. Jenkins	5 "	10.00	253	W. Woodson	5 "	10.00
254	R B. Smith	5 "	10.00	255	Robert Herndon	5 "	10.00
256	Ja Black	5 "	10.00	257	John Robinson	5 "	10.00
258	Jerry Parsons	5 "	10.00	259	C Perry	5 "	10.00
260	Joane Cayce	5 "	10.00	261	W C Duty	1 "	2.00
262	F. Marey Lewis	5 "	10.00	263	W H Hardeman	5 "	10.00
264	J H Walker	5 "	10.00	265	Henry Fisher	5 "	10.00
266	S. C. Dansberry	5 "	10.00	267	S Jones	5 "	10.00
268	B. O. Staveley	3 "	6.00	269	T J Pitt	3 "	6.00
270	C W Keller	3 "	6.00	271	John Robinson	5 "	10.00
272	Henry Eddie	5 "	10.00	273	T. J. Porter	5 "	10.00
274	Van Quiley	5 "	10.00	275	R. Herndon	5 "	10.00
276	A Musgrove	5 "	10.00	277	Wm Henderson	6 "	12.00
278	Robert Barr	6 "	12.00	279	Wm Wagoner	5 "	10.00
280	J. Johnson	5 "	10.00	281	Joseph Junker	6 "	12.00
282	W. Woodson	5 "	10.00	283	E D Walker	6 "	12.00
284	Geo. Dye	6 "	12.00	285	B B. Fox	5 "	10.00
286	John Hamilton	5 "	10.00	287	J E Harker	5 "	10.00
288	J D Shepherd	5 "	10.00	289	Clay Eanes	5 "	10.00
290	Geo. Lee	5 "	10.00	291	F. Marey Lewis	5 "	10.00
292	Ja Black	5 "	10.00	293	Geo. Smith	5 "	10.00
294	Thos Plummer	5 "	10.00	295	James Hall	5 "	10.00
296	Milton Wallace	6 "	12.00	297	Sam Mason	5 "	10.00
298	D. A. Todd	4 "	8.00	299	E W Keller	4 "	8.00
300	J A Adams	4 "	8.00	301	Wm H Hardeman	4 "	8.00
302	W D Miller	4 "	8.00	303	W. H. Price	4 "	8.00
304	James Fowler	5 "	10.00	305	A Musgrove	4 "	8.00
306	John Robinson	5 "	10.00	307	R Barr	5 "	10.00
308	Milton Wallace	5 "	10.00	309	J. Junker	5 "	10.00

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310	J D Shepherd	5 days	10.00	311	Lewis Mauor	5 days	10.00
312	R B Smith	5 "	10.00	313	B F Fox	5 "	10.00
314	Geo Dye	5 "	10.00	315	G W Tunney	5 "	10.00
316	A. Stanley	5 "	10.00	317	Geo Smith	5 "	10.00
318	John Valentine	5 "	10.00	319	J. E. Hatter	5 "	10.00
320	Ed McGee	5 "	10.00	321	John E Hamilton	5 "	10.00
322	A Bloneke	4 "	8.00	323	C D Wacker	5 "	10.00
324	F M Lewis	5 "	10.00	325	Wm Wagoner	5 "	10.00
326	J B Darlington	5 "	10.00	327	A R Earnest	5 "	10.00
328	Clay Eaves	5 "	10.00	329	W. Woodson	5 "	10.00
330	James Wall	5 "	10.00	331	Ed Primm	4 "	8.00
332	Robert Herndon	5 "	10.00	333	B. F. Marshall	3 "	6.00
334	G B adams	1 "	2.00	335	D b Johnson	5 "	10.00
336	L K Miller	1 "	2.00	337	Robert Parr	5 "	10.00
338	Milton Wallace	5 "	10.00	339	A N Duff	5 "	10.00
340	Joseph Junker	5 "	10.00	341	C D Wacker	5 "	10.00
342	John Robinson	5 "	10.00	343	J a Flack	5 "	10.00
344	R B Smith	5 "	10.00	345	A Musgrove	5 "	10.00
346	John Valentine	5 "	10.00	347	Ed Primm	5 "	10.00
348	Robert Herndon	5 "	10.00	349	Geo Smith	5 "	10.00
350	B F Fox	5 "	10.00	351	J E Hatter	5 "	10.00
352	F M. Lewis	5 "	10.00	353	Wm Wagoner	5 "	10.00
354	Charley Pflueger	5 "	10.00	355	Clay Eaves	5 "	10.00
356	W Woodson	5 "	10.00	357	James Wall	5 "	10.00
358	C P Phillips	5 "	10.00	359	Chick Dickerson	5 "	10.00
360	A R Earnest	5 "	10.00	361	A Stanley	5 "	10.00
362	James Lusk	5 "	10.00	363	W G Montree	2 "	4.00
364	Joseph Phillips	1 "	2.00	365	J R Dean	2 "	4.00
366	M C Smith	2 "	4.00	367	Henry Pflueger	5 "	10.00
368	T J Pitt	2 "	4.00	369	J W Bird	1 "	2.00
370	Mc C Smith	2 "	4.00	371	N. Owen	1 "	2.00
372	J R Dean	2 "	4.00	373	Walter Custard	1 "	2.00
374	John Dillingham	1 "	2.00	375	J B Rogers	1 "	2.00
376	W. Pierce	1 "	2.00	377	C N Mayfield	1 "	2.00
378	E a Smith	1 "	2.00	379	James Lusk	5 "	10.00
380	J L Lee	5 "	10.00	381	Henry Brown	5 "	10.00
382	F M Lewis	5 "	10.00	383	Hal. Mason	1 "	2.00
384	John Monghton	1 "	2.00	385	J M Crocker	1 "	2.00
386	Caesar Rew	1 "	2.00	387	Henry Adams	5 "	10.00
389	J W Parkes	5 "	10.00	390	J. Stuffy	5 "	10.00
391	W R Bird	5 "	10.00	392	Victor Walker	5 "	10.00
393	A Stanley	5 "	10.00	394	Jerry Johnson	5 "	10.00

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395.	A R Canuet	5 days	10.00	396.	J a Flack	5 days	10.00
397	Geo Smith	5 "	10.00	398	Joseph Junker	5 "	10.00
399	Robert Herndon	4 "	8.00	400	Clay Eanes	5 "	10.00
401	Robert Barr	5 "	10.00	402	John Valentine	5 "	10.00
403	E L James	5 "	10.00	404	Val C Giles	5 "	10.00
405	Isaac Cage	5 "	10.00	406	J. S. Jenkins	5 "	10.00
407	H H Duff	5 "	10.00	408	E W Walker	5 "	10.00
409	Dan Johnson	5 "	10.00	410	J C Walker	5 "	10.00
411	James Wall	5 "	10.00	412	R B Smith	5 "	10.00
413	W Hopkins	1 "	2.00	414	John Blocker	1 "	2.00
415	Henry Graywood	1½	3.00	416	Billy Patterson	2½	5.00
417	Sam Smith	1½	3.00	418	J M Venable	1½ "	3.00
419	Henry Shafer	1½	3.00	420	John Binford	1½ "	3.00
421	D C Sandal	1	2.00	422	B F Fox	1 "	2.00
423	Wm Wagoner	4	8.00				

and thereupon it is ordered that the following named persons be allowed the amounts set opposite their names for services as Bailiffs during the present term of the District Court of Travis County, payable out of the County Treasury of Travis county upon the Certificate of the Clerk of this Court, to wit:

Bailiffs

issued	1	Jo Walker	17 days	@ $2.00	per day =	Thirty four Dollars	
issued	2	Wm Thaxton	17 "	" 3.00	" " riding bailiff =	Fifty One Dollars	Cancelled
issued	3	F Zumwalt	15 "	" 3.00	" " " "	Forty Five Dollars	
issued	4	F Zumwalt	27 "	" 2.00	" " — —	Fifty four Dollars	
issued	5	L C Lock	15 "	" 3.00	" " riding bailiff	Forty Five Dollars	
issued	6	L C Lock	27 "	" 2.00	" " — —	Fifty four Dollars	
issued	7	A C Taney	15 "	" 3.00	" " riding bailiff	Forty Five Dollars	
issued	8	Wm Cashney	3 "	" 2.00	" " — —	Six Dollars	

issued to Lewis by order from Mandamus

cancelled issued

issued 9 And thereupon it is ordered that Frank Brown Clerk of this Court, be allowed the sum of One hundred and Twenty Dollars for extra services at this term of the District Court, payable out of the County Treasury of Travis County upon a certified Copy of this order.

cancelled

issued 10 And thereupon it is ordered that Geo. B. Zumpelman Sheriff of Travis County be allowed the sum of One hundred and Twenty Dollars for extra services at this term of the Court, payable out of the County Treasury of Travis County upon a certified Copy of this order.

cancelled

3844 G R Freeman v. R M Lewis et als Out this the 18th day of July 1874 came on to be heard the motion of the plff. in the above entitled cause for the substitution of papers. And it appearing upon affidavit of the pff to the Court that the petition and the citation for publication and brief statement and Sheriffs return thereon in said cause, have been lost, and that exact copies of the same cannot be obtained, and that a substantial Copy of the petition is offered to the Court said motion is sustained and it is ordered that the said substantial

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copy be substituted for the original, and that Pltff. have permission to substitute substantial copies of the citation for publication and the Sheriff's return thereon, and affidavit to the correctness of the same.

3450 The State of Texas v. Newton, a Butcher. Come the parties and announce ready for trial
X and waiving a jury submit the case to the Court. And Defendant pleads guilty. And thereupon it is ordered that the State of Texas recover of said Newton a Butcher the sum of ten Dollars as a fine and the cost of the prosecution & that a Commitment issue to collect the same.

3316 State of Texas v. Harry. Dismissed

The foregoing minutes being read in open court, and found correct, are approved. And it is ordered that this Court do now stand adjourned to the next regular term.

J. P. Richardson
Judge 27th Judicial District.

October 5th 1874

The State of Texas } at a term of the District Court begun and held at the County of Travis & City of Austin, within and for the County and State aforesaid, on Monday, the 5th day of October, 1874, the same being the first Monday in October, 1874, the time fixed bylaw for the meeting of the October term of the District Court of said County. Present the Honorable J.P. Richardson, Judge of the 27th Judicial District of the State of Texas presiding. Frank Brown, Clerk of the District Court of Travis county & Geo. B. Zimpelman, Sheriff of Travis county. Whereupon the following proceedings were had bysaid Court, to wit:

The venire for the Grand Jurors heretofore issued, having been returned into Court executed according to law, the Court ordered the names thereon to be called. And the grand Jurymen so called having answered to their names, and being tried under oath and found qualified according to law, they were duly tried, empannelled and sworn as the statute requires, the names of said Grand Jurors so found, tried, empannelled and sworn, being as follows, to wit:

J. W.[1] Brown: Jas A.[2] Costa: Joshua[3] Patterson: Milton[4] Wallace: S. A. Lindsay[5]: Frank Mathews[6]: William[7] Bowles: J R.[8] Owings: David[9] Jones: Robert[10] Jones: Wm[11] Wallace: Robert[12] Turner: John[13] Harrell: A N[14] Whitten: Robert[15] Barr: J. A.[16] Black: R.S.[17] Caperton

And said John W. Brown being appointed Foreman of said Grand Jury, and the Jury being charged by the Court as to the duties devolved upon them, they were ordered to retire upon a discharge of the same, under charge of a Bailiff appointed and sworn for that purpose.

2380 The State of Texas v. Will Slaughter. Come the parties and announce ready for trial, and waiving a jury submit the case to the Court. And the Defendant pleading guilty. It is ordered that the State of Texas recover of said Will Slaughter the sum of ten dollars as a fine and the cost in this proceeding, and that a commitment issue to collect the same.

Henry W. Elliott. It appearing that Henry W Elliott has been admitted to practice as an atty and counsellor at Law in the State of Tennessee, as appears from his license produced here in open Court, It is ordered that said Henry W. Elliott be and he is admitted to practice as an attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas and that a License issue accordingly.

H.G. Damon. Comes now H.G. Damon and presents to the Court his application for License to practice as an attorney and counsellor at law in the several District and Inferior Courts of the State of Texas, accompanied by a certificate of good moral character. And it is ordered that said applicant be examined in open Court, touching his qualifications, on Saturday the 10th inst & that A. W Terrell, A J. Peeler and R H. Smith, Esqs be appointed a committee to examine said applicant.

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And it is ordered that the criminal docket be set for trial on the 5th Monday of the Term.

And now come the Clerk and Sheriff and move the Court to require the plaintiffs in the following named causes, to enter into bond and security for the cost of the said several proceedings or suits, and it is ordered that the said several parties plaintiff be and they are required to give such Bond and security for the cost of said suits on or before the next Term of this Court, otherwise the same will be dismissed as follows, to wit:

3449 Summerow & Bro. v. S.S. Williams et.al.
3733 Orr, et.al. v. William Klinge
3734 Orr, et al. v. Mary O'Brien
3735 Orr et al v. W. H. Lenoheney.
3933 E.A. Hicks v James S. Gillett
3936 Bonnie, Murphy & Co. v. N.B. Mitchell.
4055 M.D. Miller v. T.W. Parr & Co
4056 M.D. Miller v. R.S. Morris
4058 McDaniel & Harris v. A.H. Hutchins
4059 Emil A. Kading v. Louis Pfluger.
4060 Synder & Dayton v. Davidson & Johnson.
4064 Lindsey & Bro. v. J.P. Newcomb & al.
4065 Wm Sharman v. R. Avery.
4066 Wall. Belvin & Day v. B. Bonnett
4067 R. McCraven v. R.V. McCraven
4068 D.A. Fields v. A.R. Crozier
4070 Nora Erickson v. Jno. Erickson
4071 H.E. Ridgeley v. John Ridgeley
4075 Wm Nelson v. J.H. Conner.
4077 Geo. Young v. H & C R Road.
4099 Rhoda Robinson v H & C. R Road
4100 John Willie v H & C R Road
4101 M. Goldsall v. Jno Patton
4104 Wm Nelson v. J.J. Hicks et al
4109 C Kentz v. M. Moody.
4111 S. Fuller et als v. Jon Hill
4112 Susan Andrews et al. v. J.W. Allen et. als.
4114 B.B. Rose et al v. Jane A. Rose et al
4115 J. McMichael et al v. Chas. Knoepfle.
4119 Wacter Leonard et al v. Edward Sorin
4121 J.P. Newcomb v. E.M. Wheelock
4129 H. Reinstedler v. Coleman & Million
4133 R.S. Rust v. J.D. Gillum

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4134 R.S. Rust v. Wm J Cloud.
4135 R. S. Rust v. R.B. Johns
4136 R.S. Rust v. W. A. G. Sparks.
4137 R.S. Rust v. Lewis Spell
4138 R.S. Rust v. W. C. Walsh
4139 R.S. Rust v Clement Reason
4140 R.S. Rust v. R. W. Riley
4141 Evans Hallinan & Mayer v. F. Schmitz
4142 Wm Eliza Davidson v. Raymond & Whitis
4143 J.C. Dilsey v. J.E. Dillard et al.
4152 R.S. Rust v. J.H. Ziveley
4153 R.S. Rust v. A.E. Lane
4157 Thos McCormick v. M.W. Townsend et al
4159 H.T. Saunders v E.C. Dewey et al
4161 H. Bendat v. F. Alderete
4163 A.C. Crawford & Sons v. W.B. Wacker.
4169 Rebecca F. Parr v. Geo. B. Zimpleman
4171 M.D. Matteson v. D.A. Jaines et al.
4173 Edward Kipp v. Geo. H. Smith
4174 Daniel Bayley v. Amanda Bayley
4175 E. Hallinan v. H. & T.C.R.R. Co.
4176 Julia Hill et al. v. Tom Hill
4177 Cora E. Shepherd et al. v. John H. Conner et al
4178 Christian Fisher v. W.W. Archer.
4179 H. Oeichman v. M.J. Matteson
4181 Ulrich & Dial v. Ben. Honnell.
4182 L. Marlow v. S.G. Sneed.

And thereupon Court adjourned till to-morrow at 9 o'clk, a.m.

Tuesday, October 6th, 1874.

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

3531 The State of Texas v James P. Newcomb. An order having been entered in this cause at the last term of this Court suspending the log of the bond of the witness Green and ordering the same to be substituted, (of date July 7th 1874,) It is ordered, nunc pro tunc, that the District Attorney have leave to substitute said bond, said order having been entered on the 7th July as aforesaid.

1141 S.M. Swenson v. J. Nicholson et al Cont. for service
2644 S.M. Swenson v. J.H. Hewson et al Cont. for service
2739 Lucy Ann Johnson v. J.H. Wacker et al continued
2789 M.A. Holbrook et al v. A.H. Watkins et al. This cause being called, on motion of the defendants it is ordered that this cause be dismissed for want of prosecution, and that the plaintiffs pay the cost of this suit for which execution may issue

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2503 B R Townsend et al v. McKinney & Bayles. Continued

2931 T. F. McKinney v. A. M. Cox. Continued to make parties

2955 Thompson et al v. Barnes & Merrell. continued

2958 Thompson et al v. Saunders Continued

2960 Thompson et al v. Raven. Continued

2973 S. B. Brush v. E. Raven. Continued to make parties

2981 W. C. Philips v. A. A. Scroggin et al. Come now the parties, and on motion it is ordered that the plaintiff and defendants respectively have leave to amend.

3105 Geo. W. Wright v. J. Kenchler, Cons. On motion it is ordered that this cause be dismissed and that the Defendant recover of the said plaintiff and his security his. Joseph Spence and Neill McCashmore the cost of this suit, for which execution may issue.

3107 A. G. Mitchell v. Risher & Hall. On motion it is ordered that this cause be dismissed, and that the Defendants recover of said A. G. Mitchell and the security on his cost bond all the cost of this suit for which execution may issue.

3117. J. M. Sitten v. D. R. Worrall. Continued to make parties

3150 W. A. Shaw et al v. John Norwood et al. Comes the Defendants, and on motion it is ordered that the Defendants have leave to amend

3219 James Power et al v. The Governor of Texas. The judgment in this cause having been affirmed in the Supreme Court, on motion it is ordered that this cause be dismissed and that the Defendant recover of the plaintiffs and their security Chas A. Russell and A. S. Thurmond all the cost of this suit, for which execution may issue

3241 Schenck & Berkson v. Rome & Dawson. Continued by the Defendant.

3299. Mary Jane Lee v. R. H. Griffin. on motion it is ordered that the Defendant in this cause have leave to amend.

3331 Geo. W. Storey v. E. J. Davis et al. This cause being called and no one appearing to prosecute the same, it is ordered that the same be dismissed for want of prosecution. And that the parties respectively be adjudged to pay the cost by them respectively incurred in the prosecution of defence of this suit for which execution may issue

3424. T. L. Odom v. G. M. Brass. The judgment having been affirmed in the Supreme Court, it is ordered that the cause be dismissed

3433. International R. R. Co. v. Bledsoe, Comptr. This case is ordered dismissed

3503 M. A. Taylor v. T. S. Roy. Continued for service

3505 M. A. Taylor v. J. T. Brown. Continued for service.

3521 Sampson & Hendricks v. G. M. Brass. It is ordered that this cause be dismissed, and that the Defendant recover of the plaintiffs all the cost of this suit, for which execution may issue.

3591 Mary Middlebrooks v. Houston & Texas Central Rail Road. It is ordered that this cause be dismissed, and that the plaintiff recover of the Defendant

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all the cost of this suit, for which execution may issue

3621. E.B. Hinton et al. v. E.B. Nichols et al. Continued

3622. E.B. Hinton et al v. Mary Bowers et al. Continued

3623 E.B. Hinton et al v. A.B. Cook et al. Continued

3625 E.B. Hinton et al v. Wm Oliphant. Continued

3627. Louis P. Cooke et al. v. Joseph See et al. On motion it is ordered that the defendants herein have leave to amend their answer.

3631 Mary E. Dowse v. Geo. Dowse. On motion it is ordered that this cause be dismissed and that the Defendant recover of the plaintiff all the cost of this suit, for which execution may issue.

3632 B.O. Staveley v. Helen M. Staveley. Continued

3656. Wm K. Hamblin v. G.F. Weisselberg. And now on this day this cause being called for trial, came the plaintiff and announced ready for trial when came a jury of twelve good and lawful men of Travis county, Consisting of D.F. Waddell and eleven others, who being tried, elected and sworn according to law, heard the pleadings, evidence, and the charge of the Court, returned the following verdict, to wit: "We the jury find for plff in the sum of $222 gold dollars. D.F. Waddell foreman." Whereupon it is ordered that Wm K. Hamblin do have and recover of G.F. Weisselberg the sum of two hundred and twenty-two gold dollars and all the cost of this suit, for which execution may issue

3696. John Ireland v. C.S. West et al. Continued.

3737 Thomas Greenwood. v H & T C R R. The judgment having been affirmed in the Supreme Court, it is ordered that the cause be dismissed

3813 Wm Chambers et al. v. A.B. Hodsdon et als Continued by agreement.

4069. J.W. Chandler v. Life Assn. of America. Continued to perfect service.

4106. A.S. Roberts v. Life Assn. of America. Continued to perfect service.

4107. Geo. F. Gage v. Old Dominion Insurance Co. Comes the plff and on motion it is ordered that the plaintiff have leave to amend the petition

4108. Geo. F. Gage v. Western Texas Ins. Co. On motion it is ordered that the plff in this cause have leave to amend the petition

4033. Charles E. Dodge et. S. P. & G. E. Hollingsworth. The matters in controversy in this cause having been referred to Arbitrators, and said Arbitrators having filed in Court their award, as follows, to wit:

" The undersigned Arbitrators selected to settle the matters in dispute between S. P. Hollingsworth & Co. and Chas. E. Dodge arising out of their business connection with each other in the Savings Bank of Austin, have made the following decisions therein which when carried out shall be a final settlement between them in the premises.

1st That the Savings Bank of Austin was a co-partnership between S. P. Hollingsworth & Co. & C. E. Dodge

2nd. That their relative interests therein were Hollingsworth & Co. twelve to

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Dodge's one.

3rd That the other partnes mentioned as stock holders were merely depositors and should be so treated.

4th That S. P. Hollingsworth be charged back with the $600 paid to his credit for services which he did not perform.

5th That Hollingsworth & Co. make good their original capital or stock of twelve thousand dollars & Dodge his, or five thousand dollars.

6th That Hollingsworth & Co. be charged with office furniture at 221.00 & sale of varet at $1222.87

7th That Hollingsworth & Co. assume and pay the 596.80. due depositors and have credit for the same on their account.

8th That Hollingsworth & Co. take charge of the pigeon holes in the varet and the Bank sake & sell them to the best advantage, out of the proceeds they shall pay the costs of Court in the suit of S. E. Dodge vs. Hollingsworth & Co. which suit shall thereupon be dismissed and not revived by either party, and the balance of the proceeds shall be divided between themselves & Dodge in the proportion of twelve to themselves & one to Dodge.

9th The notes and accounts still due the Bank shall be placed in the hands of as also the per diem certificates all for collection, and when collected the net proceeds, after paying all costs, shall be paid over in the proportion of twelve to Hollingsworth & Co. & one to Dodge.

10th The note of the Bank held by Hollingsworth & Co. shall be returned to the Bank and the balance due thereon passed to their credit on the Books of the bank.

The account of S. P. Hollingsworth & Co. with the Bank will stand thus:

Dr.	Amt. drawn out as per a/c rendered		5.824.39
	Over credit to S. P. Hollingsworth		600.00
	Office furniture		221.00
	Sale of Varet		1.222.87
Cr.	To be paid Depositors	596.80	7.868.26
	Bal. due on note of Bank	3158.75	3755.55
			4.112.71

S. E. Dodge a/c with Bank

Dr.	To amount drawn out	170.69

The assets of the Bank will be

Hollingsworth & Co.	4.112.71
S. E. Dodge	170.69
Total assets	4.283.40

To be distributed to partners as follows:

Hollingsworth & Co	12/13	$3953.90	
S. E. Dodge	1/13	329.50	$4.283.40

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Hollingsworth & Co owe the Bank 4.112.71
Their pro rata of assets 3.953.90
Nett difference to repaid into Bank 158.81
C.E. Dodge owes the Bank 170.69
His pro rata of afsets 329.50
Net difference to repaid to him by the Bank 158 81
The practical result is that S. P. Hollingsworth & Co. pay over to C. E. Dodge one hundred and fifty-eight & 81/100 Dollars which will make their accounts equal on the Books of the Bank according to the interests of each as herein set forth.

G Crow
Jas H Raymond } Arbitrators
Jas P McKinney

Whereupon it is ordered that the said Award be and the same is made the judgment of the Court in all respects. that the parties go hence: and that the Arbitrators be allowed the sum of twenty five dollars each to be taxed in the bill of costs. And it is ordered that C.E. Dodge do have and recover of S.P. Hollingsworth and J.E. Hollingsworth the sum of One hundred, fifty eight & 81/100 Dollars so awarded.

And Court adjourned till to-morrow at 9 o'clock A.M.

October 7th 1874

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3259 Wm Neese v. Fisher & Hall Continued
3299 Mary Jane Lee v. R.H. Griffin Continued
3300 Mary Jane Lee v. J.B. Sedwick Continued
3527 H & T.C.R.R. v. B.M. Odom. Continued
3538 H & T.C.R.R. v. Fred Carleton Continued
3646 H & T.C.R.R. v. Jonathan Rogers Continued
3647 H & T.C.R.R. v. J.B. Barron Continued
3648 H & T.C.R.R. v. A.R. Morris Continued
3994 F.W. Chandler v. John Paine et al Dismissed.

And Court adjourned till to-morrow at 9 o'clock A.M.

October 8th 1874

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.P. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had, to wit:

Bates McFarland — On the petition of Bates McFarland, asking for license to practice as an attorney and Counsellor at Law, It is ordered that F.W. Chandler, E. S. West and J.E. Shepherd be appointed a Committee to examine the applicant in open Court touching his qualifications on to-morrow morning

2981 W.E. Phillips v. A.A. Scrogins et al This cause having been submitted to a Jury and they being unable to agree, the jury are discharged from a further

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consideration of the same, and ordered that a mistrial be awarded, and that the cause stand continued.

3150 W A Shaw et al v. John Norwood et al. on motion it is ordered that the Pffs in this cause have leave to amend their pleadings.

3405 The State of Texas v. R S M. A. de La Duelle's Estate. On hearing the Mandate of the Supreme Court in this case, It is ordered that this cause be dismissed, and that the cost so taxed be adjudged against the State and against the Intervenor J.E. Mowinckle, and that execution issue in behalf of the officers of Court against said Mowinckle for the same.

3454 The State of Texas v. James Davidson. Continued.

3539 Thomas Lewiston v. D G Britton, Deft and Mrs. Billingsley Garnishee. On motion it is ordered that this cause be dismissed as to the garnishee, and that she recover her costs against said Thomas Lewiston and his security Charles Wolf the cost so taxed for which execution may issue.

3896 The State of Texas v. A S Kirk et al. Ordered that this cause be dismissed on motion of the counsel for the plaintiff.

4176 Julia Hill et al v. Tom. Hill. On motion it is ordered that Betty Johnson, Mary Ann Johnson, Sallie Horton, Jae Horton, Indian Ware and George Ware, be and they are hereby allowed to intervene in this cause.

4180 D. Davis et al v. Horace Rowe et al. On motion of the Defendants it is ordered that the plaintiffs be required to enter into bond and security for the cost.

3306 F. W. Chandler v. T. J. Pitt. This day came the parties plaintiff and defendant by their attorneys and thereupon came a jury of twelve good and lawful men of Travis county to wit: R Platt and eleven others who after being duly tried, empannelled and sworn well and truly to try this cause and after hearing the pleading, argument of counsel and charge of the Court, returned into Court the following verdict, to wit: "We the jury find for the plaintiff and assess his damages at the sum of nine hundred and fifty seven $\frac{25}{100}$ dollars in gold ($957 $\frac{25}{}$) We further find that the note sued on was given as a part of the purchase money of the tract of land described in the plaintiff's petition, and that the plaintiff has a vendor's lien thereon to secure its payment. R. Platt, foreman."

And it appearing to the Court from the finding of the Jury aforesaid that the defendant is indebted to the plaintiff in the sum of $957 $\frac{25}{100}$ dollars in gold, with ten per cent. interest from this date until paid: and it further appearing to the Court that the note sued on was given and executed for part of the purchase money for the following described tract of land situated in the county of Travis and State of Texas upon the waters of Walnut Creek and being a part of a Survey made for Henry Crocheron by virtue of the head right certificate of John Applegate, said tract being described by metes and bounds as follows: Beginning at the East corner of the George H Davis Survey, a stake. thence South 30°

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East 500 vrs to a stake the West corner of a tract of land containing 250 acres sold by R A Rutherford to Geo. Saunders thence S 60° E. 820 to a stake the S. corner of the said Saunders tract thence South 27° West 1073 varas to a stake thence S. 60° E. 120 vrs. to a stake thence 30° E. 397 vrs. to a stake in the line of said Applegate survey. thence N. 60° W. 1090 vrs to a stake in the line of the G W. Davis survey. thence N. 30° E. with said Davis line to the place of beginning, and containing about 290 acres of land.

It is therefore ordered, adjudged and decreed that the plaintiff do have and recover of and from the said Defendant Thomas J. Pitt the said sum of nine hundred fifty seven & 25/100 Dollars in gold with interest thereon from this date at the rate of ten per cent. per annum together with all his costs in this behalf expended, for which execution may issue. And it is further ordered adjudged and decreed that the vendor's lien as it existed upon the 25th day of October, 1870, upon the above described tract of land be and the same is hereby foreclosed: and that the Clerk of this Court do issue an order of sale directed to the Sheriff or any Constable of Travis County, commanding him to sell the above described tract of land as under execution in tracts of not less than ten nor more than forty acres, and that he apply the proceeds thereof to the payment and satisfaction of the said sum of $957 25/100 dollars in gold, together with all interest that may be due thereon, and the costs of this suit. and if the said land shall sell for more than sufficient to pay off and satisfy said sums of money: that the said officer is hereby directed to pay over the excess to the defendant but if said land shall not sell for enough to pay off and satisfy this judgment then the Clerk is directed to issue execution for the balance remaining unpaid. And the plaintiff now remits $55 25/100 dollars in gold off the above judgment.

And Court adjourned till to-morrow at 9 A.M.

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Court met at 9 o'clock, A.M. pursuant to adjournment. Present Hon. W. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had, to wit:

3509. Harris, Dudley & Co. v. H Kleuet. Continued by agreement.

3538 M. Thalmesperger & Co. v. A B. Palm. A rule for security for cost having been entered in this cause at a former term, and the same not being complied with, it is ordered that this cause be dismissed for want of compliance therewith, and that the Defendant go hence and recover of said plaintiffs all the cost of this suit, for which execution may issue.

3559 Raymond & White v. A B. Palm. Continued

3565 H & Garner v. Smith, Gaebrach et al. The judgment in this cause having been affirmed in the Supreme Court, it is ordered that this cause be dismissed from the docket.

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3573 Stuart & Blair v A B. Palm. Continued

3583 I. Bernstein & Co. v T. E. Cater. Continued

3589 Chas L. Terrell v. Thomas Breedlove et. als. This cause having been affirmed in the Supreme Court, it is ordered that the cause be dismissed

3624 C. C. Hunton et al. v. Young & Morris R E Agts. Continued

3642 Bayley & Pond v. S A Spear. Continued for service

3688 Wm H Day v Wm J. Cloud et al. The Defendant Wm J. Cloud having been duly cited and failed to appear and answer within the time prescribed by law it is ordered that the plaintiff do have and recover judgment by default as against said Cloud, and that the cause be continued for service as to the other defendant.

3723 James Brown et als v. Lucretia Brown et als. On motion it is ordered that the plaintiffs herein do have leave to amend.

3949. Joseph S. Stewart v. Jordan Goodlow & Bro. The Defendants having been duly cited and failed to answer within the time prescribed by law, it is ordered that the plaintiff recover of the Defendants according to the prayer of the petition and that a writ of inquiry be awarded.

4056 M D Miller v. R S. Morris. The defendant having been duly cited and failed to answer within the time prescribed by law it is ordered that the said plaintiff do have and recover of the Defendant according to the prayer of the petition and that a writ of inquiry be awarded.

4065 William Sharman v. Robert Avery. Continued for service.

4068 D A Fields v. A Rocozier. The Defendant having been duly cited & failed to answer within the time prescribed by law, it is ordered that plaintiff do recover of the Defendant according to the prayer of his petition and that a writ of inquiry be awarded.

4077. Geo. Young v. H & T. C. R. R. The Defendant having been duly cited and having failed to answer within the time prescribed by law and wholly made default, it is ordered that the plaintiff recover of the defendant according to the prayer of his petition and that a writ of inquiry be awarded.

4101 M. Goodsell v. J. Grs. Patton. The defendant having been cited according to law and failed to answer within the time prescribed, it is ordered that the plaintiff recover of the defendant according to the prayer of his petition and that a writ of inquiry be awarded.

4104 Wm Nelson v. J. G. Hicks et al. Comes the plaintiff and upon motion it is ordered that the plaintiff have leave to amend

4104 Wm Nelson v. J. G Hicks et al. Comes the defendant and on motion it is ordered that said defendant have leave to amend.

4105 M. C. Hamilton v. Juliet G. Hicks et al. Comes now the plaintiff and upon motion it is ordered that said plaintiff have leave to amend the petition

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4105. M. C. Hamilton v. J. G. Hicks et.als. Come now the defendants when on motion it is ordered that the Defendants have leave to amend

4117. Raymond & Whites v. S. Mufkins et.al. Continued for service.

4125. R. E. Grant v. L. F. Bataile et.al. Comes the plaintiff, when on motion it is ordered that said Plaintiff have leave to amend.

4141 Evans, Hellman & Mayer v. F. Schmitz. The defendant having been cited according to law and failed to answer within the prescribed time, it is ordered that the plaintiffs recover of the defendant according to the prayer of the petition and that a writ of inquiry be awarded.

4145 Loomis & Christian v. J. S. Griffin. Continued for service

4146 Charles G. Jones v. Turney & Christian Thurston. The defendants having been duly cited, and having failed to answer within the time prescribed by law and wholly made default, it is ordered that the plaintiff recover of the defendant according to the prayer of his petition, and that a writ of inquiry be awarded.

4150 F. W. Sutor v. A. Hamilton Continued for service.

4158. John J. Musgrove et.als. v. H. R. Muhlebach et.als On motion it is ordered that this cause be dismissed, and that the plaintiffs do have and recover of the defendants all the cost hereof for which execution may issue

4183. James Patton et.al v. G. W. Doyle et.al. Now come the parties by their attorneys and it appearing to the Satisfaction of the Court, by the evidence adduced, that Mary Doyle, deceased, died on the first day of Feby, 1873, seized seventeen hundred and fourteen acres of land to the parties plaintiffs and defendants herein, as follows: to wit, One hundred and ninety-nine acres to George Doyle, and three hundred and three acres to each of the following viz: Isom. McArthur, Geory W. Doyle, Milton Patton, Samuel Doyle and James Patton, being part of the headright of James Doyle, and the interest of each of said minors is undivided. It is therefore ordered by the Court that John Wallace, James Sand and Alfred Overton be and they are hereby appointed Commissioners to partition said land in accordance with the prayer of the petition filed herein, and make report of their proceedings in the premises at their earliest convenience It is further ordered that said Commissioners be furnished with a copy of said petition for their guidance, and are hereby authorized to employ a competent Surveyor to aid them in the performance of their duties

3528. Raymond & Whites v. A. V. Palm et.al. Continued

3900 C. H. Garden v. T. F. Mitchell et.al. Comes the plaintiff by atty and claims ajudgment final by default as against the defendant J. E. Mitchell. And said Defendant having been legally cited by publication and failed to answer within the time prescribed by law and wholly made default It is ordered that said C. H. Garden do have and recover of said J. E. Mitchell the sum of thirteen hundred fifty one and 20/100 Dollars, as of date February 6th 1874, with interest on said sum

Judgment Satisfied this 1st November 1874

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at the rate of six per centum per annum, from the 6th February 1874 until paid together with all the cost to whereof, for which execution may issue
And it is ordered that the plaintiff have leave to withdraw the original note
sued on in this case on leaving a certified copy of the same on file.

13968 W.A. Morris v. Geo. W. Paschal et al. Comes now the plaintiff and claims a
judgment final by default. And because the defendant Paschal has been
X legally cited by publication and the Defendant Morris has accepted service of the
petition, and said Defendants having failed to answer within the time
prescribed by law and wholly failed to answer. It is ordered that the
said W.A. Morris do recover of said Geo. W. Paschal, principal, and
James B. Morris endorser the sum of two hundred and fifty eight
dollars, debt and interest due upon the instrument sued on to this
date, with interest thereon at ten per centum per annum from date
until paid, and all the cost hereof, for which execution may issue.

4031 M D Miller v. Lydia Harrington et als Comes the plaintiff and claims a
judgment final by default And the defendants having been duly
served with process and failed to answer within the time prescribed
by law and wholly made default And the cause of action being liqui-
dated, it is ordered that M. D. Miller do have and recover of the said
Lydia A. Harrington, John H. Stockman and J.S. Warren the sum of
two hundred, and Sixteen 60/100 dollars, with interest thereon at the
rate of ten per cent. per annum from this date until paid, and all
the cost of this suit, for which execution may issue.

4040 M D Miller v. Tullis & Stewart. Comes the plaintiff and dismisses the suit
X as to the Defendant Stewart who has not been served. And Plaintiff claims
a judgment final by default as to the Defendant Tullis. And because
said Defendant has been duly cited and has failed to answer within
the time prescribed by law and wholly made default, it is ordered that said
M.D. Miller do have and recover of said T. C. Tullis the sum of
One Hundred Seventy two and 43/100 Dollars with interest thereon from date
at the rate of four per cent. per month, and all the cost for which exe-
cution may issue

4098 T le Barden v. W. W. Fletcher. Continued for service.

4102 Thomas Goggan v. J.S. Braas. Comes the plaintiff and claims a judg-
ment final by default. And because the defendant has been cited by
personal service and has failed to answer within the time prescribed
by law and wholly made default, it is ordered that Thomas Goggan
do have and recover of J.S. Braas the sum of two hundred, twenty-
three + 05/100 Dollars, debt and interest due upon the note sued on to this
date, together with interest thereon at the rate of ten per centum per
annum from this date until paid, and all the cost of this suit,
for which execution may issue

Judgment Satisfied this
13th day of November 1874
Jackson & Jackson
Attys for Pltff

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4116 Cullen & Denton v. Thomas McCormick. Come the plaintiffs and claim a judgment final by default. And because defendant has been cited by personal service, and has failed to answer within the time prescribed by law and wholly made default, it is ordered that O.H. Cullen, and J.M. Denton under their firm name of Cullen & Denton, do have and recover of Thomas McCormick the sum of Sixty-Seven $\frac{75}{100}$ Coin Dollars, debt and interest due to this date, with ten per centum per annum interest thereon from this date until paid, and all the cost hereof, for which execution may issue.

4160. Walton & Green v. W.C. Cain. Come the plaintiffs and claim a judgment final by default. And the Defendant having been duly cited, and failed to answer within the time prescribed by law and wholly made default. And the cause of action being liquidated, it is ordered that W.M. Walton and Jno. Green under their firm name of Walton & Green do have and recover of W.C. Cain the sum of two hundred and twenty-two gold dollars, debt and interest due upon the note sued on to this date, with all the cost hereof to be taxed, for which execution may issue.

4163. A.C. Crawford & Sons v. W.B. Wacker. Come the plaintiffs and claim a judgment final by default. And because the defendant has been cited by personal service and has wholly failed to answer within the time prescribed by law it is ordered that A.C. Crawford, A.A. Crawford Jr. and R. Crawford, under their firm name of A.C. Crawford & Sons, do recover of W.B. Wacker the sum of One hundred, Nine $\frac{31\frac{1}{3}}{100}$ Dollars, debt and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from this date until paid and all the cost of this suit, for which execution may issue.

3021. State of Texas v. Wiley Harry. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the State of Texas recover of said Wiley Harry the sum of ten dollars as a fine and the cost of the prosecution and that he be committed to the County jail to ~~await~~ prosecute till the same are paid in full.

3701 The State of Texas v. Mose Swisher. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the State of Texas recover of said Mose Swisher the sum of ten dollars as a fine and the cost of the prosecution and that a commitment issue to collect the same.

3301 The State of Texas v. Wiley Jones. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the State of Texas recover of Wiley Jones the sum of ~~seventy~~ ten dollars as a fine and the cost of the prosecution and that a commitment issue to collect the same.

3541 The State of Texas v. John Stringer. Come the parties and announce ready for trial, and waiving a jury submit the case to the Court. And Defendant

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pleading guilty it is ordered that the State of Texas recover of said John Stringer the sum of ten dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

4067 Rosana McCraven v. V. R McCraven. The above cause being called for trial the plaintiff announced ready for trial. and the Deft. appearing not, there came a jury of twelve good and lawful men of Travis county, which, after hearing the testimony and charge of the Court, and retiring to consider of the case returned into Court the following verdict: "We the Jury find the allegations in the pff's petition to be true James H. Shaw, foreman." After considering the allegations of the petition found to be true by the verdict of the jury, and the same being sufficient grounds for divorce, it is ordered, adjudged and decreed by the Court, that the bonds of matrimony heretofore existing between the Plaintiff and Defendant, Rosana McCraven (sometimes called Annie McCraven) and V. R McCraven (sometimes called Vince McCraven) be forever hereafter dissolved. And it further appearing that the lot described in plaintiffs petition viz: Lot Eight in Block One hundred and forty in the City of Austin, Texas, Travis county, is the separate property of Rosana McCraven, it is ordered adjudged and decreed by the Court, that the title to said lot and improvements be vested exclusively in said Rosana McCraven, and that said V. R. McCraven be entirely divested of all interest therein or control thereof. And it further appearing that the pff Rosanna McCraven is the better able and competent to educate and maintain the child Laura, the issue of the marriage, it is ordered that the custody of said child be awarded to said plaintiff. It is further ordered that the plaintiff recover of the defendant all the costs of this suit for which execution may issue.

3488. The State of Texas v. Paul Deats. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And defendant pleading guilty it is ordered that the State of Texas recover of said Paul Deats the sum of ten dollars as a fine and the cost of the prosecution and that a commitment issue to collect the same.

4026 W B Pl Gaines v. D. M. Wilson. Comes now the plaintiff and on motion it is ordered that the application for a writ of injunction be withdrawn. And the plaintiff asks for judgment final by default for want of an answer. And the defendant having been duly cited and failed to answer within the time prescribed by law, it is therefore ordered that the plaintiff do have and recover of the Defendant D. M. Wilson the right, title and possession in and to Austin City Lots Numbered Seven and Eight (7-8) in Block No ten (10) and that the Defendant be evicted and ousted therefrom, and that a writ of Possession do issue to place said Gaines in possession thereof and that the plaintiff recover his cost herein for which execution may issue.

October 9th, 1874

3792 Diana E. Curtis v. Robert L. Curtis. The above cause being called for trial the plaintiff announced ready, and the Defendant appearing not, and a jury of 12 good and lawful men, duly tried and sworn, who after hearing the testimony and the charge of the Court, retiring to consider of the case, returned into Court the following verdict, to wit: "We the Jury find the allegations in the pff's petition of cruel treatment by the deft to be true. James H. Shaw, foreman." After considering the allegations of the petition found to be true by the verdict of the jury and the same being sufficient ground of divorce, it is ordered, adjudged and decreed that the bonds of matrimony heretofore existing between plaintiff and defendant, be and the same are hereby dissolved. And it further appearing from the testimony in the case that the plaintiff Diana E. Curtis is the better able and competent to educate and maintain the child Jessie Ellen, the issue of said marriage, it is ordered that the custody of said child be awarded to the plaintiff and that said plaintiff recover of said Defendant all her cost of suit, for which execution may issue.

And Court adjourned till to-morrow at 9 o'clock A.M.

Saturday October 10th 1874.

Court met at 9 o'clock A M pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3814 Burditt et al v. Burditt et al. Continued

Frederick Reichman Frederick Reichman, a native of Prussia, having complied with the several provisions of the law on the subject in open Court, it is ordered that said Frederick Reichman be and he is hereby admitted a citizen of the United States and that a certificate issue to him accordingly.

3856. State of Texas v. Aaron Robinson Forfeiture set aside and case dismissed

3860. State of Texas v Perry G. Yoe. Forfeiture set aside and case dismissed.

3996. State of Texas v C. A. Fairbanks et al. Forfeiture set aside & case dismissed

3977. State of Texas v B. M. Odum. Forfeiture set aside and case dismissed

3984. State of Texas v. Lewis Mayne. Forfeiture set aside and case dismissed

4079. State of Texas v. John Kennon et al. Forfeiture set aside and case dismissed

4080. State of Texas v. A. R. Moore et al Forfeiture set aside and case dismissed

4087 State of Texas v. Paul Deats et al. Forfeiture set aside at cost of defendants

4089 State of Texas v. Mase Swisher et al. Forfeiture set aside and cause dismissed

4169 Rebecca F. Parr v. Geo. B. Zimpelman. Comes now the plaintiff and moves the Court to enter judgment by default, nunc pro tunc, as of yesterday, which motion is overruled - and the ~~defendant~~ plaintiff excepts.

3981 State of Texas v. Toney Christian et als A judgment nisi having been entered at the last term of this Court against the Defendants in this cause for the sum of one hundred dollars on a forfeited appearance bond in the cause No. 3068 of the State of Texas v. Toney Christian - and the securities having been duly cited, and the parties having failed to answer within the time prescribed by law and wholly made default, It is ordered that the State

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of Texas do have and recover of the said Tony Christian, principal, and Meek Lewis and Ed. Wilkerson securities, the sum of one hundred dollars, the amount of said judgment nisi, which is thereby made final, and all the cost of this suit, for which execution may issue

4081 State of Texas v. Jack Spray et al. Forfeiture set aside and cause dismissed

4082. State of Texas v. E.H. Ayres. The defendant in this cause having been fined as a defaulting witness at the last term of this Court in the cause No. 2977 of the State of Texas v. Barnes Parker, and the answer coming on to be heard, and

Error duly considered, and being insufficient, It is ordered that said fine, being for the sum of

4082 State of Texas v. E.H. Ayres. The recognizance of E.H. Ayres as a witness in

X the cause No. 2977 of the State of Texas v. Barnes Parker, having been forfeited at the last term of this Court for the sum of five hundred dollars, and the answer of defendant coming on to be heard, and the same being insufficient, it is ordered that said judgment nisi be made final, and that the State of Texas do have and recover of said E.H. Ayres the said sum of five hundred dollars and the cost of the proceeding and that execution issue therefor.

4083 State of Texas v. E.H. Ayres. The recognizance of E.H. Ayres as a witness in the

X cause No. 2980. of the State of Texas v. Barnes Parker, having been forfeited at the last term of this Court, for the sum of five hundred dollars, and the answer of defendant coming on to be heard, and the same being insufficient it is ordered that said judgment nisi be made final, and that the State of Texas do have and recover of said E.H. Ayres the said sum of five hundred dollars and the cost of the proceeding, and that execution issue therefor.

4084 The State of Texas v. W.H. Griffin. The recognizance of W.H. Griffin as a witness

X in the Cause No. 2977 of the State of Texas v. Barnes Parker, having been forfeited at the last term of this Court, for the sum of five hundred dollars and the answer of the Defendant coming onto be heard, and the same being insufficient this ordered that said judgment nisi be made final, and that the State of Texas do have and recover of said W.H. Griffin the said sum of five hundred dollars, and the cost of the proceeding and that execution issue.

4085 The State of Texas v. W.H. Griffin. The recognizance of W.H. Griffin as a witness

X in the Cause No. 2980 of the State of Texas v. Barnes Parker, having been forfeited at the last term of this Court, for the sum of five hundred dollars, and the answer of the defendant coming on to be heard and the same being insufficient, it is ordered that said judgment nisi be made final, and that the State of Texas do have and recover of said W.H. Griffin the said sum of five hundred dollars and the cost of the proceeding and that execution issue therefor.

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4088 The State of Texas v. Billy Patterson et als At the last term of this Court a judgment nisi having been entered against the defendant W.T. Patterson and his securities J.H. Robinson and J. M. Pratt, on a forfeited appearance bond for the sum of one hundred dollars, in the cause No. 3155, of the State of Texas v. W.T. Patterson alias Billy Patterson, and the securities having been duly cited and said defendants having failed to answer within the time prescribed by law and wholly made default, It is ordered that the State of Texas do have and recover of said W.T. Patterson principal, and J.H. Robinson and J. M. Pratt, securities the said sum of one hundred dollars, (the said judgment nisi being made final) and the cost of this proceeding, and that execution issue therefor

4090 The State of Texas v. Jack Conner, et als. at the last term of this Court judgment nisi having been entered against the Defendants Jack Conner as principal and his securities, on a forfeited appearance bond for the sum of one hundred dollars, in the cause No. 3216 of the State of Texas v. Jack Conner, and the securities John H. Conner and Nat Moore having been duly cited (the cause being dismissed as to the securities not served) and said defendants having failed to answer within the time prescribed by law and wholly made default, it is ordered that the State of Texas do have and recover of said Jack Conner principal and John H. Conner and Nat. Moore securities the said sum of one hundred dollars and the cost of the proceeding, and that execution issue.

4092 State of Texas v. Jim Berry et als at the last term of this Court judgment nisi having been entered against the Defendants Jim Berry as principal and his securities on a forfeited appearance bond for the sum of one hundred dollars in the cause No. 3177 of the State of Texas v. Jim Berry and the security G. Martin having been duly cited (the cause being dismissed as to Fleming not served) and said Defendants having failed to answer within the time prescribed by law, and wholly made default it is ordered that the State of Texas do have and recover of said Jim Berry, principal, and G. Martin security the said sum of one hundred dollars and the cost of the proceeding and that execution issue.

4093. The State of Texas v. Ambrose Steele et als. at the last term of this Court a judgment nisi having been entered against the Defendants Ambrose Steele as principal, and Philip Wilson, D. Fulenwider and F. H. Sanders on a forfeited appearance bond for the sum of one hundred dollars in the cause No. 3187 of the State of Texas v Jim Berr Ambrose Steele, and the securities having been legally cites, and said defendants having failed to answer within the time prescribed by law and wholly made default it is ordered that said judgment nisi be made final and that the State of Texas do have and recover of said Ambrose Steele principal, and Philip Wilson, D. Fulenwider and F. H. Sanders securities the said sum of one hundred dollars and the cost of this proceeding, and that execution issue therefor.

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4095 The State of Texas v. Juan Avallos et al. at the last term of this Court a judgment nisi having been entered against the Defendant Juan Avallos, and his security Charles Cooney, on a forfeited appearance bond for the sum of one hundred dollars in the cause No. 3141 of the State of Texas v. Juan Avallos, and the security having been duly cited and failed to answer within the time prescribed by law and wholly made default It is ordered that the State of Texas do have and recover of said Juan Avallos principal and Charles Cooney security the said sum of one hundred dollars (said judgment nisi being now made final for want of an answer) and all the cost of this proceeding, and that execution issue therefor.

4096. The State of Texas v. John Harlson et als at the last term of this Court a judgment nisi having been entered against the Defendant John Harlson and his securities Ed. F. Duff and Edwin R. Gauch on a forfeited appearance bond for the sum of one hundred dollars in the cause No. 3080 of the State of Texas v. John Harlson, and the securities having been legally cited and failed to answer within the time prescribed by law and made default, It is ordered that said judgment nisi be made final, and that the State of Texas do have and recover of said John Harlson principal and Ed. F. Duff and Edwin R. Gauch securities the said sum of one hundred dollars and the cost of this proceeding, and that execution issue therefor.

4097 The State of Texas v. John Harlson. at the last term of this Court a judgment nisi having been entered against the said John Harlson and his securities Ed. F. Duff and Edwin R. Gauch on a forfeited appearance bond for the sum of one hundred dollars in the cause No. 2967 of the State of Texas v John Harlson and the securities having been legally cited and failed to answer within the time prescribed by law and made default It is ordered that said judgment nisi be made final and that the State of Texas do have and recover of said John Harlson principal and Ed. F. Duff and Edwin R Gauch securities the said sum of one hundred dollars and the cost of this proceeding and that execution issue therefor.

4055. W.D Miller v. T. W. Parr & Co. Comes onto be heard the motion to quash the attachment in this case, which being heard and duly considered, it is ordered that the motion be granted. that the attachment sued out previous to this term of the Court be quashed, and that the cost thereof be taxed against the plaintiff

4055 W.D. Miller v. T. W. Parr & Co. Comes onto be heard the motion to quash the writs of garnishment in this case, which being heard and duly considered this ordered that the motion be granted: that the writs of garnishment sued out previous to this term of the Court be quashed, and that the cost thereof be taxed against the plaintiff

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3998 J b Raymond & wife vs M E Hopkins et al. In this cause on this the 10th day of October 1874 came on to be heard the report of the sale of the property for the partition of which this suit was brought made by the Sheriff of Travis County said report being set forth herein as follows —

3998 J b Raymond & wife vs M E Hopkins et al. suit for partition pending in Travis County District Court Oct Term 1874. Now comes G B Jumpelman Sheriff of Travis County by his deputy Jno P Stokes and respectfully represents That by virtue of an order and decree of this Court rendered in the above named and numbered cause at the June Term of said Court for the year 1874 he advertised for sale at public auction by posting written advertisements giving time and place of sale, at three public places in Travis County, one at the Courthouse thereof for twenty days the property described in said decree the same being 35 feet off the East part of Lot No 8 in Block No 122 of the City of Austin Travis County Texas with all the improvements on the same That at the time and place for said sale, as advertised to wit — on the first Tuesday in August 1874 being the 4th day of said month between the hours of 10 o clock a m and 4 p m at the S E corner of Block No 70 of the City of Austin Travis County Texas the same being the time and place for Sheriffs sales in said Travis County. he said Sheriff did then and there at public auction sell to John b Raymond, acting as agent for his wife Frances A Raymond who was the highest bidder for cash in coin all of the above named and described property for One Thousand and five hundred coin dollars said money to be paid on confirmation of said sale by this Court, and proper deed of conveyance being executed and delivered That said sale was at a fair valuation of said property and said Sheriff therefore respectfully recommends That said sale be in all things confirmed Austin Texas Oct 8th 1874. Geo B Jumpelman Sheriff by Jno P Stokes dep

And it appearing that said report is in all things in accordance with law and the decree of this Court concerning the same, and that said sale was at a fair valuation of the property sold. It is therefore ordered and decreed by the Court said report and sale be in all things confirmed and be made a part of this decree and it is further ordered that on receipt of the money for which said property was sold for. to wit One Thousand and five hundred coin dollars. said Sheriff shall execute and deliver to said purchaser a deed of conveyance by which all the interest in said property heretofore described, heretofore held and claimed by the parties to this suit. to wit John b Raymond and his wife Frances A Raymond. M E Hopkins and the minor children Walter Lilly and Minnie Hopkins shall be divested from them and invested in said Frances A Raymond her heirs and assigns forever

And it is further ordered that out of the proceeds of said sale

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said Sheriff shall first pay over to said Raymond & wife the sum of six hundred and fifty Com dollars the value of the improvements on said land. And said Sheriff shall divide the remaining eight hundred and fifty Com dollars between said parties giving to said Raymond & wife three fourths of the same to wit six hundred and thirty seven dollars and fifty cents ($637.50) Com and the remaining one fourth towit two hundred and twelve dollars and fifty cents ($212.50/100) Com to said Special Guardian D W Chandler who shall after paying one fourth of the costs of this suit out of the same deliver the remainder to said M E Hopkins to be used by her in the support of said minor children And it is further ordered that said Raymond & wife shall pay three fourths the costs of this suit for which execution may issue and that D W Chandler be allowed twenty five dollars as special guardian to be taxed in Bill of Cost. And Court adjourned till Monday next at 9 o'clock A M

Monday, Oct. 12th 1874

Court met at 9 o'clock A M pursuant to adjournment. Present Hon. J P Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit

1340. B. M. Odom v. H & T C R R. Co. Comes the plaintiff, when on motion it is ordered that said plaintiff have leave to amend his pleadings

1345. William Simpson v. H & T C R R. Comes the plaintiff, when on motion it is ordered that said plaintiff have leave to amend his pleadings

1344. Millet & Dowell v. Jno E. Campbell. Continued by plaintiff.

1338. W. W. Cathorn v. M. J. Matteson. Come now the parties when on motion and by consent, it is ordered that the judgment entered in this cause at the last term of this Court be set aside and vacated, and that the cause be reinstated upon the docket.

1141 X Evans, Kellman & Mayer v. F. Schmitz. And now on this day this cause being regularly called for trial, came a jury of twelve good and lawful men of Travis county, consisting of H.C. Withers and eleven others, duly tried and sworn, who having heard the petition, the evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for plaintiff and assess their damages at $157.86. H.C. Withers, foreman." Whereupon it is ordered that Alfred Evans, Franz Kellman and Jacob Mayer, under their firm name of Evans, Kellman & Mayer, do have and recover of said F. Schmitz the sum of One hundred fifty-Seven + 86/100 Dollars, so found to be due by the jury and all the cost of this suit, for which execution may issue.

1168 X Wm Brueggehoff v. G. F. Weisselberg. Comes now the plaintiff and claims a judgment final by default. And because the Defendant has been legally cited to appear and has failed to answer within the time prescribed by law and wholly made default. And the cause of action being liquidated, it is ordered that Wm Brueggehoff do have and recover of and from

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G. F. Weissberg the sum of four hundred and eighty dollars, debt and interest due upon the notes sued on, with interest thereon at the rate of one per centum per month from this date until paid, and the cost of this suit, for which, execution may issue

No 4176 Julia Hill et.al.v. Tom Hill. on motion of the Deft it is ordered that the intervenors in this cause be required to enter into bond and security for the cost of this suit, on or before the next term of this Court

No 3576. Reubena Bell Wood et al. Vs G R Freeman and Robert a Wood.

On this day comes Joseph Holt who has intermarried with the plaintiff Reubena Bell Wood, and makes himself a party, joining herein as plaintiff with his wife. the said Reubena Bell Holt (late Wood). And the case being regularly called on the Docket, and it appearing that service of citation on Deft Robert A Wood by publication had been regularly made for four weeks publication thereof in the Democratic Statesman, a newspaper published in Travis County and prior to the October Term AD 1873 of this Court, and thereupon the plaintiff asks judgment by default against the defendant Robert A Wood. Whereupon judgment by default is rendered in behalf of the plaintiffs against the said defendant. And thereupon comes a jury, to wit: D.T. Waddell and Eleven Others good and lawful Men duly empannelled and sworn, who after hearing the pleadings, evidence, argument of Counsel and Charge of the Court returned into Court their Verdict as follows." We the jury find for the plaintiffs the shares in said lands as claimed in the petition & for Reubena Bell Holt & her Mother Bettie I Doremus as against Deft Freeman Six & 57/100 Dollars, and also find for Deft Freeman against Ed Warren & his wife Emily C Warren, on his plea in reconvention for confirmation of deed. D T Waddell Foreman" — And it appearing to the Court that said Verdict is correct upon the facts adduced, the said parties introducing on the trial hereof testimony as follows. 1st Patent to the heirs of Ed B Wood for one third league of land in Falls County (Abs No 283, issued January 24th AD 1855. and described as follows. "In Milam District, Falls County, on the N E side of Pond Creek about 7 1/2 Miles S. 54° W. from the falls of the Brazos. by virtue of certificate No 2217/2318 issued by the Commissioner of the General Land Office on the 18th day of December 1851 Beginning at George Leonards S.W. corner. Thence S. 60° W 4116 varas to corner, from which an elm bears S 85° W, 96 varas. Another bears S 82 1/2° W 96 varas. Thence S 30° W. 290 varas, branch, 475 varas, Road, 2024 6/10 varas to a corner, from which a Post Oak bears S 71° E. 9.0 varas, Marked E. Another bears S 30° E 139 varas, Marked E. Thence N. 60° E, 4116 varas to a corner, from which an elm bears S. 42° W. 102 varas, Another bears S 44° W 101 varas. Thence S 30° E. 2024 6/10 varas to the place of beginning." 2nd Patent for 335 3/4 acres of land in Falls County to Ed B Wood. (Abs. No 296) issued on 3rd March 1853 and described as follows: "In Milam District. Falls County, on the East side of Pond creek, about Seven and one half Miles S. 45° W from the falls of the Brazos. by virtue of Donation Warrant No 392, issued by the Adjutant General on the 28th day of November 1851, to said Wood in Consideration of his having been at the battle of San Jacinto, Beginning at the S W Corner of James Hances Survey, from which a post Oak

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Marked C bears N 22° E. 70 varas, Thence S. 60° W 1515 varas to corner on the E line of W R Robinsons League, from which a Mesquite bears S. 81° E. 102 varas, another bears S 79° E. 100 varas, Thence N 30° W. 1251 varas to corner in prairie, Thence N 60° E. 1515 varas to Corner in prairie, Thence S 30° E. 1251 varas to the place of beginning." 3rd Patent for 320 acres of land in Bell County in the name of Ed B Wood (Abs No 470) on 21st day of July 1854 and described as follows. "In Milam District. Bell County on the waters of Donahoe's creek, a tributary of little river, and about 12 Miles S 12° W from the three forks of said River, by virtue of Bounty Warrant No 969. issued to said Edward B Wood by the adjutant General on the 12th day of December A D 1851. Beginning at a Stake Asa Haines N E corner, Thence N 19° E. 950 varas to a Stake for N E Corner of this Survey from Which a Mesquite Marked H. bears S 67° W. 101 varas. Thence N 71° W 117 varas a drain, at 1900 varas to a Stake for the N W Corner of this survey, from which a hackberry bears S 45° W. 85 varas, an Elm brs S 23° W 85 varas. Thence S 19° W. 88 varas crosed a branch, at 950 varas a Stake. Thence S 71° E. 633 varas, pass the N W corner of said Haines survey, at 1900 varas the place of beginning." 4th Patent for 304 1/4 acres of land in Cooke County in Cooke land District in name of Ed B Wood, and described as follows. "In Cooke County on the Waters of Lake Creek, a tributary of the Salt fork of the Brazos, about 52 1/2 miles N. 78° W. from Fort Belknap known as Survey No 213 by virtue of certificate No 4340. issued by the Commissioner of the General Land Office on the 2nd day of January 1856. for the Unlocated Ballance of Donation Warrant No 392. issued by James S Gillett Adjutant General on the 28th day of November 1851. Beginning at at a Stake the S W corner of ~~this~~ survey No 209 made for Thomas J Doss. from which a Mesquite bears N 51° E. 10 varas, Another bears S 42° W 37 varas. Thence West at 212 varas a Stake, the N W Corner of this Survey; Thence South at 862 varas a Stake in the north line of Survey No 130. in the name of Hiram Riggs, Thence East on his north line at 1792 varas his N. E. Corner. Thence North on the west line of survey No 212 in the name of John Colston at 862 varas his N W corner. Thence West on the South line of said Survey No 209. at 360 varas a branch, at 1780 varas the place of beginning, Bearing Marked X." The Original Contract alleged in the petition was read, the Dft's G R Freeman being Sworn produced the same and identified it as the Original Contract, and Signed by D C Freeman on the one part, and Robt A Wood A Wood. Mary Virden, Elizabeth Wood & Emily Wood on the other. The said D C Freeman of one part, and Wherein the said Robert Wood, Archibald Wood, Mary Virden, Elizabeth Wood and Emily C Wood heirs of Edward B Wood deceased of the other part Contracted on the day of 1851 that said Freeman was to prosecute the claims of said heirs for land and Money due from the State to the heirs of said Ed B Wood for one half interest and was to locate the land warrants he should recover, paying all expenses and that for his half of the land they were to make to him a good title. The Witness G R Freeman testified that under said agreement the said D. C.

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Freeman and Withup had obtained warrants, and obtained and delivered to the heirs, patents for said lands, and had obtained some Money, and had paid out to four of the heirs their Share, and had tendered $6½ to Mrs Doremus and to the Attorneys for Plaintiff before Suit, which he testifies was the Share of said Money due them, There was then read the deed from R. A. Wood, Mary Verden, Elizabeth Wood and Emily Warren of date March 1st 1856, in which said parties as the heirs of E B Wood except the plaintiff Renbena Bell Wood. Daughter of Archibald Wood Decd. Conveying to D C and G R Freeman in Satisfaction of the Contract of 1857 the one third league tract in Falls County except 258 acres in a Square to be taken out of the S E corner of said One third league Survey, and running with the Original lines of said Survey, far enough to include a Square of 258 acres by lines running at right angles and parallel with the Original lines, in which deed the said Renbena Bell Wood is recognized as the Only daughter and heir of Archibald Wood deceased, And it was further Shown by the evidence of said G. R. Freeman that Mary Verden, Elizabeth Primm and Emily C Warren were before Marriage named Mary Wood, Elizabeth Wood and Emily C Wood, and were the same persons Mentioned in the Original Contract read as aforesaid. Witnes also testified that he had conversed with some of the said parties to the Suit who are of the said E B Woods family and by them the heirs of the said E B Wood were recognized as Stated in the petition, and as Stated in the said Contracts set out in evidence, The Deft G R Freeman read a deed from D C Freeman to himself, and proved a Tender to Terrell & Walker Attys for Renbena B Wood & Mrs Doremus of $6.50 which was all the Monies in his hands Collected, and being the Share of the said Archibald Wood, Which facts at large appear in the full Statement of facts on file. Whereupon the Court doth Order adjudge and decree that the said Plaintiffs do have partition with each other and the defendants the Shares in said four tracts of land as Claimed and set out in the petition, That is to say that Emily Warren have set apart to her one tenth, Lizzie Primm one tenth, Mary Virden One tenth, Renbena Bell Holt One tenth (Charged with the life estate of her Mother in one third of said One tenth,) And that the said Robert Wood defendant take one tenth, and that the said G R Freeman recover of the Plaintiffs, and the defendant Robert Wood one half of said lands, and that R B Holt and her Mother recover of the Deft G R Freeman Six Dollars and fifty cents. And it appearing that the said Emily Warren, Mary Virden, Lizzie Primm & R A Wood, and the said G R Freeman have agreed upon their partition, the Court doth Confirm as to said parties said partition, the same as to Emily C Warren and her husband being confirmed. And the Court doth further Order and adjudge that partition be made of the lands not partitioned setting apart to each party the share to him or her adjudged to be held in severalty, and the Court doth Appoint Wm Von Rosenberg J W Chandler, and Joseph Spence Commissioners to make partition according to this decree; that is to say; To Deft Freeman will be given the share by him taken Subject to be corrected as to Value in favor of or against the plaintiff Renbena Bell Holt

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should said part be more or less than an equal half in value of said lands. To Rembena Bell Wood will in said partition be given one tenth in value of the said lands without regard to any former partial division. To Emily C Warren will in said partition be allotted one fifth of that part reserved to the heirs of E B Wood in said partial partition, that is to say of the three smaller surveys and 258 acres out of the S. E. corner of the One third league tract. To Elizabeth Primm will be allotted one fifth of said part reserved to said heirs as above. To Mary Virden will be allotted one fifth of said part reserved to said heirs as above. To Robert Wood will be allotted a like one fifth of said part reserved to said heirs as above.

And it is further Ordered by the Court that said Commissioners shall make such partition setting apart to each party his share in value, and that they make report under oath of their action to this Court.

Bates McFarland & H G Damon

And now on this day came on to be heard the reports of the Committees appointed to examine in open Court Bates McFarland and H. G. Damon touching their qualifications to practice as attorneys and counsellors at law, and said Committees having recommended that said applicants be admitted. It is Ordered that said Bates McFarland and H. G. Damon be and they are hereby admitted to practice as attorneys and Counsellors at law in the several District and inferior Courts of the State of Texas and that licenses ipsue accordingly.

No 3643

A Bahn. Vs. A B Newman & Caroline Newman Defendants, and C C Baber Intervenor. And now on this day came the parties to this cause by their respective attorneys and announced ready for trial, whereupon came a jury of twelve good and lawful men of Travis County consisting of H. C Withers and Eleven others, who being tried, elected, empannelled and sworn according to law, heard the pleadings, evidence, argument of Counsel and the charge of the Court, retired for deliberation, and returned into Court the following verdict "We the jury find for the plaintiff. H. C. Withers foreman." Whereupon it is considered and decreed by the Court that said A Bahn do have and recover of and from the defendants A B and Caroline Newman and from the intervenor C C Baber the right, title, and possession of in and to lot Number Six (6) in Block Number Eighteen (18) in the City of Austin, Travis County, Texas. That the title of the plaintiff in and to said lot and premises be quieted. That the defendant and intervenor be divested of all right title and claim in and to said lot, and be evicted therefrom, and that the Clerk of this Court do ipsue a writ of possession ousting the defendants and intervenor therefrom, and placing said plaintiff in possession of the same. It is further ordered that the plaintiff recover of said defendants, and of the intervenor and his sureties J W Jopling and James P Wood all the costs in this suit laid out and expended for which execution may ipsue.

No 3903

B C Stanley Vs. Francisco Alderete. And now on this the 12th day of October 1874. this Cause coming on to be heard, came the parties by their attorneys, and

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announced themselves ready for trial, and thereupon came a jury of good and lawful Men of Travis County, to wit: R Platt and Eleven Others who being duly sworn well and truly to try the ipsue joined between the parties upon their Oaths do Say, "We the jury find that one note was given for one lot, and the other note was given for the other lot, and we find on the first note for plaintiff one hundred and thirty three 40/100 (133 40/100) Dollars due up to date, and on the second note three hundred and twenty five and 00 dollars, No tender. R Platt foreman. And it appearing to the Court from the finding of the jury as aforesaid that the defendant is indebted to the plaintiff in the sum of $133.40 on one note and $325 00/100 on the other note, and that the notes sued on bear interest at the rate of ten per cent per annum, and it further appearing to the Court that said notes were executed on the 1st day of January 1873. to secure the payment of the purchase money on the following two tracts of land to wit, the note for $325 on the Corner lot, and the note for $300. on the inner lot, both of said lots situated in the City of Austin on the Street passing said Staveley's dwelling house, and fronting on said Street 47 3/4 feet each, and running back one hundred and thirty eight feet, being a part of a 10 acre lot owned by said Staveley, plaintiff in this cause. It is therefore Considered by this Court, that the plaintiff do have and recover of the defendant the sum of $133 40/100 on the one note, and the sum of three hundred and twenty five 00/100 Dollars on the other principal & interest, with interest thereon from this date at the rate of 10 per cent per annum, together with all costs in this behalf expended, And it is ordered adjudged and decreed by this court, that the Vendors lien as it existed on the 1st day of January 1873 upon the above described two lots be, and the same is hereby foreclosed, and that the Clerk of this Court do issue an Order of Sale directed to the Sheriff or any Constable of Travis County, Commanding him to Seize and Sell the above described lots as under execution, and that he apply the proceeds of the sale of the Corner lot to the payment and satisfaction of the $133 40/100 debt, and the proceeds of the inner lot to the payment and satisfaction of the $325 00/100 debt, together with all interest that may be due thereon, and the Costs of this suit, and if each of the said lots shall sell for more than is sufficient to pay the sums due thereon respectively, the said Officer is hereby directed to pay over the excess to the defendant, but if the said lots shall not sell for enough to satisfy this judgment then the Clerk of this court is directed to ipsue execution for the balance remaining unpaid.

And Court adjourned till to morrow at 9 o'clock A.M.

Tuesday October 13th 1874

Court met at 9 o'clock AM pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit.

3627 Louis P Cooke et al v. Joseph Lee et als. Comes now the Counsel for the plaintiff & upon motion it is ordered that the cause be continued to make parties

3633 Thos G McKee Houston & Texas Central Rail Road Company. Ordered that this cause be continued.

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3652	The State of Texas v. Estate of Geo. K. Fenlon The judgment heretofore rendered in this cause, upon appeal to the Supreme Court, having been affirmed, it is ordered that the cause be dismissed, and that the cost be taxed against the State of Texas
3653	The State of Texas v. Estate of Joseph Cecil. Upon motion of the counsel for the plaintiff, it is ordered that the cause be dismissed, and that the cost be taxed against the State of Texas.
3664.	L W Collins v. John Gichet. Continued
3666.	A R Valls et al. v Erskine A Minter et al And now on this day came the parties by their attorneys, whereon on motion it is ordered that the Commissioner, J W Patton appointed to make Repat sales of property &c in this case, be required to report forthwith to this Court of his doings as such Commissioner, and that he be served with a copy of this order.
3680. X	Moses Callaway v. R. Sentzefelt The judgment having been affirmed in the Supreme Court, it is ordered that this cause be dismissed.
3966	John R. Adams v. Annie Sneed. Upon motion it is ordered that the Defendant in this cause have leave to amend
4107.	Geo. F. Gage v. Old Dominion Insurance and Banking Company. Comes now the counsel for the plaintiff. whereon on motion it is ordered that the ~~plaintiff~~ Sheriff have leave to amend his return on the process returned herein in this cause.
4108.	Geo. F. Gage v. Western Texas Insurance Company. Comes the counsel for the plaintiff whereon on motion it is ordered that the Sheriff have leave to amend his return on the process returned herein in this case.
Thomas G. Stacy	Comes now Thomas G. Stacy, Esq., and presents his application for license to practice as an Attorney and Counsellor at Law, accompanied by a certificate of good moral character and honorable deportment. And it is ordered that E. S. West, T. E. Sneed and O. Archer be appointed a committee to examine the applicant in open Court on to-morrow morning.
4187	R. A. Rutherford Jr. — Ex Parte. And now on this day comes on to be heard the petition of R. A. Rutherford Jr. a resident of Travis County, duly sworn to, asking for a removal of his disabilities as a minor. And it appearing that said applicant is over the age of seventeen years, and that it will be to his interest to have his prayer granted, It is ordered that the disabilities of minor age of said R. A. Rutherford, Jr. be and the same are hereby removed; and that he be held for all legal purposes of full age, and shall have full power legally to act for himself in all respects the same as if he were twenty-one years of age, saving only the right to vote.

and Court adjourned till to-morrow at 9 A.M.

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Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

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3827. Carrie Wardlow. v. Thomas Burditt et als. and now on this day came the parties to this cause by their attorneys, and on motion and by consent of parties judgment is entered as per agreement on file. And thereupon it is ordered that said Carrie Wardlow do have and recover of and from Thomas P. Burditt, Mildred Davis, Glenn C. Davis, Newell W. Burditt, Kate Jackson and Robert J. Jackson the sum of two hundred Coin dollars, and that the plaintiff and defendants respectively be adjudged to pay each one half of the Cost of this suit, for all which execution may issue.

Grand Jury And now on this day came into open Court the Grand Jury of Travis county, duly tried, empannelled and sworn for and during the present term of this Court, and through their foreman, Jno. W. Brown, Esq., presented to the Court the following Bills of Indictment, to wit:

3572 An indictment against Ed F. Duff for Embezzlement
3573 An indictment against Valentine for Betting at monte
3574 An indictment against Shands for Betting at monte
3575 An indictment against Dick Warren for Betting at monte
3576 An indictment against B. Finely for Betting at monte
3577 An indictment against Stocks for Betting at monte
3578 An indictment against Nat Moore for Betting at monte
3579 An indictment against Dave Edwards (col) for theft from a house
3580 An indictment against Billy Brennan for Betting at monte
3581 An indictment against Billy Brennan for Ex monte
3582 An indictment against Charley Boatman for Ex monte
3583 An indictment against Buck Warren for Betting at monte
3584 An indictment against John Evans for Betting at monte
3585 An indictment against Charles Reid for Betting at monte
3586 An indictment against Watts Cameron for Ex monte
3587 An indictment against William Wilson for Betting at monte
3588 An indictment against Matt Woodliff for Betting at monte
3589 An indictment against Ed Cook for Betting at monte
3590 An indictment against Jo Wodsworth Ex monte
3591 An indictment against John Trice for Betting at monte
3592 An indictment against Joe Hallam for Ex monte
3593 An indictment against Dick Warren for Betting at monte
3594 An indictment against Paul Deats for Betting at monte
3595 An indictment against Billy Sims Ex monte
3596 An indictment against Frank Taylor Ex monte
3597 An indictment against Dorsey for Betting at Keno
3598 An indictment against Duffy Betting at Keno
3599 An indictment against Fisher for Betting at Keno
3600 An indictment against Al Roberts for Betting at Keno
3601 An indictment against Sam Scott for Betting at Keno

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3602 An indictment against Jas Henry Wright for carrying pistol
3603 An indictment against Billy Robinson for carrying Pistol
3604 An indictment against John Robinson (col) for carrying Pistol
3605 An indictment against Thomas Johnson for theft from a house
3606 An indictment against Thomas Johnson for theft from a house
3607 An indictment against Rufe Jones (Col) for Agg Asslt
3608 An indictment against Rufe Jones " for maiming
3609 An indictment against Plumb Brown for Agg Asslt
3610 An indictment against Paul Lewis for Betting at monte
3611 An indictment against Blucher Hutchins for Betting at monte
3612 An indictment against Jo Franks for Betting at monte
3613 An indictment against Jeff Wesley for Betting at monte
3614 An indictment against Aaron Robinson for Betting at monte
3615 An indictment against Ambrose Steele for Betting at monte
3616 An indictment against Mack Hawes for Betting at monte
3617 An indictment against Black Davis for Betting at monte
3618 An indictment against Buck Wallon for Betting at monte
3619 An indictment against Wm Metwell for Betting at monte
3620 An indictment against Gus Luckie for Betting at monte
3621 An indictment against Wm Perkins for Betting at monte
3622 An indictment against Sam Robinson for theft of Harness
3623 An indictment against Ohlenberger for Asst to Kill &c
3624 An indictment against John Crumby for Betting monte
3625 An indictment against Henry Harrison for theft from house
3626 An indictment against Bud Colton Ex monte
3627 An indictment against Newell Burditt for Betting at monte
3628 An indictment against Silas Burditt Jr for Betting at monte
3629 An indictment against Dorsey for Betting at monte
3630 An indictment against Charley Huzett for Ex monte
3631 An indictment against Rhondoe Johnny for Ex monte
3632 An indictment against Jimmie Rawles for Ex monte
3633 An indictment against Mahony for Ex monte
3634 An indictment against Frank White for carrying Pistol
3635 An indictment against Dodson for Ex monte
3636 An indictment against S.M. Cain Jr carrying Pistol
3637 An indictment against Ed Moore for carrying Pistol
3638 An indictment against Silas Miller for carrying Pistol
3639 An indictment against Tom Johnson for theft of Revolver
3640 An indictment against Ambrose Steele & Butler Lott for Disturbing Peace
3641 An indictment against Butler Lott for carrying Pistol
3642 An indictment against Ambrose Steele for Carrying Pistol
3643 An indictment against M. Rafael for Agg Asslt.

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3644 An indictment against Alick Dickinson for Betting at monte
3645 An indictment against Al Rust for Betting at monte
3646 An indictment against Prof Organ for Betting at monte
3647 An indictment against Mick Hawes for Betting at monte
3648 An indictment against John Evans for Betting at monte
3649 An indictment against Peter Bell for Betting at monte
3650 An indictment against Sam Minor for Betting at monte
3651 An indictment against John Jackson for carrying Pistol
3652 An indictment against Dunn Smith for Betting at ten Pin Alley
3653 An indictment against Lank Jackson for carrying Pistol
3654 An indictment against S.B. Robinson for Theft from a house
3655 An indictment against Bob Organ for Betting at monte
3656 An indictment against Moses Swisher(col) for Betting at monte
3657 An indictment against Munroe Organ for Ex monte
3658 An indictment against "Bully" for Ex monte
3659 An indictment against Frank Colton for Ex monte
3660 An indictment against Ike Bell for Ex monte
3661 An indictment against Johnny Ryan for Betting at monte
3662 An indictment against Isaac Cook for Betting at monte
3663 An indictment against Jerry Johnson for Betting at monte
3664 An indictment against Paul Lewis for Ex monte
3665 An indictment against Lee Thaxton for Playing Cards &c
3666 An indictment against Silas Gibbs for Betting at monte
3667 An indictment against "Curo" for Betting at monte
3668 An indictment against Dan Lewis for Betting at monte.

And said Grand Jury suggesting that there is still further business pending before them, they were ordered to retire upon a discharge of the same.

And Court adjourned till to-morrow at 9 o'clock A.M.

October 15th 1874.

Court met at 9 o'clock A M pursuant to adjournment. Present same as on yesterday Whereupon the following proceedings were had to wit:

4014 August F. Kemp v. S. Mussett et al. Comes the Defendant by attorney whereon motion it is ordered that said Defendant have leave to amend.

3733 Wm F Orr et al v. Wm Klug. Comes the Plaintiffs, whereon motion it is ordered that said Plaintiffs have leave to amend their pleadings

3734 Wm F. Orr et al v. Mary O'Brien. Come the plaintiffs by attorney whereon motion it is ordered that said Plaintiffs have leave to amend

3735. Wm F. Orr et als. v. W.K. Cushney Come the Plaintiffs by attorney whereon motion it is ordered that said Plaintiffs have leave to amend

3739 G.R. Freeman v. Joshua Pine et als comes the Plaintiff by attorney whereon motion it is ordered that said Plaintiff have leave to amend

4000 J.S. Stewart v. M.K. Miller. Continued by Plaintiff

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3 4011 J. S Stewart v M. K. Miller. Continued by Plaintiff

Bentley H. L Bentley having presented to the Court his License admitting him to practice in the Courts of the State of Tennessee. It is ordered that said H. L. Bentley be and he is admitted to practice as an Attorney and Counsellor at Law in the several District and Superior Courts of the State of Texas

Phillips Comes E. P. Phillips and presents his application for license to practice as an Atty and Counsellor at Law in the several District and Superior Courts of the State of Texas and it is ordered that W M Walton, David Sheeks & H Cullen and Wm Gray be appointed a Committee to examine the applicant in open Court.

3 3710 E. Saunders v Nathan Meyer. And now on this day came the parties to this cause by their respective attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county, who being duly tried, elected and sworn according to law, heard the pleadings, the evidence and the charge of the Court, and returned the following verdict, to wit: "We the Jury find for the defendant "J H Wacker, foreman." Whereupon it is ordered that the plaintiff take nothing in this behalf: that the Defendant go hence and recover of said E. Saunders, and his securities R. M. Castleman and Alfred Smith, all the cost of this suit for which execution may issue

3739. G R Freeman v. Joshua Sims et als Continued by plaintiff

4179 H. Deichman v. M. J Matteson. Comes now the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

Whereupon Court adjourned till to-morrow morning at 9 o'clock

October 16th, 1874.

Court met at 9 o'clock A M pursuant to adjournment. Present Hon. J. P. Richardson, Judge 29th Judicial District presiding. Whereupon the following proceedings were had, to wit:

3764. Alfred Grooms v Louis P. Cooke et als. Continued to make parties

3796 E. Burnam v. W. C Lewis et al. Comes now the Defendant, by atty, when on motion it is ordered that the Defendants have leave to amend.

3969. Geo M. Pace et al v. John Browning et al. Came the Plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend

3781 Thomas J. Pitt v. E. W. Cotter. And now on this day came the parties to this cause by their attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of J. D McGinnis and eleven others who being tried elected and sworn according to law heard the pleadings the evidence, argument of counsel and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict to wit: "We the Jury find for Plaintiff three hundred Dollars Coin with 8 per cent. int. from 1st Jany 1874 to date J. D. McGinnis foreman." Whereupon it is ordered that Thomas J. Pitt do have and recover of and from E. W. Cotter the sum of Three hundred Coin Dollars with interest thereon at 8 per centum per annum from the 1st January 1874 until paid, and all the cost of this suit, for which execution may issue

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And thereupon Court adjourned till to-morrow at 9 o'clock A.M.

October 17th 1874.

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

3723 James Brown et als v. Lucretia Brown et als And now come the parties by their attys and announced ready for trial. And Defendants exceptions coming on to be heard the same are sustained, to which Plaintiff excepts. And a Jury having heard the case and the same being duly submitted to them, they, after retirement, returned into Court that they are unable to agree upon a verdict. Whereupon it is ordered that said Jury be discharged and a mistrial awarded.

And thereupon Court adjourned till Monday morning next at 9 A.M.

Monday, October 19th 1874.

Court met at 9 o'clock AM pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

3845 John D. Kerfoot et al. Unknown Heirs of J. Eslin. Come the Plaintiffs by their attys who on motion it is ordered that the Plaintiffs have leave to amend.

W. T. Davis Fees. And thereupon it is ordered that W. T. Davis be allowed Twenty Seven Dollars for services as Riding Bailiff to Grand Jury at October Term 1874 payable out of the County Treasury of Travis County on the Certificate of the Clerk of this Court.

And Court adjourned till to-morrow at 9 o'clock A.M.

Tuesday October 20th, 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had, to wit:

4062 J. C. Minter, Admr. M. L. Anderson et al. Continued by Defendant.

4020 R. H. Hamilton v. J. C. Minter et al. Continued by Defendant.

3520 B. M. Odum v. Houston and Texas Central Railway Company. And now on this day came the parties to this cause by their respective attorneys and announced ready for trial. Whereupon came on to be heard the Defendants general demurrer to the plaintiffs petition, which being duly considered, the same is overruled: to which ruling Defendant excepts. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of T. B. Galusha, and eleven others, who being elected, tried, empannelled and sworn, according to law, heard the pleadings, the evidence, argument of Counsel, and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for Plaintiff two thousand dollars T. B. Galusha, foreman."

Whereupon it is ordered and adjudged by the Court, that said B. M. Odum do have and recover of and from the Houston and Texas Central Railway Company the sum of Two Thousand Dollars, so found to be due by the Jury aforesaid with all his costs in this behalf laid out and expended, for all which execution may issue.

And Court adjourned till to-morrow at 9 o'clock A.M.

October 21st 1874

Wednesday October 21st 1874

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

3783. James Philips et al. v. W. N. Hardeman et al. Continued

3790. J.T. Jackson v. J. & D.W. Ezell. Upon motion of the counsel for the Plaintiff it is ordered that this cause be dismissed and that the said J.T. Jackson be adjudged to pay all the cost of this suit to be taxed, for which execution may issue

3791 George Hancock v. J.H. Tivley. And now on this day came the parties to this cause by their attorneys and by consent and agreement of parties judgment there be entered for the amount of principal and interest due upon the note sued on. Whereupon it is ordered and decreed that George Hancock do have and recover of and from J.H. Tivley Seven hundred, fifty-six $\frac{95}{100}$ Dollars, due on the instrument sued on, to this date, together with ten per centum per annum interest thereon from this date until paid, and all the cost of this suit to be taxed, for which execution may issue on the first day of January, 1875

3796 E. Brenond v. W.L. Lewis et al. Comes now the Plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend his petition

R.S. Bacon Ordered that R.S. Bacon be allowed thirty-four dollars for services as Bailiff to Grand Jury at this term, payable out of County Treasury

W.S. Hill Orders that W. S. Hill be allowed Thirty Dollars for services as Bailiff to the Grand Jury at this term payable out of the County Treasury

And Court adjourned till to-morrow at 9 o'clock A.M.

October 22d 1874.

Court met at 9 o'clock A. M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit.

W.S. Hill Orders that W S Hill be allowed Two Dollars for services as Bailiff to Grand Jury for this days services, payable out of County Treasury of Travis county.

R.S. Bacon Orders that R.S. Bacon be allowed Two Dollars for services as Bailiff to Grand Jury for this day payable out of County Treasury of Travis county

Grand Jury And now on this day came into open Court the Grand Jury of Travis County, duly tried empanelled and sworn for and during the present term of this Court. and through their foreman Jno W. Brown Esq presented to the Court the following Bills of Indictments to wit:

3669 An Indictment against P.H. Wynne for False swearing

3670 An Indictment against George W. Miller for Uttering forged Document

3671 An indictment against Mrs Cox & Ella Cox for Keeping disorderly house

3672 An indictment against Sallie Davenport " Keeping disorderly house

3673 An indictment against Mollie Seymour et al Keeping disorderly house

3674 An indictment against Agnes Brown for Keeping disorderly house

3675 An indictment against Fanny Kelly for Keeping disorderly house

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3676 An indictment against Surrey Kuyer for Keeping disorderly house
3677 An indictment against Joe Walker for Playing Cards
3678 An indictment against Lee Chalmers for Playing cards &c
3679 An indictment against L.E. Edwards playing cards &c
3680 An indictment against Nathan Kuyer playing cards &
3681 An indictment against Sam Friedberger playing cards
3682 An indictment against Arundel playing cards &c
3683 An indictment against Willie Brush playing cards &c
3684 An indictment against Tom Harvey playing cards &c
3685 An indictment against Allie Caldwell playing cards &c
3686 An indictment against "Brown Boss" Bet monte
3687 An indictment against Jo Sovreau for Ex Rolette
3688 An indictment against A.D. Norris for Betting at monte
3689 An indictment against Mexican John for Betting at monte
3690 An indictment against Louis Malitsky for Betting at monte
3691 An indictment against Webb Kissam for Betting at monte
3692 An indictment against Andy for Betting at monte
3693 An indictment against Dow Phillips for Betting at monte
3694 An indictment against Leo King for Betting at monte
3695 An indictment against Haywood Coos for Betting at monte
3696 An indictment against Dick Hamilton for Playing cards &c
3697 An indictment against Ely Sharp for Betting at monte
3698 An indictment against Rufe Jones (col) for Playing Cards &c
3699 An indictment against Robert Owens for Playing Cards &c
3700 An indictment against Green Penn for Betting at monte
3701 An indictment against Young Houston Playing Cards &c
3702 An indictment against Clint Thompson Playing cards &c
3703 An indictment against Charles Nugent for "cassino"
3704 An indictment against House for Betting at Keno
3705 An indictment against Robert Holman for Betting at monte
3706 An indictment against Wiley Craft for Betting at monte
3707 An indictment against Charles Cook for Betting at monte
3708 An indictment against Sugar H Cane for Betting at monte
3709 An indictment against Harrison Cane for Betting monte
3710 An indictment against Seal cain for Betting at monte
3711 An indictment against Charles Klein for Betting at monte
3712 An indictment against John Good for Betting at monte
3713 An indictment against Frank Stromer for Betting at monte
3714 An indictment against Simm Good for Betting at monte
3715 An indictment against N.B. Mitchell for Betting at monte
3716 An indictment against Miller for Betting at monte
3717 An indictment against Potter for Betting at monte

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3718 An indictment against Jo Wilson for Betting at monte
3719 An indictment against Jo Burlage for Betting at monte
3720 An indictment against Stell for Betting at monte
3721 An indictment against Jo Pennington for Betting at monte
3722 An indictment against Keno Jim for Betting at monte
3723 An indictment against A.B. Mitchell for Ex monte
3724 An indictment against Rodgers for Betting at monte
3725 An indictment against Ed McGehee for Betting at monte
3726 An indictment against Mrs Thomas for Keeping disorderly house
3727 An indictment against Dick McClaren for malicious mischief
3728 An indictment against H.B. Ivey for Agg Asslt
3729 An indictment against H.B. Ivey for carrying Pistol
3730 An indictment against Jeff Crow for using an Estray &c
3731 An indictment against Lily White for Keeping disorderly house
3732 An indictment against J.R. Norris for Swindling
3733 An indictment against Thos Cree for uttering forged promissory note
3734 An indictment against Waldrop and Bob Smith & Bill Wells theft of Steer
3735 An indictment against Wm Washington for theft of colt
3736 An indictment against John Hosforth for Running a brand on a calf
3737 An indictment against Dick McClaren for Malicious Mischief
3738 An indictment against Waldrop et al for theft of Steer
3739 An indictment against Ohlenberger for Agg Asslt
3740 An indictment against G.M. Brass using false weights
3741 An indictment against John Hosforth for Branding calf
3742 An indictment against Thos Cree for Uttering forged promissory note &c
3743 An indictment against J.H. Dowell for nonpayment of occupation Tax
3744 An indictment against Chas L. Evans for nonpayment of occupation Tax
3745 An indictment against C.D. Anderson for nonpayment of occupation Tax
3746 An indictment against W.A. East for nonpayment of occupation Tax
3747 An indictment against Doffrai for nonpayment of occupation Tax
3748 An indictment against I.B. Shepherd for nonpayment of occupation Tax
3749 An indictment against Sam Piper for nonpayment of occupation Tax
3750 An indictment against Scott Paschal Jr for nonpayment of occupation Tax
3751 An indictment against Leo H. Miller for nonpayment of occupation Tax
3752 An indictment against E.N. Hands for nonpayment of occupation Tax
3753 An indictment against J Holston & Howard Keeping disorderly house
3754 An indictment against Mary Nolan for Keeping a disorderly house
3755 An indictment against Chas Covey for Permitting cards &c
3756 An indictment against Jennie Campbell for Keeping disorderly house
3757 An indictment against Ida for Keeping disorderly house
3758 An indictment against Jesse Meade for Keeping disorderly house
3759 An indictment against Jenny Butterfield for Keeping disorderly house

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3760 An indictment against Mrs Miller selling Liquor without License authority of Law
3761 An indictment against Emma for Keeping disorderly house
3762 An indictment against Nat Teague and Annie Howard for Keeping disorderly house
3763 An indictment against Lena Bee for Keeping disorderly house
3764 An indictment against Michael & Michael for Permitting cards to be played &c
3765 An indictment against Michael Jr. Play cards &c
3766 An indictment against Robert Campbell for Playing Cards &c
3767 An indictment against Ridge Paschal for nonpayment of occupation Tax
3768 An indictment against J.S. Farrow for nonpayment of occupation Tax
3769 An indictment against R J. Brennan for non payment of Occupation Tax
3770 An indictment against Maggie Harvey for Keeping disorderly house
3771 An indictment against Ida Lake for Keeping disorderly house
3772 An indictment against Hannah Robb for nonpayment of occupation Tax
3773 An indictment against Miss Lavina et al for Keeping disorderly house
3774 An indictment against Jane Henderson et al for Keeping disorderly house
3775 An indictment against W.J. Moore for non payment of occupation Tax
3776 An indictment against W.A. Morris for nonpayment of occupation Tax
3777 An indictment against W.J. Burt for nonpayment of occupation Tax
3778 An indictment against Samuel Galloway for non payment of occupation Tax
3779 An indictment against Ben Hommet for nonpayment of occupation Tax
3780 An indictment against Richd Galloway for nonpayment of occupation Tax
3781 An indictment against W.P. Gaines for nonpayment of occupation Tax
3782 An indictment against Louis Schooler for nonpayment of occupation Tax
3783 An indictment against L. Maliszewskie for non payment of occupation Tax
3784 An indictment against R A. Smith for nonpayment of occupation Tax
3785 An indictment against P.P. Cluff for nonpayment of occupation Tax
3786 An indictment against Fred Carlton for nonpayment of occupation Tax
3787 An indictment against W.D. Billups for nonpayment of Occupation Tax
3788 An indictment against Miller for Selling Liquor
3789 An indictment against Mrs Miller Selling Liquor without authority of law
3790 An indictment against W.M. Wallin Asslt and Batting
3791 An indictment against Lem Middleton for Taking watermelons
3792 An indictment against Lem Middleton for Asslt to Kill &c
3793 An indictment against Lem Middleton for carrying Pistol
3794 An indictment against Howard & Howell for Theft of Beef Steer
3795 An indictment against E. Bolton for Selling Liquor
3796 An indictment against E. Currie for Perjury
3797 An indictment against Charles Hunter for Selling Liquor without License
3798 An indictment against John Raven for selling Liquor on Sunday
3799 An indictment against John Raven for selling Liquor on Sunday
3800 An indictment against Jacob Bricker for Theft from a house
3801 An indictment against James E. Downes for Perjury

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3802 An indictment against E Baker for Selling Liquor
3803 An indictment against Mrs Miller for selling Liquor without authority of law
3804 An indictment against E Baker for Selling Liquor
3805 An indictment against E. Baker for Selling Liquor
3806 An indictment against E. Baker for Selling liquor without authority of law
3807 An indictment against Mrs Miller selling liquor
3808 An indictment against Miller for selling liquor
3809 An indictment against Mrs Miller for selling liquor
3810 An indictment against E. Baker for selling liquor without authority of law
3811 An indictment against James A. Burris Theft of gelding
3812 An indictment against John Jackson for Asslt to Kill &c
3813 An indictment against F. Miller and Steine for theft of neat cattle
3814 An indictment against Montgomery Ruble for theft of gelding
3815 An indictment against Giles Burdett for Asst to Kill &c
3816 An indictment against Henry Simms for theft of gelding
3817 An indictment against Ochiltree for disturbing peace
3818 An indictment against Frank Swisher for Agg asslt
3819 An indictment against Ochiltree for agg asslt
3820 An indictment against A. Jourdon for theft of a Steer
3821 An indictment against Squire Puckett &c theft from a house
3822 An indictment against Chas Smith agg asslt
3823 An indictment against John Scott asslt to Kill &c
3824 An indictment against King for cutting timber on land not his own
3825 An indictment against Isaac Morgan theft of a gelding
3826 An indictment against Jo Jones for using Estrays &c
3827 An indictment against P. W. Wynne uttering forged documents in writing
3828 An indictment against Rutherford for theft of grain
3829 An indictment against P. W. Wynne for uttering forged instruments &c
3830 An indictment against Jo Fowler for Asslt to Kill &c
3831 An indictment against Dibbell for carrying pistol
3832 An indictment against Miles Jackson for disturbing peace
3833 An indictment against Geo W. Miller for uttering forged Power of Atty
3834 An indictment against Geo W. Miller for Swindling
3835 An indictment against Geo W. Miller for Swindling
3836 An indictment against John Rogers for Negligent Homicide
3837 An indictment against Geo W. Miller for Uttering forged Documents
3838 An indictment against Geo W. Miller for Uttering forged Documents
3839 An indictment against A. J. Blair for making fraudulent acct

And thereupon the Grand Jury suggested that they had no further business before them. It is ordered that the Grand Jury be discharged from further business during this term.

And Court adjourned till to-morrow at 9 AM

Friday October 23d. 1874.

Court met at 9 o'clock a.m. pursuant to adjournment. Present the same as on yesterday whereupon the following proceedings were had, to wit:

3796 E. Brenond v. W. L. Lewis et al. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of Neill McLaskin foreman and eleven others, who being tried, elected and sworn according to law heard the pleadings, the evidence, argument of Counsel and the charge of the Court, after retirement, returned into Court the following verdict, to wit: "We the Jury find for the Defendants. Neile McLaskin, foreman." Whereupon it is ordered and adjudged that the plaintiff take nothing in this behalf: that the cause be dismissed, that the Defendants go hence and recover of said E. Brenond all the cost in this behalf laid out and expended, for which execution may issue.

3811 Dorothea Weber v. Charles Picht. Comes now the parties, when on motion it is ordered that this cause be dismissed, and that the said Plaintiff and Defendant each be adjudged to pay one-half of the cost hereof, for which execution may issue

3815 Jael A. Burdett et al. v. John A. Green et al. Continued.

3828. M. J. Matteson v. W. W. Cochorn. Comes the Defendant, when on motion it is ordered that said Defendant have leave to amend.

3952. E. Raven v. E. J. Davis et al. Comes now the plaintiff by attorney when on motion it is ordered that said Plaintiff have leave to amend.

3952. E. Raven v. E. J. Davis et al. Comes now the Plaintiff by attorney, when on motion it is ordered that the Commissioner and Clerk have leave to amend the return on deposition filed in this case.

4115. I. M. Michael et al. v. Chas. Kruchfle. Comes the Defendants when on motion it is ordered that the Defendants have leave to amend.

4146 Charles G. Jones v. Turney & Thaxton. And now comes the plaintiff by attorney when on motion it is ordered that the writ of inquiry awarded in this case be set aside. And on motion It is ordered that plaintiff have judgment by default. And because the Defendants have been duly cited and have failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered that Charles G. Jones do have and recover of and from C. H. Turney and William Thaxton the sum of Six hundred, four & 80/100 Gold Dollars, principal & interest due upon the note sued on, with interest thereon at the rate of two and one-half per cent. per month from this date until paid, and all the cost of this suit, to be taxed, for which execution may issue.

4165. M. R. Parrish et al v. Geo. T. Crofton. It appearing that the Defendant has been served with process and has failed to answer within the time prescribed by law and wholly made default, it is ordered that the plaintiffs do have and recover of the defendant according to the prayer of their petition and that a writ of inquiry be awarded.

4165 M. R. Parrish et. al. v. Geo T. Crofton. Come now the plaintiffs by their attorneys

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whereupon on motion it is ordered that R. J. Hill, Esq. be appointed Guardian ad litem for the minor plaintiffs in this case.

3897. A. J. Ridge v. Hollen & Hughes. Continued

3922. B. F. Garrison v. James Finley. Continued by plaintiff

3923. B. F. Garrison v James & Robert Finley Continued by plaintiff

3894. S. J. Davahan v. J.H. Robinson & Son. Comes now the Plaintiff by his attorney, and on motion it is ordered that said Plaintiff have leave to amend the petition.

3824. W. W. Cathorn v. M. J. Matteson. And now on this day came the parties to this cause by their attorneys, and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of J.H. Burns and eleven others who being duly tried, elected and sworn according to law, heard the evidence and the charge of the Court, and after retirement returned the following verdict, to wit: "We the Jury in case No 3824, Cathorn v. Matteson, find for the Plaintiff. J.H. Burns, foreman" Whereupon it is ordered that said W W Cathorn do recover of said M. J. Matteson the polpelpin of Lot No. 5 in Block 166 in the City of Austin - and that the plaintiff recover of the Defendant and the securities on his appeal bond, G. W. Schabey and J.M. Bennett, all the cost in this Court and the Court below, for which execution may issue.

3825. W. W. Cathorn v. M J Matteson And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of Neill McLashin and eleven others, who being tried, elected and sworn according to law, heard the evidence and the charge of the Court, and after retirement, returned into Court the following verdict, to wit: "We the Jury find for the Pleff ($8.00 Coin) - Eight Dollars. Neill McLashin, foreman" Whereupon it is adjudged and decreed that W. W. Cathorn do have and recover of M. J. Matteson the sum of Eight Coin Dollars and all the cost of this suit in this Court and the Court below for which execution may issue And that said plaintiff also recover of the securities on the Appeal bond, Jno. A. Webb and J. M. Bennett, the said sum of Eight Coin Dollars and the cost

3826. W. W. Cathorn v. M. J. Matteson On motion it is ordered that this cause be dismissed and that the plaintiff be adjudged to pay the cost in this Court and that the Defendant and his securities Jno. A. Webb and J. M. Bennett be adjudged to pay all the cost of this suit in the Court below, for which execution may issue

3961 C. C. Lehance v. Andrew Parker. Comes now the Plaintiff by atty when on motion it is ordered that said plaintiff have leave to amend the petition

3961 C. C. Chance v. Andrew Parker. Continued

4101 M. Goldsoe v. J. Jno. Parton. And now comes the Plaintiff by atty whereon motion this ordered that the writ of inquiry awarded be dismissed And the pleff. asks for judgment for the amount sued for. And the defendant having been legally cited and failed to answer within the time prescribed by law and wholly made default It is ordered that said M. Goldsoe do have and

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recover of and from J. Grs. Patton the sum of nine hundred, forty-three & 87/100 Dollars, principal debt and interest due upon the instrument sued on to this date, together with all cost in this behalf laid out and expended, for which execution may issue.

1394q. Joseph S. Stewart v. Jordan Goodhue & Bro. And now on this day came the plaintiff by his attorney and asks that the writ of inquiry awarded in this case be now here executed. When came a jury of twelve good and lawful men of Travis County, consisting of J.H.V. Burns and eleven others, who being tried, elected and sworn according to law, heard the pleadings the evidence and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the plaintiff the sum of $1279. 18/100. J.H.V. Burns, foreman." Whereupon it is ordered and adjudged by the Court that Joseph S. Stewart do have and recover of and from the Defendants J. M. Jordan, J. A. Goodhue and B. Goodhue, under their firm name of Jordan, Goodhue & Bro. the sum of Twelve Hundred, Seventy Nine & 18/100 Dollars, so found to be due, and all the cost of this suit, for which execution may issue.

And it appearing that the following described Real Estate has been seized by writ of attachment, to secure the debt sued on in this case, to wit: Situated in Robertson County, Texas, being Sixty-five acres of land out of the headright league of S.W. Browing and described Lot No. 2 laying South and the North league line thereof bounded each by the 75 acres in Lot No 43, thence South by the 100 acres in Lot No 31 - thence West by the sixty-five acres in Lot No. 41, containing 65 acres, valued at $325. Also another tract of one hundred acres out of the Dennis Hegerty one third of a league, beginning on South line of said Dennis Hegerty Survey at a stake 55 vrs N. 60 E. from the South West corner of said one third league, said stake being also the corner of a Survey of 80 acres conveyed by T.C. Moore to A. Weaver, thence N. 30 W. 690 vrs with said Weaver's line to a stake on the line of a Survey conveyed by T.C. Moore to Benj. Dennis thence N. 60 E. with said Dennis' line 789 vrs to a stake in prairie thence S. 30 E. 690 vrs to a stake on South line of said Hegerty Survey whence a P. O. marked X bears N. 64½ E. 3 vrs said thence S. 60 W. 789 vrs to the beginning, containing one hundred acres, more or less, valued at $200. Also one tract of 50 acres apart of the John Fisher tract near Calvert, beginning on a stake S.E. corner of a Survey of 160 acres made for A. W. Terrell, from which a Post Oak bears N. 36 W. 12 vrs another Post Oak bears N. 11½ W. 20 vrs thence N. 60 E. 430 vrs to a stake from which a Black Jack bears S. 31 W. 7 vrs thence N. 30 W. 656½ vrs to a stake from which a Post Oak bears S. 46 E. 3 vrs thence S. 60 W. 430 to a stake from which a Post Oak bears N. 73 W. 11 vrs thence S. 30 E. 656½ vrs to the beginning, valued at two hundred and fifty dollars. Also twenty acres out of said John Fisher tract, beginning at the N.E. Corner of the first described tract of fifty acres a stake from which a Post Oak bears N. 75 W 11 vrs thence with the North line of said fifty acres survey

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S. 60. W. 615½ vrs to a stake from which a Post-Oak bears N. 28½ E. 9 vrs thence N. 30 W. 641 2½ vrs to a stake on the N. line of Wrights Survey from which a Black Jack bears S. 89½ W. 18 vrs and another Black Jack bears S. 35 W. 15 vrs thence N. 60 E. with Wrights line 615½ vrs to a stake his N. E. corner from which a Post Oak bears N. 45 W. 8 vrs to a Black Jack bears N. 65 E. 9 vrs thence S 30 E. 642½ vrs. to the beginning, valued at $100.

Also, two forty acre tracts, in Harris county, out of the Pleasant W. Rose league designated in a plat of subdivision made for D. S. Blount by A. S. Sheet as Lots No. (21) and (22) Also (50) acres of the Reynolds League known as part of Lots No. (5) and (3) beginning at the S. E. corner of Lots No. (5) being part of the Reynolds league and more particularly described as beginning at the S. E. corner of said Survey of (50) acres on the West line of J. Whites line land thence 1316 feet along the E. line of No. (5) and No (3) to a stake on the East line of a Ditch thence West 1753 feet to a stake on the West line of No (3) thence South 899 feet along the West line of No. (3) and (5) to the N. W. corner of a Survey of (5) acres previously sold to Sam Taylor - thence East 467 feet along Taylor's North line to his N. E. corner thence South 467 feet along Taylor's East line to his S. E. corner of Lot (5) thence East 1286 feet along the South line of Lot No 5 to the place of beginning, valued at $600. And it is ordered that plaintiff's attachment lien upon the above described tracts of land be foreclosed and that the Clerk of this Court do issue orders of sale to the Sheriff of Robertson and Harris Counties requiring them to levy upon, and sell as under execution, the said land, and to apply the proceeds thereof to the payment of the said judgment for $1279.18/100 Dollars and the interest to accrue thereon, and the costs of this suit, and the fiscal residue, if any, he shall pay over to the Defendants. And if said lands shall not sell for enough to satisfy the judgment, interest and cost, then execution may issue for the deficit.

And Court adjourned till to-morrow at 9 A.M.

Saturday October 24th, 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

/3718. William Leustad Jr. v. Walter Tips. Come the parties when on motion it is ordered that this cause be dismissed and that the plaintiff recover of the Defendant Walter Tips all the cost of this suit, for which execution may issue.

/4107. Geo. F. Gage v. old Dominion Insurance Company. And now comes on to be heard defendant's motion to quash the return of service on the citation in this case, which being heard and considered, it is ordered that the same be overruled, to which ruling the said Defendant excepts.

/4108 Geo. F. Gage v. Western Texas Insurance Company. And now comes on to be heard Defendant's motion to quash the return of service on the citation in this case, which being considered, it is ordered that the same be overruled, to which the Defendant excepts.

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4068 D A Fields v. A R Crozier. And now comes on to be heard the motion to set aside the judgment by defaut entered herein at a former day of this term. And the same being considered, it is ordered that the same be granted: that said judgment by default be set aside and vacated, and defendant allowed to answer.

3785. Page & wife v. Bennett et al. And now come the parties to this cause by their attorneys and on motion and by consent it is ordered that the order dismissing this cause be set aside and vacated, and that the cause be reinstated upon the docket.

3740. E. Saunders v. Nathan Meyer. Come the parties, when came onto be heard the motion for a new trial filed in this case, which being considered, it is ordered that the same be overruled. Whereupon the plaintiff gives notice in open Court of an appeal to the Supreme Court.

3540 B. M. Odom v. Houston & Texas Central Railway Company. Come the parties when came on to be heard the motion of Defendant for a new trial, which being duly considered, it is ordered that said motion be overruled. And thereupon the said defendant, by attorney, gives notice in open Court of an appeal to the Supreme Court.

3796 E. Brainard v. W. B Lewis et al. Come the parties by their attorneys when came on to be heard the motion for a new trial filed by the plaintiff which being considered it is ordered that said motion be overruled. Whereupon said plaintiff by his attorney gives notice in open Court of an appeal to the Supreme Court.

3796. E. Brainard v. W. B. Lewis et al. Come the parties by their attorneys when came onto be heard the motion to amend the judgment entered in this cause, which being duly considered, it is ordered that said motion be overruled. Whereupon said Defendants give notice in open Court of an appeal to the Supreme Court.

4188. Michael D. Miller v. Edward Creary & A. S. Mair. Oct. 24th, 1874.

This day came on to be heard the above styled cause, whereupon M. D. Miller personally appeared in open Court by virtue of the authority vested in him by virtue the warrant of attorney embodied in the note sued on and executed on the 15th day of May 1874 by the Defendants Edward Creary and A. S. Mair and filed in this cause, and confessed judgment in favor of Michael D. Miller the owner and holder of the note sued on against the Defendants Edward Creary and A. S. Mair, for the sum of two hundred and eighty-nine $\frac{30}{100}$ Dollars in U. S. currency, that being the full amount due on the note sued on up to this date. And it appearing to the Court that the plaintiff in whose favor said judgment is confessed has sworn to the justness of the debt sued on as required by law, and that he has filed his warrant of attorney in this cause authorizing him to make said confession of judgment. It is therefore considered and adjudged and decreed by the Court that the plaintiff Michael D. Miller do have and recover of and from the defendants Edward Creary and A. S. Mair the sum of two hundred and eighty-nine $\frac{30}{100}$ Dollars, with interest thereon from this date until paid, at the rate of ten per centum per

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month, and all costs in this cause incurred, for which execution may issue

4095 State of Texas v. Juan Avalos. Comes on to be heard the motion to set aside the judgment by default and the same being considered it is ordered that the final judgment entered in this cause at a former day of the term be set aside and vacated, and that the said Juan Avalos and his security Charles Covey pay all the cost of this proceeding for which execution may issue.

4175. Hallmann v. Houston & Texas Central Railway Company. Comes on to be heard the motion of Defendant to quash the return of service on the citation ifsued and returned in this case, which being considered it is ordered that the same be overruled - to which ruling the said Defendant excepts.

4099. R. Robinson v. Houston & Texas Central Railway Company. Comes on to be heard the motion of Defendant to quash the return of Service on the citation ifsued and returned in this case, which being considered it is ordered that the same be overruled - to which ruling the said Defendant excepts.

4100 John Willis v. Houston & Texas Central Railway Company. Comes on to be heard the motion of Defendant to quash the return of Service on the citation ifsued and returned in this cause - which being considered it is ordered that the same be overruled. to which ruling the Defendant excepts.

And Court adjourned till Monday at 9 o'clock A.M.

Monday, October 26th, 1874.

Court met at 9 o'clock A.M. Pursuant to adjournment. Present Hon J.P. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

3889. M.M. Galloway v. R. Galloway. And now comes the plaintiff by attorney and upon motion it is ordered that said plaintiff have leave to amend.

3828 M.J. Matteson v. W.W. Cochoun. And now on this day came the parties to this cause by their attorneys, and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county consisting of J.H. Burns and seven others, who being tried, elected and sworn according to law, heard the pleadings, the evidence, argument of counsel and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury in case No 3828, Matteson v. Cochoun, find for the Defendant J.H. Burns foreman" Whereupon it is ordered that the plaintiff take nothing in this behalf - that the defendant go hence, and have and recover of and from the said M.J. Matteson, and his security W.A.H. Miller, all the cost of this suit, for which execution may issue

W. Brennan The State of Texas } William Brennan being duly sworn according to law, doth
County of Travis } declare that he was born in the year A.D. 1838 in the Kingdom of Prussia whence he emigrated in the year 1869 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

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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. W. Brennan. Sworn to and subscribed before me this 26 day of Oct 1874. Frank Brown, Clerk.

3733. Wm J. Orr, et al. v Wm Kluge. Comes now the Defendant by attorney whereon motion it is ordered that said Defendant have leave to substitute copy of the original answer, which has been lost.

3845. John D Kerfoot et al. v Heirs of S Eislin Comes now the Defendant, by attorney, when on motion it is ordered that said Defendant have leave to amend.

3933. E. A. Hicks v. James S. Gillett. Continued to make parties

3950. Culvert Scott v. R N. Saine et al. Comes now the plaintiff by attorney, when on motion it is ordered that said Plaintiff have leave to amend

And Court adjourned till to-morrow at 9 A.M.

Tuesday, October 27th, 1874.

Court met at 9 o'clock A.M. pursuant to adjournment Present same as on yesterday Whereupon the following proceedings were had, to wit:

3960 F. Kingsay v. J. W. Nichols. On motion it is ordered that this cause be dismissed, and that the Defendant recover of the Plaintiff all the cost hereof to be taxed, for which execution may issue.

3997. J. C. DeGress v. R.B. Hubbard et.als. Continued by agreement.

4019 Geo W. Honey v. S.A. Posey. Continued by agreement. And Court adjourned till 9 am to-morrow

Wednesday, October 28th 1874

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

4159. H.T. Sanders v. E C Dewey et al. Comes now the Plaintiff by attorney when on motion it is ordered that said Plaintiff have leave to amend.

And Court adjourned till to-morrow at 9 o'clk, A.M.

Thursday, October 29th, 1874.

Court met at 9 o'clock A.M. pursuant to adjournment Present Hon. J.P. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

3653. State of Texas v. Lank Jackson. Come the parties by their attorneys and announce ready for trial, and waiving a Jury submit the case to the Court And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have and recover the sum of twenty-five dollars as a fine, and the cost of this prosecution and that a commitment issue to collect the same.

3733 W.J. Orr et al. v. Wm Kluge. And now on this day came the parties to this cause by their attorneys and announced ready for trial. And thereupon came on to be heard the demurrers of the plaintiffs and Defendants respectively, which being considered the same are overruled. And the said plaintiffs and Defendant respectively excepted to the ruling of the Court. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of J.H. Burns and eleven others, who being tried elected and sworn according to law, hears the pleadings, the evidence,

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argument of Counsel and the Charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We, the jury, find for the Defendant. J.H. Burns, foreman." Whereupon it is ordered, adjudged and decreed that the plaintiffs, William F. Orr, Virginia Orr, Martha J. Orr, and Ann Orr take nothing in this behalf: that the cause be dismissed, that the Defendant go hence and recover of and from said plaintiffs and the securities on their cost bond, Geo. L. Robertson and W. M. Wacton, all their cost of this suit, for which execution may issue

And Court adjourned till to-morrow at 9 o'clock, A.M.

Friday, October 30th 1874.

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

1 3957 Elizabeth Dugan v. Heirs of Fanton comes the plaintiff by attorney when on motion it is ordered that this cause be dismissed and that the said Elizabeth Dugan pay all the cost of this suit for which execution may issue

1 4004 Arnold Klein v. R.S. Capelton comes now the plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend.

1 4005 William Wende v. Mc C Nuckols Jr et al. Comes now the Plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend.

1 3845 John D. Kerfoot et al v. The Unknown Heirs of Sefrin Eistin, Decd. And now on this day came the parties to this cause by their attorneys and announced ready for trial. And the Defendants submitted their demurrer to the petition, which being heard and considered, the same is overruled to which ruling the Defendants except. When came a jury of twelve good and lawful men of Travis county, consisting of J.B. Galusha and eleven others, who being tried, elected & sworn according to Law, heard the pleadings, evidence, argument of Counsel and the Charge of the Court, and after retirement, returned the following verdict, to wit: "We the Jury find for the Defendants J. B. Galusha, foreman." Whereupon it is ordered that the plaintiffs take nothing in this behalf: that the Defendants go hence and recover of John D. Kerfoot, Ellen C. Hunton, Thomas Hunton, Laura V. Kerfoot, Henry D. Kerfoot, F. Howard Kerfoot and Ida C. Kerfoot, all the cost of this suit, for which execution may issue

1 3846 Archer & Meyer v. John Jones. On motion it is ordered that this cause be dismissed and that the Defendant recover of and from W. W. Archer and P. S. Meyer all the cost of this suit for which execution may issue

1 3862. The State of Texas v. R M Johnson et al. Continued.

1 3880 E.A. Hicks v. Rhett & Cummings. Continued by Plaintiff

1 3883 Jno. Daugherty v. Phil. Davis et al. Continued for service.

3535. State of Texas v P.D. Sawyer. Come the parties by atty and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the State of Texas recover of said P.D. Sawyer the sum of five dollars as a fine and the cost of the prosecution.

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3587 State of Texas v. Wm Wilson. Come the parties and announce ready for trial and waiving
X a jury submit the case to the Court. And Defendant pleading guilty it is ordered that
the State of Texas recover of Wm Wilson the sum of ten dollars as a fine and the
cost of the prosecution and that a commitment issue to collect the same

3600 State of Texas v. Al Roberts Come the parties and announce ready for trial and waiving
X a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the
State of Texas recover of Al Roberts the sum of ten dollars as a fine and the cost of the
prosecution, and that a commitment issue to collect the same.

3620 State of Texas v. Charley Triggett. Dismissed

3632 State of Texas v. Jimmie Rawles. Come the parties and announce ready for trial and
X waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered
that the State of Texas have and recover of Jimmie Rawles the sum of twenty-five
dollars as a fine and the cost of the prosecution and that commitment issue therefor.

3656 State of Texas v. Moses Swisher. Come the parties and announce ready for trial and
X waiving a jury submit the case to the Court. And Defendant pleading guilty it is order-
ed that the State of Texas have and recover of Moses Swisher the sum of ten dollars as
a fine and the cost of the prosecution, and that a Commitment issue therefor.

3660 State of Texas v. Ike Bell. Come the parties and announce ready for trial and waiving
X a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the
State of Texas have and recover of Ike Bell the sum of twenty-five dollars as a fine
and the cost of the prosecution and that a commitment issue therefor.

3665 State of Texas v. Lee Thurston. Come the parties and announce ready for trial and
X waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered that
the State of Texas have and recover of Lee Thurston the sum of ten dollars as a fine & the
Cost of the prosecution and that a Commitment issue to collect the same.

3679. State of Texas v. L. E. Edwards. Come the parties and announce ready for trial and waiving a
X Jury submit the case to the Court. And Defendant pleading guilty it is ordered that the
State of Texas have and recover of L. E. Edwards the sum of ten dollars as a fine & the
cost of the prosecution and that a commitment issue to collect the same.

3680. State of Texas v. Nathan Meyer. Come the parties and announce ready for trial & waiving
X a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the
State of Texas have and recover of Nathan Meyer the sum of ten dollars as a fine and
the cost of the prosecution and that a commitment issue to collect the same.

3681 State of Texas v. Sam Friedberger. Come the parties and announce ready for trial and
X waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered
that the State of Texas have and recover of Sam Friedberger the sum of ten dollars as a
fine and the cost of the prosecution, and that a commitment issue to collect the same.

3685. State of Texas v. Ollie Caldwell. Come the parties and announce ready for trial and
X waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered
that the State of Texas have and recover of Ollie Caldwell the sum of ten dollars as a
fine and the cost of this prosecution, and that a commitment do issue to
collect the same.

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3leg 3 State of Texas v Dow Phillips. Come the parties and announce ready for trial and
X waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the State of Texas recover of Dow Phillips the sum of ten dollars as a fine and the cost of the prosecution and that a commitment issue to collect same.

3leg 5. State of Texas v. Haywood Cross. Come the parties and announce ready for trial
X and waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the State of Texas recover of Haywood Cross the sum of ten dollars as a fine and the cost of the prosecution and that a Commitment issue therefor.

3703 State of Texas v Charles Fugett. Come the parties and announce ready for trial
X and waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the State of Texas recover of Charles Fugett the sum of ten dollars as a fine and the cost of the prosecution, and that a Commitment issue therefor.

3845. John D. Kerfoot et. al. v. Unknown Heirs of Sefrin Eislin. It is ordered that the judgment entered in this cause be amended, as follows: "And therefore it is further considered by the Court that that the Defendants do have and recover of and from the plaintiffs the land in controversy in this suit, being the Bounty Land of Sefrin Eislin situated on Wilbarger's creek in Travis county, Texas, and contained within the following metes and bounds, to wit: Beginning at the N.E. corner of Survey No 216, for the S. E. Corner of this Survey: thence N. 30° East 2688 varas the N. E corner: thence N. 60° W. at 2688 varas the N. W. Corner: thence S. 30° West at 2688 varas the S. W. corner: thence S. 60° E. at 2688 varas to the beginning, Containing 1280 acres, more or less: that the title of the Defendants in and to said Land be quieted: that the plaintiffs be divested of all claim to the same, and that they be ousted from the same: and that said Defendants have their writ of Possession to place them in possession thereof, and to oust said plaintiffs therefrom. And it is further ordered that John B. Townes Esq. the attorney appointed to represent the Defendants, be allowed the sum of two hundred and fifty Dollars, and that said amount shall constitute a lien upon the land in controversy in this case.

And Court adjourned till to-morrow at 9 o'clock, A. M.

Saturday, October 31st 1874

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. P. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

4189 S. F. Norris v. W. B. Ochiltree. Come the parties by their attorneys and the
X matters in controversy having been settled it is ordered that the cause be dismissed, and that the Defendant recover of said plaintiff and his securities J. B. Wheeler, Dick Lentcher, and E. a. Hicks the cost of this suit, for which execution may issue.

3723. J. T. Brown v. L. Rentfro et. als. And now comes on to be heard the motion of Defendants to set aside and vacate the order heretofore entered appointing a Receiver in this cause, which being heard and duly considered, it is

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ordered that said motion be granted; that the order heretofore granted appointing A. W. Orr, receiver in this cause be set aside and vacated and that said Receiver be discharged & the property in the hands of said Receiver ordered restored to the possession of said Mrs. Lucretia Rengfro, to which ruling Pltff excepts and gives notice in open Court of an appeal to the Supreme Court.

3123. C. R. Johns et al. v. Waters et al. On motion of the plaintiffs in this cause it is ordered that the plaintiffs have leave to withdraw the original title papers in this cause upon leaving certified copies thereof on file.

And Court adjourned till Monday next at 9 o'clock A. M.

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Court met at 9 o'clock a m pursuant to adjournment. Present same as on last Saturday. Whereupon the following proceedings were had, to wit:

2359 State of Texas v. Geo. H Slaughter. Dismissed

2516 State of Texas v. R. C. McLaren. Dismissed

2561 State of Texas v. W H Morris. Continued

2695 State of Texas v. A. J. Baker. Dismissed

2769 State of Texas v. Wm Benton Indictment quashed.

2790 State of Texas v Bemms. Continued for service.

3144 State of Texas v Juan Avalos. Continued by consent.

3227 State of Texas v Pink Binford. Come the parties by atty and announced ready for trial and waiving a jury submitted the case to the Court. And Defendant pleading guilty, it is ordered that the State of Texas recover of Pink Binford the sum of twenty-five dollars as a fine and the cost of the prosecution and that a commitment issue to collect the same.

3296 State of Texas v. Pink Binford. Dismissed

3580 State of Texas v. Billy Brennan. Come the parties and announced ready for trial and waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the State of Texas recover of Billy Brennan the sum of ten dollars as a fine and the cost of the prosecution and that commitment issue to collect same.

3581 State of Texas v. Billy Brennan. Dismissed

3631 State of Texas v. Rhondo Johnny. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Rhondo Johnny the sum of twenty-five dollars as a fine and the cost of the prosecution and that a commitment issue to collect same.

3635. State of Texas v. Dodson. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleading guilty it is ordered that the State of Texas recover of Dodson the sum of twenty-five dollars as a fine and the cost of the prosecution and that Commitment issue.

2879. The State of Texas v. E. T. Rawls. Come the parties by their attorneys and announced ready for trial. And defendants motion to quash the Indictment coming on to be heard the same is overruled, to which Defendant excepts. When came a jury of twelve good and lawful men of Travis county, consisting of F. B. Galusha and eleven others who being tried, elected and sworn according to law, heard the Indictment, evidence

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and the charge of the Court, after retirement returned the following verdict, to wit:
" We the Jury find the Defendant guilty and assess the fine at twenty-five dollars
" J.N. Galusha foreman." Whereupon it is ordered that the State of Texas recover of said
Ed. Randle the sum of twenty-five dollars and the cost of this suit, and that a
commitment issue to collect the same.

3168[illegible]. Polly Williams v. Robert Williams. And now on this day this cause being called
for trial came the plaintiff and announced ready for trial. When came a jury of
twelve good and lawful men of Travis County consisting of J.H.V Burns + eleven
others, who being tried and sworn according to law, heard the pleadings, evidence
and the charge of the Court, returned the following verdict, to wit: " We the jury
find the allegations in the pffs's petition to be true. J.H.V Burns, foreman." And
thereupon it is ordered and adjudged that the Bonds of matrimony heretofore
existing between the parties be and the same are forever dispaired and set aside
and held for naught and that the plaintiff recover her cost of the Defendant,
for which execution may issue.

3785. L.J. & W.H. Page vs. G. H. Bennett et al Come now the parties when on motion
this ordered that J.R Ray, John Dougherty and A.R. Morris be appointed Com-
missioners to make partition in this case.

4070 Nora Eckerson v. Jas. Eckerson. And now on this day this cause being called
for trial, came the plaintiff and announced ready. When came a jury of 12
good and lawful men of Travis county, consisting of John Richardson and
eleven others, who being tried, elected and sworn according to law, heard
the pleadings, evidence, and the charge of the Court returned the following
verdict, to wit: "We the jury find the allegations in the pffs's petition to be true.
John Richardson foreman." Whereupon it is ordered and adjudged that the
Bonds of Matrimony heretofore existing between the parties be dispaired and
set aside. And it appearing to the Court that Lot two (2) in Block twelve
(12) according to the subdivision of Out Lots 43. 44. 45. 54 & 55. of Division
"D" of the City of Austin, Travis county, Texas, is the separate property of Nora
Eckerson, it is therefore adjudged and decreed that the title to said lot 2 in
Block 12 is in said Nora and the same is set apart to her. And it further
appearing to the Court that the said Nora is able and competent to educate
and maintain her children Anna and Lizzie, it is therefore ordered that the
custody of said children be awarded to her.

2887. State of Texas v. Henry Mordecai. Dismissed

2937. State of Texas v. Jeff Taylor. Come the parties by their attys and announced ready for
trial and waiving a jury submit the case to the Court. And Defendant pleads
guilty. Whereupon it is ordered that the State of Texas have and recover of Jeff
Taylor the sum of ten dollars as a fine and the cost of this prosecution
and that a Commitment issue to collect the same.

3007 State of Texas v. Wm. Bretwell Dismissed

3046 State of Texas v. Wash. Hill. Dismissed

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3054 State of Texas v. Ike Bell. Dismissed

3056 State of Texas v. Wash. White. Dismissed

3069 State of Texas v. Green Little Dismissed

3097. State of Texas v. Wash. White. Dismissed

3107 State of Texas v R.B. Faulkner. Dismissed

3108 State of Texas v. M.D. Mather. Dismissed

3112 State of Texas v. P Jones. Dismissed

3114. State of Texas v. Jo. Jones. Dismissed

3139 State of Texas v. M. J. Matteson Continued by consent

3141 State of Texas v. John Burleson. And now come the parties by their attys announced
X ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty to an aggravated assault. Whereupon it is ordered that the State of Texas recover of John Burleson the sum of One hundred Dollars as a fine and the cost of this prosecution and that a commitment issue to collect the same.

3142. State of Texas v. Cale Dublett. Come the parties and announce ready for trial & waiving
X a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have and recover of and from Cale Dublett the sum of ten dollars as a fine & the cost of this prosecution & that Commitment issue to collect.

3143. State of Texas v Eli Sharp. Come the parties and announce ready for trial & waiving
X a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Eli Sharp the sum of ten dollars as a fine and the cost of the prosecution, and that commitment issue to collect same.

3151 State of Texas v. Charley Covey. Continued by the State.

3174 State of Texas v. A. Musgrove. Dismissed

3187 State of Texas v. Ambrose Steel. Dismissed

3230. State of Texas v. Wash. White. Dismissed

3231 State of Texas v. Pink Reed. Come the parties and announce ready for trial & waiving
X a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have and recover of Pink Reed the sum of ten dollars as a fine and the cost of the prosecution and that a Commitment issue to collect.

3274. State of Texas v. James Moore. Come the parties and announce ready for trial &
X waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have and recover of James Moore the sum of ten dollars as a fine and the cost of the prosecution and that a commitment issue to collect the same.

3277. State of Texas v. Wash. White. Dismissed

3303 State of Texas v. W. Esper. Dismissed

3310 State of Texas v. Carr. Dismissed

3315. State of Texas v. Henry Brown. Sevice quashed and continued for service.

3320. State of Texas v. A. Green. Dismissed

3323. State of Texas v. A. Klement. Dismissed

3327. State of Texas v. Brady. Dismissed

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3332 State of Texas v Julius Masmann. Dismissed

3343 State of Texas v. Julius Rust. Dismissed

3347. State of Texas v. James Burditt. Come the parties and announce ready for trial and
X waiving a jury submit the case to the Court. And Defendant pleads guilty. And
thereupon it is ordered that the State of Texas recover of James Burditt the sum of
ten dollars as a fine and the cost of the prosecution & that a Commitment issue

3358 State of Texas v. Reagan. Dismissed

3359. State of Texas v Charles Behnke. Dismissed

3363. State of Texas v Albert. Dismissed

3379. State of Texas v. H. Grear Dismissed

3390 State of Texas v Al Rust. Come the parties by their attorneys & announced ready for
X trial and waiving a jury submit the case to the Court. And Defendant pleads
guilty. Whereupon it is ordered that the State of Texas recover of Al. Rust the sum
of ten dollars as a fine and the cost of the prosecution & that Commitment issue

3391 State of Texas v. Charles Peterson. Dismissed

3419 State of Texas v Hill. Continued for service.

3422 State of Texas v James O'Brien Dismissed

3426 State of Texas v. Amanda Williams Dismissed

3431. State of Texas v L E Edwards Dismissed

3441 State of Texas v Jack Dismissed

3449 State of Texas v. Jim Moore. Dismissed

3451. State of Texas v. Bob Herndon. Cont. by Deft.

3455. State of Texas v. Billy Patterson. Come the parties and announce ready for trial
X and waiving a Jury submit the case to the Court. And Defendant pleads guilty.
Whereupon it is ordered that the State of Texas recover of Billy Patterson the sum
of ten dollars as a fine & the cost of the prosecution & that Commitment issue

3457 State of Texas v. Ed McGehee. Come the parties and announce ready for trial and
X waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon
it is ordered that the State of Texas recover of Ed. McGehee the sum of ten dollars
as a fine and the cost of the prosecution and that a Commitment issue to collect.

3459. State of Texas v. Jim Burditt. Dismissed

3475. State of Texas v. Dick Warren. Come the parties and announce ready for trial & waiving
X a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ord-
ered that the State of Texas recover of Dick Warren the sum of ten dollars as a fine
and the cost of the prosecution & that a commitment issue to collect the same.

3477. State of Texas v. Doyle, a Printer. Come the parties and announce ready for trial
X and waiving a jury submit the case to the Court. And Defendant pleads guilty. And
it is ordered that the State of Texas recover of Doyle, a Printer, the sum of ten
dollars as a fine & the cost of the prosecution, and that a commitment issue to collect.

3478 State of Texas v. Felix Saunders And now come the parties by their attorneys and
X announce ready for trial. Whereupon the Defendant submitted his motion to
quash the Indictment, which being considered the same is overruled. And the

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Defendant excepts to the ruling of the Court. And then came a Jury of twelve good and lawful men of Davis county, consisting of J.H. Burns, and eleven others who being tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the Charge of the Court retired for deliberation. And the Jury then returned into Court the following verdict, to wit. "We the Jury find the Defendant guilty and assess the fine at ten dollars. Whereupon it is ordered that the State of Texas have and recover of Felix Sanders the sum of ten dollars and the cost of the prosecution & that Commitment issue.

3481 State of Texas v. Charles Corney. Continued by Defendant.

3491 State of Texas v. Billy Sims. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Billy Sims the sum of ten dollars as a fine & the cost of the prosecution and that a commitment issue to collect.

3494 State of Texas v. Watt. Cameron. Come the parties & announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Watt. Cameron the sum of twenty-five dollars as a fine and the cost of the prosecution & that a commitment issue to collect the same.

3496. State of Texas v. Clay Eanes. Dismissed

3497 State of Texas v. Hanney (D. Rouse & Hanney) Come the parties & announce ready for trial & waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said Hanney, of the firm of Rouse & Hanney the sum of ten dollars as a fine & the cost of the prosecution and that a commitment issue to collect the same.

3515. State of Texas v. Buck Warren. Come the parties & announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Buck Warren the sum of ten dollars as a fine and the cost of the prosecution and that a commitment issue to collect the same.

3524 State of Texas v. W.D. Woods. Dismissed

3539. State of Texas v. Ed. Cook. Come the parties & announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have and recover of Ed. Cook the sum of ten dollars as a fine and the cost of the prosecution and that a Commitment issue to collect.

3542. State of Texas v. Billy Wilson. Dismissed

3543. State of Texas v. Billy Sims. Dismissed

3545. State of Texas v. Buck Warren. Dismissed

3573. State of Texas v. Valentine. Come the parties & announce ready for trial & waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Valentine the sum of ten dollars as a fine and the cost of the prosecution & that a commitment issue to collect.

3589. State of Texas v. Ed Cook. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. And

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Thereupon it is ordered that the State of Texas recover of Ed. Cook the sum of ten dollars as a fine and the cost of the prosecution & that a Commitment issue.

3639. State of Texas v. Ed Moore. Come the parties and announce ready for trial and
X waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Ed. Moore the sum of twenty-five dollars as a fine & the cost of the prosecution & that a Commitment issue to collect.

3662 State of Texas vs Frank Cook Come the parties & announce ready for trial &
X waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Frank Cook the sum of ten dollars as a fine & the cost of prosecution, & that Commitment issue

3697 State of Texas v. Eli Sharp. Dismissed.

3707 State of Texas v. Charles Cook. Come the parties & announce ready for trial
X and waiving a jury submit the case to the Court And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have & recover of Charles Cook the sum of ten dollars as a fine & the cost of this prosecution, and that a Commitment issue to collect the same.

3778. State of Texas v. Samuel Gadway. Come the parties & announce ready for trial
X and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Samuel Gadway the sum of five dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

3826 State of Texas v. Jo Jones. Come the parties & announce ready for trial and
X waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have & recover of Jo. Jones the sum of five dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

And Court adjourned till to-morrow at 9 o'clk. A.M.

Tuesday, Nov. 3d. 1874.

Court met at 9 o'clock A.M. pursuant to adjournment Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3330. State of Texas v. Ed Hipp. Come the parties & announce ready for trial & waiving a jury
X submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Ed. Hipp the sum of ten dollars as a fine & the cost of the prosecution, & that a Commitment issue to collect the same.

3516 State of Texas v. Billy Wilson. Dismissed

3561 State of Texas v. Martin Harris. Continued for service.

3565. City of Austin vs Charles Freeman. On this day this cause being called for
X trial, came the plaintiff and the Defendant (being the Appellant) came not. When upon motion it is ordered that the said appeal be dismissed: and that a Procedendo issue requiring T.B. Wheeler Mayor of the City of Austin to proceed with the execution of the judgment rendered by him in said cause: that this cause be dismissed. and that the City of Austin

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recover ofsaid Charles Freeman, and the securities onthis appeal bond, J. A. Cunningham, James Sims and R. Platt all the cost in this Court for which execution may ifsue

3566 City of Austin v. Charles Freeman. Onthis day this cause being regularly called for trial, came the plaintiff, and the Defendant, being the appellant, came not. Whereupon, upon motion it is ordered that the said appeal be dismissed, and that a writ of Procedendo ifsue directing T. B. Wheeler Mayor of the City of Austin, to proceed with the execution ofthe judgment rendered ofsaid in this cause and that the plaintiff recover ofsaid Appellant Charles Freeman and the securities onhis appeal bond, J. A. Cunningham, James Sims and Radcliff Platt all the cost in this Court, for which execution may ifsue

3566. State of Texas v. F. Reichman. Dismissed

3563. State of Texas v. Charles Covey. And now on this day came the parties to this cause by their attorneys and announced ready for trial. When came a jury of twelve good and lawful men of Travis County, consisting of F. B. Galusha and eleven others who being tried, elected and sworn according to law, heard the information the evidence & the charge of the Court, retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit. "We the jury find the Defendant guilty and assess the fine at fifty Dollars. F. B. Galusha foreman." Whereupon it is ordered that the State of Texas have and recover of said Charles Covey the sum of fifty dollars and the cost of the prosecution and that a Commitment issue to collect the same.

3569 The State of Texas v. J. D. Sandel. Continued by the State.

3572. State of Texas v. Ed. F. Duff Continued for service.

3574. State of Texas v Shands. Continued for service.

3575. State of Texas v. Dick Warren. Continued

3576 State of Texas v. B. Zweley. Continued for service.

3578. State of Texas v. Nat Moore. Continued

3582 State of Texas v. Charley Boatman. Come the parties & announce ready for trial & waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Charley Boatman the sum of twenty-five dollars as a fine and the cost of this prosecution & that a commitment ifsue to collect the same.

3583. State v. Buck Warren. Continued

3586 State of Texas v. Watt. Cameron Dismissed

3588. State of Texas v. Matt. Woodlief. Continued for service.

3591 State of Texas v. John Price. Continued for service.

3592. State of Texas v. Jo. Hallum. Come the parties and announce ready for trial & waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do recover of Jo. Hallum the sum of twenty-five dollars as a fine & the cost of the prosecution & that a commitment ifsue to collect the same.

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3593. State of Texas v. Dick Warren. Continued.

3594. State of Texas v. Paul Coats Continued for service.

3595. State of Texas v Billy Sims continued

3598 State of Texas v. Tully. Continued for service.

3599. State of Texas v Fisher Continued for service.

3601 State of Texas v. Sam Scott. Come the parties & announce ready for trial &
X waiving a jury submit the case to the Court. And Defendant pleads guilty. And it is ordered that the State of Texas have and recover of and from the said Sam Scott the sum ofteen dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

3602 State of Texas v. J.H. Wright Continued for service.

3603 State of Texas v. Billy Robinson Continued for service.

3609. State of Texas v Plumb Brown Continued for service.

3610 State of Texas v. Paul Lewis Continued for service.

3611 State of Texas v. B. Hutchins Continued for service.

3612. State of Texas v. Jo. Franks Continued for service.

3613 State of Texas v. Jeff. Masseley. Continued for service.

3614 State of Texas v. Aaron Robinson Continued for service.

3615. State of Texas v. Ambrose Steele continued for service.

3616 State of Texas v. Mack Hawes. Continued for service.

3617 State of Texas v. Black Davis. Come the parties & announce ready for trial
X waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Black Davis the sum of ten dollars as a fine and the cost of the prosecution & that a Commitment issue to collect the same.

3618 State of Texas v. Buck Walton. Continued

3619. State of Texas v. Wm. Fretwell. Continued for service.

3620. State of Texas v. Geo. Burkett Continued for service.

3624 State of Texas v. John Abernathy. Continued for service.

3626 State of Texas v Bud Cotton. Continued for service.

3627. State of Texas v Newell Burditt. Continued for service.

3628. State of Texas v. Giles Burditt Jr. Continued for service.

3629 State of Texas v. Dorsey. Continued

3633. State of Texas v. Maroney. Come the parties & announce ready for trial &
X waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Maroney the sum of twenty-five dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

3634. State of Texas v. Frank White. Continued for service.

3638. State of Texas v Silas Miller. Come the parties & announce ready for trial
X and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have and recover of

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Milus Miller the sum of twenty-five dollars as a fine and the cost of the prosecution and that a commitment ifsue to collect the same.

3640. State of Texas v. Ambrose Steele. Continued for service.

3641. State of Texas v. Butler Lott. Continued for service.

3642. State of Texas v. Ambrose Steele. Continued for service.

3644. State of Texas v. Meek Dickerson. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have and recover of Meek Dickerson the sum of ten dollars as a fine & the cost of the prosecution and that a Commitment ifsue to collect the same.

3645. State of Texas v. A. Rust. Continued for service.

3646 State of Texas v. P. Organ. Continued for service.

3649 State of Texas v. Mack Hames. Peter Bell. Continued for service.

3650. State of Texas v. Sam Miner Continued for service.

3651. State of Texas v. John Jackson. Continued for service.

3655. State of Texas v. Bob Organ. Come the parties & announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have and recover of Bob. Organ the sum of ten dollars as a fine and the cost of the prosecution & that a commitment ifsue to collect same

3657. State of Texas v. W. Organ. Continued for service.

3658. State of Texas v. Bully. Continued for service.

3661. State of Texas v. John Ryan. Continued for service.

3664. State of Texas v. Paul Lewis Continued for service.

3666. State of Texas v. Silas Gibbs Come the parties & announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Silas Gibbs the sum of ten dollars as a fine & the cost of the prosecution & that a Commitment ifsue to collect the same

3667. State of Texas v. Cuero. Continued for service.

3668 State of Texas v. Dan Givens. Come the parties & announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas have and recover of and from Dan Givens the sum of ten dollars as a fine and the cost of the prosecution & that a commitment ifsue to collect the same.

3671 State of Texas v. Mrs. Lee et al. Continued

3672. State of Texas v. Sallie Davenport. Continued

3673. State of Texas v. Mollie Seymour et al. Continued

3674. State of Texas v. Agnes Brown. Continued

3675. State of Texas v. Fanny Kelley. Continued

3676 State of Texas v. Gussy Myers. Continued

3677. State of Texas v. Jo. Walker. Continued

3678 State of Texas v. Leeb Holmes. Dismissed

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3682. State of Texas v. Arundell. Continued for service.

3683. State of Texas v. Willie Brush. Come the parties and announce ready for trial and waiving a jury subm it the case to the Court. And Defendant pleads guilty. And it is ordered that the State of Texas recover of Willie Brush the sum of ten dollars as afine and the cost of the prosecution and that a commitment issue to collect the same.

3684. State of Texas v. Tom Harney. Continued for service.

3686 State of Texas v. Brown Boss. Continued for service.

3689. State of Texas v. Mexican John. And now come the parties by their attys and announce ready for trial. And then came a jury of twelve good & lawful men of Travis County consisting of Geo. Dye & eleven others who being tried, elected and sworn according to law heard the Indictment, the plea of not guilty, the evidence & the charge of the Court, and after retirement returned into Court the following verdict to wit. "We the jury find the Defendant guilty and assess the fine at ten dollars. Geo. Dye Foreman." Whereupon it is ordered that the State of Texas recover of Mexican John the sum of ten dollars & the cost of this prosecution and that a commitment issue to collect the same.

3691 State of Texas v. Webb Kilpan. And now come the parties & announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Webb Kilpan the sum of ten dollars as afine and the cost of the prosecution and that a commitment issue to collect same.

3692. State of Texas v. Andy Hackdriver. Come the parties and announce ready for trial & waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Andy a hack driver the sum of ten dollars as afine & the cost of the prosecution and that a commitment issue to collect the same.

3699. State of Texas v. Robert Owens. Ordered that the service in this case be grashed and cause continued for service.

3715. State of Texas v. N.B. Mitchell. Come the parties & announce ready for trial & waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of N.B. Mitchell the sum of ten dollars as afine & the cost of the prosecution and that a commitment issue to collect the same.

3723. State of Texas v. N.B. Mitchell. Dismissed

And Court adjourned till to-morrow at 9 o'clock A.M.

Wednesday, Nov. 4th, 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon J.P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

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3909. B. M. Odom v. J. D. Elliott et al. And now comes the plaintiff by atty when on motion it is ordered that said plaintiff have leave to amend
2976 State of Texas v. Barnes Parker et al. Appeal Dismissed
3123. State of Texas v. B. M. Little Continued for service
3130 State of Texas v. Jose Antenieas. Continued for service.
3312 State of Texas v. Fortune. Continued for service.
3313. State of Texas v. Bailey. Continued for service.
3319. State of Texas v. S. H. Cook. Continued for service
3321. State of Texas v. Daniel Wheat. Continued for service.
3367. State of Texas v. McGarrn. Continued for service.
3371. State of Texas v. Peter Jackson. Continued for service
3372. State of Texas v. Samuel Brown. Continued for service
3373. State of Texas v. James Langford. Continued for service
3375. State of Texas v. John Smith. Continued for service.
3378. State of Texas v. Peter Cook. Continued for service.
3382. State of Texas v. Theodore Hall. Continued for service.
3383. State of Texas v. Geo. Johnson. Continued for service.
3397. State of Texas v. A. Garner. Continued for service.
3398. State of Texas v. Andrew Coleman. Continued for service.
3414. State of Texas v. Alf. Shuman. Continued for service.
3425. State of Texas v. Rhodes White. Continued for service
3428. State of Texas v. Ed Grooms. Continued for service.
3439 State of Texas v. Jack Houston. Continued for service.
3440. State of Texas v. Jack Houston. Continued for service.
3465. State of Texas v. Jo. Burlage. Continued by Defendant
3460 State of Texas v. John Tice Continued for service.
3470 State of Texas v. Mike. Continued for service
3472 State of Texas v. Germany. Continued for service.
3493 State of Texas v. John Finch. Continued for service.
3502 State of Texas v. Henry Harris. Continued for service.
3504. State of Texas v. McArthur. Continued for service.
3507. State of Texas v. Louis Hill. Continued for service.
3512. State of Texas v. Pink. Reed. Continued for service.
3528. State of Texas v. D. Johnson. Continued for service.
3529. State of Texas v. B. K Stewart. Cont'd for service.
3556 State of Texas v. Powell & Gathin Cont'd for service.
3562 State of Texas v. W. H. Green. Cont'd for service.
3564 State of Texas v. C. Kleinsmith. Dismissed
3716 State of Texas v. Millen (Jack dism) Service quashed.
3726 State of Texas v. Miss Moreas. Continued
3729. State of Texas v. H. B. Ivey. Dismissed
3731. State of Texas v. Billy White Continued

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3736 State of Texas v. John Goforth. Continued
3741. State of Texas v. John Goforth. Continued
3748. State of Texas v. J.W. Shepherd. Dismissed
3764. State of Texas v. Michael & Michael. Come the parties & announce ready for trial and waiving a jury submit the case to the Court. And the Defendants plead guilty. Whereupon it is ordered that the State of Texas have and recover of the said Defendants, and each of them, the sum of ten dollars each, and all the cost of this prosecution, and that a commitment issue to collect the same.
3765. State of Texas v. Michael Jr. Dismissed
3766 State of Texas v Robert Campbell. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Robert Campbell the sum of ten dollars as a fine & the cost of the prosecution and that a commitment issue to collect the same.
3768 State of Texas v. J. S. Farrow. Dismissed
3776. State of Texas v. W. A. Morris Dismissed
3777. State of Texas v. W. J. Burt. Dismissed
3762, 3. State of Texas v. Rafael. And now come the parties & announce ready for trial and waiving a jury submit the cause to the Court. And Defendant pleads not guilty. Whereupon came a jury of twelve good and lawful men of Travis county, duly tried, elected and sworn, heard the cause and returned the following verdict, to wit: "We the jury find the Defendant not guilty. F.W. Galusha foreman." Whereupon it is ordered that said Defendant go hence finally acquitted and discharged.

And Court adjourned till to-morrow at 9 A.M.

Thursday, November 5th 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

2980 State of Texas v. Barnes Parker. Comes C.H. Randolph and W.H. Cushney and each of them acknowledged himself to owe the State of Texas the sum of fifty dollars each, to be levied upon their goods and chattels, lands, & tenements, But to be void on condition that they appear before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter, to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas v. Barnes Parker, and that they do not depart the Court without leave. And cause continued by the Defendant.

3282 State of Texas v John Rutledge. Dismissed
3798 State of Texas v. John Ravey. } And now comes Wm Jackson who acknowledged
3799 State of Texas v. John Ravey. } himself to owe the State of Texas the sum of fifty dollars in each of the above cases, to be levied upon his goods & chattels, lands and tenements, But to be void upon condition that said Wm Jackson make his appearance before the District Court of Travis County now in session

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and there remain from day to day and from term to term thereafter, to give evidence on behalf of the plaintiff in said two causes of the State of Texas against John Raney and that he do not depart the Court without leave. And causes continued

3833. State of Texas v. Geo. W. Miller. And now comes Geo. W. Miller as principal, and Nat. Moore and E. L. Givens as securities, and acknowledged themselves jointly & severally justly to owe and be indebted unto the State of Texas in the sum of five hundred dollars to be levied upon their goods & chattels, lands, tenements & estate, But to be void upon condition that the said Geo. W. Miller make his personal appearance before the District Court of Travis county now in session & there remain from day to day & from term to term thereafter, to answer the indictment preferred against the said Miller by the Grand Jurors of Travis county, at the October term 1874 of the District Court of said County, for Knowingly uttering and passing a certain false and fraudulent Power of Attorney, and that he do not depart the Court without leave.

3834. State of Texas v Geo. W. Miller. And now comes Geo. W. Miller as principal, and Nat Moore and E. L. Givens as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of five hundred dollars, to be levied upon their goods and chattels, lands, tenements & estate, But to be void upon condition that said Geo. W. Miller make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, and there remain from day to day and from term to term thereafter, to answer the Indictment preferred against the said Miller by the Grand Jurors of Travis county at the October term 1874 of the District Court of said county for Swindling & that he do not depart the Court without leave

3835. The State of Texas v. Geo. W. Miller. And now comes Geo. W. Miller as principal & Nat. Moore and E. L. Givens as securities & acknowledged themselves jointly & severally justly to owe and be indebted unto the State of Texas in the sum of five hundred Dollars to be levied upon their goods & chattels, lands, tenements & estate, But to be void upon condition that said Geo. W. Miller make his personal appearance before the District Court of Travis county now in session & there remain from day to day & from term to term thereafter to answer the Indictment preferred against said Miller by the Grand Jurors of Travis county at the October term 1874 of the District Court of said County for Swindling & that he do not depart the Court without leave.

3837. The State of Texas v. Geo W. Miller. And now comes Geo. W. Miller as principal & Nat. Moore & E. L. Givens as securities & acknowledged themselves jointly & severally justly to owe & be indebted unto the State of Texas in the sum of five hundred dollars to be levied upon their goods & chattels, lands, tenements & estate, But to be void upon condition that said Geo. W. Miller make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin & there remain from day to day & from term to term thereafter to answer the indictment preferred against said Geo. W. Miller by the Grand Jury of Travis county at the October term 1874 of the District Court of said County for fraudulently uttering & holding a forged Document in writing, and that he do not depart the Court without leave.

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3605. State of Texas v. Thomas Johnson. And now come the parties by attorney the Defendant also coming in person & announced ready for trial. When came a jury of twelve good and lawful men of Travis county, who being tried, elected & sworn according to law, heard the Indictment, the plea of guilty & the charge of the Court and returned the following verdict, to wit: "We the jury find the Defendant guilty and assess the punishment at two years in the Penitentiary Neill McCashin foreman." Whereupon it is ordered that the Defendant stand committed to the county jail to await judgment & sentence

3622. State of Texas v. Sam. Robinson. And now come the parties by their attys & the Defendant came in person & announced ready for trial. When came a jury of twelve good and lawful men of Travis county, consisting of J.H. Burns & eleven others who being tried, elected & sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of counsel & the charge of the Court, and after retirement returned the following verdict, to wit: "3622 We the jury find the Deft guilty and assess the punishment at two (2) years in the State Penitentiary J.H. Burns, foreman." Whereupon it is ordered that the said Defendant stand committed to the county jail to await judgment and Sentence

3838 State of Texas v. Geo. W Miller. And now comes Geo. W Miller as principal & E. L. Givens & Nat. Moore as securities & acknowledged themselves jointly & severally justly to owe & be indebted unto the State of Texas in the sum of five hundred Dollars, to be levied upon their goods & chattels, lands, tenements & estate. But to be void upon condition that said Geo. W. Miller make his personal appearance before the District Court of Travis county now in session & there remain from day to day & from term to term thereafter to answer the indictment preferred against said Geo. W. Miller by the Grand Jury of Travis County at the October term, 1894 of the District Court of Travis County for feloniously uttering and passing a certain false & forged Document in writing, & that he do not depart the Court without leave.

3654. State of Texas v. B. B. Robinson. Continued by Defendant

3813 State of Texas v. Stein & Miller. Dismissed

3625. State of Texas v Henry Harrison. And now on this day came the parties to this cause by their attorneys & announced ready for trial - the Defendant coming also in person. Whereupon came a jury of twelve good and lawful men of Travis county consisting of J.H. Burns & eleven others who being tried, elected & sworn according to law, heard the Indictment, the evidence, argument of counsel & the charge of the Court, retired for deliberation. Whereupon said jury returned into Court the following verdict to wit: "We the jury find the Defendant guilty and assess the punishment to two (2) years in the State Penitentiary. J.H. Burns foreman." Whereupon it is ordered that the Defendant stand committed to the county jail to await judgment & sentence

3188. State of Texas v. Hudson. Dismissed

3255. State of Texas v. Hudson. Come the parties & announce ready for trial and waiving a jury submit the case to the Court. And the Defendant

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thereupon pleads guilty. Whereupon it is ordered that the State of Texas have and recover of said Hudson the sum of ten dollars as a fine and the cost of the prosecution & that a commitment issue to collect the same.

3349. State of Texas v. W.H. Green Continued for service.

3749. State of Texas v. Sam Piper. Dismissed

3820 State of Texas v. A Jourdan. Cont'd by Deft.

3818. State of Texas v. Frank Swisher. And now come the parties & announce ready for trial & waiving a jury submit the cause to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Frank Swisher the sum of one Dollar as a fine & the cost of the prosecution & that Commitment issue.

3685. Henry Ochiltree v Rebecca Ochiltree. And now on this day came the parties to this cause by their attorneys & announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of T.B. Galusha & eleven others who being tried, elected & sworn according to law, heard the pleadings the evidence & the charge of the Court, returned the following verdict to wit: "We the Jury find the allegations in the Pff's petition to be not true. And we find the allegations in the Deft's answer to be true. T.B. Galusha foreman."

Whereupon it is considered that the said plaintiff take nothing in this behalf: that the allegations of the Defendant's answer and cross bill are true - and that the Bonds of Matrimony heretofore celebrated & existing between the said Rebecca Ochiltree and Henry Ochiltree be set aside, dissolved and vacated - and that the Defendant recover of the plaintiff all the cost of this suit, for which execution may issue.

And Court adjourned till to-morrow at 9 o'clock A.M.

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Court met at 9 o'clock A.M. pursuant to adjournment Present same as on yesterday. Whereupon the following proceedings were had, to wit:

2744. The State of Texas v. Green, a colored man. This cause being called for trial the Defendant Green, a colored man, failing to appear and answer to the indictment in this case, he and his securities R.N. Lane being distinctly called at the door of the Court-house of Travis county, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Green, who signs his name R. N. Lane Green Penn, with the said R. N. Lane as his security, did execute the Bail Bond on file in this case substantially as follows: Dated 29th day of July 1874, payable unto the State of Texas in the sum of One hundred dollars, conditioned

(Exon'd.)

2935. The State of Texas v. Jo. Foster. This cause being called for trial the Defendant Jo. Foster failing to appear and answer to the indictment in this case, he and his securities John Lazalo & Geo. S. Deats being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jo. Foster, by the name of J.C. Foster, with the said John Lazalo and Geo. S. Deats as his securities

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did execute the Bail Bond on file in this case substantially as follows: Dated 27th day of June 1874 payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said Defendant Jo. Foster make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against the said defendant Jo. Foster by the Grand Jurors of Travis county at the June Term AD 1873 for Exhibiting 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, which said bond is forfeited - And it is considered by the Court that the State of Texas do have and recover of the said Jo. Foster and of his securities John Lanzalo and Geo. B. Deats the said sum of one hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Jo. Foster did not appear. And further ordered that citations do issue to the said securities.

2970 The State of Texas v. Neill Cain. This cause being called for trial the witness C. Pickett failing to appear to give evidence in this case he was distinctly called at the door of the Courthouse of Travis county, and said witness, after a reasonable length of time still failed to appear. And it appearing to the Court that the ~~De~~ witness C. Pickett did enter into recognizance in open Court in this case substantially as follows: Dated March 7th, 1874, payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said witness C. Pickett make his personal appearance at the District Court of said County of Travis then in session, to give evidence on behalf of the plaintiff in the above entitled cause, 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 - which said Recognizance is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said C. Pickett the said sum of one hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said C. Pickett did not appear. And further ordered that citation do issue to the said C. Pickett.

3120 The State of Texas v. John Scott. This cause being called for trial the defendant John Scott failing to appear and answer to the indictment in this case, he and his securities Charley Pfluger and H. Pfluger, being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant John Scott, with the said Charley Pfluger and H. Pfluger as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated day of 1874 payable unto the State of Texas in the sum of one hundred dollars conditioned that the said Defendant John Scott make his personal appearance at the District Court of said County of Travis then in session to answer the indictment prefered against the said Defendant John Scott by the Grand Jurors of Travis county at the October term A. D. 1873, for An Aggravated Assault, 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,

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which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said John Scott and his securities Charley Pfluger and H. Pfluger the said sum of One hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant John Scott did not appear. And further ordered that citations do issue to the said securities.

3177. The State of Texas v. Jim Berry. This cause being called for trial the Defendant Jim Berry failing to appear and answer to the indictment in this case he and his securities Frank Wallace and Jack Harris being distinctly called at the door of the Court-house of Travis county and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jim Berry by the name of James Berry with the said Frank Wallace and Jack Harris as his securities did execute the Bail Bond on file in this case, substantially as follows: Dated 22nd day of August, 1874, payable unto the State of Texas in the sum of One hundred and fifty dollars, conditioned that the said Defendant Jim Berry make his personal appearance at the District Court of said County of Travis on the 1st Monday of October, 1874, to answer the indictment preferred against the said Defendant Jim Berry by the Grand Jurors of Travis county at the February Term A.D. 1874, for Exhibiting a gaming bank called Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court - which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Jim Berry and his securities Frank Wallace and Jack Harris the said sum of one hundred and fifty dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Jim Berry did not appear. And further ordered that citations do issue to the said securities.

3294. The State of Texas v. Robert Marion. This cause being called for trial the defendant Robert Marion failing to appear and answer to the indictment in this case he and his securities Moses Solomon and J. B. Wilson being distinctly called at the door of the Courthouse of Travis county and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the defendant Robert Marion with the said Moses Solomon and J. B. Wilson as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 20th day of February, 1874, payable unto the State of Texas in the sum of One hundred dollars, conditioned that the said Defendant Robert Marion make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Robert Marion by the Grand jurors of Travis county at the February term A.D. 1874 for An Aggravated Assault, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Robert Marion and his securities Moses.

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Solomon and J. C. Wilson the said sum of one hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Robert Marion did not appear. And further ordered that Citations do issue to the said securities

3430. State of Texas v. Maj. Van de Graaff. This cause being called for trial the defendant Maj. Van de Graaff failing to appear and answer to the indictment in this case he and his securities C. S. West and W. P. Bacon being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time, still failed to appear And it appearing to the Court that the Defendant Maj. Van de Graaff with the said C. S. West and W. P. Bacon as his securities, did ~~execute the Bail Bond on file in this case~~ enter into recognizance in open Court in the sum of five hundred dollars, on the 1st day of July, 1874, payable unto the State of Texas in the said sum of five hundred dollars, conditioned that the said defendant Maj. Van de Graaff make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment prefered against the said Defendant Maj. Van de Graaff by the Grand Jurors of Travis county, at the June term A.D. 1874 for An Assault with intent to kill and murder, 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, which said Bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said Maj. Van de Graaff, and his securities C. S. West and W. P. Bacon the said sum of five hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Maj. Van de Graaff did not appear. And further ordered that Citations do issue to the said securities

3458 The State of Texas v. Cythe, alias Butcher. This cause being called for trial the Defendant Cythe, alias Butcher who signs his name A. Sipe, failing to appear and answer to the indictment in this case, he and his security Joseph Sucksinger being distinctly called at the door of the Courthouse of Travis County and the defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Cythe, alias Sipe, with the said Joseph Sucksinger as his security, did execute the Bail Bond on file in this case substantially as follows: Dated day of June 1874 payable unto the State of Texas in the sum of one hundred dollars conditioned that the said Defendant Cythe, alias Sipe, make his personal appearance at the District Court of said County of Travis then in session to answer the indictment prefered against the said Defendant Cythe alias Sipe by the Grand Jurors of Travis county at the June Term A.D. 1874, for Betting at Monte, and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court which said Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said Cythe alias A Sipe, and his security Joseph Sucksinger the said sum of one hundred dollars, and that this judgment will be

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made final unless good cause be shown at the next term of this Court why the said Defendant did not appear. And further ordered that citation do issue to the said security.

3623. State of Texas v. Ohlenberger. And now on this day came the parties to this cause by their attorneys, the Defendant also appearing in person and announced ready for trial. Whereupon came a jury of twelve good and lawful men of the County of Travis, who being tried, elected & sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of counsel and the charge of the Court, and retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty as charged in the Indictment and affix his punishment in the State Penitentiary for two (2) years. Geo Dye, foreman" Whereupon it is ordered that the Defendant stand committed to the County jail to await judgment and Sentence.

3567. Austin City v. Charles Conrey. And now on this day came the parties to this cause by their attorneys: when came on to be heard the motion of Defendant to dismiss the cause, which being considered, it is ordered that said motion be sustained: that the cause be dismissed, and that the plaintiff take nothing. Whereupon said plaintiff gives notice in open Court of an appeal to the Supreme Court.

3570. State of Texas v. Frank Givens Continued by Defendant.

3571 Austin City v. Charles Comio and E. Mareno. And now on this day came the pffs. to this cause by attorney and the Defendants came not. And the Defendants not appearing to prosecute the appeal in this cause, they being the appellants, it is ordered that the appeal be dismissed and that a writ of Procedendo do issue requiring the Mayor of the City of Austin to proceed with the execution of the Judgment rendered by him in this cause. And it is ordered that the Defendants Charles Comio and E. Mareno, and their securities E. Higby, E. Moreno, Chas. Wolf and John B. Costa pay all the cost in this Court for which execution may issue.

3604. State of Texas v. John Robinson, col. Dismissed

3713. State of Texas v. Frank Stromer. And now come the parties & announce ready for trial & waiving a jury submit the case to the Court. And the Defendant pleads guilty to the Indictment. Whereupon it is ordered that the State of Texas recover of the said Frank Stromer the sum of ten dollars as a fine and the cost of the prosecution and that a commitment issue to collect the same.

3817. State of Texas v. Ochiltree. Come the parties & announce ready for trial & waiving a jury submit the case to the Court. And thereupon the Defendant pleads guilty. And thereupon it is ordered that the State of Texas recover of said Ochiltree the sum of three dollars as a fine & the cost of the prosecution & that a commitment issue to collect same.

3822 State of Texas v. Charles Smith. Continued for service.

4072. Kate Davis v. Fred. W. Davis. And now on this day this cause being called for trial came the plaintiff & announced ready for trial and the Defendant came not. And on motion it is ordered that said plaintiff have leave to amend. Whereupon came a jury

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of twelve good and lawful men of Travis county consisting of J.H.V Burns & eleven others who being tried, elected & sworn according to law heard the pleadings, the evidence the charge of the Court and returned the following verdict, to wit: "We the jury find the allegations in the Pffs's petition to be true. J.H.V Burns foreman." Whereupon it is ordered and decreed that the bonds of matrimony heretofore celebrated and existing between the said Kate Davis and Fred W. Davis be from dissolved and held for naught, and that the plaintiff Kate Davis do have the exclusive management and control of the children of the parties to wit: Freddy, aged six years: Eliza, aged four years and Theodore, aged three weeks, and that the Defendant be enjoined and restrained from interfering in any manner with the plaintiff in the care, custody and control of said children: and that the plaintiff recover of the Defendant all her cost, for which execution may issue.

And Court adjourned till to-morrow at 9 A.M.

Saturday, November 7th, 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

4088. State of Texas v. Billy Patterson et als. Ordered, on motion that the forfeiture in this cause be set aside, and vacated, and the judgment rendered herein be held for naught.

3643. A.B. Bahn v. A.B. & Caroline Newman Defendants and C.C. Baker, Intervenor. And now on this day came on to be heard the motion of the Intervenor for a new trial which being heard and argued by counsel, and duly considered it is ordered that said motion be overruled. Whereupon said Intervenor gives notice in open Court of an appeal to the Supreme Court.

3733. Wm F. Orr et al. vs Wm Kluge. And now on this day came the parties to this cause by their attorneys, when the plaintiffs submitted their motion for a new trial in said cause, which being duly considered, it is ordered that said motion be overruled - to which ruling said plaintiffs except, and give notice in open Court of an appeal to the Supreme Court.

3540 B. M. Odum v. Houston & Texas Central Rail Road Company. And now on this day came on to be heard the motion of the plaintiff to withdraw the title papers filed in said cause. And it is ordered that said motion be allowed and that said plaintiff have leave to withdraw the title papers filed by him in said cause, upon leaving certified copies thereof on file.

2879. The State of Texas v. Ed. T. Randle. And now comes on to be heard the motion for a new trial in this cause, filed by the Defendant, which said motion is overruled by the Court. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

2879 The State of Texas v. Ed. T. Randle. And now comes on to be heard the motion of the Defendant in arrest of the Judgment rendered in this cause, which being considered by the Court, it is ordered that said motion be overruled. And thereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

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3563. State of Texas v. Charles Covey. And now on this day came on to be heard the motion of the Defendant for a new trial in this cause, which being duly considered by the Court, it is ordered that said motion be overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3563 State of Texas v. Charles Covey. And now on this day came on to be heard the motion of the Defendant in arrest of the judgment rendered in this cause which being considered the same is overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

3785. L.J. Page et als v. W.H. Bennett et als. And now on this day came on to be heard the motion of plaintiffs to reform the preliminary order heretofore made concerning the partition of the lands set forth & described in plaintiffs petition. and it appearing to the Court that in said preliminary order the sixty acres of cedar land in the mountains in said County of Travis was omitted and not included in said order - therefore it is ordered by the Court that A.R. Morris, J.R. Ray and John Dougherty, the Commissioners heretofore appointed to make partition of the land described in plaintiffs petition, be further authorized, required and instructed to divide and partition said tract of sixty acres of cedar land into two equal moieties, one of which shall be set apart to the said Sarah Bennett, surviving wife of Frank Tannehill, dec'd and the other half to be divided into four equal parts, one of which shall be set apart to each of the children of said Frank Tannehill, dec'd and the said Sarah Bennett, to wit: Laura J. wife of W.H. Page, Bettie, wife of Thos. Watson, Jefferson, Mollie and Franklin, and that said Commissioners make report to this Court of their action herein in accordance with the previous orders of this Court, and of law.

4176. Julia Hill et.als vs. Tom Hill. And now on this day came the Intervenor in this cause by attorney, and upon motion it is ordered that said Intervenor have leave to amend the pleadings and to make new parties.

3666 A.R. Vails et.als. v. J.B. Minter et.als. And now comes the Attorney for J.M. Litten, and upon motion it is ordered that a Rule be entered against J.W. Patton to shew cause why he has not made a Report of his action as Commissioner appointed under a former decree of this Court, in accordance with the notice issued and served upon him in this cause on the 13th day of October, 1874, and to shew cause why he should not be held in contempt of Court for such failure to make report.

And Court adjourned till to-morrow at 9 o'clock A.M.

Monday, November 9th, 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had, to wit:

3462. The State of Texas v. Major Van De Graaff. This cause being called for trial the Defendant J.S. Van de Graaff failing to appear and answer to the indictment in this case, he and his securities R.R. Robertson being distinctly called at the door

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of the Courthouse of Travis county, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Major Van de Graaff, who signs his name J. S. Van de Graaff, with the said R. R. Robertson as his security, did execute the Bail Bond on file in this case substantially as follows: Dated day of June, 1874, payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said defendant J. S. Van de Graaff make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferd against the said Defendant J. S. Van de Graaff by the Grand Jurors of Travis county at the June Term A D 1874 for Betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said J. S. Van de Graaff, and his security R. R. Robertson, the sum of one hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant J. S. Van de Graaff did not appear. And further orders that citation do issue to the said security.

3531. The State of Texas v. James P. Newcomb. This cause being called for trial the witness William H. Green failing to appear to testify on behalf of the plaintiff in this case, he and his securities L. E. Edwards, I. F. Battaile, Walter Burton and J. W. Day being distinctly called at the door of the Courthouse of Travis County, and the ~~Defe~~ witness, after a reasonable length of time, still failed to appear. And it appearing to the Court that the witness William H. Green, with the said L. E. Edwards, I. F. Battaile, Walter Burton and J. W. Day, as his securities, did execute the Bail Bond, or witness Bond, on file in this case, substantially as follows: Dated 4th day of May, A D. 1874, payable unto the State of Texas in the sum of Three Thousand Dollars, conditioned that the said witness William H. Green make his personal appearance at the District Court of said County of Travis to be held at the Courthouse thereof in the City of Austin on the first Monday in June, 1874, to testify as a witness on the trial of any indictment that might be prefered by the Grand Jury of said County of Travis against James P. Newcomb for the crime of Swindling the State of Texas, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited, And it is considered by the Court that the State of Texas do have and recover of the said William H. Green as principal, and L. E. Edwards, I. F. Battaile, Walter Burton and J. W. Day, securities, the said sum of ~~Four~~ Three thousand ~~hundred~~ Dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said witness William H. Green did not appear. And further ordered that citations do issue to the said securities.

2879. The State of Texas v. E. T. Raude. The Defendant E. T. Raude, and N. Meyer and J. E. Shepherd his sureties, jointly and severally acknowledge themselves indebted to the

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State of Texas in the penal sum of One hundred and fifty Dollars, for the payment of which well and truly to be made, they bind each of themselves, their heirs, executors and administrators, to be levied of their respective goods, lands, tenements and estates: but to be void on condition that the said Defendant C.T. Randle, who is charged with the Offence of Carrying Deadly Weapons, to wit: a Pistol appear before the District Court of the County of Travis on the 1st Monday of February next, 1875, there to remain from day to day and from term to term, and not depart without leave of said District Court, in order to abide the judgment of the Supreme Court of the State of Texas.

3584. The State of Texas vs John Evans. This cause being called for trial the Defendant John Evans failing to appear and answer to the indictment in this case, he and his securities L.E. Edwards and S. Loomis being distinctly called at the door of the Courthouse of Travis County, and the defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant John Evans, by the name of Jno. W. Evans, with the said L.E. Edwards and S. Loomis as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 23rd day of October 1874, payable unto the State of Texas in the sum of One hundred Dollars, conditioned that the said Defendant John Evans make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant John Evans by the Grand Jurors of Travis county, at the October term A.D. 1874, for betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said John Evans, principal, and L.E. Edwards and S. Loomis, securities the said sum of One hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant John Evans did not appear. And further ordered that citations do issue to the said securities

3590 The State of Texas v. Jo. Wadsworth. This cause being called for trial the Defendant Jo. Wadsworth failing to appear and answer to the indictment in this case he and his securities J.J. Rawls and G.W. Tunney being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jo. Wadsworth with the said J.J. Rawls and G.W. Tunney as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 19th day of October 1874, payable unto the State of Texas in the sum of One hundred Dollars, Conditioned that the said Defendant Jo. Wadsworth make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Jo Wadsworth by the Grand Jurors of Travis County at the October term A.D. 1874 for Exhibiting Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Jo. Wadsworth, principal, and J.J. Rawls and G.W. Tunney securities the said sum of

one hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Jo. Wadsworth did not appear. And further ordered that Citations do issue to the said securities.

3596. The State of Texas v. Frank Taylor. This cause being called for trial the Defendant Frank Taylor failing to appear and answer to the indictment in this case he and his securities ~~Frank~~ J. J. Dyson and Jas. Burke Jr being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Frank Taylor, by the name of F. A. Taylor, with the said J. J. Dyson and Jas Burke Jr as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 19th day of October, 1874 payable unto the State of Texas in the Sum of One hundred Dollars, conditioned that the said Defendant Frank Taylor make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Frank Taylor by the Grand Jurors of Travis County, at the October Term A D 1874 for Exhibiting a gaming Bank called Keno, 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, which said Bond is forfeited and it is considered by the Court that the State of Texas do have and recover of the said Frank Taylor, principal, and J J Dyson and Jas. Burke, Jr securities, the said Sum of One hundred Dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Frank Taylor did not appear. And further ordered that Citations do issue to the said securities.

3597. The State of Texas v. Dorsey. This cause being called for trial the Defendant Dorsey failing to appear and answer to the indictment in this case, he and his securities A. P. Wooldridge and E. H. Happerty being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Dorsey by the name of H Dorsey, with the said A. P. Wooldridge and E. H. Happerty as his securities did execute the Bail Bond on file in this case substantially as follows. Dated 19th day of October 1874 payable unto the State of Texas in the Sum of One hundred Dollars conditioned that the said Defendant Dorsey make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said defendant Dorsey by the Grand Jurors of Travis county at the October term AD 1874 for Betting at Keno 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Dorsey and his securities A. P. Wooldridge and E. H. Happerty the said sum of One hundred Dollars, and that this

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Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Dorsey did not appear. And further ordered that citations do issue to the said securities

3621. State of Texas v. Wm Perkins Continued by the Defendant.

3638 State of Texas v Silas Miller. And now come the parties when on motion it is ordered that the judgment rendered in this cause be set aside and a new trial awarded.

3648 The State of Texas v. John Evans. This cause being called for trial the defendant John Evans, by the name failing to appear and answer to the Indictment in this case he and his securities L E. Edwards and S Loomis being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time still failes to appear. And it appearing to the Court that the Defendant John Evans by the name of Jno W Evans, with the said L. E. Edwards and S. Loomis as his securities did execute the Bail Bond on file in this case substantially as follows. Dated day of October, 1874. payable unto The State of Texas in the sum of One hundred dollars, conditioned that the said Defendant John Evans make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against the said Defendant John Evans by the Grand Jurors of Travis county at the October term A D 1874, for Betting at Monte, and there remain from day to day and from terms to terms of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said John Evans, principal, and L E. Edwards and S Loomis, securities, the said sum of one hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant John Evans did not appear. And further ordered that citations do issue to the said securities.

3652. State of Texas v. Isum Smith. Come the parties & announce ready for trial and waiving a jury submit the case to the Court And thereupon the Defendant pleads guilty Whereupon it is ordered that the State of Texas recover of Isum Smith the sum of ten dollars and the cost of the prosecution and that a Commitment issue to collect the same.

3659. The State of Texas v. Frank Cotton. This cause being called for trial the Defendant Frank Cotton failing to appear and answer to the indictment in this case he and his securities B. Boatman and F. W. Giraud being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Frank Cotton, by the name of B. F Cotton, with the said B. Boatman and F. W. Giraud as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated day of October, 1874. payable unto the State of Texas in the sum of One hundred dollars, conditioned that the said Defendant Frank Cotton, make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant

Frank Cotton by the Grand Juors of Travis County at the October term AD 1874 for Exhibiting Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Frank Cotton principal and C. Boatman and F. W Gwiard, securities, the said sum of one hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Frank Cotton did not appear. And further ordered that citations do issue to the said securities.

3694. The State of Texas v. Geo King. This cause being called for trial the Defendant George King failing to appear and answer to the indictment in this case, he and his security J. F. Battaile being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant George King with the said J. F. Battaile as his security, did execute the Bail Bond on file in this case substantially as follows: Dated 27th day of October, 1874, payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said Defendant Geo King make his personal appearance at the District Court of said County of Travis then in sesion, to answer the indictment preferred against the said Defendant Geo King by the Grand Juors of Travis County at the October term A D 1874 for Betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Geo King principal, and J. F. Battaile security the said sum of one hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Geo. King did not appear. And further ordered that citations do issue to the said securities.

3833. The State of Texas v. Geo. W. Miller This cause being called for trial the Defendant Geo W. Miller failing to appear and answer to the indictment in this case he and his securities E. D. Givens and Nat. Moore being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Geo. W. Miller with the said E. D. Givens and Nat. Moore as his securities, did enter into recognizance in open Court in this case substantially as follows: Dated 5th day of November, 1874, payable unto the State of Texas in the sum of five hundred Dollars, conditioned that the said Defendant Geo W. Miller make his personal appearance at the District Court of said County of Travis then in sesion, to answer the indictment preferred against the said Defendant Geo. W. Miller by the Grand Juors of Travis county at the October Term A D 1874 for knowingly uttering and passing a certain false and fraudulent

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Power of attorney, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Geo. W Miller principal, and E. L. Givens and Nat. Moore securities, the said sum of Five Hundred Dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Geo. W. Miller did not appear. And further ordered that citations do issue to the said securities

And Court adjourned till to-morrow at 9 o'clock A.M.

Tuesday, November 10th, 1874.

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 to wit:

3834 The State of Texas vs. Geo. W. Miller This cause being called for trial the Defendant Geo. W. Miller failing to appear and answer to the indictment in this case he and his securities E. L. Givens and Nat. Moore being distinctly called at the door of the Courthouse of Travis county, and the defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the defendant Geo. W. Miller, with the said E. L. Givens and Nat. Moore as his securities, did enter into recognizance in open Court, substantially as follows: Dated 5th day of November, 1874, payable unto the State of Texas in the sum of five hundred Dollars, conditioned that the said Defendant Geo. W. Miller make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Geo. W. Miller by the Grand Jurors of Travis county at the ~~February~~ October term A.D. 1874 for Swindling, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Geo. W. Miller principal, and E. L. Givens and Nat. Moore securities the said sum of five hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Geo. W. Miller did not appear. And further ordered that citations do issue to the said securities

3835 The State of Texas v. Geo. W. Miller. This cause being called for trial the Defendant Geo. W. Miller failing to appear and answer to the indictment in this case he and his securities E. L. Givens and Nat. Moore being distinctly called at the door of the Courthouse of Travis county, and the defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Geo. W. Miller with the said E. L. Givens and Nat. Moore as his securities did enter into recognizance in open Court in this case, substantially as follows: Dated 5th day of November, 1874 payable unto The State of Texas in the sum of five hundred dollars, conditioned that the said Defendant Geo. W. Miller make his personal appearance at the District Court of said County of Travis then in Session to answer the indictment

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Preferred against the said Defendant Geo. W Miller by the Grand Juors of Travis County at the October Term A D 1874 for Swindling, 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, which said Bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said Geo. W Miller principal, and E. L. Givens and Nat. Moore, securities the said sum of Five Hundred Dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Geo. W Miller did not appear And further ordered that citations do issue to the said securities.

3834. The State of Texas v Geo. W. Miller. This cause being called for trial the defendant Geo W. Miller failing to appear and answer to the indictment in this case he and his securities E. L. Givens and Nat. Moore being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Geo. W. Miller with the said E. L. Givens and Nat Moore as his securities, did ~~enter into~~ recognizance in open Court ~~the said Bond as follows~~ in this case substantially as follows: Dated 5th day of November 1874. payable unto the State of Texas in the sum of five hundred dollars, conditioned that the said defendant Geo. W. Miller make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Geo. W. Miller by the Grand Juors of Travis county at the October Term A.D. 1874, for fraudulently uttering and passing a forged Document in writing, 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, which said Bond is forfeited. And it is Considered by the Court that the State of Texas do have and recover of the said Geo. W. Miller, principal, and E. L. Givens and Nat. Moore securities the said sum of five hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Geo. W. Miller did not appear. And further ordered that citations do issue to the said securities.

3838. The State of Texas v. Geo W. Miller. This cause being called for trial the defendant Geo W. Miller failing to appear and answer to the indictment in this case he and his securities E. L. Givens and Nat. Moore being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Geo W. Miller with the said E. L. Givens and Nat. Moore as his securities, did enter into recognizance in open Court in this case substantially as follows: Dated 5th day of November, 1874. payable unto the State of Texas in the sum of five hundred dollars conditioned that the said Defendant Geo W. Miller make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against the said Defendant

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Geo. W. Miller by the Grand Jurors of Travis county at the October Term A D 1874 for feloniously uttering and passing a certain false and forged document in writing, 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, which said Bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said Geo. W. Miller principal, and C. L. Givens and Nat. Moore securities the said sum of five hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Geo. W. Miller did not appear. And further ordered that citations do issue to the said securities.

3607. The State of Texas v. Rufe Jones, col. And now comes Rufe Jones, col. as principal, and J. P. Jones and W. B. Jones as securities and acknowledged themselves jointly & severally justly to owe and be indebted unto the State of Texas in the sum of two hundred and fifty dollars to be levied upon their goods & chattels lands tenements &c. But to be void upon condition that Rufe Jones make his personal appearance before the District Court of Travis county now in session and there remain from day to day and from term to term thereafter to answer the indictment preferred against the said Rufe Jones by the Grand Jurors of Travis county at the October term 1874, for an aggravated Assault and that he do not depart the Court without leave.

3608 The State of Texas v. Rufe Jones, col. And now comes Ruf. Jones colored as principal and J. P. Jones and W. B. Jones as securities and acknowledges themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of two hundred and fifty dollars to be levied upon their goods & chattels, lands, tenements and estate But to be void upon condition that the said Rufe Jones, col. remain in attendance upon the District Court of Travis county now in session and there remain from day to day and from term to term thereafter to answer the indictment preferred against the said Rufe Jones by the Grand Jurors of Travis county at the June October Term 1874 for maiming, and that he do not depart the Court without leave.

3720. The State of Texas v. Stell. This cause being called for trial the Defendant Stell failing to appear and answer to the indictment in this case he and his securities R. A. Binford and Ro. J. Blow being distinctly called at the door of the Courthouse of Travis county and the defendant after a reasonable length of time Stell failed to appear. And it appearing to the Court that the Defendant Stell with the said R. A. Binford and Ro. J. Blow as his securities did execute the Bail Bond on file in this case, substantially as follows. Dated 26th day of October 1874 payable unto the State of Texas in the sum of One hundred dollars, conditioned that the said defendant Stell make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said defendant Stell by the Grand Jurors of Travis county at the October term A D 1874 for Betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court which

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said Bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said Stell principal, and R.H. Binford and Ro. J. Clow securities the said sum of one hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Stell did not appear. And further ordered that citations do issue to the said securities

3727. The State of Texas v. Dick McLaren. This cause being called for trial the Defendant Dick McLaren failing to appear and answer to the indictment in this case he and his securities R. J. Moore and G. M. Brass being distinctly called at the door of the Courthouse of Travis county and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Dick McLaren with the said R. J. Moore and G.M. Brass as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 28th day of October 1874 payable unto the State of Texas in the sum of two hundred and fifty dollars conditioned that the said defendant Dick McLaren make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Dick McLaren by the Grand Jurors of Travis County at the October term A D 1874 for malicious mischief 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, which said Bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said Dick McLaren, principal, and R J Moore and G.M. Brass securities the said sum of two hundred and fifty dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Dick McLaren did not appear. And further ordered that citations do issue to the said sureties

3728. The State of Texas v A.B. Ivey. This cause being called for trial the defendant A.B. Ivey failing to appear and answer to the indictment in this case heard his securities Ed. Christian and T.T. Bacchop being distinctly called at the door of the Court house of Travis county and the defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant A.B. Ivey by the name of A.b Ivey with the said Ed. Christian and T.T. Bacchop as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated 26th day of October 1874 payable unto the State of Texas in the sum of two hundred and fifty dollars, conditioned that the said Defendant A.B. Ivey alias A.b Ivey make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against the said defendant A.B. Ivey by the Grand Jurors of Travis County at the October term A D 1874 for an aggravated assault 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, which said Bond is forfeited - and it is considered by the Court that the State of Texas

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do have and recover of the said H B Duey alias H.B Duey principal, and C. Christian and T. T. Baeltrop securities the said sum of two hundred and fifty dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant H B Duey did not appear. And further orders that citations do issue to the said securities

3819. State of Texas v. Ochiltree Comes J. W. Morris and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of fifty dollars to be levied upon his goods and chattels, lands, tenements and estate, But to be void upon condition that the said J W. Morris make his personal appearance before the District Court of Travis county now in session, there to remain from day to day and from term to term thereafter to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas v. Ochiltree, and that he do not depart the Court without leave. And came continued by the Defendant.

3794 The State of Texas v. Howell And now comes Howell as principal, and C. W. Wallace and F. B. Gartrell as securities, and acknowledges themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of six hundred dollars to be levied upon their goods and chattels, lands, tenements and estate But to be void upon condition that said defendant Howell remain in attendance upon the District Court of Travis county now in session and there remain from day to day and from term to term thereafter to answer the indictment preferred against said Howell by the Grand Jury of Travis County at the October Term 1874 of the District Court of said County for the theft of a Beef Steer, and that he do not depart the Court without leave.

3734. The State of Texas v Waldrop et als And now come Jos. H. Williams, R. M. Stapp, & G Britton and Henry Stokes, and each of them acknowledged himself to owe and be indebted unto the State of Texas in the sum of fifty dollars each, to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that said parties be and remain in attendance upon the District Court of Travis county now in session and there remain from day to day and from term to term thereafter, to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas v. Waldrop et als and also in case 3788, of the State of Texas v. Waldrop, et. als, and that they do not depart the Court without leave.

3559. State of Texas v Seal Cain. Continued by the State.

3889. Martha Matilda Galloway vs Richard Galloway. Now come the parties in their own proper persons and by counsel and announce themselves ready for trial. And now come a jury to wit: J. H. Burns and eleven others, who being tried, elected & sworn according to law, after hearing the pleadings and evidence of the petitioner and the Defendant, the argument of Counsel and instructions of the Court, retire to consider of their verdict: and afterwards the said jury returned into Court the following general and special verdicts, to wit:

"We the Jury find the allegations in the pettfrs petition true. J. H. Burns, foreman."

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" The parties owned the following real estate as community property: Part of a subdivision of 87 acres of the Spear league, made by Jno. E. Campbell, described as follows: " Beginning at the N.E. corner of Lot No. 1 as per sketch made by Campbell, thence S. 30° W. 472 varas: thence N. 60° W. 212 varas to corner on East bank of Shoal creek, thence N. 30° E. 380 varas to corner in bed of Shoal creek. thence down creek S. 47½° E. 100 varas to mouth of drain up drain N. 10° W. 80 varas N. 39 E. 55 varas. to N E corner of Whitlock's purchase on S line of Seider's tract: thence S 60° E. 159 varas to beginning, containing 16 67/100 acres" less seven acres sold to Haak leaving in this tract 9 67/100 acres.

The parties also owned the following land.

Part of the subdivision of 87 acres of the Spear league made by Jno E. Campbell described as follows: " Beginning at the N.W. corner of Lot No. 1 of said subdivision, thence S 60° E. 265 varas corner on Seiders S. line. thence down drain S. 39° W. 55 varas S. 10° E. 80 varas to bed of Shoal creek: thence up Shoal creek with its meanders N. 47½° W. 244 varas N. 21° W. 90 varas to corner in bed of Shoal creek, containing 3 20/100 acres, except two tracts of 50 feet front and 158 feet deep each sold by Galloway to Martha McGary and W. Harrison respectively

And also a lease on 2½ acres of land the S. half of Out Lot No. 72 in Division D of City of Austin, to terminate on the 1st of Oct. 1880, worth nothing. And also personal property valued at two thousand dollars. (#2000.00) J.H. Burns, foreman."

This therefore ordered, adjudged and decreed that the bonds of matrimony heretofore existing between the petitioner Martha Matilda Galloway and Richard Galloway be forever dissolved, and that said parties be divorced from each other.

This further ordered adjudged and decreed that the said Martha Matilda Galloway have in her own right the undivided one half of the following described Real Estate, situated in the County of Travis, in the State of Texas, to wit:

" Part of a subdivision of 87 acres of the Spear league, made by Jno E Campbell,
" described as follows: Beginning at the N.E. corner of Lot No. 1 as per sketch
" made by Campbell. thence S. 30° ~~60°~~ W. 472 varas. thence N. 60° W. 212 varas
" to corner on East bank of Shoal creek. thence N. 30° E. 380 varas to corner in
" bed of Shoal creek. thence down creek S. 47½° E. 100 varas to mouth of drain:
" up drain 10° W. 80 varas N. 39° E. 55 varas to N.E. corner of Whitlock's pur-
" chase on S. line of Seider's tract. thence S. 60° E. 159 varas to beginning con-
" taining 16 67/100 acres."

" also part of Subdivision of 87 acres of the Spear league made by
" Jno E. Campbell described as follows: beginning at the N.W. corner of Lot No. 1
" of said subdivision, thence S. 60° 265 varas, corner on Seider's S. line: thence
" down drain S. 39° W. 55 S. 10° E. 80 varas to bed of Shoal creek: thence up
" Shoal creek with its meanders N. 47½ W. 244 varas." N. 21° W. 90 varas to

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corner in bed of Shoal creek" except so much of said two tracts of land as has heretofore been deeded to Hack, Martha McGary, M. Harrison, and Samuel Gallway - and that her title to the said undivided one half of said land be vested in her and forever quieted unto her as against the said Defendant Richard Gallway.

And it is further ordered, decreed and adjudged that the plaintiff Martha Matilda Gallway recover from the said Richard Gallway the sum of One thousand dollars for her interest in the personal property owned by her and the said Richard Gallway as community property at the time this suit was instituted together with her costs laid out and expended in this behalf, for which execution may issue

And Court adjourned till to-morrow at 9 A.M.

Wednesday, November 11th 1874.

Court met at 9 o'clock AM. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

3501. The State of Texas v. J.P. Newcomb. And now on this day came the parties to this cause by their attorneys, the Defendant also appearing in person, and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of and eleven others, who being tried, elected and sworn according to law, heard the indictment, the plea of not guilty, the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said jury returned into Court and stated that they are unable to agree upon a verdict.

Whereupon it is ordered that the case be withdrawn from the jury, a mistrial awarded, & cause continued.

3779. State of Texas v. Ben. Hommel. Dismissed

3752. State of Texas v. E.W. Shands. Dismissed

3432. The State of Texas v. Gil. Dodson. And now on this day came the parties to this cause by their attorneys, the Defendant also appearing in person, and announced ready for trial. When came a jury of twelve good and lawful men of Travis county, consisting of J.H. Burns and eleven others, who being tried, elected and sworn according to law, heard the indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired to consider of their verdict. Whereupon said jury returned into Court the following verdict, to wit. "We the jury find the Deft not guilty J.H. Burns, foreman."

2744. And thereupon it is ordered by the Court that said Defendant go hence fully acquitted and discharged.

2744. The State of Texas v. Green, a colored man. And now on this day came the Parties to this cause by their attorneys and announced ready for trial, and waiving a jury submit the case to the Court. And the Defendant pleads guilty to the indictment. And it is ordered that the State of Texas recover of said Green the sum of twenty-five dollars as a fine and the cost of the prosecution & that Commitment issue.

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3443. State of Texas v. Gilbert Stewart. Continued

And Court adjourned till to-morrow at 9 o'clock A. M..

Thursday, Nov. 12th, 1874

Court met at 9 o'clock A.M pursuant to adjournment Present same as yesterday Whereupon the following proceedings were had, to wit:

3444 The State of Texas v. Eb. Stewart. This cause being called for trial the Defendant Eb. Stewart failing to appear and answer to the indictment in this cau, he and his securities G. W. Gladden, G. M. Davidson and S. N. Stewart being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Eb Stewart with the said G. W Gladden, G. M. Davidson and S. N. Stewart as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 30th day of July 1874 payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said Defendant Eb. Stewart make his personal appearance at the District Court of said County of Travis on the 1st Monday in October 1874, to answer the indictment preferred against the said Defendant Eb. Stewart by the Grand Juors of Travis County at the June Term A D 1874 for unlawfully carrying Deadly Weapons, 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, which said Bond is forfeited. And its considered by the Court that the State of Texas do have and recover of the said Eb. Stewart principal, and G. W. Gladden, G M. Davidson and S N. Stewart, securities the said sum of one hundred dollars and that this judgment nisi be made final unless good cause be shown at the next term of this Court why the said Defendant Eb Stewart did not appear. And further ordered that Citations do issue to the said securities.

3445 The State of Texas vs. Eb. Stewart This cause being called for trial the Defendant Eb. Stewart failing to appear and answer to the indictment in this case he and his securities G. W. Gladden, G. M. Davidson and S. N. Stewart being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Eb. Stewart, with the said G W. Gladden, G. M. Davidson and S. N. Stewart as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 30th day of July 1874, payable unto the State of Texas in the sum of three hundred dollars, conditioned that the said Defendant Eb. Stewart make his personal appearance at the District Court of said County of Travis on the 1st Monday in October, 1874, to answer the indictment preferred against the said Defendant Eb. Stewart by the Grand jurors of Travis County at the June Term A D 1874, for Burglary, 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. which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Eb. Stewart, principal,

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and G. W. Gladden, G. M. Davidson and S. N. Stewart securities, the said sum of three hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Eb. Stewart, did not appear. And further ordered that Citations do issue to the said securities.

3446. The State of Texas v. Eb. Stewart. This cause being called for trial the Defendant Eb. Stewart failing to appear and answer to the indictment in this case he and his securities G. W. Gladden, G. M. Davidson and S. N. Stewart, being distinctly called at the door of the Courthouse of Travis county, and the defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Eb. Stewart, with the said G. W. Gladden, G. M. Davidson and S. N. Stewart, as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 30th day of July, 1874, payable unto the State of Texas in the sum of three hundred dollars, conditioned that the said Defendant Eb. Stewart make his personal appearance at the District Court of said County of Travis on the 1st Monday in October, 1874, to answer the indictment preferred against the said Defendant Eb. Stewart, by the Grand Jurors of Travis county at the June Term A D 1874 for An Assault with intent to kill and murder Rhoda E. Cox, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Eb. Stewart, principal, and G. W. Gladden, G. M. Davidson and S. N. Stewart securities, the said sum of Three hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Eb. Stewart did not appear.
And further ordered that citations do issue to the said securities

3447. The State of Texas v. Eb. Stewart. This cause being called for trial the Defendant Eb. Stewart failing to appear and answer to the indictment in this case he and his securities G. W. Gladden, G. M. Davidson and S. N. Stewart, being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Eb. Stewart, with the said G. W. Gladden, G. M. Davidson and S. N. Stewart as his securities, did execute the Bail Bond on file in this case, substantially as follows: Dated 30th day of July, 1874, payable unto the State of Texas in the sum of three hundred dollars, conditioned that the said Defendant Eb. Stewart make his personal appearance at the District Court of said County of Travis on the 1st Monday in October, 1874, to answer the indictment preferred against the said Defendant Eb. Stewart by the Grand Jurors of Travis county at the June Term A D 1874 for an Assault with intent to kill and murder Bettie Cox, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Eb. Stewart principal, and G. W. Gladden, G. M. Davidson, and S. N. Stewart, securities the said sum of three hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court.

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why the said Defendant Ed. Stewart did not appear. And further ordered that citations do issue to the said securities

3448 The State of Texas v. Ed Stewart. This cause being called for trial the Defendant Ed. Stewart failing to appear and answer to the indictment in this case, he and his securities G. W. Gladden, G. M. Davidson and S. N. Stewart being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time still failes to appear. And it appearing to the Court that the Defendant Ed Stewart, with the said G W Gladden, G M. Davidson and S N. Stewart, as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated 30th day of July, 1874, payable unto the State of Texas in the sum of three hundred dollars, conditioned that the said Defendant Ed. Stewart, make his personal appearance at the District Court of said County of Travis on the 1st Monday in October, 1874, to answer the indictment prefered against the said Defendant Ed. Stewart by the Grand Jurors of Travis county at the June Term A D 1874 for An Assault with intent to kill and murder B. F. Cox, 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, which said Bond is forfeited: and it is considered by the Court that the State of Texas do have and recover of the said Ed. Stewart principal, and G. W. Gladden, G M. Davidson and S. N. Stewart, securities, the said sum of three hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Ed. Stewart did not appear. And further ordered that citations do issue to the said securities

3550 State of Texas v. A.S. Mair. Indictment quashed.

3839 The State of Texas vs A.S. Mair. Comes Leon Blum and acknowledges himself to owe and be indebted unto the State of Texas in the sum of five hundred dollars, to be levied upon his goods and chattels, lands, tenements and estate, But to be void upon Condition that said Leon Blum make his personal appearance before the District Court of Travis County, now in session and there remain from day to day and from term to term thereafter to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas vs A. S. Mair, and that he do not depart the Court without leave.

And also came R.C. Stewart and R. H. & Bibb and each of them acknowledged himself to owe and be indebted unto the State of Texas in the sum of one hundred dollars each, to be levied upon their goods and chattels, lands, tenements & estate But to be void on condition that said R.C. Stewart and R.H.L. Bibb be and remain in attendance upon the District Court of Travis county now in session & there remain from day to day and from term to term of said Court to give evidence on behalf of the plaintiff in the above entitled cause & that said witnesses do not depart the Court without leave

And the said cause is continued by the State.

3572. State of Texas v. Ed. H. Duff. ordered that the continuance in this cause entered reset aside.

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3572. The State of Texas vs Ed. F. Duff This cause being called for trial the Defendant Ed. F. Duff failing to appear and answer to the indictment in this case, he and his securities E. B. George and F. P. Smith being distinctly called at the door of the Court-House of Travis County, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Ed F. Duff with the said E. B. George and F. P. Smith as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 15th day of November, 1874 payable unto the State of Texas in the sum of five hundred Dollars, conditioned that the said Defendant Ed. F. Duff make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Ed. F. Duff by the Grand Jurors of Travis County at the October term A.D. 1874 for Embezzlement, 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, which said Bond is forfeited - and it is considered by the Court that the State of Texas do have and recover of the said Ed. F. Duff, principal, and E. B. George and F. P. Smith securities, the said sum of five hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Ed. F. Duff did not appear And further ordered that citations do issue to the said securities

3828. The State of Texas v. J. B. Rutherford. And now on this day came the parties to this cause by their attorneys, the Defendant also coming in person and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of E. D. Walker and eleven others, who being tried, elected sworn according to law, heard the indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "We the jury find the Deft guilty and assess the punishment at two years in the State Penitentiary. E. D. Walker, Foreman." Whereupon it is ordered that said Defendant stand Committed to the County Jail to await judgment and Sentence

3738. The State of Texas v. Waldrop. This day came the parties to this cause by their attorneys, the Defendant also coming in person & announced ready for trial whereupon came a jury of twelve good and lawful men of Travis County, consisting of E. E. Whitney and eleven others who being tried, elected and sworn according to law, heard the Indictment read, the plea of not guilty, & the ~~evidence~~, charge of the Court, returned the following verdict, to wit: "We the jury find the Defendant guilty & affix the punishment at two years in the Penitentiary E. E. Whitney foreman" Whereupon it is ordered that said Defendant Stand Committed to the County Jail to await judgment & sentence

3551 The State of Texas v. James P. Newcomb. And now comes J. P. Newcomb, and Stanley Welch, R. A. Upton and Bethel Coopwood, securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of five thousand dollars, to be levied upon their

goods and chattels, lands, tenements and estate, But to be void upon condition that the said James P. Newcomb make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in February, 1875, and there remain from day to day and from term to term thereafter, to answer the indictment preferred against the said James P. Newcomb by the Grand Jurors of Travis county at the June Term 1874 of the District Court of said County, for Swindling, and that he do not depart the Court without leave.

And Court adjourned till to-morrow at 9 o'clock A.M.

Friday, November 13th 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3611. "The State of Texas v. Bluches Hutchins. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon the Defendant to pleads guilty to the Indictment, Whereupon it is ordered that the State of Texas recover of Bluches Hutchins the sum of ten dollars as a fine and the cost of the prosecution & that a commitment issue to collect same.

3438 The State of Texas v. D. J. O'Brien. And now on this day came the parties to this cause by their attorneys & announced ready for trial, the Defendant also appearing in person. And thereupon came a jury of twelve good Hampshiremen of Travis county, consisting of John Richardson & eleven others, who being tried, elected & sworn according to law, heard the indictment read, the plea of not guilty, the evidence, argument of counsel & the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find a verdict of guilty with seven years confinement in the Penitentiary. John Richardson, foreman." And thereupon it is ordered that the Defendant stand committed to the County jail to await judgment & Sentence

And Court adjourned till to-morrow at 9 o'clock A.M.

Saturday, November 14th, 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

4198. Lediard & Townsend v. P. Thompson &c. And now come the plaintiffs and announced ready for trial. And on motion the cause is dismissed as to the Deft. W. S. Johnson. And thereupon the plaintiffs claim a final judgment by default. And the Defendant having accepted service of plaintiff's petition and failed to answer within the time prescribed by law & wholly made default, it is ordered that said Charles Lediard & W. E. Townsend, under their firm name of Lediard & Townsend, do have & recover of P. Thompson the sum of Four hundred, Seventy-two & $\frac{25}{100}$ Dollars, debt and interest due upon the note sued on to this date, and all the cost of this suit, for which execution may issue

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3568. The State of Texas v. Owens Johnson. Comes on to be heard the motion to quash the appeal bond in this case, which being considered, the same is overruled.

3568. The State of Texas v. Owens Johnson. Comes on to be heard the motion to dismiss the appeal in this case. which being considered the same is overruled.

3571. The City of Austin v. Chas Comiot E. Marcus. Upon motion it is ordered that this cause be reinstated upon the docket. And thereupon the cause is dismissed

3568. The State of Texas v. Owen Johnson. Continued.

3782. State of Texas v Schooler. Indictment quashed and cause dismissed

3783. State of Texas v. Malewiski - Indictment quashed and cause dismissed

3786 State of Texas v. Fred. Carleton. Indictment quashed and cause dismissed

3836. State of Texas v. John Rogers. Continued by consent.

4133. R.S. Rust v. Jno. D. Gillum. And now comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and wholly made default. And the cause of action being liquidated, it is ordered that R.S. Rust do recover of Jno. D. Gillum the sum of two hundred, eight $\frac{44}{100}$ Coin Dollars, debt and interest thereon from the date sued on to this date, with interest thereon from this date until paid at the rate often per centum per annum, and all the cost hereof to be taxed, for which execution may issue.

4134 R.S. Rust v. Wm J. Leland. And now comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and wholly made default. And the cause of action being liquidated, it is ordered that R.S. Rust do have and recover of Wm J. Leland the sum of fifty-one $\frac{15}{100}$ Coin Dollars, debt and interest thereon from the date sued on to this date, with twelve per centum per annum interest thereon from this date until paid and the cost of this suit, for which execution may issue.

4138. R.S. Rust v. W.B. Walsh. And now comes the plaintiff & claims a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and wholly made default, it is ordered that R.S. Rust do recover of W.B. Walsh the sum of One hundred and Seventy-Eight Coin Dollars, debt and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from this date until paid, & all the cost of this suit, for which execution may issue.

4140. R.S. Rust v. R.W. Riley. And now comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service & has failed to answer within the time prescribed by law & made default, it is ordered that R.S. Rust do have and recover of R.W. Riley the sum of One hundred, twenty-eight $\frac{81}{100}$ Dollars, in coin, debt & interest due upon the note sued on, together with 12 per centum per annum interest thereon from this date until paid and all the cost to be taxed for which execution may issue

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4153. R.S. Rust v. A.E. Dale. On motion it is ordered that this cause be dismissed & that the plaintiff pay all the cost of this suit, for which execution may issue.

3666. A.R. Valls et als vs Evaline A. Minter et als. And now on this day comes John W. Patton, Commissioner appointed by this Court by an order entered in this cause at a former term thereof, to make sale of all the property, both separate property of Edward Linn, dec'd. and the property owned by the said Edward Linn dec'd and the Defendant Evaline Minter (formerly Evaline Linn) as community property for the purpose of partition in this suit between the parties herein and the said John W. Patton having presented to the Court his Report filed herein on the 14th day of November, 1874, of the sale of a tract of 471 2/10 acres of land situated in Bexar county, Texas, and granted to Abraham Gozney, to one Frank Dylla, for the sum of $1061 65/100 in Silver, one hundred dollars of which has been paid down, and the balance of $960 65/100 to be paid in sixty days from November 5th 1874, at which date title is to be made to said purchaser, and said Commissioner asks that said sale be confirmed. And the Court having only considered the matter of said Report and being satisfied that said sale has been fairly made and for a fair price, It is therefore ordered by the Court that said sale be in all things confirmed and that said John W. Patton as Commissioner as aforesaid shall execute and deliver to the purchaser of said land, the said Frank Dylla, a deed of conveyance to said land, upon the payment by said Dylla of the balance of the purchase money for said land. And it is further ordered by the Court that said Deed so executed shall completely pass to said purchaser all the right and title to said land owned by the parties to this suit, who are the children and surviving wife and only heirs at law of Edward Linn, deceased. And it is further ordered by the Court that said Commissioner shall, out of the first of said purchase money which shall come into his hands, pay off and fully discharge a certain Judgment recovered by J. M. Sitton against the said Evaline A. Minter in the 1st District Court of Travis county, Texas, on the 5th day of November, 1873, for the sum of $337 65/100 coin, and costs of suit, and the balance of said purchase money said Commissioner will distribute between the parties to this suit in accordance with the decree of partition heretofore rendered in this cause.

4125. R.E. Grant vs J.F. Battaile, et als. And now comes the plaintiff by attorney and claims a judgment by default as to the Defendants J.F. Battaile and Emile E.D. Stucken. And it appearing that said Defendants have been duly cited and failed to answer within the time prescribed by law and wholly made default and the cause of action being liquidated it is ordered that said R.E. Grant do have and recover of J.F. Battaile and Emile E.D. Stucken judgment for the sum of three hundred, thirteen 2/100 Dollars, balance of debt and interest due upon the instrument sued on to this date, with 12 per centum per annum interest thereon from this date until paid and all the cost of this suit, for which execution may issue.

4125. R.E. Grant vs J.F. Battaile et.als. And now on this day again comes the

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plaintiff in this cause, and the Defendant S.P. Hollingsworth, by their attorneys & announced ready for trial and the parties agree to waive a jury and submit the case to the Court. And the demurrer of said Defendant coming on to be heard, and being duly considered, the same is overruled. And the Court having heard the pleadings, the evidence, and argument of counsel, and duly considered the same, it is ordered that said R.E. Grant do have and recover of and from said S.P. Hollingsworth endorser, the sum of three hundred, thirteen 20/100 Dollars, debt and interest thereupon the instrument sued on to this date, with interest thereon at the rate of twelve per centum per annum from this date until paid, and the cost hereof to be taxed, for which execution may issue. And thereupon said Defendant Hollingsworth gives notice in open Court of an appeal to the Supreme Court.

3951. B. Rad Key v. Schusterman, Garnishee. And now comes the plaintiff by his attorney when on motion it is ordered that a Commission issued to the County of Milam, where said Garnishee resides, authorizing and requiring said Garnishee to answer under oath as to his indebtedness to the Defendants in this case, and as to what effects of said Defendants he has in his possession, and as to what information he has as to credits or effects in the hands of any other person.

And Court adjourned till to-morrow Monday next at 9 A.M.

Monday, November 16th, 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.P. Richardson Judge of the Judicial District presiding. Whereupon the following proceedings were had, to wit:

3828. The State of Texas v. J.C. Rutherford. And now come the parties to this cause by their attorneys, when came on to be heard Defendants motion for a new trial in said cause: which being duly considered by the Court, it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

Charles W. Ogden. Upon the application of Charles W. Ogden for License to practice as an Attorney and Counsellor at Law, it is ordered that W.M. Walton, N.G. Shelley and E.T. Moore be appointed a committee to examine said applicant in open Court.

3147 The State of Texas v. J. Morino. Come the parties and announce ready for trial & waiving a jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said J. Morino the sum of twenty-five dollars as a fine and the cost of the prosecution and that a commitment issue to collect the same.

3684. State of Texas v. Tom Harvey. Come now the parties by their attorneys and announce ready for trial & waiving a jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Tom Harvey the sum of ten dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

3710 State of Texas v. Neal Cain. Come the parties & announce ready for trial & waiving a jury submit the case to the Court. And the Defendant pleads guilty. Where-

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upon it is ordered that the State of Texas do have and recover of said Cain the sum of ten dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

3996. Emma V Berryman vs J.E. Berryman. This suit coming on for trial this the 16th day of Nov. 1874, thereupon came a jury of twelve good and lawful men of Travis County, to wit: J.H. Walker and eleven others who being duly sworn, the petition was read to them: and John D. McCall being introduced as a witness & duly sworn, testified: that he was well acquainted with both parties to the suit: that they were legally married in the County of Travis on the 30th of March, 1870. that plaintiff conducted herself as a dutiful and affectionate wife. that early in the Spring of 1871 said J.E. Berryman left his wife, and said that he did not intend to come back. he has not been heard of since by witness, or as he believes by his wife: there was issue of said marriage, one son, who is with his mother in Travis county. Said Berryman has contributed nothing to the support of his wife and left no property behind him when he left. The jury having received the charge of the Court & considered of their verdict returned into Court the following verdict "We the jury find the allegations in the plaintiff's petition to be true. J.H. Walker, foreman" Whereupon it is ordered and decreed that the bonds of matrimony existing between Emma V Berryman and J.E. Berryman be and the same are hereby dissolved, and that said Emma V Berryman have and keep the custody of the son of the parties Berryman, issue of their said marriage, and that the plaintiff pay the cost of this suit, for which execution may issue

3909. B. M. Odum v. John D. Elliott and Simon Mufsia. And now on this day this cause being called for trial, came the plaintiff by atty & announced ready. when came a jury of twelve good and lawful men of Travis county consisting of W.H. Cushney and eleven others who being tried & sworn according to law, heard the pleadings, the evidence & the charge of the Court, and retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "We the jury find for the plaintiff as follows: Note Gold $1070.00 Interest to date, 236 00 attorneys fees 10% $107.06 = $1414.36 Nov. 16th 1874. W.H. Cushney foreman." Whereupon it is ordered that B. M. Odum do have and recover of and from John D. Elliott and Simon Mufsia the sum of fourteen hundred, fourteen & 36/100 Dollars in gold, together with interest on the sum of $1307.30 at the rate of one per centum per month in gold from this date until paid, and all the cost of this suit for which execution may issue.

4182. Leonard Marlow v. S.G. Sneed. And now come the parties by their attorneys and on motion and by consent of parties it is ordered that a writ of mandamus do issue requiring the Defendant, as County Superintendent of Public Instruction of the County of Travis, to issue and deliver to the plaintiff orders or drafts upon the County Treasurer of Travis County for the several sums of money due upon the accounts sued on in this case, & that the plaintiff pay the cost of this suit, for which execution may issue

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3761. The State of Texas v. Ike Bell. Dismissed
3778 The State of Texas v. Ike Bell. Dismissed
3792. The State of Texas v. Walt Good. Dismissed
3500. State of Texas v. Tom Bowles. Dismissed
3502. State of Texas v. Henry Harris, col. Dismissed
3638 State of Texas v. Miles Miller. Continued by the State.
3663. State of Texas v. Jerry Johnson. Dismissed
3670 State of Texas v. Geo. W. Miller Cont. for Service.
3739. State of Texas v. Alenbenger. Dismissed
3743. State of Texas v. J. W. Dowell. Dismissed
3744. State of Texas v. G. D. Evans. Dismissed
3745. State of Texas v. G D Anderson. Dismissed
3746. State of Texas v. W. A. East. Dismissed
3747. State of Texas v. Saffrai. Dismissed
3750. State of Texas v. Geo. W. Paschal. Dismissed
3751. State of Texas v. Geo. W. Miller. Dismissed
3754. State of Texas v. Mary Nolan Dismissed
3755. State of Texas v. C. Cooney, Continued by the State
3757 State of Texas v. Ads. Dismissed
3758. State of Texas v. Jesse Meade. Continued
3759 State of Texas v. Jennie Butterfield Continued
3763. State of Texas v. Cora Dee. Continued
3767 State of Texas v. Geo. W. Paschal. Dismissed
3769 State of Texas v. R. J. Freeman. Dismissed
3770. State of Texas v. Harry & Mattie. Continued
3771. State of Texas v. Iera Sake et al. Continued
3772. State of Texas v. Hannah Robb. Dismissed
3773. State of Texas v. Press Lovinia et al. Continued
3774. State of Texas v. Jane Henderson et al Continued
3775. State of Texas v. W. J. Moore. Dismissed
3780. State of Texas v. R. Galloway Dismissed
3781. State of Texas v. W. P. Gaines. Dismissed
3784. State of Texas v. R. A. Smith. Dismissed
3785. State of Texas v. P. P. Cluff. Dismissed
3787. State of Texas v. W. S. Billips. Dismissed
3794. State of Texas v. Howell. Continued
3795. State of Texas v. E. N. Baker. Continued
3797. State of Texas v. C. Hunter. Dismissed
3802. State of Texas v. E. N. Baker. Continued
3803 State of Texas v. Mrs. Miller. Continued
3804. State of Texas v. E. N. Baker. Continued
3805 State of Texas v. E. N. Baker. Continued

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3806 State of Texas v. E. Baker. Continued

3807 State of Texas v. Mrs Miller. Continued

3808 State of Texas v. Miller Continued

3809 State of Texas v. Mrs. Miller. Continued

3810 State of Texas v E. Baker. Continued

3831. State of Texas v Dibbell. Continued by Deft

3840 State of Texas v. E. Moreno. Continued

3525. State of Texas v. F. Olten. Continued by the State. And now come Henry Ottens, Charles P. Rauke and Andros Skalich, and acknowledged themselves to owe the State of Texas the sum of fifty dollars each, to be levied upon their goods and chattels, lands tenements and estate But to be void upon condition that they appear before the District Court of Travis county to be held at the Courthouse in Austin on the first Monday in February, 1875, then to remain from day to day and from term to term thereafter, to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas v. F. Olten, and that they do not depart the Court without leave.

3548. The State of Texas v. A. P. Larsen. And now comes A. P. Larsen, as principal, and John Eickle and A. P. Summerow as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of five hundred dollars, to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that A. P. Larsen make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter, to answer the indictment preferred gainst said A. P. Larsen by the Grand Juors of Travis County at the June Term 1874 of the District Court of said County for Swindling, and that he do not depart the Court without leave.

And cause continued. And now come Alfred Scott, Henry Hawkins Harney Nance, & Ben. Saunders and each of them acknowledged himself to owe and be indebted unto the State of Texas in the sum of One hundred Dollars each, to be levied upon their goods & chattels, lands, tenements estate, But to be void upon condition that each of said persons make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the 1st Monday in February, 1875, there to remain from day to day and from term to term thereafter, to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas v. A. P. Larsen, and that they do not depart the Court without leave.

3728. State of Texas v. A. B. Ivey. Continued by Defendant.

3115 The State of Texas vs. Jas. Gill. This cause being called for trial the Defendant Jas. Gill failing to appear and answer to the indictment in this case he and his security George W. Pierce being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jas. Gill with the

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Geo. W. Pierce as his security, did execute the Bail Bond on file in this case substantially as follows. Dated 25th day of August, 1874, payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said Defendant Joe Gill, who signs by the name of Joseph Gill, make his personal appearance at the District Court of said County of Travis on the 1st Monday in October, 1874, to answer the indictment preferred against the said Defendant Joseph Gill by the Grand Jurors of Travis County at the

(Error)

3553. The State of Texas v. T. A. Johnson. This cause being called for trial the Defendant T. A. Johnson failing to appear and answer to the indictment in this case he and his securities D. T. Chamberlin, E. A. Sturgis and T. J. Selman being distinctly called at the door of the Courthouse of Travis county and the Defendant after a reasonable length of time, still failes to appear. And it appearing to the Court that the Defendant T. A. Johnson, with the said D. T. Chamberlin, E. A. Sturgis and T. J. Selman as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated 26th day of June, 1874, payable unto the State of Texas in the sum of four thousand Dollars by the said principal, and in the sum of thirteen hundred, thirty-three + 33/100 Dollars by each of said securities, conditioned that the said Defendant T. A. Johnson make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment prefered against the said Defendant T. A. Johnson by the Grand Jurors of Travis County at the June term A. D. 1874, for Perjury, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said T. A. Johnson, principal, the said sum of four thousand dollars and of each of his said securities, D. T. Chamberlin, E. A. Sturgis and T. J. Selman, the sum of thirteen hundred, thirty-three + 33/100 Dollars, each, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant T. A. Johnson did not appear and further ordered that citations do issue to the said securities

3688. The State of Texas v. S. T. Norris. This cause being called for trial, the Defendant S. T. Norris failing to appear and answer to the indictment in this case he and his securities W. Cameron and W. A. A. Norton being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant S. T. Norris, with the said W. Cameron and W. A. A. Norton as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated

(Error)

4174. Daniel Bayley v. Amanda Bayley. And now comes the plaintiff by atty when on motion it is ordered that said plaintiff have leave to amend.

4174 Daniel Bayley v. Amanda Bayley. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of D. B. Galusha and eleven others, who being tried, elected & sworn according to law,

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heard the pleadings, the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: " We the Jury find the allegations in Plaintiffs petition to be true. We the Jury find the allegations in Defendants cross bill to be not true. T.B. Galusha, foreman." Whereupon it is considered by the Court that the Bonds of matrimony heretofore existing between Daniel Bailey and Amanda Bayley be dissolved, and that the plaintiff and the securities on his cost bond, pay the cost of this suit, for which execution may issue.

3688 The State of Texas v. S.T. Norris. And now come the parties by their attorneys and announced ready for trial, and waiving a jury submit the case to the Court. And thereupon the Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said S.T. Norris the sum of ten Dollars as a fine & the cost of the prosecution & that Commitment issue to collect.

And Court adjourned till to-morrow at 9 o'clock A.M.

Tuesday, November 17th, 1874.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3533 The State of Texas v. Mays & Clanton. And now come W.D. Hunter, R.B. Fowler, W.S. Fowler, W.J. Johnson, J.A. Caldwell, O.M. Waddle, R.B. Faulkner, S.W. Martin, Henry Jones, Geo. Jones, Richard Fowler, Jim Taylor, W.D. Wallace and William Duty, and each of said persons acknowledged himself justly to owe and be indebted unto the State of Texas, in the sum of fifty dollars each, to be levied upon their goods & chattels, lands, tenements & estate, But to be void upon condition that each of said persons be and remain in attendance upon the District Court of Travis county now in session and there remain from day to day and from term to term thereafter, to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas against Mays & Clanton, and that said witnesses do not depart the Court without leave.

X 3565 City of Austin v. Charles Freeman } On motion it is ordered that these two
X 3566 City of Austin v. Charles Freeman } causes be reinstated upon the docket.

3701 The State of Texas v. Young Houston. This cause being called for trial the Defendant Young Houston failing to appear and answer to the indictment in this case he and his securities Solomon Houston and Anderson Houston being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the defendant Young Houston with the said Solomon Houston and Anderson Houston as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 30th day of October, 1874, payable unto the State of Texas in the sum of One hundred dollars, conditioned that the said Defendant Young Houston make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Young Houston by the Grand Jurors of Travis county

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at the October term A.D. 1874 for Playing Cards in a public place, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Young Houston principal, and Solomon Houston and Anderson Houston, securities, the said sum of one hundred Dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Young Houston did not appear. And further ordered that citations do issue to the said securities

3728. State of Texas v. W. B. Drey. ordered that the forfeiture entered herein be set aside.

3740 The State of Texas vs G. M. Brass. This cause being called for trial the Defendant G. M. Brass failing to appear and answer to the indictment in this case, he and his securities Philip Döppenseith and J. Bocke being distinctly called at the door of the Court house of Travis county, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant G. M. Brass with the said Philip Döppenseith and J. Bocke as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 24th day of October, 1874, payable unto the State of Texas in the sum of five hundred dollars, conditioned that the said Defendant G. M. Brass make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant G. M. Brass by the Grand Juror of Travis county at the October term A.D. 1874, for Using False weights, 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, which said Bond is forfeited. And it is Considered by the Court that the State of Texas do have and recover of the said G. M. Brass principal, and Philip Döppenseith, and J. Bocke, securities, the said sum of five hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant G. M. Brass did not appear. And further ordered that citations do issue to the said securities.

3839. The State of Texas v. A. S. Mair. And now comes John T. Douglass and acknowledges himself to owe and be indebted unto the State of Texas in the sum of two hundred and fifty dollars, to be levied upon his goods & chattels, lands, tenements and estate, But to be void upon condition that said John T. Douglass make his personal appearance before the District Court of Travis County now in session & there remain from day to day and from term to term thereafter to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas v. A. S. Mair, and that he do not depart the Court without leave.

3841. The State of Texas vs Charles Cooney. This cause being called for trial the defendant Charles Cooney failing to appear and answer to the ~~in~~information in this case & and his security Henry Nau being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Charles Cooney alias

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Charles Cooney, with the said Henry Nau as his security, did execute the Bail Bond on file in this case substantially as follows: Dated 28th day of October, 1874, payable unto the State of Texas in the sum of five hundred dollars, conditioned that the said Defendant Charles Coney make his personal appearance at the District Court of said County of Travis then in session, to answer the information preferred against the said Defendant Charles Coney at the October term A D 1874 for an aggravated Assault and Battery, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Charles Coney alias Charles Cooney, principal, and Henry Nau, security, the said sum of five hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Charles Coney did not appear And further ordered that citations do issue to the said securities

3813. The State of Texas vs Charles Coney. This cause being called for trial the Defendant Charles Coney failing to appear and answer to the indictment in this case he and his security Henry Nau being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Charles Coney by the name of Charles Cooney with the said Henry Nau as his security, did execute the Bail Bond on file in this case substantially as follows: Dated 28th day of October 1874 payable unto the State of Texas in the sum of One hundred Dollars conditioned that the said Defendant Charles Coney alias Charles Cooney make his personal appearance at the Distrid Court of said County of Travis then in Session to answer the information preferred against the said Defendant Charles Coney by at the October Term A D 1874, for Carrying a Pistal, 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, which said Bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said Charles Coney alias Charles Cooney, principal, and Henry Nau security the said sum of one hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Charles Coney did not appear And further ordered that citations do issue to the said securities.

Michael Weygandt

The State of Texas } Michel Weygandt being duly sworn according to law, in the Dis-
County of Travis } trict Court of said County, doth declare that he was born in the year A D 1845, in the Kingdom of Belgium where he emigrated in the year 1870 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 renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever & particularly to the King of Belgium of whom he is a subject. Michel Weygandt.

Sworn to and subscribed before me this 17th day of November, 1874. Frank Brown Clerk
By M. S. Brown Deputy

November 17th 1874

3829. Cora B Slaughter et al vs Ann P Lury Et al

Order of the Court upon the report of the Commissr

On this day came on to be heard the report of Felix E. Smith Commissioner heretofore appointed to make certain sales &c. by Order of this Court, and the Court having examined the same, as well as the Account of sales, and also as to the disbursments, and the receipts therefor, and the Court being satisfied that the sales reported have been for adequate price, and for Value, doth Order and decree that the sales as reported by said Commissioner be, and they hereby are in all things approved, and confirmed, and the titles given by said Commissioner to the purchasers respectively be and they are hereby confirmed and assured. And the Court doth further allow each and all items Claimed for Credits for paying out of said funds, and the said report is further in all things approved and Confirmed, And the Court doth further allow the account for Commissions and for fifteen days services, aggregating $198.35 Coin, and $11.72 Currency. And is is further Ordered that said report be recorded.

No 3829

In the Matter of the est of A B Slaughter decd / To the Hon the judge of the District Court of Travis County Texas

I, Felix E Smith Commissioner appointed by an Order of said Court in said Cause at the October term 1873, to Make Sale of certain Lands in the pleadings and proceedings in said cause ~~mentioned~~, And in said Order Mentioned and described do hereby report, that after Causing all necessary Maps and Surveys to be Made to enable me to perform the duties imposed upon me by the said Order, did by Virtue of the Power, and pursuant to the directions in said Order given to me, proceed to Make, and did make Sale of the lands and real estate in said Order mentioned and hereinafter described, in the Manner following; the proceeds of said Sale being received and paid out in the Manner appearing in the subjoined account, the numbers on the debtor side refer to lots or blocks in the plat or Map hereto attached, and the numbers on the credit side to the receipts for Money paid Out, herewith filed as Vouchers.

		Dr Currency $	Coin $
1874. Jan 3d	To balance received of William Wende for lot No 3 (50 acres)		90 00
Feb 28 28th	To Amt Recd of A Kline on lots. 2. 7 & 10 (100 acres)		252 00
July.	To Amount Recd of J C Wilson for lots 17 and 18. (63 acres)		300 00
July	To Amount Recd of W D Miller for lot No 16 (30 acres)		152 00
July	To Amount received of J H. Wilson for lots Nos 13. 14. and 15. (76 acres)		285 00
Aug	To Amount recd of J H Robinson & Son for lots Nos 1. 8. and 9. (88 acres)		800 00
			1879 00
	By amount total (coin) paid out		1278 15
			600 85
	By total Currency paid out (234.25 at 95 cents		222 53
	Balance in the hands of Comr		$ 378.32

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1874.		Cr Currency		Coin	
Feb	By amount paid W B Lury as per Voucher No 1			152	00
March 2d	By Amt to Miss A P Bacon as per Voucher No 2			103	45
March 3d	By Amt paid Moore & Shelley as per Voucher No 3			100	00
May 2d	By Amt paid District Clerk as per Voucher No 4	113	15		
June 30	By Amt paid J W Lury as per Voucher No 5			490	60
Aug 31	By Amt to J H Robinson as per Voucher No 6			225	32
Oct 7	By Amt to J M Litten as per Voucher No 7			104	50
Oct 7	By Amt to M A Taylor (V No 8)	108	30		
" "	" " " " " " (V No 9)			26	28
" "	" " " Mr & Mrs Goodloe (V No 10)			120	00
" "	" " " Dist Clk (V No 11)	12	80		
" "	" " " Terrill & Walker (V No 12)			25	00
	Acknowledgment of deeds			2	40
		234	25	1278	15

Commissioner would further report that said land was sold by him at private sale, and required much time and care in taking purchasers to view said land, and therefore asks that said sales be approved and confirmed, and your Commissioner be allowed a suitable commission as compensation for the time and trouble expended herein.

Sworn to & Subscribed before me this Oct 28th 1874. Felix E Smith Commissioner

J S Brown Clk.

Plat.

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

Wednesday November 18th, 1874

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3115. The State of Texas v Jael Gill. ordered that the forfeiture in this case be set aside

3577. The State of Texas v. Stocker. Dismissed

3669 The State of Texas v P W Wynne. Continued for service

3690 The State of Texas v Louis Maletsky Continued for service

3696 The State of Texas v Dick Hamilton. Continued for service.

3700 The State of Texas v Green Penn. Continued for service.

3702 The State of Texas v Clint Thompson. Cont'd for service

3704. The State of Texas v. House. Cont'd for service.

3705. The State of Texas v. Bob Holmes. Cont'd for service

3706 The State of Texas v. Wiley Croft. Cont'd for Service

3708. The State of Texas v. S.M. Cain Cont'd for service.

3709. The State of Texas v. Hamson Cain Cont'd for service.

3711 The State of Texas v. O. Klein. Cont'd for service.

3712. The State of Texas v. John Good. Cont'd for service.

3714. The State of Texas v Isaac Good. Cont'd for service.

3717 The State of Texas v. Potter. Cont'd for service.

3718. The State of Texas v. Jo. Wilson. Cont'd for service

3719. The State of Texas v. J.A. Barlage. Cont'd for service

3721. The State of Texas v. Jo. Pennington Cont'd for service

3724. The State of Texas v. Rodgers. Cont'd for service.

3725. The State of Texas v Ed McGehee. Cont. for service.

3730. The State of Texas v. Jeff Crow et al Cont'd for service.

3732. The State of Texas v. J.L. Norris. Cont'd for service

3733. The State of Texas v. Thos Creed. Cont'd for service

3735. The State of Texas v. Wm Washington. Mistrial

3737. The State of Texas v. Dick Wm Lacon. Cont'd for service

3742. The State of Texas v. Thomas Creed. Cont'd for service

3753 The State of Texas v. John Holstein et al. Cont'd for service

3756. The State of Texas v. Jennie Campbell. Cont'd for service

3760. The State of Texas v. Mrs. Miller Cont'd for service

3761. The State of Texas v. Emma. Cont'd for service

3762. The State of Texas v. Nat. Teague et al Cont'd for service

3788. The State of Texas v. Miller Cont'd for service

3789. The State of Texas v. Mrs Miller Cont'd for service

3790. The State of Texas v. W. M. Walton. Cont'd

3791. The State of Texas v Sam Middleton. Cont'd for service

3792 The State of Texas v Sam Middleton. Cont'd for service

3793 The State of Texas v. Sam Middleton. Cont'd for service

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3796 The State of Texas v E. Currie. Contd for sentence.
3800. The State of Texas v. Jacob Sanders Contd for sentence
3801 The State of Texas v. J. E. Downes Contd for sentence
3811 The State of Texas v. J. A. Dennis Contd for sentence
3812 The State of Texas v. John Jackson. Contd for sentence
3814. The State of Texas v. M. Ruble. Contd for sentence
3815. The State of Texas v. Giles Rundel Jr. Contd for sentence
3816 The State of Texas v. Mary Sims Contd for sentence
3823 The State of Texas v. John Scott. Contd for sentence
3824. The State of Texas v. King Contd for sentence
3825. The State of Texas v. Isaac Morgan. Contd for sentence
3827. The State of Texas v. P. W. Wynn Contd for sentence
3829. The State of Texas v. P. W. Wynne. Contd for sentence
3839. The State of Texas v. Jo Fowler. Contd for sentence
3832 The State of Texas v. Miles Jackson. Contd for sentence
3842 The State of Texas v. Mrs. Mitz Contd for sentence
4183 James Patton et al vs G. W. Doyle et al.. Now come the parties by their attorneys, and also came John Wallace, James Lard, and Alfred Overton commissioners appointed at the present term of this Court to partition a certain tract of land among the parties to this suit: and make report of their proceedings in the premises in writing, sworn to and subscribed by them, which report is in the words and figures following to wit: James Patton et al vs G. W. Doyle et al. In District Court Travis County at its October Term 1874. To the Hon. J. P. Richardson Judge of the 27th Judicial District in the State of Texas. The undersigned commissioners appointed by your Honor at the present term of this Court to partition and set apart to each of the following named parties viz: James Patton: Leon McArthur: George W. Doyle: Samuel Doyle: and Milton Patton three hundred and three acres (303) and to Geo. Doyle one hundred and ninety nine acres (199) out of a certain tract of land situated in the counties of Bastrop and Travis on the waters of Cedars Creek and known as part of the headright survey of James Doyle containing Seventeen hundred and fourteen acres of land more or less - said commissioners were required to set a part to each of the distributees tillable land sufficient for a field and also a portion of the timber, always having in view quantity, quality, and comparative value. They were also authorized to employ a competent surveyor to aid them in their duties, Said Commissioners beg leave to make the following report of their proceedings in the premises. One of the Commissioners being a surveyor, he was engaged to make the surveys and to run the boundary lines of the whole

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tract, when it was ascertained that it contained Two thousand and thirty nine and one half acres – After a full examination of the whole tract to be divided, having in view the distinctions tillable and woodland also as to quantity, quality and comparative values, reference being had to the plat with the subdivisions numbered from one to six, hereto annexed the following partition and distribution was made viz: – The commissioners set apart to Milton Patton as his share, the fol-
No 1. lowing described tract of land being Survey No 1 Beginning at a stake and mound the southwest corner of a survey made for Geo. Doyle from which an Elm 10 in dia mkd x brs S. 82° E 7 3/4 vrs dist. another Elm 12 in dia mkd x brs N 58° E. 6½ vrs dist. Thence N 45° W. 723 1/2 varas to the most easterly corner of an original survey made for James Doyle of which this is part. Thence N 45° E. 282 vrs to a stake and mound from which a musquite 3 in dia mkd x brs S. 84 1/4° E. 12 vrs dist, another musquite 3 in dia mkd x brs N 22 1/2 E. 4 1/4 vrs dist. Thence S. 45° E. 723 1/2 vrs to a stake and mound from which a post Oak mkd x 20 in dia brs S 16 1/2° E 4½ vrs dist. another Post Oak mkd x 24 in dia brs N 35 1/2° W. 18 vrs dist. Thence S. 45° W. 282 vrs to the place of beginning containing (361 1/4) Three hundred and Sixty one and one quarter acres of land more or less. Said Commissioners set apart
No 2 to James Patton as his share. Survey No. 2. described as follows viz: Beginning at the Northeast corner of a survey made for Milton Patton, a stake and mound from which a post oak 20 in dia mkd x brs S. 16 1/2° E. 4 1/2 vrs dist another post oak 24 in dia mkd x brs N 35 1/2° W 18 vr dist. Thence N 45° W. 723 1/2 vrs to the most northerly corner of a survey made for Milton Patton a stake and mound for which a musquite 3 in dia mkd x brs S. 84 1/4° E. 12 vrs distant, another musquite 3 in dia mkd x brs N 22 1/2° E. 4 1/4 vrs dist, – Thence N 45° E. 282 vrs to a stake and mound from which a double musquite mkd x brs S. 48° E. 34 vr dist another musquite ~~N x E~~ 8 in dia mkd x brs S 72° E. Thence S. 45° E 723 1/2 vrs to a stake and mound from which an Elm 10 in dia mkd x brs N 7½° E. 14 1/4 vrs dist. another elm 8 in dia mkd x brs N 45° W. 15 1/4 vrs dist. Thence S 45° W 282 vrs to the place of beginning containing three hundred and Sixty one and one quarter acres of land (361 1/4).

No 3 Said commissioners set apart to Isom McArthur as his share. Survey No 3 described as follows: Beginning at a stake and mound the most Easterly corner of a survey made for James Patton from which an Elm 10 in dia mkd x brs N 7½° E 14½ vrs dist, another Elm 8 in dia mkd x brs N 45° W. 15 1/4 dist, Thence N 45° W. 723 1/2 vrs to the most northerly corner of a survey made for James Patton a stake and mound from which a double musquite mkd x brs S. 48° E. 34 vrs dist, another musquite 8 in dia mkd x brs S 72 E. Thence N 45° E. 282 vrs to a stake and mound.

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Thence S 45° E 72 31½ vrs to a stake and mound from which an Elm tree in dia mkd x brs S. 49½° W. 5½ vrs dist. a double mesquite brs N 59 ¾° W 38¼ vrs dist. Thence S 45° W. 282 vrs to the place of beginning containing three hundred and Sixty one and one quarter (361¼) acres of land.

No 4 Said Commissioners set a part to Leo W. Doyle as his share of said land. Survey No 4 described as follows: beginning at the most Easterly corner of a survey made for Dson McArthur a stake and stone mound from which an Elm tree in dia mkd x brs S. 49½ W. 5½ vrs distant a double mesquite tree brs N 59 ¾° W. 38¼ vrs distant. Thence N 45° W. 72 31½ varas to the most northerly corner of a survey made for Dson McArthur. Thence N 45° E. 282 vrs to a stake and stone mound. Thence S. 45° E. 72 31½ vrs to a stake and stone mound on the west boundary line of a survey made for Leo Doyle from which an Elm tree 10 in dia mkd x brs S 42½° E. 3½ vrs dist. another Elm tree 7 in dia mkd x brs S 82 ¾ E.. Thence with the East boundary line of the survey for said George Doyle S. 45° W. 282 vrs to the place of beginning, containing Three hundred and Sixty one and one fourth acres of land (361¼)

No 5, Said Commissioners set apart to Samuel Doyle as his share of said land Survey No 5 described as follows viz: beginning at a stake and stone mound the most easterly corner of a survey for Leo W. Doyle from which an Elm tree 10 in dia mkd x brs S 42½° E 3½ vrs dist, another Elm tree 7 in dia mkd x brs S. 82 ¾° E., Thence N 45° W 72 31½ varas to a stake and stone mound the most northerly corner of survey made for Leo W. Doyle Thence N 45° E. 282 vrs to the most Northerly corner of an original survey made for James Doyle of which this is a part. Thence S. 44° 40' E. 72 31½ to the most northerly survey made for Leo Doyle from which an Elm tree 12 in dia mkd x brs N 36° W. 13¾ vrs dist. another Elm tree 10 in dia mkd x brs S 45 ¾° W 40¾ vrs dist. Thence S 45° W. 262 to the place of beginning containing three hundred and Sixty one and one quarter acres of land.

No 6 Said Commissioners set apart to Leo Doyle as his share of said land Survey No 6 described as follows viz: Beginning at a double Live Oak the North west corner of a survey made for Mary Ann Brady. Thence N 45° W. 950½ vrs to a stake and mound from which an Elm tree 10 in dia mkd x brs S. 82° E. 7¾ vrs dist. Another Elm 12 in dia mkd x brs N 58° E. 6½ vrs dist.. Thence N 45° E. 1390 vrs to a stake and mound on the ~~the~~ north boundary line of an original survey made for James Doyle of which this is apart and from which an Elm 12 in dia mkd x brs N 36° E. 13¾ vrs dist another Elm tree 10 in dia mkd x brs S. 45 ¾° W. 40¾ vrs dist. Thence with the north boundary line of the original survey made for James Doyle S 44° 40' E. 950½ vrs to a stake and mound the north East corner

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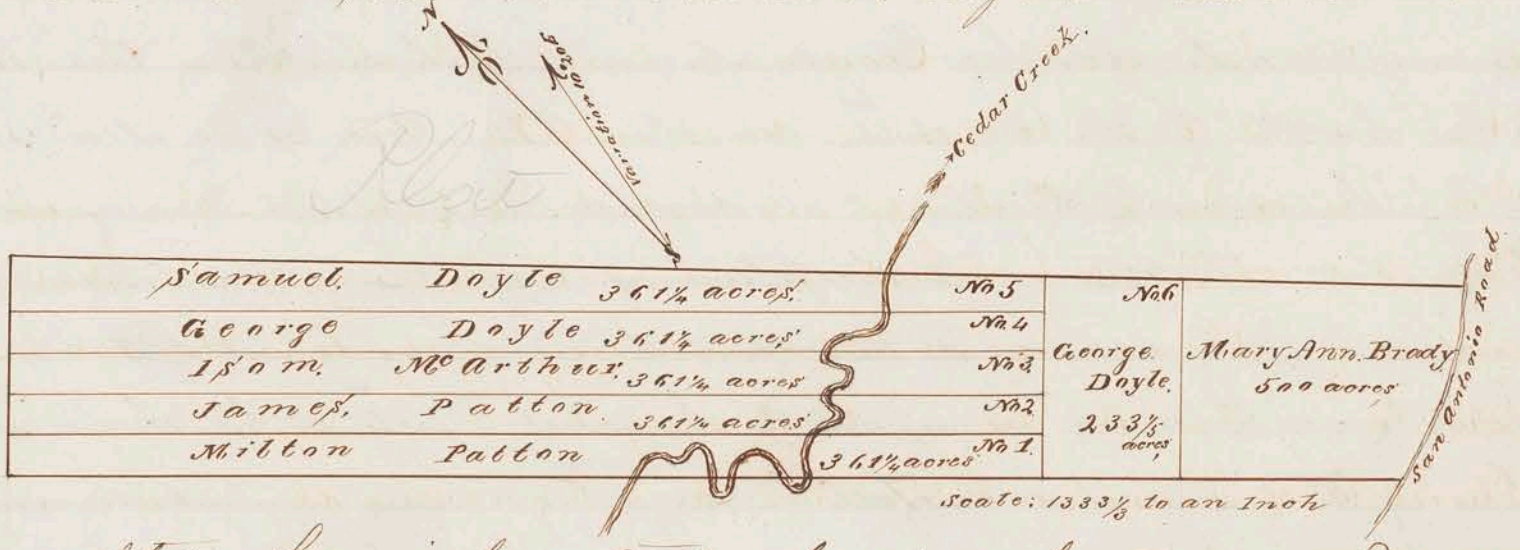
of said Brady survey. Thence S 45° W. 1380 vrs to the place of beginning containing Two Hundred and thirty three and one fifth acres (233 1/5) of land. The commissioners having thus partitioned said land and set apart to each distributee his equitable interest and portion thereof to the best of their ability and in accordance with the decree and order of this Court ask that reasonable fees be allowed them for their services and also for the work done by the surveyor John E. Wallace and that they be discharged by the Court. All of which is respectfully submitted. We do solemnly swear that the foregoing is a fair and just partition and distribution to the best of our knowledge and belief.

John E. Wallace
J. W. Laird
Alfred Overton
Commissioners

Sworn to and subscribed before me
in open Court Nov 17th 1874. F. Brunck



And no exceptions having been taken to said report and a jury being waived and the matters in controversy submitted to the Court, and the Court having duly examined said report and it appearing that said partition and distribution has been fairly made and in accordance with law. It is therefore ordered and decreed by the Court that said report be and the same is hereby approved, and that all the right title and interest of each of said distributees in and to said tracts of land set apart to their co-distributees be and is hereby divested out of them and the same is vested fully in each distributee to the extent of his respective survey so set apart to him in the foregoing report. It is further ordered and decreed by the Court that the decree of partition heretofore made in this case, the foregoing report of commissioners, and this decree stand as a muniment of title to each distributee to his respective tract of land surveyed and set apart to him as set forth in said report. It is further ordered that said Commissioners be allowed fees for their services as follows James Laird fifteen dollars, to Alfred Overton fifteen dollars and John Wallace Six dollars and also for Seven days work surveying Thirty five dollars and that said fees be taxed as costs. It is further ordered and decreed that each of the distributees pay one sixth of the costs in and about this suit expended, for which execution may issue.

3886 E. E. Munger v. Nagle & Burgess. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county

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consisting of W.H. Cushney and eleven others, who being tried, elected & sworn according to law, heard the pleadings, the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Deft. W.H. Cushney foreman." Whereupon it is ordered that the plaintiff take nothing in this behalf: that the cause be dismissed, and that the Defendants recover of said S. S. Munger and the securities on his cost bond ace the cost of this suit, for which execution may issue

3123. State of Texas vs Ohlenberger. And now come the parties, when the Defendant submitted his motion for a new trial, which being heard and considered, it is ordered that said motion be overruled.

3438 State of Texas vs O'Brien. And now come the parties, when the Defendant submitted his motion for a new trial, which being heard & considered, it is ordered that the same be overruled.

3458 The State of Texas v. Cypke. Ordered that the forfeiture in this case be set aside.

3142 The State of Texas v. Dale Sublett. On motion it is ordered that the judgment entered in this cause at a former day of the term be set aside and vacated, and that the cause be dismissed

3439. The State of Texas v. Jack Houston. And now come the parties by their attorneys and the Court as to an assault for of intent to Kill & murder is dismissed. And thereupon the Defendant pleads guilty to an aggravated assault. Whereupon it is ordered that the State of Texas recover of Jack Houston the sum of One hundred dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

3533. The State of Texas v. Mays & Clanton. Continued by Defendant.

3534 The State of Texas v. Mays & Clanton. Continued by Defendant.

3553. The State of Texas v. T.A. Johnson. Ordered, on motion that the forfeiture entered in this cause be set aside and cause continued

3558 The State of Texas v. Frank Hopkins. Dismissed

3618. The State of Texas v. Buck Walton. Continuance set aside & case dismissed

3677 The State of Texas v. Jo Walker. Continuance set aside and case dismissed

3740 The State of Texas v. Waldrop. Ordered that the forfeiture in this case be set aside.

3622 The State of Texas vs Sam Robinson. And now on this day comes the Defendant in open Court and being asked if he had any thing to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason, it is ordered that said Sam Robinson is guilty of the charge contained in the Indictment, the same being a crime of the grade of felony, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of two years and that the Sheriff take the body of the said Defendant and deliver him to the Superintendent of said Penitentiary for the purpose aforesaid.

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3605. The State of Texas v Tom Johnson. And now on this day comes the Defendant in open Court, and being asked if he had any thing to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason, it is ordered that said Tom Johnson is guilty of the charge contained in the Indictment, the same being a crime of the grade of felony and that he be confined at hard labor in the penitentiary of the State of Texas for a term of two years, and that the Sheriff take the body of the said Defendant and deliver him to the Superintendent of said Penitentiary for the purpose aforesaid.

3625 The State of Texas v Henry Harrison. And now on this day comes the Defendant in open Court, and being asked if he had any thing to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason, it is ordered that said Henry Harrison is guilty of the charge contained in the Indictment, the same being a crime of the grade of felony, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of two years, and that the Sheriff take the body of the said Defendant and deliver him to the Superintendent of said Penitentiary for the purpose aforesaid.

3623 The State of Texas v Olenburger. And now on this day comes the Defendant in open Court, and being asked if he had anything to say why Judgment should not be ~~pronounced~~ entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason, it is ordered that said Olenburger is guilty of the charge contained in the indictment, the same being a crime of the grade of felony, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of Two years and that the Sheriff take the body of the said Defendant and deliver him to the Superintendent of said Penitentiary for the purpose aforesaid.

3738 The State of Texas v Waldrop. And now on this day comes the Defendant in open Court, and being asked if he had any thing to say why Judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason it is ordered that said Waldrop is guilty of the charge of contained in the Indictment, the same being a crime of the grade of felony, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of two years, and that the Sheriff take the body of the said Defendant and delivir him to the superintendent of said Penitentiary for the purpose aforesaid.

3448 The State of Texas v D. J. O'Brien. And now on this day comes the Defendant in open Court, and being asked if he had any thing to say why Judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason

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it is ordered that said D. J. O'Brien is guilty of the charge contained in the Indictment, the same being a crime of the grade of felony, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of Seven years, and that the Sheriff take the body of the said Defendant and deliver him to the Superintendent of said Penitentiary for the purpose aforesaid. And thereupon the said Defendant gives notice in open Court of an appeal to the Supreme Court.

And Court adjourned till to morrow at 9 o'clock A. M.

Thursday, November 19th, 1874.

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

W. D. Grady — W. D. Grady having produced in open Court his License to practice as an attorney and Counsellor at Law in the several Courts of the State of Tennessee, it is ordered that he be admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas and that a License issue accordingly.

Charles W Ogden. — Charles W Ogden having been examined in open Court touching his qualifications to practice as an Attorney and Counsellor at Law, and being found duly qualified, it is ordered that said Charles W. Ogden be admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas and that a License issue accordingly.

No. 4146. Charles G. Jones v. Tunney & Thaxton. And now come the parties by their attorneys and by consent it is ordered that the judgment rendered in this cause be so amended as to read as follows: "And it appearing to the Court that the Defdt Thaxton is security on the note sued on in this case, and not a principal debtor, it is ordered that William Thaxton do have and recover of the said C. H. Tunney the sum of Six hundred, four & 80/100 Gold Dollars, with interest thereon at the rate of two and one half per cent. per month from the 28th day of Oct. 1874, (the date of the rendition of the judgment in this case,) until paid and the cost of this suit, and in case the said Thaxton shall be compelled to pay said judgment or any part thereof, then he shall have execution against the said Tunney for the amount of said judgment or so much thereof as he may be compelled to pay.

No. 4151. Sampson & Henricks v. Jonathan Rogers. And now on this day this cause being called for trial came the plaintiff by atty and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of W. W. Townsend and eleven others who being tried, elected and sworn according to law, heard the pleading, the evidence, and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the plaintiff and the sum of twelve hundred and ninety one & 50/100 dollars gold, principal and interest. $1291 50 Gold. W. W. Townsend, Foreman." Whereupon it is ordered that Geo. W. Sampson and Ben. F. Henricks, under their firm name of Sampson & Henricks, do have and recover of

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Jonathan Rogers the sum of Twelve hundred, ninety-one & 50/100 Gold Dollars, so found to be due by the Jury together with interest thereon at the rate of ten dollars per centum per annum from date until paid, and all the cost of this suit, for which execution may issue.

4165. M R Parrish et als v. Geo F Crofton And now on this day this cause being called for trial, came the plaintiff and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, Consisting of Chas G Maillot, foreman, and eleven others, who being tried, elected & sworn according to law, heard the pleadings, the evidence, argument of Counsel & the charge of the Court, after deliberation, returned the following verdict, to wit: "We the Jury find for the Pffs. Chas G. Maillot, foreman." Whereupon it is ordered and decreed that Mattie R. Parrish, Addie Parrish, Guy R. Parrish and Mc. Lara Parrish, do have and recover of Geo. F. Crofton the property sued for in this case, to wit: Lot No Six (6) in Block No twenty nine (29) in the City of Austin, Travis County, Texas, according to the plan of said City, and that the Clerk do issue a Writ of Posession placing the plaintiffs herein in posession of said ground and ousting the Defendant and all persons claiming under him, from the same. And it is further ordered that the plaintiffs recover of said Defendant all the cost of this suit, for which execution may issue.

3965. Thomas F. Bacchop v. Mary E. Bacchop. Comes now the plaintiff by atty when on motion it is ordered that said plaintiff have leave to amend the petition.

1104. William Nelson v. Juliet G. Hicks et als And now on this day comes the plaintiff by atty when on motion it is ordered that A.S. Wacker Esq be appointed Guardian ad litem to represent the minor Defendants in this case.

4105. M. C. Hamilton v. Juliet G. Hicks et als And now on this day comes the plaintiff by atty when on motion it is ordered that said A.S. Wacker Esq be appointed Guardian ad litem to represent the minor Defendants in this case.

3889. M. M. Galloway v. Richard Galloway. And now on this day came the parties to this cause by their attorneys when the Defendant submitted his motion for a new trial which being heard and considered the same is overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

3889 M. M. Galloway v. Richard Galloway. And now on this day came on the motion of the Defendant to reform the final Judgment in this case, and being heard by the Court and duly considered, It is ordered and adjudged by the Court that said motion be granted so far as to allow the ~~monied part of~~ defendant a credit on the monied part of said Judgment of the sum of $270, that being the amount of alimony paid by said Defendant to plaintiff during the pendency of this suit, and that said motion in all other respects be and the same is overruled to which last ruling Defendant excepts, and gives notice in open Court of an appeal to the Supreme Court

3440 State of Texas vs Jack Houston. Dismissed

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3828 The State of Texas v. Rutherford. And now come again the parties to this cause, when the Court proceeds to render judgment. And it is ordered that the said Defendant Rutherford is guilty of the offence charged in the Indictment, according to the verdict of the Jury who tried his case, and that the same being a crime against the laws of this State of the grade of Felony, and it is ordered that said Defendant be confined at hard labor in the Penitentiary of the State of Texas for a period of two years, and because of the notice of appeal it is ordered that Sentence be suspended to await the decision of the Supreme Court on appeal.

3785 L. J. Page et al v. Sarah Bennett et al. Now come the parties by their Attorneys, and also come John Daugherty, A. R. Morris and J. R. Ray, Commissioners heretofore appointed by this Court to partition certain tracts of land between the parties to the above entitled cause, and make report of their proceedings in the premises in writing, sworn to and subscribed by the said Commissioners, which report is in words and figures following, to-wit: To the Hon. J. P. Richardson, Judge of the 27th Judicial District of Texas, sitting in matters of Probate at Austin City, Travis Co., Texas:- The Commissioners heretofore appointed to partition the real estate belonging to the estate of F. R. Tannehill, dec'd. between his wife, now Mrs. Sarah Bennett, and her children, which land is described in the decree of the Court ordering said partition, beg leave to make the following report, viz:

To Mrs. Sarah Bennett we set apart one-third of the homestead tract, situated about 5 miles below the City of Austin, and a part of the J. C. Tannehill headright league, which one-third contains 94 7/12 acres, as shown by a plat of said partition here to attached and made a part of this report.

To Frank R. Tannehill we set apart Lots No's 1 and 7 (one & seven) as shown by said plat, containing 49.1 acres out of said homestead tract.

To M. B. Tannehill we set apart Lots No's 2 & 8 (two & eight) as shown by said plat, containing respectively 26 2/3 and 11.1 acres out of said homestead tract

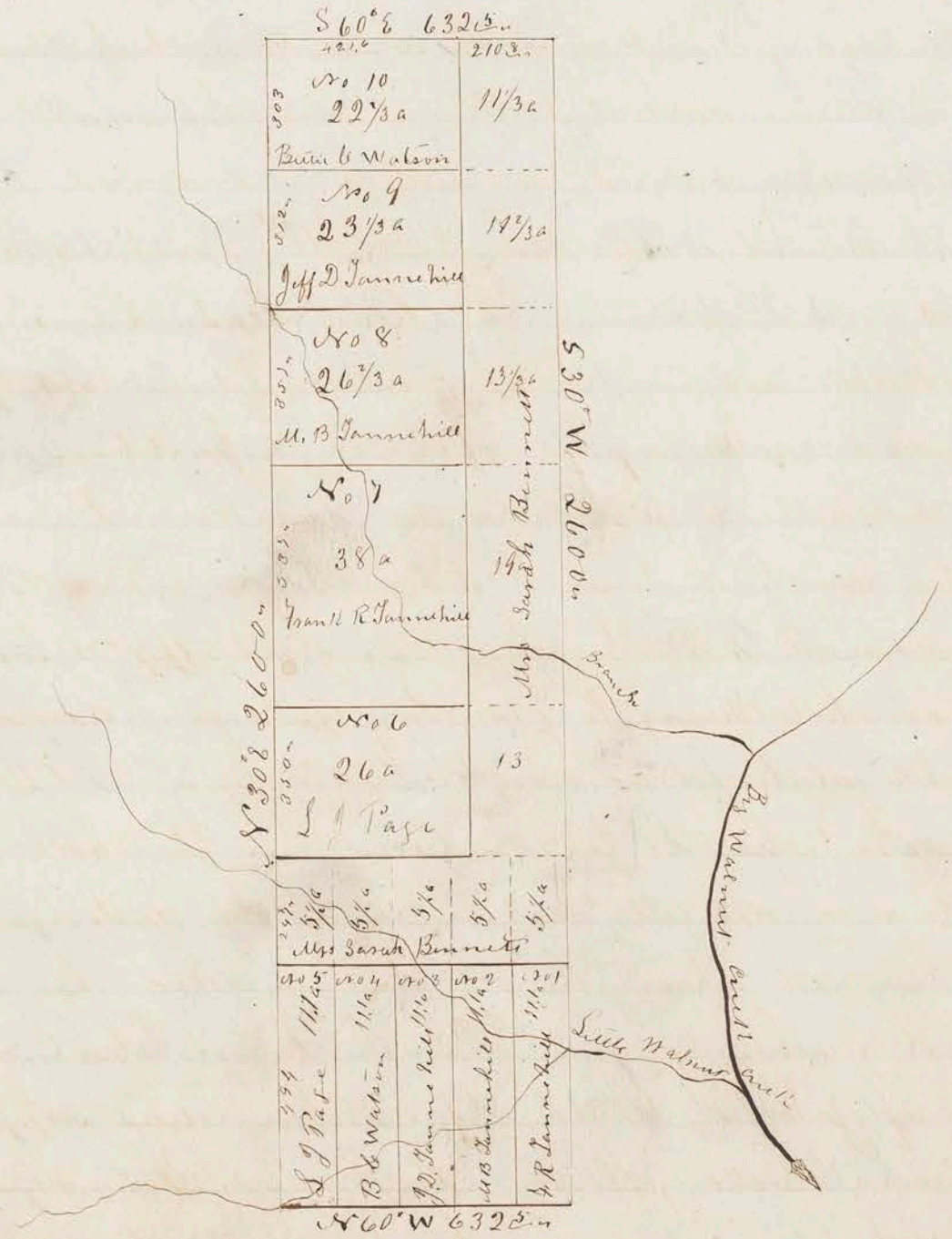
To Jeff. D. Tannehill we set apart Lots No's 3 & 9 (three and nine) as shown by said plat, containing respectively 2 3 1/3 and 11.1 acres out of said homestead tract

To B. C. Watson we set apart Lots No's 4 & 10 (four and ten) as shown by said plat, containing respectively 22 2/3 and 11.1 acres, out of said homestead tract.

To L. J. Page we set apart Lots No's 5 & 6 (five and six) as shown by said plat, containing respectively 26 and 11.1 acres out of said homestead.

Which is the best & most equitable division they could make of said homestead tract. The plat here to attached shows the No's of the lots and the number of acres in each lot set apart to each individual, with their names written in their respective lots. Owing to a lease upon the 60 acres of land in the Cedar brake and a previous arrangement with

reference thereto, they recommend that the same be not divided at the present. That whenever the proper time shall arrive, the undersigned Commissioners, or some others appointed for that purpose, may partition the same. John Daugherty, A. R. Morris, J. R. Ray. Subscribed and sworn to before me Nov. 17, 1874. F. Brown, Clk Dist Court, Travis Co.



Sketch of the subdivisions of the real estate of F. R. Tannehill Decd as awarded to heirs of said Tannehill by the Commissioners appointed to make said partition

Jno. E. Campbell, Surveyor for Travis County.

And no exceptions being taken to said report, and a Jury being waived, the matters in controversy were submitted to the Court, and the Court after having duly examined said report, and said report appearing to show that said partition of the homestead tract has been fairly and impartially made, and in accordance with law. It is therefore ordered, adjudged & decreed by the Court that said report be and the same is hereby approved; and that the one-third of the tract of land mentioned in said report, containing 94 1/12 acres be set apart to the said Sarah Bennett for and during her natural life, and at her death the same shall revert to the heirs of her former husband, F. R. Tannehill, Decd, each share to be extended across her interest according to the dotted lines running across the same, as shown by said plat, and that she have quiet and uninterrupted possession and control of the same so long as she may live; and that until her death all the other parties to this suit and the distributees of said homestead tract of land be and they are hereby divested of possession and

control of the same, and that said Sarah Bennett be and she is hereby divested of all right, title and interest in and to the respective shares or parcels of said land set apart to the other parties to this suit, and that the same be fully vested in each of said parties according to their respective interest, as shown by said report of Commissioners and the plat thereto attached; and that the right, title and interest of each of said distributees in said tract of land set apart to their co-distributees, be and the same is hereby divested out of them. It is further ordered, adjudged and decreed by the Court that as said Commissioners have reported that it is impracticable at present to partition the sixty acre tract in the Cedar brake between the parties hereto, the same shall remain to be partitioned by said Commissioners or by any other Commissioners who may be appointed to partition the same whenever it shall be practicable to partition the same. It is further ordered and adjudged by the Court that said Commissioners be allowed fees for their services as follows, to-wit: to John Daugherty (4^{00}) four dollars; to A. R. Morris (4^{00}) four dollars; to J. R. Ray (4^{00}) four dollars; and to John E. Campbell, for running and subdividing said tract of land ten dollars; and that said fees be taxed in the bill of cost. It is further ordered and decreed that each of the distributees pay one-sixth of the costs in and about this suit expended, for which execution may issue. And it further appearing to the Court that nothing has come to the hand of John B. Casta, Special Guardian appointed by the Court for said minors Bettie, Jefferson, Mallie and Franklin Tannehill. It is therefore further ordered by the Court that said Guardian be and is hereby discharged from his said trust, and his bond as such guardian cancelled; and that the sum of ten dollars be allowed said guardian, to be taxed as part of the costs in this case to be paid by said minors.

Jury Service — And thereupon it is ordered that the Clerk do issue to the following named persons certificates for Jury Service at the present term of this Court, for the amounts set opposite to their names respectively, to-wit:

Grand Jurors

424 J. W. Brown 14 days $28 — 425 Joshua Patterson 14 days $28 — 426 Milton Wallace 14 days $28
427 S. A. Lindell 14 " 28 — 428 Frank Matthews " " 28 — 429 William Bohlis " " 28
430 J. R. Owings " " 28 — 431 David Jones " " 28 — 432 Robt. Jones " " 28
433 Wm Wallace " " 28 — 434 Robt. Turner " " 28 — 435 John Harrell " " 28
436 A. H. Whitten " " 28 — 437 Robt. Barr " " 28 — 438 J. A. Black " " 28
439 R. S. Caperton " " 28 — 440 Joe A. Casta " " 28 —

Petit Jurors

441 Drew Townsend 5 days $10 — 442 Henry Rancho 5 days $10 — 443 F. Kruger 5 days $10
444 Sanday Bradshaw " " 10 — 445 F. Straemer " " 10 — 446 J. Gilbert " " 10
447 Thos. Kinchen " " 10 — 448 Thos. Peas " " 10 — 449 Gus. Peterson " " 10

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450	R. Platt	5	days	$10	451	M. Hennness	5	days	$10	452	H. Mays	5	days $10
453	H. E. Lancaster	"	"	10	454	James Wall	"	"	10	455	A. Blomike	"	" 10
456	Charley Marshall	"	"	10	457	J. W. Lee	"	"	10	458	R. G. Sheldon	"	" 10
459	D. F. Waddle	"	"	10	460	D. E. Bond	"	"	10	461	John Norwood	"	" 10
462	Wm. Rock	"	"	10	463	E. D. Walker	"	"	10	464	H. H. Duff	"	" 10
465	Wm Alexander	"	"	10	466	Andrew Kruger	"	"	10	467	Lewis Blumentritt	"	10
468	James H. Shaw	"	"	10	469	M. Teague	6	"	12	470	R. B. Townsend	6	" 12
471	Henry Willis	6	"	12	472	Frank Washington	"	"	12	473	H. C. Watters	4	" 8
474	Louis Meeks	"	"	12	475	J. J. McInnis	5	"	10	476	C. B. Meeks	5	" 10
477	M. E. Summerow	"	"	12	478	A. Nelsoe	4	"	8	479	Isam Ingram	6	" 12
480	John Penn	"	"	12	481	J. Woods Smith	6	"	12	482	Henry Brown	"	" 12
483	J. E. Harber	"	"	12	484	John Dillingham	1	"	2	485	M. Hennness	2	" 4
486	James Wall	5	"	10	487	E. S. Deffenbaugh	6	"	12	488	T. B. Galusha	6	" 12
489	J. W. Lee	6	"	12	490	J. W. O'Neal	"	"	12	491	J. H. Burns	"	" 12
492	R. G. Sheldon	"	"	12	493	Jos. Barnhart	"	"	12	494	J. W. Bird	"	" 12
495	W. Goodloe	"	"	12	496	L. Blumentritt	"	"	12	497	E. D. Walker	"	" 12
498	Neill McCashin	"	"	12	499	Wm Alexander	"	"	12	500	M. Hennness	3	" 6
501	Isaac Bledsoe	3	"	6	502	J. R. Cummings	3	"	6	503	W. H. Fleet	3	" 6
504	James Wall	2	"	4	505	Louis Meeks	2	"	4	506	F. Washington	2	" 4
507	T. B. Galusha	2	"	4	508	J. E. Harber	2	"	4	509	M. E. Summerow	2	" 4
510	W. Goodloe	2	"	4	511	J. T. Lindley	3	"	6	512	J. W. Gray	5	" 10
513	Jos. Barnhart	5	"	10	514	John Richardson	5	"	10	515	E. Raven	"	" 10
516	C. A. Bley	"	"	10	517	E. S. Deffenbaugh	"	"	10	518	D. W. C. Reynolds	"	" 10
519	J. W. O'Neal	"	"	10	520	Wm Rock	"	"	10	521	L. Blumentritt	5	" 10
522	Geo. Junke	"	"	10	523	T. B. Galusha	3	"	6	524	E. D. Walker	"	" 10
525	J. L. Nichols	"	"	10	526	A. G. Luck	5	"	10	527	John Bauer	"	" 10
528	Arnold Klein	"	"	10	529	J. S. Farrow	"	"	10	530	Thos. Nelson	"	" 10
531	T. J. Pitt	"	"	10	532	T. W. Nolen	"	"	10	533	E. Lindheimer	"	" 10
534	Booker McReynolds	"	"	10	535	Neill McCashin	"	"	10	536	T. T. Sweat	"	" 10
537	J. H. Burnes	"	"	10	538	J. E. Harber	3	"	6	539	J. H. Walker	1	" 2
540	F. Washington	5	"	10	541	F. Fasselman	6	"	12	542	J. F. Battaile	2	" 4
543	A. B. Townsend	"	"	10	544	James Darby	5	"	10	545	F. Schmitze	6	" 12
546	Jerry Brown	"	"	10	547	Jacob Lesser	"	"	10	548	J. W. O'Neal	5	" 10
549	Wm Rock	6	"	12	550	L. Blumentritt	"	"	10	551	R. Herendon	"	" 10
552	T. B. Galusha	5	"	10	553	T. T. Sweatt	"	"	10	554	J. W. Lee	"	" 10
555	J. H. Burns	"	"	10	556	John Richardson	"	"	10	557	J. A. Flack	6	" 12
558	E. Raven	"	"	10	559	E. S. Deffenbaugh	6	"	12	560	W. Goodloe	5	" 10
561	E. D. Walker	6	"	12	562	D. W. C. Reynolds	"	"	12	563	B. F. Fox	6	" 12
564	Geo. Junke	"	"	12	566	Milton Wallace	"	"	12	567	H. Clay Eanes	5	" 10
568	J. Johnson	5	"	10	569	J. E. Harber	5	"	10	570	Jos. Barnhart	6	" 12
571	Harvey Eanes	"	"	10	572	John Pope	"	"	10	573	W. N. Hardeman	5	" 10
574	J. J. Musgrove	"	"	10	575	John Monson	"	"	10	576	John Catchings	"	" 10

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577 W. A. Peterfield 5 days $10 = 578 = F. W. Sulor 5 days $10 = 579 = J. W. O'Neal 5 days $10

580 A. Kruger " " 10 = 581 = Wm Rock " " 10 = 582 = T. B. Galusha " " 10

583 T. F. Sweatt " " 10 = 584 = John Richardson " " 10 = 585 = Henry Pfluger " " 10

586 E. Raven " " 10 = 587 = Neill McCashin " " 10 = 588 = C. G. Maillot " " 10

589 Geo. Dye " " 10 = 590 = B. F. Fox " " 10 = 591 = Henry Rogers " " 10

592 Barnes Parker 3 " 6 = 593 = J. McGowen " " 10 = 594 = J. H. Burns " " 10

595 R. G. Sheldon 5 " 10 = 596 = E. S. Diffenbaugh " " 10 = 597 = J. A. Flack " " 10

598 D. W. C. Reynolds " " 10 = 599 = L. Blumentritt " " 10 = 600 = E. D. Walker " " 10

601 J. E. Harber 3 " 6 = 602 = P. Reinke 1 " 2 = 603 = W. J. Baker " " 10

604 J. H. Burns 6 " 12 = 605 = J. H. Aitschke 5 " 10 = 606 = S. C. Granberry 6 " 12

607 C. E. Winfrey 5 " 10 = 608 = O. F. Zirk " " 10 = 609 = O. P. Daniels 5 " 10

610 J. E. Rainey " " 10 = 611 = A. Heilbacher 5 " 10 = 612 = R. M. Russell " " 10

613 C. A. Caldwell " " 10 = 614 = C. G. Maillot " " 10 = 615 = Sam Galloway 6 " 12

616 Henry Hawkins " " 10 = 617 = E. Raven 3 " 6 = 618 = W. H. Cushney 5 " 10

619 T. H. Porter " " 10 = 620 = Geo. Dye 6 " 12 = 621 = R. G. Sheldon 6 " 12

622 T. F. Sweatt " " 10 = 623 = Geo. Adams 5 " 10 = 624 = J. W. O'Neal " " 12

625 L. Blumentritt " " 10 = 626 = T. B. Galusha " " 10 = 627 = John Valentine 5 " 10

628 John Richardson " " 10 = 629 = E. S. Diffenbaugh " " 10 = 630 = D. W. C. Reynolds " " 10

631 William Smith " " 10 = 632 = Jos. Barnhart " " 10 = 633 = E. D. Walker " " 10

634 John Dillingham 2 " 4 = 635 = John Mussett 2 " 4 = 636 = Paul Deats 3 " 6

637 James Wall 1 " 2 = 638 = Peter Bratton 3 " 6 = 639 = Wm Rock 3 " 6

640 A. J. Bargley 1 " 2 = 641 = C. E. Henry 3 " 6 = 642 = P. M. Eckman 4 " 8

643 J. M. Kirksey 4 " 8 = 644 = W. H. Butler 4 " 8 = 645 = Eli Norwood 4 " 8

646 Joseph Clay " " 8 = 647 = Dock Owings 3 " 6 = 648 = Ed. Wilkerson " " 8

649 John H. Walker " " 8 = 650 = M. W. Townsend 4 " 8 = 651 = H. Means 2 " 4

652 J. B. Farrow " " 8 = 653 = J. H. Link " " 8 = 654 = E. M. Mayfield 3 " 6

655 T. F. Sweatt " " 8 = 656 = J. Willits " " 8 = 657 = W. M. Key 2 " 4

658 C. A. Caldwell 1 " 2 = 659 = L. Blumentritt 3 " 6 = 660 = W. R. Montgomery 4 " 8

661 W. F. Robinson 3 " 6 = 662 = D. W. C. Reynolds 4 " 8 = 663 = C. G. Maillatt 4 " 8

664 T. B. Galusha 4 " 8 = 665 = J. W. O'Neal 3 " 6 = 666 = W. H. Cushney 4 " 8

667 R. G. Sheldon " " 8 = 668 = E. D. Walker 5 " 10 = 669 = Jos. Barnhart " " 8

670 Wm Rock " " 8 = 671 = Sam Galloway 4 " 8 = 672 = Peter Bratton " " 8

673 W. G. McIntyre " " 8 = 674 = Reuben Innis 1 " 2 = 675 = A. H. Whitten 1 " 2

3293 The State of Texas v. D. M. Egell et al. Continued by the State

3453 The State of Texas v. Joe Wadsworth. Dismissed

3590 The State of Texas v. Joe Wadsworth. And now on this day come the parties by their Attorneys, and announced ready for trial and waiving a Jury submit the case to the Court, and thereupon the Defendant pleads guilty and it is ordered by the Court that the State of Texas recover of the Deft Joe Wadsworth the sum of $25 as a fine and costs of this prosecution and that a commitment issue to collect the same.

3687 The State of Texas v. Joe Sovereau. And now on this day come the parties by

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there Attorneys and announced ready for trial, and waiving a Jury submit the case to the Court; and thereupon the Defendant pleads guilty. And it is ordered by the Court that the State of Texas recover of the Deft. Joe Soveran the sum of $25 as a fine and costs of this prosecution, and that a commitment issue to collect the same.

4164 C. F. Millett v. Abner H. Cook, Sr. And now on this day this cause being called, and the Defendant came not but made default, and it appearing that the debt sued on in this case had been paid. It is ordered that the said cause be dismissed, and that the Plaintiff recover of the Defendant all the costs of this suit, for which execution may issue.

4077 George Young v. Houston T. C. R. R. Co. And now on this day come the parties by their Attorneys, when came on to be heard the motion of the Defendant to set aside the judgment by default and order for writ of inquiry entered at a former day of this term, which being heard and considered by the Court, the same is overruled to which ruling of the Court defendant excepts and gives notice in open Court of an appeal to the Supreme Court.

Bailiffs. Jack Tannehill cancelled. And thereupon it is ordered that Jack Tannehill be allowed One hundred and Two Dollars for services as Bailiff at this Term of the Court payable out of County Treasury of Travis County.

Thaxton cancelled. Ordered that William Thaxton be allowed Onehundred and Two Dollars for Services as Bailiff at this Term of the Court payable out of the County Treasury of Travis County.

Walker cancelled. Ordered that Jo. Walker be allowed Sixty-Six Dollars for Services as Bailiff at this Term of the Court, payable out of the County Treasury of Travis County.

Brown cancelled. Ordered that Frank Brown, Clerk District Court Travis County be allowed One hundred & Twenty Dollars for 4th Services as Bailiff as Clerk at this Term of the Court, payable out of the County Treasury of Travis County, upon a certified Copy of this Order.

Jungdeleun cancelled. Ordered that Geo. B. Jungdeleun Sheriff Travis County, be allowed One hundred & Twenty Dollars for Services as Sheriff at this Term of the Court, payable out of the County Treasury of Travis County upon a certified Copy of this Order.

And Court adjourned till to-morrow at 9 o'clock A.M.

Saturday, Nov. 20th 1874.

Court met at 9 o'clock A.M pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3841. The State of Texas v. Charles Covey. Ordered that the forfeiture entered in this cause at a former day of this Term be set aside & that the Defendant pay the cost thereof for which execution may issue

3843. The State of Texas v. Charles Covey. Ordered that the forfeiture entered in this cause at a former day of the term be set aside & that the Defendant pay the cost thereof for which execution may issue

3720. The State of Texas v. Stell, at Land Office. And now on this day came the parties to this cause by their attorneys and announced ready for trial and waiving a Jury submit the case to the Court. And the Defendant enters the plea of guilty.

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Whereupon it is ordered that the State of Texas recover of said Stell the sum of Ten Dollars as a fine and the cost of this prosecution, and that a Commitment issue to collect the same.

3720 The State of Texas v. Stell, at Land Office. And now comes the parties when on motion it is ordered that the forfeiture entered in this cause at a former day of the term be set aside and vacated, at Defendant's cost.

James Fowler, Jr. Cancelled. Ordered that James Fowler be allowed Fifty Four Dollars for services as Bailiff to Grand Jury at this Term of the Court, payable out of the County Treasury of Travis County.

3998 Jno. C. Raymond et al vs. M. E. Hopkins et als. F. W. Chandler Special Guardian in this cause for all the minor Defendants, having filed in the papers of this cause a receipt showing that he has, in obedience to the Orders of this Court, paid over to Mrs M. E. Hopkins, one of the Defendants in this cause, and the mother of said three minor Defendants, all the money which has come into his hands as such Special Guardian except the amount he has paid as costs of Court, It is therefore ordered, adjudged and decreed by the Court that the said F. W. Chandler be fully discharged from his said trust as Special Guardian for said minor Defendants and that his Bond as such be declared null and void, and that he and his securities on said Bond be discharged and released forever from any liability on or because of such bond.

Receipt Gonzales, Tex., Oct 31st 1874. Received of F. W. Chandler, of Austin, Texas the sum of One Hundred & Ninety Six 63/100 Coin Dollars being the full amount, less Court Costs received by him as Special Guardian for the minor Defendants in Case No. 3998, on the Docket of the Dist. Court of Travis Co. Texas, styled J. C. Raymond et al vs. M. E. Hopkins et al. which sum $196.63 he has turned over to me by order of Court as the mother of said Minor Defendants who are minors. Mary E Hopkins
Mother of said Minor Defts.

3228 The State of Texas vs. Bob. Ridley. This cause being called for trial the Defendant Bob. Ridley failing to appear and answer to the indictment in this case he and his securities N. B. Mitchell and Tom Hill being distinctly called at the door of the Court house of Travis County, and the Defendant, after a reasonable length of time Stell failed to appear. And it appearing to the Court that the Defendant Bob. Ridley with the said N. B. Mitchell and Tom Hill as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 8th day of November, 1874, payable unto the State of Texas in the sum of One hundred Dollars, conditioned that the said Defendant Bob. Ridley make his personal appearance at the District Court of said County of Travis then in session, to answer the indictment preferred against the said Defendant Bob. Ridley by the Grand Jurors of Travis County at the February Term, A.D. 1874, for Betting at a Gaming Bank called Monte, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Bob Ridley principal, and N. B. Mitchell & Tom Hill securities the said sum of One hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the

November 21st 1874.

said Defendant Bob Ridley did not appear. And further ordered that Citations do issue to the said Securities

Defaulting Jurors. And it appearing that the following named persons have been duly Summoned to appear at this Term of the Court, to serve as Jurors at said Court, which they have wholly failed to do, to wit: Sam. Williams, James Whitehead and J. T. Gregg, It is ordered that each of said persons be fined in the sum of Twenty Dollars, each, for Contempt of Court, as Defaulting Jurors, and that Scire facias issue to each of them, returnable to the next term of this Court, Commanding them to appear and shew cause, if any they can, why said fines should not be made final.

The foregoing Minutes being read in open court and found correct, are approved. and it is ordered that the Court stand adjourned to the next regular term.

J. S. Richardson
Judge 27th Judicial District

February 1st, 1875.

The State of Texas } Be it remembered, that at a Term of the District Court
County of Travis } begun and held at the City of Austin within and for the
County and State aforesaid, on Monday the first day of February, 1875. the
same being the time fixed by law for the meeting of the District Court of Travis
County, Present Hon. J. P. Richardson, Judge of the 29th Judicial District of the
State of Texas presiding, Frank Brown, Clerk of the District Court of Travis
County and Geo. B. Zimpelman, Sheriff of Travis County. By J. J. Pendley,
Deputy. Whereupon, after due proclamation at the Courthouse door by the
Sheriff, the following proceedings were had by said Court, to wit:

And thereupon the Court ordered the Sheriff to call the names of
those persons appearing upon the regular Venire for the Grand Jury summoned
to appear at this Term, and a sufficient number of those so summoned not
appearing, the Court ordered the Sheriff to summon a sufficient number of
by standers to complete the panel of Grand Jurymen. And of the persons so
summoned as aforesaid the following named persons were duly tried, elected,
empanelled and sworn according to law, to serve as Grand Jurors for and
during the present Term of this Court, to wit.

J. B.[1] Rogers, E. W.[2] Haller, John[3] Fisher, Leander[4] Brown, Walter[5] Tips, Gust.[6]
Johnson, Tom[7] Hancock, D. F.[8] Waddle, Jerry[9] Johnson, W.[10] L. Harris, P. G.[11] Leach,
Tiff[12] Johnson, W.[13] Miller, John[14] Cornfield, R. C.[15] Robbins, M. C.[16] Nichols &
and S.[17] Malitsky.

And thereupon the Court appointed J. B. Rogers foreman
of the Grand Jury: and the Court thereupon having charged said Grand Jury
as to the duties devolving upon them, they were ordered to retire upon a dis-
charge of the Same, under charge of Sworn Bailiffs.

And this ordered that the Criminal Docket be set for trial for
the fifth Monday of the Term.

2957 Abby Thompson, Admr. et al v. R. A. Richards. And now comes the Defendant, by
attorney, when on motion it is ordered that said Defendant have leave to amend

2013 E. Henry v. A. M. Davidson.

2641 S. M. Swenson v. James Nicholson et al

2644 S. M. Swenson v. J. H. Herndon et al

2976 Geo. H. Gray v. M. J. Newman

3666 A. R. Walls et al v. E. A. Minter et al

3752 S. F. Gildart et al v. A. McRae et al

3838 Mary Moore v. Charles Pickett

3932 E. L. Whipple v. S. B. Rush, Admr.

3958 Warren & Rader v. Texas Banking & Insurance Co.

4098 T. C. Barden v. W. W. Fletcher.

4107 Geo. F. Gage v. Old Dominion Insurance Company

4108 Geo. F. Gage v. Western Texas Insurance Company

4132 W. H. Morris v. J. P. McLaren.

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4185. A. Seckatz v. W. Chrisdof et al
4194. E R Lane v. J. J. Groos, Const
4199. William Smith v Rickenbauch
4200. G M Brass v. Jake Durst
4201 G M Brass v. Henry Thompson
4202. G. M. Brass v Ryg Houston
4204 L. & H. Blum v F. Claus & Co
4207. G. M. Brass v. John James
4210. A. Moo v. Martin Pilger.
4211. G M Brass v. Samuel Johnson
4242. Jesse Earl v. Frances Earl
4244 John Paul Jones v. Scott and Sawyer
4245. Henry J. Barnard v. Geo. W Cozine et al
4253. G. M. Brass v C. Austin
4254 R H Cousins v. C. Hipp et al
4256. D. J. Woolridge v. T. D. Haywarth et al
4257. L. A. Caime v. H. T. & C. Railroad
4258. Wm & Stiling v. Jno. E Campbell
4259 Thomas A. Maxwell v. F. K. Stafford
4267. Alfred Scott v. J. Eikel
4271 P. J. Willis & Bro v. Price & Gill
4272. J. Ochsner v. Wm Schurman et al
4278 A. Sontag v. W. Pfeiffer
4279. Lottie Gabrielson v. W. C. Cain
4282. L & H Blum v. A. Pikenstein
4283. Georgetown College v. C. A. Swan
4290 S. P. Hotchingwerth v. D. F. Pattillo et al
4292 Wheeler & Wilson Mfg Co v. Henry Mauer
4293. C. L. Jennelle v. Ira M. Bradlow et al
4298. G. H. Poock v. A. Nelson et al
4299. C. Packard v. L. Packard
4306 B. J. Collins v. C. I. Evans
4307. Peter Plumb v. A. S. Bacon et al
4308 Charles Pohn v. R. Krause
4310 National Bank of Austin v. John Eikel
4312. Reid & Smith v. W. B. Walker
4313. S. M. Wright v. J. H. Coleman et al
4318 W. L. Chalmers v. J. B. Barron
4320 A. J. Barrager v. H. & T. C. Railroad
4323 Peter Flack v. A. Solgman
4326. John H. Connor v. H. & T. C. R. Road
4327. J. J. Liddell v. W. A. Johnson

Feburary 2d 1875.

And now Comethe Clerk and Sheriff and move the Court to require the plaintiffs in the last preceding fifty-five causes to enter into Bond and security for the cost in said severalcauses And thereupon it is ordered that said plaintiffs be and they are ordered to enter into Bond and security for the cost of said severalproceedings, and that the said causes will be dismissed unless said rules complied with, the attorneys for said parties having notice of the same.

And Court adjourned till to-morrow at 9 o'clock a.m.

Tuesday, Feburary 2d 1875.

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

187. Robert Mitchell v. M. J. & J. Burditt et al, Continued

2803. B. R. Townsend et al v. McKinney & Bayles. Continued

2931. T. F. McKinney v. A. M. Cox. Continued.

2955. Abby Thompson Ad. et al. v. Barnes & Mcneil. Continued

2957. Abby Thompson Ad. et al. v. R. A. Richford. And now come the Plaintiffs by attorneys when on motion it is ordered that said Plaintiff have leave to amend.

3117. J. M. Sitton v. J. R. Worrall. Continued to make parties.

3259. Wm. Nunn v. Risher & Hall. Come the Defendants by attorneys when on motion it is ordered that said Defendants have leave to amend.

3528. Raymond & Whitis v. A. B. Palm et al. And now come the Defendants by attorneys when on motion it is ordered that said Defendants have leave to amend.

3559. Raymond & Whitis v. A. B. Palm. Comes the Defendant by attorney when on motion it is ordered that said Defendant have leave to amend.

3573. Stuart & Mair v. A. B. Palm. Comes the Defendant by attorney when on motion it is ordered that said Defendant have leave to amend

3590. John H. Conner et al. v. Ella R. Carter et al. Continued by consent.

4327. J. J. Glidden v. W. A. Johnson. Comes the Plaintiff by attorney when on motion it is ordered that said Plaintiff have leave to amend.

4332. F. J. Harris et al. v. Jonathan Rogers et. als. And now come the parties by their attorneys when on motion it is ordered that said David Sheets Esq be appointed Guardian ad litem for the minor plaintiffs in this cause.

3451. The State of Texas v. Bob Herndon. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty, it is ordered that the State of Texas do have and recover of said Bob. Herndon the sum of Ten Dollars as a fine and the cost of the prosecution and that Commitment issue therefor

And now comes the Grand Jury in open Court and through their foreman J. B. Rogers presents to the Court the following Bills of Indictment to wit

3846. The State of Texas v. John Ames for an assault with intent to Kill and Murder

3847. The State of Texas v. John Ames for threatening to Kill John Needham

And said Grand Jury suggesting that there is no other business before them they were ordered to retire upon a discharge of the same.

February 3d 1875.

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

Wednesday, February 3d 1875.

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

Joseph Sherwin

The State of Texas } Joseph Sherwin being duly sworn according to law, in the District
County of Travis } Court of said County, doth declare that he was born in the year 1836 in the Kingdom of Great Britain whence he emigrated in the year 1873 to the United States of America and has selected the State of Texas as the place of his intended settlement. He further declares that it is bonafide his intention to become a citizen of the United States and of the State of Texas and renounces 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. Joseph Sherwin

Sworn to and subscribed before me this 3d day of February 1875. Frank Brown, clerk.

And Court adjourned till to-morrow at 9 o'clock AM

Thursday, February 4th 1875.

Court met at 9 o'clock am pursuant to adjournment. Present Hon. J P Richardson Judge presiding. Whereupon the following proceedings were had to wit

4110 Wm Alexander v. J.S. Newcomb & Co. Comes the Plaintiff by attorney whereon motion it is ordered that said Plaintiff have leave to amend.

And Court adjourned till to-morrow at 9 o'clock A.M.

Friday, February 5th 1875.

Court met at 9 o'clock AM pursuant to adjournment. Present Hons J.P. Richardson, judge presiding. Whereupon the following proceedings were had, to wit

2976 Geo H. Gray v. M.J. Dunman. Comes the Plaintiff by atty whereon motion it is ordered that this cause be dismissed and that said Plaintiff ~~have leave~~ be adjudged to pay the cost of this suit, for which execution may issue

4004 Arnold Klein v. R.S. Capurton. Comes now the Plaintiff by atty and on motion it is ordered that said Plaintiff have leave to amend.

4005 William Winde v. M. C. Nichols Jr et als Comes now the Plaintiff by atty whereon motion it is ordered that said Plaintiff have leave to amend.

4057 Max Schneider v. W H D Carrington et als Come the parties by atty whereon a motion it is ordered that this cause be dismissed and that said Plaintiff recover of said Defendants, ~~J.H. Wells~~ R. C. Carrington, W. H. D. Carrington and L.D. Carrington all the cost of this suit, for which execution may issue

4058 McDaniel & Harrison v. H. Hutchins. Comes the Defendant by attorney whereon motion it is ordered that said Defendant have leave to amend.

4121 J. P Newcomb v. E. M. Whitlock. Come the parties by their attys whereon motion it is ordered that this cause be dismissed and that the plaintiff and Defendant respectively be each adjudged to pay one half of the cost of this suit, for which execution may issue.

4129 H. Reinstedler v. Coleman and Mickon. And now comes the Plaintiff by atty and claims judgment by default as to the Defendant Coleman. And because

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said defendant has been duly cited and failed to answer within the time prescribed bylaw and wholly made default, it is ordered that the plaintiff do have and recover against said Defendant according to the prayer of his petition.

11191. Samuel J. P McDowell v. Alfred Kelso. This day came the Plaintiff by his attorney and the said defendant having failed to appear and answer in this behalf but wholly made default. Whereupon the said Samuel J. P. McDowell ought to recover against the said Alfred Kelso his damages by occasion of the premises And it appearing to the Court that the cause of action is liquidated and proved bya an instrument apuriting to wit: a promissory note, it is ordered that the clerk do assess the damages sustained by said plaintiff and the said clerk now here having assessed the damages aforesaid at the sum of $241 51/100 in Gold, it is therefore adjudged and decreed by the Court that said plaintiff do have and recover of the said Alfred Kelso the sum of two hundred, forty one & 51/100 Dollars in Gold coin, with interest thereon at the rate of ten per cent. per annum, together with his costs in this behalf expended, and that he have execution therefor.

4200. G. M. Brass v. John Durst. The subject matter of this suit having been settled on motion it is ordered that this cause be dismissed and that the said G. M. Brass pay the cost of this suit, for which execution may issue.

4201. G. M. Brass v. Henry Thompson. The subject matter of this suit having been settled on motion it is ordered that this cause be dismissed and that the said G M Brass be adjudged to pay the cost of this suit for which execution may issue.

4203. F. W. Suter v. F. Clauss et al. Come the parties by atty when on motion it is ordered that this cause be dismissed and that said plaintiff F. W. Suter be adjudged to pay the cost of this suit, for which execution may issue.

4211. G. M. Brass v. Samuel Johnson. Comes the plaintiff when on motion it is ordered that this cause be dismissed and that said plaintiff G. M. Brass be adjudged to pay the cost of this suit, for which execution may issue.

4250. E. Higby v. C. Cuno. Continued to make parties.

4252. J. C. Higgins v. John S. Pannell. Comes now the plaintiff by atty when the said plaintiff claims a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed bylaw and the cause of action being liquidated, it is ordered that said J. C. Higgins do have and recover of the Defendant, John S. Pannell the sum of two hundred, eighty-five & 20/100 Dollars in coin, with interest thereon from this date until paid, at the rate of ten per centum per annum, and all the cost of this suit, for which execution may issue.

4269. Sampson & Dennicks v. S. Moore et al. Continued

4270. First National Bank v. John Wilson et al. Continued

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4293. Sampson & Heinicke v. Geo. T. Wicks & Co. Continued.

4277. M. C. Hamilton v. Richard Plume et als. And now comes the plaintiff by his attorney and upon motion it is ordered that Thomas E. Sneed Esq be appointed Guardian ad litem for the minor Defendants in this case.

4279. Lottie Galvilson v. W. C. Cain. Continued for service.

4280. J. M. Day v. A. B. Palm et al. Continued for service.

4289. R. S. Capertow v. J. L. Pogue et al. Continued for service.

4295. John M. Cossley v. Jac. Bonner. On this day this cause being called appeared the plaintiff and the Defendant came not. And said defendant having made default it is ordered that said John M. Cossley do have and recover of the Defendant Jac Bonner according to the allegations of his suit and that a writ of inquiry be awarded

4298. Gabriel N. Book v. Aefud Kelso et als. Comes the plaintiff by attorney and claims a judgment by default as gainst the Defendant Aefud Kelso. And because said Defendant has been legaly cited and has failed to answer within the time prescribed by law and wholly made default it is ordered that said plaintiff do have and recover of said Aefud Kelso according to the prayer of his petition and that a writ of inquiry be awarded, and that the cause be continued for service as to the defendant Mrs. Kelso.

4302. Geo. L. Robertson v. James M. Long. And now on this day this cause being called came the plaintiff by attorney and the Defendant came not. And because the appellant in this cause hath failed to appear to prosecute the appeal in this case, upon motion it is ordered that the appeal be dismissed and that a writ of procedendo issue requiring the Justice, J. W. Smith, to proceed with the execution of the judgment rendered by him in this cause, and that said Geo. L. Robertson do have and recover of the appellant James M. Long and the securities on his appeal bond, F. W. Chandler and W. Sinnin all the cost of this suit in this Court incurred for which execution may issue

4308. Charles Balm v. Rudaeph Krause. Continued for service.

4309. Jno H. Robinson Jr. v. J. M. Young. Continued for service.

4310. First National Bank of Austin v. John Eikel. Comes the plaintiff by attorney and upon motion it is ordered that the Sheriff have leave to amend his return upon the process issued in this case.

4312. Reid & Smith v. W. B. Wacker. Come now the plaintiffs by atty and claim a judgment by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered that Aaron L. Reid and James Smith, under their firm name of Reid & Smith, do have and recover of the Defendant W. B. Wacker, the sum of one hundred and Sixty Six Dollars, debt and interest thereon the instrument sued on to this date, together with all cost in this behalf laid out and expended for all which execution may issue

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4313. Samuel M. Wright v. J. H. Coleman et al. Continued for service

4314. Leon & H. Blum v. P. Thompson. And now come the plaintiffs by attorney and claim a judgment by default. And because the Defendant has been duly cited and has failed to answer within the time prescribed by law, it is ordered that the plaintiffs do have and recover of said P. Thompson according to the prayer of his petition and that a writ of inquiry be awarded.

4315. Edward H. Rogers v. Houston & Texas Central Railway Company. Come the parties by their attys when on motion it is ordered that this cause be dismissed and that said Plaintiff be adjudged to pay the cost of this suit for which execution may issue.

4319. W. C. Philips v. S. M. Wright. Continued for service.

4323. Peter Floeck v. A. Goldman. Comes the plaintiffs by atty and claims a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered that Peter Floeck do have and recover of said A. Goldman the sum of two hundred, twenty-one & 76/100 coin Dollars, debt and interest thereon the rate of 6 and sued on in this case, up to this date, together with all his costs in this behalf incurred for which execution may issue

4192. A. Dittmar v. Cardwell & Walker. This cause being called for trial came the plaintiff by atty and the Defendants being called came not but wholly made default. Whereupon claimed a judgment final by default. And it appearing to the Court that said Defendants have been duly served with process as required by law and have made no answer within the time required by law, and that the evidence of plaintiff's debt is liquidated, it is therefore adjudged and decreed by the Court that the plaintiff do have and recover of and from said Defendants John Cardwell and Joseph Walker the sum of three hundred, eighteen ($318) Dollars in gold coin of the United States with interest from date at the rate of 8 per cent. per annum till ~~date~~ paid, for all which execution may issue. And it further appearing to the Court that said debt of plaintiff's is wholly contain printing materials ~~in~~ described in plaintiff's petition as follows: 4 prs news cases = 30 lbs leads = 4 prs. news cases = 23½ lbs long primer quads = 23 lbs Brevier Gem quads = 1 pr. news cases = 250 lbs Long Primer Gem = 111 lbs Brevier do = 70 lbs Nonpareil = 1 ft. Brevier Gem. title = 1 ft. Small Pica Gem. title = 1 ft. Small pica Gem. title = 1 font Great Primer Gem. title = 1 font do = 1 font 6 line Pica Gem. = 50 wrap Dashes = 6 feet wrap rule No. 813 = 10 feet wrap rule No. 325 = 20 feet brass rule, No. 303 = 2 job cases = 6 pr. news cases = 2 job cases = 3 composing sticks = 30 column Rules = 40 lbs leads = 1 imposing stone = 3 brass lined dbl galleys = 1 do. = 2 prs. news Chases = 3 lamps = 3 large wooden galleys = 1 Rack = 2 dble stands with rack = 2 do without racks = 1 paper cutter = 2 ink stands = 1 slump + cup = 3 files = 1 basket, paper = 2

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files= 563 Chs afs Pica, Gem.= It is therefore further adjudged and decreed that plaintiffs lien on said property be foreclosed, and that the Clerk of this Court do issue an order of sale directed to the Sheriff of Travis County requiring him to seize, advertise, and sell, as under execution, one the property above described, and the proceeds thereof he shall apply to the satisfaction of the judgment rendered herein, and the overplus, if any, he shall pay over to the Defendants. And if said property shall not produce on sale a sufficient sum to satisfy said debt, interest and costs, then execution shall issue over against the Defendants for any balance that may remain due.

2958. Abby Thompson Adm et al v. Geo Saunders. Continued

2960. Abby Thompson Adm et als. v. H.S. Raven. Continued

2981. W.C. Philips v. A. Scioginis et. als. Continued

3509. Harris Dudley & Co. v Henry Kleinert. This cause being called for trial and the plaintiffs not appearing to prosecute the same, it is ordered that the cause be dismissed for want of prosecution and that the Defendant recover of the said plaintiffs and the security on their cost bond, B. Mdasky, all the cost of this suit, for which execution may issue.

3528. Raymond & Whitis v. A.B. Palm et. als Come the parties when on motion it is ordered that this cause be dismissed and that the Defendant recover of J.H. Raymond and C.W. Whitis all the cost hereof to be taxed, for which execution may issue

3559. Raymond & Whitis v. A.B. Palm. Come the parties when on motion it is ordered that this cause be dismissed and that the Defendants recover of J.H. Raymond and C.W. Whitis all the cost of this suit to be taxed for which execution may issue.

3573. Stuart & Mair v. A.B. Palm. Come the parties when on motion it is ordered that this cause be dismissed and that the Defendant recover of said R.L. Stuart and A.S. Mair all the cost of this suit, for which execution may issue.

3638. J.L. Baker v. James E. Mecrey. Continued by agreement.

3666. A.R. Valls et. als v. E. A. Minter et als. Continued

3692. Frank Swisher v. Judy Swisher. Comes now the plaintiff by atty whereon motion it is ordered that this cause be dismissed and that the said plaintiff and the security on his cost bond to wit: R. N. Lane, be adjudged to pay all the cost of this suit, for which execution may issue

3708. Thomas Carter v. Marinda Carter. Comes the plaintiff by atty whereon motion it is ordered that this cause be dismissed and that the said pltff and the securities on his cost bond, Delhan Woods and Jacob Ramey be adjudged to pay the cost of this suit for which execution may issue

3764. Alfred Grooms v. L.P. Cooke et. als. Continued for service.

February 5th 1875.

4106 A.S. Roberts v. The Life Association of America. And now come the parties by their attorneys whereon motion it is ordered that this cause be dismissed and that the plaintiff recover of the Defendant all his cost in this behalf incurred, for which execution may issue

4119. Walter Eustard et.als. v. C. Dorin. And now come the parties by their attys whereon motion it is ordered that this cause be dismissed and that the plaintiffs recover of the Defendant all the cost hereof to be taxed, for which execution may issue

4206. William Davie v. Gilbert Martin. And now comes the plaintiff & claims a judgment by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law. And the cause of action being liquidated, it is ordered that William Davie do have and recover of Gilbert Martin the sum of four hundred, thirty six $\frac{26}{100}$ Dollars, debt and interest due upon the notes of hand sued on to this date, together with ten per centum per annum interest thereon from this date until paid, and all the cost of this suit to be taxed, for all which execution may issue

4243. Wm J. Montgomery v. Adam Saunders et.als. And now on this day comes the plaintiff by his attorneys, and the Defendants came not, but make default, and it appearing to the Court that the Defendants Saunders & Fecton had each been regularly served with citation and that the Defendants Raymond and Whitis had in writing accepted service and waived issuance and service of citation, and that the Defendants had made default - and it further appearing that Plaintiff's cause of action is liquidated and proved by an instrument in writing, it is therefore considered and adjudged by the Court that the Pleff. William J. Montgomery do have and recover of and from the Defts. Adam Saunders and G. D. Fecton as principals, and James H. Raymond and C. W. Whitis as endorsers, the sum of one hundred and eighty-eight Dollars in Gold coin, with interest at the rate of 2½ per cent. per month from the date hereof till paid, together with all costs, for all which execution may issue

4255. M C Hamilton vs. S. P. Brown et.als. And now comes the plaintiff by attorney and claims a judgment final by default. And because the Defendants have been cited by personal service and have failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered that M. C. Hamilton do recover of and from the Defendants S. P. Brown, J. T. Smith and Alfred Smith the sum of two hundred, ninety-two $\frac{25}{100}$ Dollars in Gold, principal and interest due upon the note sued on to this date, together with interest thereon from date till paid at the rate of one and one-fourth per cent. per month, and all the cost of this suit, to be taxed, for all which execution may issue.

Satisfied as to Smith & Brown by order of Plff

February 5th 1895.

4272 Z Ochsner v. F. Clans and William Schurman. And now on this day comes the plaintiff in the above entitled cause and asks for a judgment against said Defendants by defaunt. And it appearing to the Court that said Defendants had been duly served with process, and that they had failed to appear and answer within the time prescribed by law, and wholly made defaunt and that said cause of action is based upon a liquidated demand, to wit: a promissory note produced in Court, it is therefore ordered adjudged and decreed that the plaintiff, Z. Ochsner, recover of the Defendants F. Clans and William Schurman, the sum of two hundred and nineteen $\frac{45}{100}$ Gold Dollars, principal debt and interest to date, with interest thereon from the rendition of this judgment at the rate of ten per cent. per annum and all cost of this suit. And it further appearing to the Court that the said Plaintiff Z. Ochsner has a mechanic's lien upon the store house of said Defendants Clans and Schurman situated upon an acre of ground in Hays County, Texas, leased by said Defendants from John Denton about 13 miles from the City of Austin, on the Austin and San Antonio road, near the line between Travis and Hays Counties. It is therefore ordered and adjuged by the Court that said mechanic's lien be and the same is hereby foreclosed upon the above described house, and that an order of sale issue to the Sheriff of ~~Travis~~ Hays County Commanding him to advertise and sell, said house, as under execution and apply the proceeds thereof to the satisfaction of this judgment and also for a writ of possession that the Sheriff may place the purchaser of said house in possession thereof, in case the same shall be sold.

4275 J. J. Davis v. W. S. Biles. Comes now the plaintiff by attorney and claims a judgment final by default. And because the defendant has been cited by personal service and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered that said J. J. Davis do have and recover of said W. S. Biles the sum of one hundred, fifty-seven and $\frac{53}{100}$ Dollars in coin, debt and interest due upon the note sued on to this date, together with interest thereon at the rate of ten per centum per annum from this date until paid and all the cost of this suit, for which execution may issue

4281 Hellman & Gans v. M. R. Jones. Comes the peffs and claim a judgment final by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered that said H. Hellman and M. Gans, under their firm name of Hellman & Gans do recover of M. R. Jones the sum of three hundred, eighty-one & $\frac{38}{100}$ Gold Dollars debt and interest due upon the instrument sued on to this date, with interest thereon from this date until paid, at the rate of one per cent. per month, and all the cost of this suit, for all which execution may issue

Febrary 6th 1875.

3783. James Phillips et.als v. W. N. Haldeman et.als. And now on this day
X came the parties to this cause by their attorneys and announced
ready for trial, when came a Jury of twelve good and lawful men of
Travis County, consisting of Ben. Hornet and eleven others, who being
tried, elected and sworn according to law, heard the pleadings, the
evidence, argument of counsel and the charge of the Court, retired for
deliberation. And thereupon said jury returned into Court the following
verdict, to wit: "We the Jury find for the Defendant Ben. Hornet, fore-
man." Whereupon it is ordered that the plaintiffs take nothing in this
behalf. that the Defendants go hence and recover of said James
Phillips and Martin W. Townsend all the cost of this suit, for which
execution may issue.

And Court adjourned till to-morrow at 9 o'clock A.M.

Saturday, February 6th 1875.

Court met at 9 o'clock A. M. Pursuant to adjournment. Present same as
heretofore. Whereupon the following proceedings were had, to wit:

2957. Abby Thompson Admrx et.als. v. R. A. Rutherford. In this case appeared the parties
X plaintiffs and defendant. and the plaintiffs submitted to the Court exceptions
to the Defendants plea in bar filed 2d Feby 1875 that is set out in Defendants
bill of exceptions, the same having been considered by the Court, it is ordered
by the Court that said plea be and the same is hereby stricken out and held
for naught, to which ruling Defendant excepts. And the parties announced
themselves ready for trial. And thereupon came a jury of twelve good and
lawful men of Travis County, to wit. E. Rust and eleven others, who
being duly tried, empannelled and sworn, according to law, after hearing
the evidence, introduced by the plaintiffs and Defendant, argument of counsel,
and charge of the Court, retired to consider of their verdict, and returned into
Court the following verdict, to wit: "We the Jury find for the Defendant.
E. Rust, foreman." It is therefore ordered adjudged and decreed by the
Court, that the plaintiffs take nothing by their suit, that the Defendant
go hence without day. It is further ordered adjudged and decreed by the
Court that the plaintiffs in this suit be and they are by virtue of this
decree divested, of all right, title, interest or claim in or to the land set
out and claimed by the Defendant in his answers in this case, and
the same is hereby fully vested in the Defendant R A Rutherford
It is further ordered adjudged and decreed by the Court that the De-
fendant R A Rutherford do have and recover of and from the
plaintiffs all the costs of suit, and that the clerk of this Court certify
the same to the District Court of Galveston County as a just and established
claim against the estate of Thomas J Chambers deceased, to be paid in
due course of administration

February 6th 1875.

4310 First National Bank of Austin for the use of Union Saving Association of St. Louis v John Eikel. And now comes the plaintiff by his attorney and claims a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered that the plaintiff do have and recover of the Defendant John Eikel the sum of twelve hundred, fifty-four & 50/100 Dollars debt and interest due upon the instrument sued on to this date, together with all cost of this suit, for which execution may issue.

And it appearing that the plaintiffs have an attachment lien upon the following discribed property, seized under attachment, to wit: one doz. Brickets, six Tubs, 1 doz. Wash Boards- two coils Rope - 8 Bottles Brandy Cherries- 2½ doz. Bottles Brandy Peaches - ½ doz. Whisky Cocktails - ¼ doz. Port Wine - ¼ doz. Sherry Wine - 5 Bottles Rhine - 1 doz. Pine apples - 7 doz. Oysters - 1¼ Glasses Jelly - 6 doz. Prices Baking Powders - ¾ Peaches - 51 doz. packages French Blacking - 1 large one - ¼ doz. Pickles - 3½ doz. Pints Pickles - 1 bottle ½ Gallon - ¼ Pepper Sauce - ½ doz. Tomato Catsup - 10 Bottles Worchishire Sauce - 4 Boxes mustard - ½ doz. Cranyade - 8 Boxes Lobsters - 1½ doz Tomatoes - 1 doz. String beans - 3 gross Parlor matches - 35 boxes Paint - 1 large Basket - Nutmegs 25 - Cinnamon 40 - cloves 65 - 20 Spice - 27 lb Ginger - 11 Reams brown Paper - 1365 lbs Water Crackers - 50 lbs Cream Crackers - 8 lb loose Candy - 1 large box Garden Seeds - 1 box Small Garden Seeds - 20 lb Dried Peaches - 1 lot paper Shoe boxes - 3 one gallon Demijohns - 1 Saddle girth - 620 lb fine shot loose - ¾ bbl Mackerel - 1 counter Scales - 3 bu. meal - 50 lb Salt - 35 lb Yankee Beans - 1 keg 6 lb Sal. Soda - 2 lb ½ inch Rope - 1 cheese box removed - 2 doz. Wash Boards - 1 Keg Family Syrup - 2 3 negal Stone jugs - 11 empty whisky Barrels - 1 lot galvanized wire - 20 gallons Syrup - Port Wine Gin - 1 bottle Rope - 1 coffee mill - 2 Bridles - 2 garden hoes - 1 pr trace chains - 1 pulley 50 - 5 iron Kettles - 1 churn - 9 pails - 1 spade - 110 cases Texas wine - 1 small keg Beer - 1 half doz. axe handles - 1 doz. pipes - 1 Spur - Tobacco Butter - 1 frying pan - 3 mule bits - wisp brooms - Counter duster - lot false hair - 4 white vests - 2 pr Linen pants - 2 plug hats - 5 calico Shirts - 4 woolen hats - 1 doz. girls straw hats - 10 Military Caps - 1 small work Basket - 1 accordeon - 9 brown straw hats - 1 Military Overcoat - 1 pair pants - 3 flannel shirts - 4 Negro nets - 1 rubber diaper - 5 boxes white paper - 3 hanging lamps - 1 seamless sack - 1 Gallon dipper - 1 paint Brush - 12 Empty paper boxes - 1 doz wrapping twine - 1 Scotch Cotton cap - 1 axe - 14 wooden bowls Zinc top - 11 do. wood tops - 3 barrels damaged Flour - 47 gal. Cigars - 1 flint-hide - ½ doz. tin Coffeepots - 4 tin graters - 2 small tin buckets - 4 ½ gal. cups - 4 qt. measures - 2 Coffee pots tin - 6 Strainers - 2 cash pans - 4½ doz. tin plates - 4 lemon Squeezers - 6 cake Baskets - 1 dish pan tin - 1 wash pan, tin - 13 small cake pans - 2 dutch boxes - 5/12 mouse traps - 2 tin wash pans - 1 small cup - 1 letter press - 2 bus. Corn - 4 large Skillets - 14 large Skillets - 1 pr platform Scales - 1 bbl Syrup - 18 packs playing Cards - 3½ doz. flaring cha - 2 doz. Corn sticks - 10 cornstarch - 6 8 pac Coffee - 2 doz Indigo - 3½ doz. axe grease - 11½ doz Indigo -

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1 doz. small Spice - 8 lb Soap - 16½ lb Imperial Soap - 11½ doz. Shaving Soap - 3 doz. wigs - 9 lb Smoking tobacco - 15⅓ lb Lone Star Tobacco - 3½ lb Lone Star Tobacco - 1 box clay pipes - 1 doz. Comp - 50 lb Soda - 17 doz Diamond Matches - 1 box Shake pipes - 15 lb drawLead - 1 barrel Onion Sets - 1 doz. brooms - 1300 lb damaged flour - 1 dung fork - 2 grain Shovels - 2 long handle Spades - 6 Army Coats - 7 pr pants - 3 Coats - 14 Coats - 1 pair pants - 1 vest - 28 yds Cotton Tweeds - 41 yds Cottonades 11 yds Linsey - 20 " Linsey - 18 yds. Cotton jeans - 24 yds Cotton jeans - 18 yds bed ticking - 7 yds Canvas duck - 2⅔ yds Cotton domestic 5 yds Cotton goods - 11 yds Common jeans - 16 yds. Lemonts - 22 " Calico - 28 " Calico - 50 " Calico - 2 oz. Cotton Cloth - 31 yds Shirting - 11 yds Hickory Shirting - 10 yds Calico - 41 yds mixed Jeans - 40 " calico - 18 yds Shirting - 20 yds gingham - 19 yds Gingham - 12 yds Cotton Veils - 12 hanks Spun Cotton - 18 yds domestic - 32 " Chone linc - 1 lot knives - 1 lot knives - 1 step ladder - 2 bird cages - 1 case 4 doz Concentrated Lye - 2 doz. water buckets - 1 kits Mackerel - 17 wire Seines - 10 gross matches - 6 boxes 8 day Germantowning - 1 Sack dried Peaches - 41 - 8 day Durham Smoking Tobacco - 23 fine day Do - 31 - 2 do - 1 willow Basket - 1 barrel Rice - It is therefore ordered that said lien be foreclosed, and that the clerk of this Court do issue an order of Sale directed to the Sheriff of Travis county requiring him to advertise and sell, as under execution, the above described property and the proceeds thereof he shall apply to the Satisfaction of this judgment, - principal, interest and cost - and the overplus, if any, he shall pay over to the Defendant. And should said property not sell for an amount sufficient to satisfy the same, then execution may issue for the remainder.

4288 Steele, Wood & Co. v. John Eikel. And now come the plaintiffs and claim a judgment final by default. And because the defendant has been cited by ~~publication~~ personal service, and has failed to answer within the time prescribed by law, and the cause of action being liquidated, it is ordered that Alice Steele, William Wood and William T. Morse, do have and recover of and from John Eikel, the sum of three hundred, ninety-four & 46/100 Dollars, principal and interest due upon the instruments sued on to this date, together with all cost of suit, for which execution may issue.

4287 McDannell & Co. v. M. R. Jones. And now come the plaintiffs and claim a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered that Page McDannell and Martin McCarty, under their firm name of McDannell & Co. do have and recover of said M. R. Jones the sum of four hundred, twenty-two & 74/100 Dollars debt and interest thereupon the notes sued on to this date, together with interest thereon at the rate of two per cent. per month from the date hereof until paid, and all the cost of this suit; for all which execution may issue.

Rec'd on this Judgment the sum of $422.55 in Dollars, Feby 16th 1875. McDannell & Co

February 6th, 1875.

4317 Cleron & Jones v. W.H. Page, et als. And now comethe plaintiffs and davin afinal judgment by defaut. And because the Defendants have accepted service of plaintiffs petition and have failed to answer within the time prescribed by law, and the cause of action being liquidated, it is ordred that David W. Jones and John Cleron, under their firm name of Cleron & Jones do have and recover of W.H. Page and S.P. Brown, the sum of One hundred, Sixty-two & 18/100 Gold Dollars debt and interest thereupon the instrument sued on to this date, together with interest thereon at the rate of 12 per centum per annum from this date until paid, and all the cost of this suit, for which execution may issue.

4260 James P. McKinney v. M.T. Hawkins. And now comes the plaintiff & claims a judgment by defaut. And because the Defendant has been cited by personal service, and has failed to answer within the time prescribed by law & the cause of action being liquidated, it is ordered that James P. McKinney do have and recover of M.T. Hawkins the sum of two hundred, Seventeen & 47/100 coin Dollars, debt and interest thereupon the instrument sued on to this date, and all the cost of this suit, for which execution may issue.

4307 Peter J. Plumb v. R.S. Bacon et al. And now comes the plaintiff and claims a judgment final by defaut. And because the Defendant R.S. Bacon has been cited by personal service and has failed to answer within the time prescribed by law, it is considered that the plaintiff do have and recover of and from R.S. Bacon according to the prayer of his petition and that a writ of inquiry be awarded.

Court adjourned till Monday at 9 o'clock a.m.

Monday, February 8th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment Present Hon. J.P. Richardson Judge presiding whereupon the following proceedings were had by said Court, to wit:

3509 Harris, Dudley & Co. v. Henry Kleinert. And now on this day came the parties by their attorneys when on motion it is ordered that the order entered herein at a former day of this term dismissing the cause, be set aside, & that the cause be reinstated upon the docket. And thereupon the parties suggest the death of one of the plaintiffs and of the death of the wife of Defendant, and cause continued to make parties

3814 J.A. Burditt et al. v. M.C. Burditt et als. Continued

3815 J.A. Burditt et al v. John A. Green et als Continued

3997 J.C. DeGress v. R.B. Hubbard et als Comes now the plaintiff by Atty when on motion it is ordered that said plaintiff have leave to amend his pleadings.

4104 William Nelson v. Juliet G. Hicks et als A.S. Walker Esq having declined to serve as Guardian ad litem in this case, it is ordered that D.A. Posey Esq be appointed Guardian ad litem for the minor Defendants herein.

4104 William Nelson v. Juliet G. Hicks et als And now comes M.C. Hamilton and upon motion it is ordered that said M.C. Hamilton have leave to

Issued 16th, 1875, for value

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intervene in the said cause.

11104 William Nelson v. Juliet G. Hicks et als Comes now the plaintiff by attorney when on motion it is ordered that said Plaintiff have leave to amend.

4105 M. C. Hamilton v Juliet G. Hicks et als A.S. Wacker Esq having declined to act as guardian ad litem in this case, it is ordered that A.S Pacey Esq be appointed Guardian ad litem for the minor Defendants in this case.

4105 M. C. Hamilton v. Juliet G. Hicks et als Comes now the plaintiff by attorney when on motion it is ordered that said Plaintiff have leave to amend.

4282 S.A.H Blum v. A Bikenstein Come the plaintiffs and claim a judgment by default And Defendant having been legally cited and failed to answer within the time prescribed by law ~~And~~ it is ordered that said Plaintiffs do recover of the Defendant according to the prayer of his petition and that a writ of inquiry be awarded.

4301 R B Brown v. Max Mayer. This cause being called for trial and the appellant not appearing to prosecute the same, it is ordered that the cause be dismissed for want of an appearance of said Appellant to prosecute the same: that a writ of procedendo issue requiring the Justice before whom this cause was tried to proceed to execute the same, and that said R B Brown recover of the Appellant Max Mayer, and the securities on his appeal bond H C Shelley and A R Wooldridge all the cost in this Court incurred for which execution may issue.

C.F. Newmann C.F. Newmann, a native of Prussia, having in open Court, more than two years since, made his Declaration of intention to become a citizen of the United States, and having this day taken the oath of allegiance to the Government of the United States and of this State, and made proof by two competent witnesses of his being a man of good moral character and attached to the principles of the Government of the United States it is ordered that said C.F. Newmann be admitted a citizen of the United States and that a certificate issue accordingly.

3969 Geo. M Pac et als v. John T Browning et als Comes the Defendant by attorney when on motion it is ordered that said Defendant have leave to amend.

3890 D Jerrold v. J.P. Newcomb et al And now come the parties by their attorneys and announced ready for trial When came a jury of twelve good and lawful men of Travis County consisting of W.T. Davis and eleven others, who being tried, elected, and sworn according to law, heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said jury returned into Court the following verdict to wit: We the jury find for pltff amount $300.00 less $35.00 Cost. W.T. Davis, Foreman. Whereupon it is ordered that Douglas Jerrold do have and recover of and from James P. Newcomb and E. M. Wheelock the sum of two hundred and sixty-five dollars and the cost of this suit, for which execution may issue.

Issue 10th, 1875, for value
received & herein, assigns and transfers
this judgment - against E. M. Wheelock
& Jas. P. Newcomb for $265.00
with interest from date
Douglas E. Jerrold.

For value received I assign & transfer to A. M. Phillips a one-fourth (1/4) interest in this judgment and hereby grant & guarantee the collection of said judgment or any part thereof. Austin March 11th 1875.

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3897. A G Ridge v E. W Holler dal. Continued by agreement.

3905. M. D. Miller v Evans & Wilson Continued

3908. J. M. Zitten v E Raven Deft & J T Campbell & J H Hopkins Garnishees. On motion of the Plaintiff it is ordered that the proceeding in garnishment in this case be dismissed and that the cost of said garnishment proceedings be adjudged against the plaintiff for which execution may issue

3922. B. F. Garrison v James Finley. Continued by Defendant.

3923. B. F. Garrison v J & R Finley Continued by Defendant

3925. L & Edwards v. C & R Edwards. Come the parties when on motion it is ordered that this cause be dismissed and that the Defendant recover of the Plaintiff L & Edwards all the cost here of. for which execution may issue.

3966. John A. Adams vs Annie Sneed. Comes the plaintiff when on motion it is ordered that said Plaintiff have leave to amend.

3926. William Kachler v Philip Meyer. And now on this day came the parties by their attorneys and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of J H. Washington and eleven others who being tried, elected and sworn according to law heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "We the jury find for Plaintiff the sum of one hundred, and Seventy-Nine & 00/100 Gold Dollars. J H Washington, foreman." Whereupon it is ordered that said William Kachler do have and recover of and from said Philip Meyer the sum of one hundred, Seventy-Nine & 00/100 Gold Dollars, so found to be due, and all the cost of this suit, for all which execution may issue

3908. J. M. Zitten v E. Raven Deft and J T Campbell and J H Hopkins Garnishees. And now comes the plaintiff by attorney, when upon motion it is ordered that the order dismissing this cause be set aside, and that the cause be reinstated upon the Docket. And thereupon it appearing to the Court that at the time of the service of the garnishment upon the Defendant Campbell he was indebted to the Defendant Raven in the sum of Ten Dollars, it is ordered that J. M. Zitten do have and recover of said Garnishee T. J. Campbell the said sum of ten dollars, and the same when paid shall be credited upon the judgment heretofore rendered in favor of said plaintiff against the Defendant Raven. And the Garnishee Hopkins having answered that he is not indebted to the Defendant, it is ordered that said Hopkins go hence.

3906. Geo. W Glasscock v. Fanny Gilmore et al. Comes now the Defendant, when on motion it is ordered that said Defendant have leave to amend.

3933. E A Hicks v. J S Gillett Continued to make parties.

3938. W W Calhoun v. M. J. Mollison. And now on this day came the parties by their attorneys when on motion it is ordered that this cause be dismissed

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and that the Defendant go hence and recover of said plaintiff W W Cachow
ace the cost of this suit, for which execution may issue.

✓ 3945 P. J Swenson v. C Swenson. Come the parties by atty when on motion it is
ordered that this cause be dismissed and that said P J Swenson be ad-
judged to pay the cost here of to be taxed, for which execution may issue

✓ 3787 H J Richary v. Raymond & White And now come the Defendants by attorney when
on motion it is ordered that said Defendants have leave to amend

✓ 3914 Meiller & Dowell vs. Jno C Campbell Comes now the plaintiffs by atty when on mo-
tion it is ordered that said plaintiffs have leave to amend.

✓ 3952 E Raven v. E J Davis et als And now comes the plaintiff by attorney when on motion
said Plaintiff dismisses this suit as to the Defendant E J Davis And thereupon it is ordered
that said Defendant Davis go hence discharged, and that the cost incurred by
said Defendant retaxed against the plaintiff

✓ 3952 E Raven v. E J Davis et als. Continued by the Defendant.

✓ 3961 C.C Chance v. Andrew Parker And now on this day came the parties
to this cause by their attorneys and announced themselves ready for
trial. Whereupon came a jury of twelve good and lawful men of Travis
County, consisting of W.T. Davis and eleven others, who being tried elected
and sworn according to law, heard the pleadings, the evidence, argument
of counsel and the charge of the Court, retired for deliberation. And
thereupon said jury returned into Court the following verdict, to wit:
"We the jury find for Deff in the sum of $284 60/100 Cents W.T. Davis, foreman."
Whereupon it is ordered that said C. C. Chance do have and recover of the
Defendant Andrew Parker the sum of two hundred, eighty-four 60/100
Cents Dollars, so found to be due, with ten per centum per annum int-
erest thereon from this date until paid, and all the cost of this
suit to be taxed, for all which execution may issue.

3962 W B Smith et als. v. C Packett. Continued by agreement.

✓ 3963 A.S. Johnson et als Executors v. T. A.T Williams And now come the plaintiffs
by attorneys when on motion it is ordered that this cause be dismissed and
that the cost of this suit be and the same is adjudged against the estate
of A.J Beauchamp deceased, and the Clerk will certify the same as a just
and established claim against said estate to the District Court of Travis
County or any other county where said succession may be opened as a
just and established claim against said estate, to be paid in due course
of administration

✓ 4055 M D Miller v. J. W. Parr & Co. Comes now the Defendant by atty when on motion
it is ordered that said Defendant have leave to amend.

✓ 4055 M D Miller v. J W Parr & Co. Comes now the Plaintiff by attorney when on
motion it is ordered that said Plaintiff have leave to amend.

✓ 4055 M D Miller v. J. W. Parr & Co. And now on this day comes Rebecca D.

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Parr by attorney, when upon motion, it is ordered that said Rebecca F. Parr do have leave to file a petition of intervention in this cause.

And now on this day came into open court the Grand Jury of Travis County duly and empannelled and sworn for and during the present term of this court and through their foreman Jos B. Rogers Esq presented to the court the following Bills of Indictments Viz:

3850 An indictment against Thomas Snead for Assault & Battery.
3851 An indictment against Jno Moore & Frank Cook for Playing cards &c
3852 An indictment against Cummings (col) for Betting at monte
3853 An indictment against Henry Luther for theft from a house
3854 An indictment against Robt McKay for Betting at monte
3855 An indictment against J. Donnagan for Betting at monte
3856 An indictment against Isaac Bell (col) for Betting at monte
3857 An indictment against Wm Wilson for Ex monte
3858 An indictment against Wm Long for Betting at monte
3859 An indictment against George McKay for Betting at monte
3860 An indictment against Newton Shafer for Betting at monte
3861 An indictment against Boatman for Ex monte
3862 An indictment against Jo Kuehn for Ex monte
3863 An indictment against Jo Wodsworth Ex monte
3864 An indictment against David Steele for Ex monte
3865 An indictment against Clay Evans for Betting monte
3866 An indictment against Robt Smith for Betting at monte
3867 An indictment against George Crawford murder
3868 An indictment against Charles Aryberg for theft from a house
3869 An indictment against Harry Bowman for aggravated Assault
3870 An indictment against Rodirigues Roman for theft of saddle & Blanket
3871 An indictment against James Cochran for asst to murder
3872 An indictment against F. M. Hall for asst to murder
3873 An indictment against Lewis Holmes for theft of gelding
3874 An indictment against Richard Banks for theft of saddle
3875 An indictment against L. M. Woods & S. M. Woods theft from house
3876 An indictment against John Kelly for assault to murder
3877 An indictment against Pete (a mexican) for Betting monte
3878 An indictment against Emanuel (a mexican) for Betting at monte
3879 An indictment against Oliver Alias Bully for Betting at monte
3880 An indictment against Bird Napoleon for Betting at monte
3881 An indictment against Richd Patton for Betting at monte
3882 An indictment against Richd McKinney for Betting at monte
3883 An indictment against Sandy Wells for Theft from House
3884 An indictment against Squoberry for Betting at monte
3885 An indictment against Bob McKay for Betting at monte

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3886 An indictment against Jno Moore for Betting at monte
3887 An indictment against Geo. Loredale for Betting at monte
3888 An indictment against Machaffe Scott for Betting at monte
3889 An indictment against Avalon Boyce for Betting at monte
3890 An indictment against Frank Lancaster for Ex monte
3891 An indictment against Sandy Campbell for Ex monte
3892 An indictment against Neil Cain for Ex monte
3893 An indictment against Aaron Robinson for Betting at monte
3894 An indictment against Henry Williams ~~for~~ Swindling
3895 An indictment against Thomas Garrett assault with intent to murder
3896 An indictment against Bud Cotton Ex monte
3897 An indictment against Nick Reed for Ex monte
3898 An indictment against John Banghan for Ex monte
3899 An indictment against Riley Bowles for Ex monte
3900 An indictment against Bob Span for Ex monte
3901 An indictment against Theodore Gibbs for Betting at monte
3902 An indictment against Crockett Johnson for Betting at monte
3903 An indictment against Alex Dickerson for Betting at monte
3904 An indictment against Paul Lewis for Betting at monte
3905 An indictment against Charles Johnson for theft of a gelding
3906 An indictment against Jerry Thomas & Geo. Washington Burglary

And said Grand Jury suggesting that there is still further business pending before them, they were ordered to retire upon a discharge of the same

And Court adjourned till to-morrow at 9 o'clock A.M.

Tuesday, February 9th 1875.

Court met at 9 o'clock a.m. pursuant to adjournment. Hon. J.W. Richardson, Judge presiding. Whereupon the following proceedings were had, to-wit:

3843. Wm Chambers v. A. Bledsoe et.als Continued.

3932. E.L. Whipple v. S.B. Brush Sam et.als and now come the parties by their attorneys when on motion it is ordered that John W. Robertson Esq be appointed Guardian ad litem for the minor Defendants in this cause.

3966. John Q. Adams vs Annie Sneed. Comes now the Plaintiff by attorney when on motion it is ordered that said Plaintiff have leave to amend.

3997. J.C. DeGrieff vs R.D. Hubbard et.als. Comes now the plaintiff by attorney when on motion it is ordered that said Plaintiff have leave to amend

4053. M.D. Miller v. J.W. Partlow Comes now the Intervenor by atty. when on motion it is ordered that said Intervenor have leave to amend.

4145. Loomis & Christian v. J.D. Griffin Deft and Johnlehan Ireland and Mrs. M.J. Holden Garnishees. And now on this day came the plaintiff by atty & claims a judgment final by default. And because said Defendant has been cited legally and has failed to answer within the time prescribed

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bylaw and the cause of action being liquidated It is ordered that Senior Loomis and Edward Christian, under their firm name of Loomis & Christian, do have and recover of the Defendant J.S. Griffin, the sum of two hundred, fifty-five & 96/100 Coin Dollars, debt and interest due upon the note sued on to this date, together with interest thereon from date till paid, at the rate of 12 per cent. per annum, and the cost of this suit, for which execution may issue. And because it appears that the garnishees John Chamberland and Mrs M.J. Holden are not indebted to the Defendant, it is ordered that they go hence and that the cost of the garnishment proceeding be adjudged against the said plaintiffs

4150. F.W. Sutor v. A. Hamilton. And now comes the plaintiff by atty and claims a judgment final by default. And because said Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered that F.W. Sutor do have and recover of the Defendant A Hamilton the sum of two hundred, ten & 69/100 Coin Dollars, debt and interest due upon the instrument sued on to this date, together with interest thereon from date until paid at the rate of ten percent. per annum, and all the cost of this suit, for all which execution may issue.

4196. S D Carrington & Co. vs Joel Carrington. And now come the parties when on motion it is ordered that this cause be dismissed, and that the cost of this suit be adjudged against the plaintiffs S D Carrington and R.E. Carrington, for which execution may issue.

3905. M D Miller v. John W. Evans & D. M. Wilson. And now on this day came the parties to this cause by their attorneys and by consent it is ordered that the Continuance entered herein at a former day of the term be set aside. And by agreement it is ordered that the said M.D. Miller do have and recover of the Defendants John W. Evans and D.M. Wilson the sum of Six hundred, thirty-six 92/100 Dollars, principal & interest due upon the notes of hand sued on in this case, up to this date, together with interest thereon at the rate of three per cent. per month from this date until paid, and all the cost of this suit, for all which execution may issue

3988. Miller & Dowell vs Russell & Tullis. And now come the parties by their attorneys, when on motion it is ordered that this cause be dismissed and that the Defendants recover of said pffs W. A.H. Miller and John Dowell, all the cost of this suit, for which execution may issue.

3989. Miller & Dowell vs Russell & Tullis. And now come the Parties by their attorneys, when on motion it is ordered that this cause be dismissed, and that the Defendants recover of said W. A.H. Miller and John Dowell all the cost of this suit, for which execution may issue.

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4068 D A Fields v. A R Crozier. Comes now the plaintiff by attorney whereon motion it is ordered that said plaintiff have leave to amend.

And now on this day came into open court the Grand Jury of Travis County duly tried empannelled & sworn for and during the present term of this court and through their foreman Jas B. Rogers Esq presented to the court the following bills of indictment to wit:

3907 An indictment against Frank Bartlett for theft from a house
3908 An indictment against John Schooley for theft from a house
3909 An indictment against J B. Hurd for carrying a pistol
3910 An indictment against Frank Mitchell for Burglary
3911 An indictment against Black Davis for Betting at monte
3912 An indictment against Ike Cain for Betting at monte
3913 An indictment against David M. Ezelle for Assault & Battery
3914 An indictment against Dan Daniels & James House for murder
3915 An indictment against John Sword for carrying pistol
3916 An indictment against Eugene Steele for Betting at monte
3917 An indictment against Kens Jain for Betting at monte
3918 An indictment against Bradley for Betting at monte
3919 An indictment against Dutch Dock for Ex monte
3920 An indictment against Bill Tinney for Betting at monte
3921 An indictment against John Pennington for Betting at monte
3922 An indictment against Dan Lewis for Betting at monte
3923 An indictment against Newcomb for Betting at monte
3924 An indictment against Bob Harris for Betting at monte
3925 An indictment against Capt Dodson for Ex monte
3926 An indictment against Maroney for Ex monte
3927 An indictment against Rhondo Johnny for Ex monte
3928 An indictment against J. Sorrell for Ex monte
3929 An indictment against Jim Ralls for Ex monte
3930 An indictment against Sugar Cane for Bet monte
3931 An indictment against Tom Bowles for Ex monte
3932 An indictment against George Pearce for Betting at monte
3933 An indictment against Walt Cameron for Ex monte
3934 An indictment against David Steele for Ex monte
3935 An indictment against Bob Jones for Betting at monte
3936 An indictment against Newell Burdett for Betting at monte
3937 An indictment against Slocker for Betting at monte
3938 An indictment against George Harris for Betting at monte
3939 An indictment against Wiley Craft for Betting at monte
3940 An indictment against Frank Poston for taking up and owning an estray gelding
3941 An indictment against Frank Poston taking up and owning an Estray gelding
3942 An indictment against John M. Jones for cutting timber &c

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3943 An indictment against Denny West for carrying a Pistol
3944 An indictment against Willis West for carrying a pistol
3945 An indictment against Thos West for carrying a pistol
3946 An indictment against George McAnally for Carrying a pistol
3947 An indictment against Wm Henderson for Rape from a house
3948 An indictment against Billy Thompson for carrying a pistol
3949 An indictment against Macafe Scott for carrying a pistol.
3950 An indictment against Sprague for Ex monte
3951 An indictment against Blucher Hutchins for Betting at monte
3952 An indictment against Fred Schmidt for Betting at monte
3953 An indictment against Joe Franks for Betting at monte
3954 An indictment against Sam Miller for Betting at monte
3955 An indictment against Wiley Jones for Exhibiting monte
3956 An indictment against Charley Reid for Exhibiting monte
3957 An indictment against Dock Thompson for playing cards &c
3958 An indictment against Charley Cook for Betting at monte
3959 An indictment against Bud Sawyers for Betting at monte
3960 An indictment against J. Dyson for Betting at monte
3961 An indictment against Frank Cotton for Betting at monte
3962 An indictment against Tom Harvy for Betting at monte
3963 An indictment against John Wood for Betting at monte
3964 An indictment against Siper for Betting at monte
3965 An indictment against Silas Burdett for for Betting at monte
3966 An indictment against Dick Warren for Betting at monte
3967 An indictment against John Price for Betting at monte
3968 An indictment against Jo. Burlage for Betting at monte
3969 An indictment against Henry Gardner for Betting at monte

And said Grand Jury suggesting that there is still further business pending before them, they were ordered to retire upon a discharge of the same

3966. John D. Adams v. Annie Sneed. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of J.H. Washington and eleven others, who being tried, elected and Sworn according to law, heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for Defendant $1.00 One Dollar. J.H. Washington, foreman" Whereupon it is ordered that the plaintiff take nothing in this behalf: that the Defendant do have and recover of the plaintiff John D. Adams the sum of one Dollar so found to be due, and also recover of said Adams and the security on his cost bond, H. Hirshfeld, all the cost of this suit, for which execution may issue. And Court adjourned till to-morrow at 9 AM

February 10th 1875.

Wednesday, February 10th 1875

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.P. Richardson, Judge presiding. Whereupon the following proceedings were had, to wit:

Enr 4005. William Weide v. M. C. Nickols et als. Comes now the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

4099. Rhoda Robinson vs. H. & T. C. R.R. Co. Come now the parties, when on motion it is ordered that both parties to this suit have leave to amend their pleadings.

4178. Fischer v. W. W. Archer. Comes now the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

4121 6. H. & T. C. R.R. Co. Guardian vs C. Conio et als. And now on this day came the pffs by atty when on motion it is ordered that John W. Robertson, Esq be appointed Guardian ad litem for the minor Defendants in this cause.

4297. H. H. Wynne vs. Phil. Abrahams & Bro. Come now the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

4307. Peter J. Plumb & vs. R. S. Bacon et als. Comes now the pffs by atty when on motion it is ordered that John Donell Esq be appointed Guardian ad litem for the minor Defendants in this case.

4005. Wm. Weide vs. M. C. Nickols et als. In this cause came Defendants M. C. Nickols and others mentioned in an answer marked filed in this Court in this case as of date June 18th 1874, and ask leave to amend their answer filed herein, and that said leave apply to the said answer filed June 18th 1874. It is therefore so ordered, and that the filing of said answer hereon was done nunc pro tunc.

4118. Amalia Braß et als v. D. M. Leroschwait. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

4055. M. D. Miller v. J. W. Parr & Co. Comes now the Plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend.

3986. Geo. Schneider & Co. vs. A. Wyschetzky. And now on this day came the parties to this cause by their attys and announced ready for trial. Whereupon came a jury of 12 good and lawful men of Travis county consisting of J.H. Washington and Eleven others, who being duly tried, elected and sworn according to law, heard the pleadings, evidence, and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for Plaintiff the sum of $235 1/100 two hundred and thirty five 1/100 Dollars. J.H. Washington, Foreman." Whereupon it is ordered that Geo. Schneider and Louis Schneider under their firm name of Geo. Schneider & Co. do have and recover of the Defendant, A. Wyschetzky the sum of two hundred, thirty-five 1/100 Dollars, so found to be due, together with the cost of this suit, for which execution may issue.

3987. W. R. Ware et al. v. W. B. Wacker. Continued.

3999. Henry Luckenbach v. A. G. Boddington. Continued by Defendant.

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4000. J.D. Stewart vs M.K. Miller And now on this day came the parties to this cause by their attys and announced themselves ready for trial. And waiving a jury submit the case to the Court. And upon a hearing of the same, it is ordered and adjudged that said plaintiff take nothing in this behalf. that the Defendant go hence and recover of said J.D. Stewart and the securities on his cost bond, T.E. Fullis and T.L. Wren all the cost of this suit, for which execution may issue.

4001. J.D. Stewart v. D.K. Miller. And now on this day came the parties to this cause by their attys. and announced themselves ready for trial, and waiving a jury submit the case to the Court. And upon a hearing of the same it is ordered and adjudged that said plaintiff take nothing in this behalf. that the Defendant go hence and recover of said J.D. Stewart and the securities on his cost bond, T. E. Fullis and T. L. Wren all the cost of this suit, for which execution may issue.

3993. W.L. Cabell vs. John Hancock. Continued.

4058. McDaniell & Harris v. A.A. Hutchins. And now comes the Defendant by atty, when on motion it is ordered that said Defendant have leave to amend.

4143. H. DeGress v. J.C. Dillard et.als. And now comes the plaintiff by atty when on motion it is ordered that said plaintiff have leave to amend.

4267. Alfred Scott vs J. Eikel. It appearing to the Court that the Defendant has been duly cited and has failed to answer within the time prescribed by law and wholly made default, it is ordered that plaintiff recover of said Defendant according to the prayer of his petition

And Court adjourned till to-morrow at 9 o'clock A.M.

Thursday, February 11th 1875.

Court met at 9 o'clock A.M pursuant to adjournment. Present Hon. J.P. Richardson, Judge & presiding. Whereupon the following proceedings were had, to wit:

3969. Geo. M. Pace etal vs John Browning et.als. And now on this day appeared the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of Ben. Bonnet and eleven others, who being tried, elected, empannelled & sworn according to law, heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. And thereupon said jury returned into Court the following verdict, to wit "We, the Jury find for the Defts. Ben Bonnet, foreman." Whereupon it is ordered that said plaintiffs take nothing in this behalf, that the Defendants go hence and recover of said plaintiffs and the security on their cost bond, G.R. Freeman all the cost of this suit; for which execution may issue.

4005. Wm Wonder. M.B. Nuckols et.als. Comes the Defendant, when on motion it is ordered that said Defendant have leave to amend.

4039. Geo. W. Tinney v. W. A. Morris. Comes now the Defendant when on motion it is ordered that said Defendant have leave to amend.

4100. John Willis v H.&T.C.R.Road. Comes the Defendant by atty. when on motion it is ordered that said Defendant have leave to amend.

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4320 A. J. Barragan v H & T C R Road. And now comes the Defendant, by attorney when on motion it is ordered that said Defendant have leave to amend.

4110 Wm Alexander vs J P Hencomb & Co. Comes now the Defendants when on motion this ordered that said Defendants have leave to amend.

And now on this day came into open Court the Grand Jury of Travis County duly tried impannelled & sworn for and during the present Term of this Court and through their foreman Jos B. Rodgers Esq and presented to the Court the following bills of indictments to wit:

3970 An indictment against George Shelton for Betting at monte

3971 An indictment against Newton Boyce for Betting at monte

3972 An indictment against Anna Eliza Brown for theft from a house

3973 An indictment against Jim Boyce for Betting at monte

3974 An indictment against Bill Henderson & Booker Jones

3975 An indictment against Coley Cain for taking up and using an estray gelding

3976 An indictment against Wm Benton for theft of work Oxen

3977 An indictment against Silas Watson for Exhibiting monte

3978 An indictment against Fritz Holeman for Exhibiting monte

3979 An indictment against Dock Dupree for Betting at monte

3980 An indictment against George Lovelace for Exhibiting monte

3981 An indictment against Pat Conner for Exhibiting monte

3982 An indictment against H. G. Davidson for Betting at monte

3983 An indictment against Sam Warren for Betting at monte

3984 An indictment against John Jackson for Betting at monte

3985 An indictment against George Cummings for Betting at monte

3986 An indictment against Baily Sparks for Ex monte

3987 An indictment against George Farris for Betting at monte

3988 An indictment against Thomas Dedrick for Betting at monte

3989 An indictment against Bob McKay for carrying Brass Knuckles

3990 An indictment against George McKay for Betting at monte

3991 An indictment against Charley Cooney for Betting monte to be dealt at a house under his control

3992 An indictment against Neil Cain for Exhibiting monte

3993 An indictment against Jim Taylor for Betting at monte

3994 An indictment against Sindy Meeks for Betting at monte

3995 An indictment against Charley Meeks for Betting at monte

3996 An indictment against Dan Curtis for Ex monte

3997 An indictment against Jim Mays for Betting at monte

3998 An indictment against Jim ~~Smith Bob Williams~~ Harris for Swindling

3999 An indictment against Robt Johnson (col) for aggravated assault

4000 An indictment against Friday for theft from a house

4001 An indictment against John Darlton for Betting at monte

4002 An indictment against John Darlton for theft from a house

4003 An indictment against D. J. O'Brien & Tom Johnson for Robbery

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4004 An indictment against D.J. O Brien & Dave Johnson for Burglary
4005 An indictment against Robt Johnson (col) for theft from a house
4006 An indictment against Robt Johnson & Alick Bolden for threats to kill &c
4007 An indictment against Sprague for Ex Faro
4008 An indictment against Jno Smith & W. McFaine & D.C. Hunshard & Demp Sheffield & M.P. Smith & George R King & Bob Williams (col)

And said Grand Jury suggesting that there is still pending business pending before them, they were ordered to retire upon a discharge of the same.

4004 Arnold Klein v. R.S Caperton. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of J.H. Washington and eleven others, who being tried, elected and sworn according to law, heard the pleadings, the evidence, and the charge of the Court, returned the following verdict, to wit. "We the Jury find for the Defendant J.H. Washington foreman" Whereupon it is adjudged that the plaintiff take nothing in this behalf. that the Defendants go hence and recover of said Arnold Klein and his security J. Stattuey this cost & the cost of this suit, for which execution may issue.

4014 August F Kamp vs S Mitzel et al for Comes now the plaintiff by attorney whereupon motion it is ordered that said Plaintiff have leave to amend.

And Court adjourned till to-morrow at 9 o'clock AM

Friday, February 12th, 1875.

Court met at 9 o'clock A M pursuant to adjournment. Present same as yesterday. Whereupon the following proceedings were had, to wit:

4005 William Wende vs M. B. Nichols et als. And now on this day day appears the parties to this cause by their attys and announced ready for trial. Whereupon came a jury of 12 good and lawful men of Travis county consisting of Ben Hornet and eleven others, who being tried, elected & sworn according to law, heard the pleadings evidence and the charge of the Court, returned the following verdict, to wit: "We the jury find a verdict for the Defts Ben. Hornet, foreman." Whereupon it is ordered & adjudged that the plaintiffs take nothing by this suit. that the Defendants go hence and recover of and from said William Wende and his security all the cost of this suit, for which executions may issue.

4284 Raymond & White v. W.W. Robbins et als On motion of the plaintiffs by attorneys it is ordered that the cause be dismissed cost being paid

4008 Gray & Price vs. J.D. McGary. And now on this day came the parties to this cause by their attys and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of J.H. Washington and eleven others, who being tried, elected and sworn according to law, heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "We the jury find for plaintiffs

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the sum of $90.00 Ninety Dollars J.H. Washington foreman." Whereupon it is ordered and adjudged that said Geo. H. Gray and W.B. Price, under their firm name of Gray & Price, do have and recover of said Defendant J.D. McGary the said sum of Ninety Dollars and the cost of this suit in this Court and the Court below, for which execution may issue

4176. Julia Hill et als vs Tom Hill Continued to make parties.

4197. McDaniel et les. vs J. F. Miller And now comes the plff. by atty. whereupon it is ordered that said Plaintiffs have leave to amend.

4062. J.B. Minter, Admr of D.J. Anderson vs Martha L. Anderson et als. Come now the parties and announced themselves ready for trial and waived a jury and submit the matters in controversy to the Court. And the Court having heard the pleadings and evidence it is ordered adjudged and decreed that the Plaintiff do have and recover of and from the Deft Martha L. Anderson the sum of five hundred dollars together with all costs in this behalf expended, for all of which execution may issue. It is further ordered and adjudged that plaintiff take nothing as to the Defendants Robert and R.B. Masterson and that they go hence without day

And Court adjourned till to-morrow at 9 o'clk A.M.

Saturday, February 13th 1875.

Court met at 9 o'clock A.M. Pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3849. The State of Texas v. J.G. Tracy et als. And now comes the District Attorney on behalf of the State of Texas and claim a judgment final by default. And it appearing that at the October term 1873 judgment nisi was entered against J.G. Tracy as principal and R. Van Patten and John Clemon as securities on a forfeited appearance bond for the sum of two hundred Dollars in the cause no. 2878 of the State of Texas v. J.G. Tracy, charged with carrying Deadly Weapons, and the securities having been duly cited and all of said parties having failed to answer within the time prescribed by law and wholly made default, it is ordered and adjudged that said judgment nisi be made final and that the State of Texas do have and recover of and from J.G. Tracy principal, and R. Van Patten and John Clemon his securities, the said sum of two hundred Dollars and all the cost of this proceeding for all which execution may issue.

3854. The State of Texas v. W.R. Davis. Dismissed

3983. The State of Texas v. Tom Hill. Ordered on motion that the fine entered against said Defendant be set aside, and that the cost of this proceeding be adjudged against said Tom Hill, for which execution may issue.

4078. The State of Texas v. Ben. Radkey. On motion it is ordered that the fine entered against the Defendant be set aside, and that the cost of this proceeding be adjudged against said Radkey for which execution may issue

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4086 The State of Texas v. Ed. Cook, et.als. And now comes the attorney for the plaintiffs and claims a judgment final by default. And it appearing that at the June term 1874 of this Court judgment ni si was entered against Ed Cook as principal and A.H. Cook as security, in the cause no. 3539 of the State of Texas v. Ed. Cook in the sum of one hundred dollars, forfeited appearance bond, and the said security having been cited to appear and shew cause why said judgment should not be made final: and said Defendants having failed to answer within the time prescribed by law and wholly made default, it is ordered and adjudged that said judgment ni si be made final, and that the State of Texas do have and recover of said Ed Cook principal and A.H. Cook as security the said sum of one hundred dollars and the cost of this proceeding, for all which execution may issue.

4091 The State of Texas v. Jno. Perry et.als. Dismissed.

4023 Robert Hamilton and Charles Hamilton by next friend Robert Masterson v. J.C. Minter Admr. of D.J. Anderson and mrs. M.P. Caldwell. And now on this day this cause being called, the parties appeared, the plaintiffs by their next friend and special guardian and by atty. and the Defendant Minter by his atty W.J. Montgomery and the Defendant Mrs. M.P. Caldwell by her atty J.F. Oatman and the parties announced ready for trial, and they waive a jury and submit the case to the Court. And thereupon the Court after hearing the pleadings and evidence, argument of counsel, and it appearing to the Court that the allegations in the Petition of the plaintiffs are true and that the law is for the plaintiffs, the Court doth order, adjudge and decree that the said plaintiffs Robert and Charles Hamilton do have and recover of the said M.P. Caldwell the said land described in the petition and which was conveyed by the said Defendant Minter to said M.P. Caldwell on dec 3d 1873, and which land is described as follows: Being a part of the A. Navarro grant, and deeded by him to Jno Caldwell and by him to Jno. A. Caldwell & by him on 16th Jan. 1869 to said D.J. Anderson and beginning on the lower corner on the river of 169 acres tract of J.C. Pierce: thence S. 30° W. 2100 vs to a stake from which a cedar 12 in. in dia. bears N. 30° E. 40 vs thence S. 60° E. 2474 vs to a stake from which an Elm 12 in dia. bears S. 47° W. 10 vs & another N. 27½ E. 22 vs. thence N. 30° E. 1530 vs to a stake on Bank of the River from which a cotton wood 40 in dia. bears S. 79° E. 5 vs and a hackberry 10 in dia. bears S. 58° W. 2½ vs. thence up the River to the place of beginning, containing 145 acres. And that all right, title, interest & claim of the said M.P. Caldwell and of the estate of D.J. Anderson dec'd in said land be divested out of the Defendants and be vested in the said plaintiffs. and the Court doth order and decree that the legal title in said land, cast by the death of said D.J. Anderson upon his heirs and by the proceedings in the administration and sale under the same in said Mrs. M.P. Caldwell, be vested in the plaintiffs. And upon the cross bill of Mrs. M.P. Caldwell it appearing to the Court that she has not paid

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for said land and that the note by her executed for the purchase money therefor and which has been brought into Court and filed herein still belongs to the Defendant J. B. Minter, and that the consideration thereof has wholly failed, the Court doth order and decree that the same be and is hereby annulled and that the clerk of this Court is required to write across the same the word cancelled And the Court doth order that the costs herein taxed against the Defendant J. B. Minter, Admr of said estate, to be paid out of the assets of said estate, and that plaintiffs recover of the Defendants their costs and that the Defendant Caldwell also recover of said Minter hereafter, which costs shall be paid in due course of administration. And plaintiffs have leave to withdraw their papers.

✓ 3961. C. C. Chance v. Andrew Parker. And now come the parties by their attorneys and thereupon the Defendant submitted his motion for a new trial, which being heard and considered, it is ordered that said motion be overruled, Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

✓ 3986. Geo. Schneider & Co. vs A. Urpeketzky & Bro. And now come the parties by their attys whereupon the Defendant submitted his motion for a new trial which being heard and considered, it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

✓ 3986. Geo. Schneider & Co. v. A. Urpeketzky & Bro. And now come the parties by their attys Whereupon the Defendant submitted his motion in arrest of the judgment, which being heard and considered, it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

✓ 3986. Geo. Schneider & Co. v. A. Urpeketzky & Bro. And now on this day came the parties to this cause by their attys whereupon Defendant submitted his motion to retax the cost in this case. Whereupon, upon a consideration of the same, it is ordered that said motion be allowed, and that the cost of this suit incurred by reason of making Urpeketzky a party, be adjudged against the plaintiffs

✓ 4030. S. H. Duckett v. J. E. Hollingsworth. The motion for an order of Court filed herein to obtain land certificate from the Land office being considered, it is ordered that the same be overruled.

✓ 3969. Geo. M. Pace et. als. vs John Browning et. als. And now come the parties by their attorneys when the ~~Defendants~~ Plaintiffs submitted their motion for a new trial, which being heard and considered, it is ordered that said motion be overruled. And thereupon the said plaintiffs give notice in open Court of an appeal to the Supreme Court.

✓ 4113. Austin College v. R. W. Turner. And now comes the plaintiff by atty whereon motion it is ordered that said Plaintiff have leave to amend.

✓ 4212. The State of Texas v. C. Pickett. It appearing that the Defendant C. Pickett had entered into recognizance in open Court on the 7th March 1874, as a witness in the cause No. 2970 of the State of Texas v. Neill Cain, and that on the 16th inst. 1874 his said recognizance was forfeited, and judgment nisi

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entered thereon for the sum of one hundred dollars the amount of said bond, and said C. Pickett having been cited to appear and shew cause why said Judgment should not be made final, which he has wholly failed to do, it is ordered and adjudged that said Judgment nisi be made final and that the State of Texas do have and recover of said C. Pickett the said sum of one hundred Dollars and all the cost of this proceeding and that execution issue therefor.

4213. The State of Texas v. John Scott et al's. And now on this day appeared the parties by their attorneys and announced ready for trial. And because it appears to the Court that the appearance bond of the Defendant John Scott, with his securities Charley Pfluger and H. Pfluger for the sum of one hundred Dollars, was forfeited on the 6th day of Nov. 1874, and the said securities having been duly cited: and the answer of the said securities coming on to be heard and duly considered, and the same being deemed insufficient, it is ordered and adjudged that the Judgment nisi rendered against said Defendants as aforesaid on the 6th Nov. 1874 be and the same is made final and that the State of Texas do have and recover of said John Scott, principal, and Charley Pfluger and H. Pfluger securities, the said sum of One hundred dollars and all the cost of this proceeding, for which execution may issue. And thereupon the Defendants give notice in open Court of an appeal to the Supreme Court.

4230. State of Texas v. Frank Cotton et als. Dismissed

4335. Archie R. Coleman Ex Parte. And now comes Archie R. Coleman and presents his application to have his Disabilities of Non-age removed, duly sworn to. And it appearing that said Minor is over the age of seventeen years, and that it would be to his advantage to have the relief prayed for, it is ordered by the Court that the Disabilities of Non age of said Minor Archie R. Coleman be removed, and that he be held capable and authorized to transact business and held responsible as such the same as if he were twenty-one years of age, except he shall not have the right to vote.

4337. D. P. Marr, Ex Parte. And now comes D. P. Marr and presents his application to have his Disabilities removed, as a Minor, duly sworn to. And it appearing that said Minor is over the age of seventeen years and that it would be to his advantage to have the relief prayed for, it is ordered by the Court that the Disabilities of Non-Age of said Minor D. P. Marr be removed, and that he be held capable and authorized to transact business and held responsible as such the same as if he were twenty one years of age, except that he shall not have the right to vote.

4338. Pattie E. Townes Ex Parte. And now comes Pattie E. Townes and presents her application to have her Disabilities as a Minor removed, duly sworn to. And it appearing that said Minor is over the age of Seventeen years, and that it will be proper to grant the relief prayed for, it is ordered and adjudged that the Disabilities of Non-age of said Minor Pattie E. Townes be removed, and that she be held capable and authorized to transact business for herself, and be held responsible as such, the same as if she were Twenty-one years of age.

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4214. The State of Texas v. Jim Berry et. als. It appearing that on the 16th Nov. 1874, in the Cause No. 3177 of the State of Texas v. Jim Berry, judgment nisi was entered against Jim Berry principal and Frank Wallace and Jack Harris as securities on a forfeited appearance bond in the sum of One hundred and fifty Dollars, and the securities having been duly cited to appear and shew cause why said judgment should not be made final, which they have failed to do, within the time prescribed by law, it is ordered and adjudged that said judgment nisi be made final and that the State of Texas do have and recover Judgment final by default against Jim Berry as principal, and Frank Wallace and Jack Harris as securities, for the sum of One hundred and fifty Dollars and the cost of this proceeding & that execution issue therefor.

4215. The State of Texas v. Bob. Ridley et. als. It appearing that on the 20th Nov. 1874 in the Cause No. 3228, of the State of Texas v. Bob. Ridley Judgment nisi was entered against Bob. Ridley principal and Jon Hill and N. B. Mitchell as securities on a forfeited appearance Bond in the sum of One hundred Dollars, and the securities having been legally cited to appear and shew cause why said Judgment should not be made final, which they have wholly failed to do within the time prescribed by law, It is ordered and adjudged that said judgment nisi be made final, and that the State of Texas do have and recover Judgment final by default against Bob Ridley principal and Jon Hill and N. B. Mitchell securities for the sum of One hundred dollars and the cost of this proceeding and that execution issue

4218. The State of Texas v. Eb. Stewart et. als. And now comes the District Atty and dismisses this suit as to the Defendant G. M. Davidson who has not been served and asks for judgment final by default as to the other defendants. and it appearing that at the 12th Nov. 1874, in the Cause No. 3444 of the State of Texas v. Eb. Stewart Judgment nisi was entered against Eb. Stewart principal and G W. Gladden, G. M. Davidson and S. N. Stewart as securities on a forfeited appearance bond in the sum of One hundred dollars, and the securities except said Davidson having been legally cited to appear and shew cause why said Judgment should not be made final which they have wholly failed to do, it is ordered and adjudged that said judgment nisi be made final and that the State of Texas do have and recover Judgment final by default against said Eb. Stewart, principal and G. W. Gladden, and S. N. Stewart securities for the said Sum of One hundred dollars & the cost of this proceeding & that execution issue.

4219. The State of Texas v. Eb. Stewart et. als. And now comes the District Atty and dismisses this suit as to the Defendant Geb. Davidson who has not been served, and asks for judgment final by default as to the other defendants. And it appearing that on the 13th Nov. 1874 in the cause No. 3445 of the State of Texas v. Eb. Stewart Judgment nisi was entered against Eb. Stewart principal and G W. Gladden, G. M. Davidson and S. N. Stewart as securities, on a forfeited appearance bond in the sum of three hundred Dollars and the securities except said Davidson having been legally cited to appear and shew cause why said Judgment should not be made final which they have wholly failed to do, it is ordered and adjudged that said judgment nisi be made final and that the State of Texas do have and recover Judgment final by default against said Eb. Stewart,

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principal, and G.W. Gladden and S. A. Stewart, securities, for the said sum of three hundred Dollars and the cost of this proceeding & that execution issue

No 4220. The State of Texas v. Ed. Stewart et.als. And now comes the District Atty and dismisses this suit as to the Defendant Davidson who has not been served, and asks for judgment by default as to the other Defendants. And it appearing that on the 12th Nov. 1874 in the Cause No 3446 of the State of Texas v. Ed. Stewart, judgment nisi was entered gainst said Ed Stewart as principal and G.W. Gladden, G. M. Davidson and S. A. Stewart as securities on a forfeited appearance bond in the sum of three hundred dollars; and the securities except said Davidson having been cited to appear and shew cause why said Judgment should not be made final, which they have failed to do, it is ordered and adjudged that said Judgment nisi be made final and that the State of Texas do have and recover Judgment final by default gainst said Ed Stewart principal and G.W. Gladden and S. A. Stewart securities for the sum of three hundred Dollars as aforesaid and the cost of this proceeding and that execution issue.

No 4221. The State of Texas v. Ed. Stewart et.als. And now comes the District Atty and dismisses this suit as to the Defendant Davidson who has not been served and asks for judgment by default as to the other defendants. And it appearing that on the 12th Nov. 1874 in the Cause No 3447 of the State of Texas v. Ed. Stewart, Judgment nisi was entered against said Ed. Stewart as principal and G.W. Gladden, G. M. Davidson and S. A. Stewart as securities on a forfeited appearance Bond in the sum of three hundred Dollars and the securities except said Davidson having been cited to appear and shew cause why said Judgment should not be made final, which they have wholly failed to do, it is ordered and adjudged that said Judgment nisi be made final and that the State of Texas do have and recover Judgment final by default gainst said Ed. Stewart principal and G.W. Gladden and S. A. Stewart securities for the said sum of three hundred dollars and the cost of this proceeding and that execution issue

No 4222. The State of Texas v. Ed. Stewart et.als. And now comes the District Atty and dismisses this suit as to the defendant Davidson who has not been served. and asks for judgment by default as to the other defendants. And it appearing that on the 12th Nov. 1874 in the cause No. 3448 of the State of Texas v. Ed. Stewart, Judgment nisi was entered gainst said Ed. Stewart as principal and G.W. Gladden, G. M. Davidson and S. A. Stewart as securities on a forfeited appearance Bond in the sum of three hundred Dollars and the securities except said Davidson having been cited to appear and shew cause why said Judgment should not be made final, which they have wholly failed to do, it is ordered and adjudged that said Judgment nisi be made final and that the State of Texas do have and recover Judgment final by default against said Ed. Stewart principal and G.W. Gladden and S. A. Stewart securities for the said sum of three hundred dollars and the cost of this proceeding and that execution issue

No 4223. The State of Texas v. Ed. F. Duff et.als. And now on this day came the parties by attorney and announced ready for trial of the cause, the principal Defendant Ed F. Duff not appearing. And thereupon the Court having heard the

answer of the securities for said Duff and the same being deemed insufficient and it further appearing that on the 12th Nov. 1874 in the Cause No. 3572 of the State of Texas v. Ed. F. Duff, Judgment nisi was entered against Ed. F. Duff principal and E.B. George and F.P. Smith securities on a forfeited appearance bond for the sum of five hundred dollars and the showing made by the securities not being sufficient, It is ordered and adjudged that said Judgment nisi be made final and that the State of Texas do have and recover of said Ed. F. Duff principal and E.B. George and F.P. Smith, securities, judgment final for the said sum of Five Hundred Dollars and the cost of this proceeding and that execution issue

1226. The State of Texas v. John Evans et als. It appearing to the Court that on the 6th Nov. 1874 in the Cause No. 3584 of the State of Texas v. John Evans. Judgment nisi was entered against said John Evans as principal and S. Loomis and L.E. Edwards as securities on a forfeited appearance Bond in the sum of One hundred dollars and the said securities having been cited to appear and shew cause why said Judgment should not be made final which they have wholly failed to do, it is ordered and adjudged that said Judgment nisi be made final and that the State of Texas do have and recover judgment final by default against said John Evans principal and S. Loomis and L.E. Edwards securities for the said sum of one hundred dollars and the cost of this proceeding and that execution issue therefor

1227. The State of Texas v. Frank Taylor et als. It appearing to the Court that on the 9th Nov. 1874 in the Cause No. 3596 of the State of Texas v. Frank Taylor. Judgment nisi was entered against said Frank Taylor as principal and J.J. Dyson and Joe Burke Jr. as his securities on a forfeited appearance Bond in the sum of One hundred Dollars and the said securities having been cited to appear and shew cause why said Judgment should not be made final which they have wholly failed to do, It is ordered and adjudged that said Judgment nisi be made final and that the State of Texas do have and recover Judgment final by default against said ~~Frank Taylor~~ principal and J.J. Dyson and Joe Burke Jr. as securities for the said sum of One hundred Dollars and the cost of this proceeding and that execution issue.

1228. The State of Texas v. Dorsey et al. And now comes the District Atty and dismisses this suit as to the Defendant Hopkins who has not been served, and asks for Judgment final by default as to the other Defendants. And it appearing that on the 9th Nov. 1874 in the Cause No. 3597. of the State of Texas v. Dorsey Judgment nisi was entered against said Dorsey as principal and E.F. Hopkins and A.P. Wooldridge as his securities on a forfeited appearance Bond in the sum of One hundred Dollars and the said security A.P. Wooldridge having been cited to appear and shew cause why said Judgment should not be made final which he and said principal have wholly failed to do, it is ordered and adjudged that said Judgment nisi be made final and that the State of Texas do have and recover Judgment final by default against said Dorsey principal and A.P. Wooldridge security for the said sum of One hundred Dollars and the cost of this proceeding and that execution issue

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4229. The State of Texas v. John Evans et al. It appearing to the Court that on the 9th Nov. 1874, in the cause No 3648 of the State of Texas v. John Evans Judgment nisi was entered against John Evans principal & S Loomis & L E Edwards securities on a forfeited appearance bond for the sum of one hundred Dollars. And said securities having been cited to appear & shew cause why said Judgment nisi should not be made final, which they have wholly failed to do, it is ordered and adjudged that said Judgment nisi be made final & that the State of Texas do have and recover of said John Evans principal & his securities S Loomis & L. E. Edwards, the said sum of One hundred Dollars and the cost of this proceeding and that execution issue therefor.

4231. The State of Texas v. Geo King et al. It appearing to the Court that on 9th Nov. 1874 in the cause No. 3694 of the State of Texas v. George King Judgment nisi was entered against George King principal & J. F. Battaile as security on a forfeited appearance Bond for the sum of One hundred dollars And said security having been cited to appear & shew cause why said Judgment nisi should not be made final, which he has wholly failed to do. it is ordered & adjudged that said Judgment nisi be made final & that the State of Texas do have & recover of said George King principal & J. F. Battaile security the said sum of One hundred dollars and the cost of this proceeding and that execution issue therefor.

4233. The State of Texas v. Dick McLaren et al. It appearing that on the 10th Nov. 1874 in the cause No. 3727 of the State of Texas v. Dick McLaren Judgment nisi was entered against Dick McLaren principal & G. M. Brass & R. J. Moore as securities on a forfeited appearance Bond in the sum of Two hundred and fifty Dollars. And said securities having been cited to appear and shew cause why said Judgment nisi should not be made final which they have wholly failed to do. It is ordered and adjudged that that said Judgment nisi be made final & that the State of Texas do have & recover of said Dick McLaren principal & G. M. Brass and R. J. Moore securities the said sum of two hundred & fifty Dollars and the cost of this proceeding and that execution issue therefor.

And now on this day came into open Court the Grand Jury for Travis County duly tried empannelled sworn for and during the present term of this Court and through their foreman Jos B Rogers Esq presented the following Bills of Indictments Vizt:

4009 An indictment against John Thomas for Receiving a bribe &c

4010 An indictment against Charley Graham Emit Garner & Burd Graham for disturbing the peace

4011 An indictment against Albert H Hutchins for aggravated assault

4012 An indictment against Felix Sanchez for Betting at monte

4013 An indictment against Orr for Betting at monte

4014 An indictment against Jim Whitehead for Betting at monte

4015 An indictment against H. Cohen & S. Cohen for concealing stolen property

4016 An indictment against Alfred King for aggravated assault

4017 An indictment against Nato Lopez for theft from a house.

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4018 An indictment against L. Brittain for Betting at monte
4019 An indictment against Ed Kipp for permitting cards &c
4020 An indictment against Charles Cooney for permitting cards &c
4021 An indictment against C. Cooney for for permitting monte
4022 An indictment against A.B. Mitchell & Wm Wilson for permitting cards &c
4023 An indictment against Bat Lane for Exhibiting monte
4024 An indictment against Red for Betting at monte
4025 An indictment against Crapt Joe" for Exhibiting monte
4026 An indictment against John Bennett for murder
4027 An indictment against Milton Rivis for Betting at monte
4028 An indictment against Thomas Jackson for Betting at monte
4029 An indictment against Charley Woods for Betting at monte
4030 An indictment against Wm R. Jones & Charley Martin for unlawful branding of two colts
4031 An indictment against Middleton & Lazy Jim for Rape of a cow
4032 An indictment against John Townsend for carrying a pistol
4033 An indictment against John Purtle for carrying a pistol
4034 An indictment against Leon Lonze for carrying a pistol
4035 An indictment against Ambroze Stitt for carrying a pistol
4036 An indictment against Butler Lott for Betting at monte
4037 An indictment against C. P Yerger for aggravated assault
4038 An indictment against Barnes Parker, William H. Griffin & C. H. Ayers for passing forged power of Attorney

And thereupon the Grand suggested that they had no further business before them. It is ordered that the Grand Jury be discharged from further duty during this term.

And Court adjourned till to Monday at 9 A.M

Monday, February 15th, 1875.

Court met at 9 o'clock A.M pursuant to adjournment. Present Hon. J.P. Richardson Judge 25th Judicial District presiding. Whereupon the following proceedings were had & to wit:

4282 L & A Blum vs. A. Bikerstein. And now come the plffs by atty when on motion it is ordered that the writ of Inquiry awarded in this case be set aside and final Judgment entered by default. And the cause of action in this case being liquidated, and said defendant being duly cited & having wholly made default, It is ordered and adjudged that said Leon Blum & A. Blum, under their firm name of L & A Blum do have & recover of & from the Defendant, A. Bikerstein, the sum of Two Thousand Fifteen & 00/100 Dollars debt & interest due upon the instruments sued on to this date, together with all costs in this behalf laid out & expended, for all which execution may issue.

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4210 State of Texas v James Whitehead. The Defendant having been fined as a Defaulting Juror at the last Term of this Court & he having been cited to appear & show cause why said Judgment should not be made final, which he has wholly failed to do, it is ordered that said Judgment be made final & that the State of Texas do have & recover of said James Whitehead the sum of Twenty Dollars as a fine & all the cost of this proceeding & that the Clerk issue a Commitment to collect the same.

4211 State of Texas v J. T. Gregg. The Defendant having been fined as a Defaulting Juror at the last Term of this Court & having been cited to appear & show cause why said Judgment should not be made final, which he has wholly failed to do, it is ordered that said Judgment be made final & that the State of Texas do have & recover of said J. T. Gregg the sum of Twenty Dollars as a fine & the cost of this proceeding & that the Clerk issue a Commitment to collect the same.

4018 Eliza J. Tinney et als v A & C Tinney et als. And now comes the Intervenor P. D. Pendley & withdraws his petition for Intervention in this Cause. And on motion it is ordered that said Intervenor be allowed to withdraw from the case.

4068 G. A. Pace v John T. Miller. And now comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

4068 D. A. Fields v A. Klerozier. Continued

4259 Thomas Q. Maxwell vs Fred K. Strafford. Comes now the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

4292 Wheeler & Wilson Co. v Henry Mann. And now comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

4339 Loomis & Christian v Dyson & Brooks et als. Comes now the Defendants by atty whereon motion it is ordered that said Defendants have leave to amend.

4173 Edward Hipp v. Geo. H. Smith. Comes now the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

4216 H. G. Purland Guardian v C. Conez et al. And come the Defendants by attorney when on motion it is ordered that said Defendant have leave to amend.

4021 Carleton & Robertson v. P. McDaniell et al. And now come the Plaintiffs by their atty & the Defendants McDaniell & McCarty by their atty & announced ready for trial. Whereupon came a Jury of 12 good & lawful men of Travis County, Consisting of J. A. Black & eleven others who being tried, elected & sworn according to law heard the pleadings & evidence & the charge of the Court & after retirement returned the following verdict to wit: "We the Jury find for the Defendants. J. A. Black foreman." Whereupon it is ordered that said Plaintiffs take nothing in this behalf as to the defendants McDaniell & McCarty and that said Defendants go hence & recover of said Fred Carleton & Jno. H. Robertson all the cost by them incurred in this suit for which execution may issue.

4021 Carleton & Robertson vs James Neill. And now on this day came the plaintiffs by atty & claims a Judgment final by default as to the Defendant James Neill. And said defendant having accepted service of plaintiffs petition & failed to answer within the time prescribed by law & the cause of action being

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liquidated, It is ordered and adjudged that said Jno Carleton and Jno W. Robertson under their firm name of Carleton & Robertson do have and recover of said James Neill the sum of three hundred and forty six Dollars, debt and interest due upon the instrument sued on to this date and the cost incurred and said suit pass which execution may issue.

1028 A Cunningham vs A P Houston. And now on this day came the plaintiff by atty and announced ready for trial When came a jury of twelve good and lawful men of Travis County, consisting of Ben. Hamet foreman and eleven others who being tried, elected and sworn according to law, heard the pleadings, evidence and the charge of the Court and returned the following verdict, to wit: "We the Jury find for pltf $606.00 Gold. Ben. Hamet, Foreman." Whereupon it is ordered and adjudged that said A Cunningham do have and recover of said Nettie Power Houston the said sum of six hundred and six Gold Dollars so found to be due, with interest thereon from date till paid at the rate of three percent per month, and all the cost of this suit, for which execution may issue.

1030 I A Luckett v. John E. Hollingsworth. And now on this day came the plaintiff by his atty and announced ready for trial when came a Jury of twelve good and lawful men of Travis County Consisting of J A Black and eleven others who being Tried, elected and sworn according to law, heard the pleadings, evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find in favor of the plaintiff the sum of Three hundred & Twenty Two Dollars and fifty six cents gold ($322 56/100) J A Black Foreman." Whereupon it is ordered and adjudged that I A Luckett do have and recover of said John E. Hollingsworth the sum of three hundred, twenty two and 56/100 Dollars, so found to be due, and the cost of this suit, for which execution may issue.

1041 Frank Leason vs J B. Hurd et als. And now on this day came the plaintiff and announced ready for trial Whereupon came a Jury of twelve good and lawful men of Travis County, Consisting of Ben. Hamet and eleven others who being tried and sworn according to law, heard the pleadings, evidence and the charge of the Court and returned the following verdict, to wit: "We the Jury find for pltf $240.00 Specie. Ben. Hamet, foreman." Whereupon it is ordered and adjudged that said Frank Leason do have and recover of said J B. Hurd and G W. Honey the sum of Two hundred forty Dollars in Specie, with interest thereon from date until paid at the rate of ten per centum per annum and all the cost of this suit and that execution issue therefor.

Received of Chandler Carleton & Robertson the sum of Two Hundred and Seventy Four Dollars in compromise of this judgment and costs of suit and to be released
John Howell
Feby 15th 1876

1043 Brick, Lamberton & Co. v. Ben. Hamet. And now come the parties by their attys. Whereupon the Defendant withdraws his answer and says nothing in bar of pltf's demand. And thereupon it being Considered that pltf's demand is liquidated and the Defendant makes default, it is ordered and adjudged that Brick and Lamberton, under the firm name of Brick, Lamberton & Co. do have and recover of the Defendant Ben. Hamet, the sum of Two hundred, thirty five and 29/100 Dollars debt and interest due upon the instrument sued on, and the cost hereof to be taxed and that execution issue.

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4044. Walton & Shelley vs. Creary et al. Dismissed. Continued by defendant.
4268. Sampson et al vs Henricks et al. N. S. Wacker. And now come the pffs by atty and claim a judgment final by default. And because the Defendant has been legally cited & has failed to answer within the time prescribed by law & the cause of action being liquidated it is ordered & adjudged that Geo. W. Sampson et al & Ben. F. Henricks and or their firm name of Sampson & Henricks do have & recover of said N. S. Wacker the sum of two hundred, Ninety four & 90/100 Gold Dollars, debt & interest thereon per the instruments sued on to this date, with interest thereon from date until paid at the rate of 12 per cent. per annum & all the cost of this suit for which execution may issue

4055. M. Miller vs. T. W. Parrott et al. And now on this day came the parties to this cause by their attys when the Defendants submitted the motion to quash the last attachment issued in this case. And the same being heard and duly considered it is ordered that said motion be overruled. And thereupon said Defendants gave notice in open Court of an appeal to the Supreme Court.

4014. August F. Kamp vs S. Musser et al. Continued.
4027. Henry Bryan et al vs J. B. Perry. Continued by plaintiff
4047. Wm A. Hampton et al. vs. Isaac Hampton. This day in the above entitled & numbered cause the pffs and Defendant by their attorneys being present in Court, came on to be heard the report of the Commissioners of Partition filed in said cause on the 10th day of Oct. 1874. in words & figures as follows. to wit:

"The State of Texas } We, John Forbian, Geo. Draper & Jeremiah Gregg Commissioners appointed by
County of Travis } the District Court of Travis County to appraise & make partition of the Community property of Isaac A Hampton & his late wife Charlotte Hampton, deceased, as set out in the decree of said Court, entered up on the 11th day of July 1874 in Cause No 4047 W R Hampton et al v. Isaac A Hampton, do solemnly swear that we will appraise the said property and partition the same under said decree fairly & justly as required by said decree, either from personal examination or from evidence by us to be taken or the oath of Witnesses G W Draper & Jeremiah Gregg & John Forbian &
Sworn to & subscribed this 11th day of September A.D. 1874. J. W. Faubion J.P.
& ex officio Notary Public Wms Co. &

Report of Commissioners

The undersigned Commissioners in pursuance of the foregoing oath and of their duties under the aforesaid decree report to the honorable District Court of Travis County that they have appraised the property mentioned in said decree as follows to wit:

160 acres land J. A. Hampton pre-emption appraised at	$480.00
160 acres land J. F. Dorsey Survey " "	960.00
160 acres land Francis Harris Survey appraised at $250 Coin the equivalent in Currency	250.00
30 acres of the Dover tract appraised at	100.00
86 head of Stock horses appraised at $18 per head amounting to	1548.00
10 head of work & saddle horses appraised at $40 per head amounting to	400.00
56 head of Stock Cattle appraised at $5 per head amounting to	280.00

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1 Lase sold by the Defd. at $50.00 Coin appraised at 50.00
7 head of Cattle sold by the Defd. at $7.00 per head in Coin & mountey to $49.00 appraised at } 48.00
50 head of hogs appraised at 100.00
1 Wagon appraised at 50.00
23 Bee Gums appraised at 46.00
Sum total of appraisement in Currency
They have in the above appraisement valued the propety which has been sold by the defendant at not less than the Sums recived for the same by him, as required by the decree.
They have set apart to the Defendant as one half of said propety the following propety to wit:
One hundred & sixty acres of land Known as the J. A Hampton pre-emption, which is the home stead
the same being appraised at $480.00
One half of a Survey of 160 acres called in the decree of the Court the J.T. Levy
Survey but which as pointed out to the Commissioners by all the parties at interest
is the land patented to Isaac A Hampton as assignee of Joseph Morris by patent
No. 257 as of Record in the Gen Land Office Vol. 19 Lying situated in Travis County
on the divide between Bmely & Crop Creeks N. W. from Austin and adjacent said
160 acre pre-emption in name of Isaac A Hampton and already set apart to
him. The said half hereby set apart to Defendant being the South West half of
said Morris Survey as described in said patent, divided from the North East
half of the same by a line begining on the West line of said Morris Survey at a point
S. 30 W. from the North West corner of the Survey 512 69/100 vs. from said corner and
running S. 60 E. 881 vrs as to the East line of the said Morris Survey - the South
half so set apart to Defd. being appraised at $480.00
160 acres of land Known as the Francis Survey which is situated on the waters of
Sandy Creek in Travis County it being the same which was sold by the De-
fendant for $250 Coin appraised at 25.00
Nine head of Saddle & work horse appraised at $40.00 per head 360.00
50 head of hogs appraised at 100.00
23 beegums " " 46.00
1 Wagon appraised at 50.00
1 Horse, (sold by Defd) appraised at 50.00
7 head of Cattle " " " 49.00
56 head of Stock Cattle " " 280.00
Making a total of property set apart to the Defd of $2145.00
They have set apart and delivered to H R Hampton as one eighth of one half of
said property to wit: 15 head of Stock horses of the P Brand C appraised at $18 per head $269.50
They have set apart and delivered to Mary A. Snow as one eighth of one half
of said property the following propety to wit.
15 head of Stock horses of the aforesaid brand, appraised as above $269.00
They have set apart and delivered to Milton T. Hampton as one eighth
of one half of said propety the following propety to wit:

15 head of Stock Horses of the same brand as aforesaid appraised at
Same price per head $269.50
And they have set apart the following property as the balance of five eighths
of said property for the five minor children of the Defendant to wit:
One half the North half of said Joseph Morris 160 acre Survey to be divided
from the South half by a line beginning at a point in the West line of said
Survey 572 vrs 60 varas S. 30 W. from the N. W. Corner of the Survey and running S.
60 E. 881 vrs to the East line of said Survey the same appraised at 480.00
30 acres of land being a part of the Dower Cage Situated in Williamson
County near said Morris Survey and to the North of the same Ed adjoining
to a tract owned by one Edwards and to another owned by one Oliver & being
the same bought of & deeded by David Yeates to J. A Hamblen appraised at 100.00
41 head of Stock Horses being the balance of said Stock of horses numerless
of said brand, & that may be in the range, appraised at $738.00
One saddle horse (brown with white feet) named Frank, appraised at $40 40.00
The Commissioners report further that this partition was made by them after
carefully examining said property in person by them. They report that it is
agreed by the other parties that as the balance of the unbranded Stock is
allotted to the minor heirs the right to the Brand as a horse brand shall go
with the same to the minor heirs. And the other lots of horses as set apart
shall be counterbranded before turned out, after the approval by the Court
of this Report. They say the above partition is fair & just. All of which is res-
pectfully submitted this 9th day of October A D 1874. Jeremiah Gregg.
Sworn to & subscribed this 10th Oct. 1874. G. W. Draper
Frank Brown, Clerk D.C.C. John Faulion

And it appearing to the Court that the partition & allotment as made by said
Commissioners is in every respect fair & just the same is by the Court approved & a
Confirmed, and the Title to the property partitioned is hereby vested in the party or
parties to whom allotted as in said Report set out as aforesaid. And it is further
ordered & decreed that the Commissioners be allowed the Sum of Thirty seven Dollars
and a half for their services & expenses in this behalf, to be divided equally between
them: that the Aft. Isaac A. Hampton be allowed the Sum of Eighty seven
Dollars on his claim for his services in collecting the Stock partitioned as per claim
filed, & that P. G. Snow be allowed the Sum of fifteen dollars for his services of
the same character, and that these several sums be taxed in the Bill of Costs in
this suit, & that the parties to this suit shall each be liable for & pay the
costs thereof in the proportion herein ordered & decreed in this cause at the Jan
Term of this Court in the year 1874 & that execution issue against each of the
parties for his other proportion of the costs to be hereafter & collected of the property
by this decree confirmed to him or her.

3707. R. N. Lowe & R. B. Seram Comes the Pltff. by atty when on motion it is ordered
that said Plaintiff have leave to amend

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3883 The State of Texas. vs Sandy Miles. — And now on this day came the District Attorney in behalf of the State, and came also the defendant in person, and announced ready for trial; when came a Jury of twelve good and lawful men of Travis County, consisting of M.W. Townsend and eleven others; who being tried, elected and sworn according to law, heard the indictment, the plea of guilty, and the charge of the Court; and returned the following verdict, to-wit: "We the Jury find the defendant guilty, and assess his punishment at Two years in the penetentiary; M.W. Townsend. foreman." And thereupon said defendant waives his right to a motion for new trial, and asks to be sentenced. And said defendant being asked if he had anything to say why Judgment should not be entered and Sentence pronounced against him, in accordance with the verdict of the Jury; and saying nothing; It is ordered that said Sandy Miles is guilty of felony as in the indictment in this behalf is charged; — and that he be confined at hard labor in the Penetentiary of the State of Texas for a period of Two years; and that he be safely conveyed by the Sheriff of Travis County to the Superintendent of said Penetentiary, to be confined at hard labor as aforesaid.

3905 The State of Texas vs Charles Johnson. — And now on this day came the District Attorney in behalf of the State, and came also the defendant in person, and announced ready for trial; when came a Jury of twelve good and lawful men of Travis County, consisting of M.W. Townsend, and eleven others; who being tried, elected and sworn according to law, heard the indictment the plea of guilty and the charge of the Court, and returned the following verdict, to-wit: "We the Jury find the defendant, Chas. Johnson, guilty; and assess the penalty at five years in the Penetentiary; M.W. Townsend, foreman." And thereupon said defendant waives his right to a motion for new trial, and asks to be sentenced. And said defendant being asked if he had anything to say why Judgment should not be entered, and Sentence pronounced against him, in accordance with the verdict of the Jury; and saying nothing, It is Ordered that said Chas. Johnson is guilty of felony as in the indictment in this behalf is charged; and that he be confined at hard labor in the Penetentiary of the State of Texas for a period of Five years: And that he be safely conveyed by the Sheriff of Travis County to the Superintendent of said Penetentiary, to be confined at hard labor as aforesaid.

3871 The State of Texas vs James Cochrane. — And now on this day came the District Attorney in behalf of the State, and came also the defendant in person, and announced ready for trial; when came a Jury of Twelve good and lawful men of Travis County, consisting of M.W. Townsend and eleven others, who being tried, elected and sworn according to law, heard the Indictment, the plea of guilty and the charge of the Court, and returned the following verdict, to-wit: "We the Jury find the defendant guilty, and assess the punishment at two years in the Penetentiary. M.W. Townsend. foreman". And there-

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upon the defendant waives his right to a motion for new trial, and asks to be sentenced. And said defendant being asked if he had anything to say why Judgment should not be entered and Sentence pronounced against him in accordance with the verdict of the Jury; and saying nothing. It is ordered that said James Cochrane is guilty of felony as in the Indictment in this behalf is charged; and that he be confined at hard labor in the penetentiary of the State of Texas for a period of Two years. And that he be safely conveyed by the Sheriff of Travis County to the Superintendent of said Penetentiary, to be confined at hard labor as aforesaid.

3906 The State of Texas vs. George Washington.... And now on this day came the District Attorney on behalf of the State, and came also the defendant in person, and announced ready for trial; when came a Jury of twelve good and lawful men of Travis County, consisting of H. W. Townsend and eleven others; who being tried, elected and sworn according to law, heard the Indictment, the plea of guilty, and the charge of the Court; and returned the following verdict; to-wit: "We the Jury find the defendant guilty, and assess the punishment at Three years in the Penetentiary. H. W. Townsend, foreman." And thereupon said defendant waives his right to a motion for new trial, and asks to be sentenced. And said defendant being asked if he had anything to say why Judgment should not be entered and Sentence pronounced against him in accordance with the verdict of the Jury; and saying nothing. It is ordered that said George Washington is guilty of felony as in the indictment in this behalf is charged; and that he be confined at hard labor in the Penetentiary of the State of Texas for a period of Three years; and that he be safely conveyed by the Sheriff of Travis County to the Superintendent of said Penetentiary, to be confined at hard labor as aforesaid

3907 The State of Texas vs Frank Bartlett.... And now on this day came the District Attorney on behalf of the State, and came also the defendant in person, and announced ready for trial; when came a Jury of twelve good and lawful men of Travis County, consisting of H. W. Townsend and eleven others; who being tried, elected and sworn according to law, heard the Indictment, the plea of guilty, and the charge of the Court, and returned the following verdict; to-wit "We the Jury find defendant guilty, and assess his punishment at Two years in the Penetentiary. H. W. Townsend, foreman." And thereupon said defendant waives his right to a motion for new trial, and asks to be sentenced. And said defendant being asked if he had anything to say why Judgment should not be entered and Sentence pronounced against him, in accordance with the verdict of the Jury; and saying nothing. It is ordered that said Frank Bartlett is guilty of felony, as in the Indictment in this behalf is charged; and that he be confined at hard labor in the penetentiary of the State of Texas for a peiod of Two years; and that he be safely con-

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veyed by the Sheriff of Travis County to the Superintendent of said Penetentiary, to be confined at hard labor as aforesaid.

3894 The State of Texas vs. Henry Williams. — And now on this day came the District Attorney on behalf of the State, and came also the defendant in person, and announced ready for trial: When came a Jury of twelve good and lawful men of Travis County, consisting of M. W. Townsend and eleven others: who being tried, elected and sworn according to law, heard the Indictment, the plea of guilty and the charge of the Court, and returned the following verdict, to-wit: "We the Jury find the defendant guilty, and assess his punishment at Two years in the Penetentiary: M. W. Townsend, foreman." And thereupon said defendant waives his right to a motion for new trial, and asks to be sentenced. And said defendant being asked if he had anything to say why Judgment should not be entered and Sentence pronounced against him, in accordance with the verdict of the Jury; and saying nothing. It is ordered that said Henry Williams is guilty of felony as in the Indictment in this behalf is charged; and that he be confined at hard labor in the Penetentiary of the State of Texas, for a period of Two years; and that he be safely conveyed by the Sheriff of Travis County to the Superintendent of said Penetentiary, to be confined at hard labor as aforesaid.

3828. The State of Texas vs. Rutherford. The defendant being brought into Court and asked if he had anything to say why judgment should not be entered and Sentence pronounced in accordance with the verdict of the Jury who tried his case and giving no sufficient reason, it is ordered that said Rutherford is guilty of felony as in the Indictment in this behalf is charged, and it is further ordered that said Rutherford be confined to hard labor in the Penitentiary of the State of Texas for a period of two years and that he be taken by the Sheriff of Travis County and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor as aforesaid.

And Court adjourned till to-morrow at 9 A.M.

Tuesday Febry 16th 1875.

Court met at 9 o'clock am pursuant to adjournment. Present Hon. J. P. Richardson Judge presiding. Whereupon the following proceedings were had by said Court to wit:

3874. The State of Texas vs. Richard Banks. And now comes the Dis Attorney and the Deft in person and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County, consisting of M. W. Townsend and eleven others who being tried, elected and sworn according to law, heard the indictment the plea of guilty and the charge of the Court returned the following verdict, to-wit: "We the Jury find the Defendant guilty and assess the following punishment, one day's imprisonment in the County Jail and fifty dollars fine. M. W. Townsend Foreman." Whereupon it is ordered

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that the State of Texas do have & recover of said Richard Banks the sum of Fifty Dollars as a fine and the cost of this proceding & that he be committed to jail until the same are paid in full. And further ordered that he be confined in the County jail for the time of one day

1 11175. E Hallenan vs H & T C R Rlw. Comes now the Plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend.

1 11354. James McClintock v William Wende. And now on this day came the parties when on motion It is ordered that this cause be dismissed, & that the Defendant Wm Wende & the securities on his appeal Bond, D. D. Jones and J. H. Robinson be adjudged to pay all the cost of this suit in this Court & the Court below, for which execution may issue

1 11228. The State of Texas v. Dorsey et al. And now come the parties by their attorneys when on motion it is ordered that the final Judgment rendered in this cause be set aside and vacated, and that the cost of this proceeding be adjudged against the Defendants Dorsey & A. P. Wooldridge for which execution may issue

1 11207. G. M. Brass vs John James. And now comes the plaintiff by attorney when on motion it is ordered that this cause be dismissed & that the said G. M. Brass pay all the cost of this suit for which execution may issue.

1 4253. G M Brass vs E. Austin. And now comes the plff by atty when on motion it is ordered that this cause be dismissed and that the cost of this suit be adjudged against said G. M. Brass, for which execution may issue

Bailiffs And thereupon it is ordered that the following named persons be allowed the sums set opposite their names respectively for services as Bailiffs to the Grand Jury at this Term of the Court, payable out of the County Treasury of Travis County upon the Certificate of the Clerk, to wit:

issued Cancelled J. Juntker Riding Bailiff 12 days - Thirty Six Dollars

issued Cancelled W. M. Robertson Riding Bailiff 12 days = Thirty Six Dollars

issued Cancelled J. L. Pogue, Riding Bailiff 12 days = Thirty Six Dollars.

3870 The State of Texas vs Rodriguez Ramon. — And now on this day came the district attorney in behalf of the State, and came also the defendant in person, and announced ready for trial; when came a jury of twelve good & lawful men of Travis County, consisting of Ben Bennett and eleven others; who being tried, elected and sworn according to law, heard the Indictment, plea of guilty and the Charge of the Court, and returned the following verdict; to-wit: "We the Jury find the defendant guilty, and assess the punishment at two years in the State Penetentiary. Ben. Bennett, foreman". And thereupon said defendant waives his right to a motion for new trial, and asks to be sentenced. And said defendant being asked if he had anything to say why Judgment should not be entered and Sentence pronounced against him, in accordance with the verdict of the Jury; and saying nothing: It is ordered that said Rodriguez Ramon is

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guiety of felony as in the Indictment in this behalf is charged; and that He be confined at hard labor in the penetentiary of the State of Texas for a period of Two years; and that he be safely conveyed by the Sheriff of Travis County to the Superintendent of said Penetentiary to be confined at hard labor as aforesaid

1876 The State of Texas vs John Kelley. And now on this day came the district attorney in behalf of the State, and came also the defendant in person, and announced ready for trial; when came a Jury of twelve good and lawful men of Travis County, consisting of Ben Hommett and eleven others; who being tried, elected and sworn according to law, heard the Indictment, the plea of guilty, and the charge of the Court, and returned the following verdict; to-wit: "We the Jury find the defendant guilty, and assess the punishment at Two years in the Penetentiary; Ben Hommett, foreman." And thereupon said defendant waives his right to a motion for new trial, and asks to be sentenced. And said defendant being asked if he had anything to say why Judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury, and saying nothing: It is ordered that said John Kelley is guilty of felony as in the indictment in this behalf is charged; and that he be confined at hard labor in the Penetentiary of the State of Texas for a period of Two years; and that he be safely conveyed by the Sheriff of Travis County to the Superintendent of said Penetentiary, to be confined at hard labor as aforesaid.

3910 The State of Texas vs Frank Mitchell. And now on this day came the district attorney on behalf of the State, and came also the defendant in person, and announced ready for trial; when came a Jury of twelve good and lawful men of Travis County, consisting of Ben Hommett and eleven others; who being tried, elected and sworn according to law, heard the Indictment, the plea of guilty, and the charge of the Court, and returned the following verdict; to-wit: "We the Jury find the defendant guilty, and asses the punishment at Two years in the Penetentiary. Ben Hommett, foreman." And thereupon said defendant waives his right to a motion for new trial, and asks to be sentenced. And said defendant being asked if he had anything to say why Judgment should not be entered and Sentence pronounced against him, in accordance with the verdict of the jury, and saying nothing; It is ordered that said Frank Mitchell is guilty of felony as in the Indictment in this behalf is charged; and that he be confined at hard labor in the Penetentiary of the State of Texas for a period of Two years; and that he be safely conveyed by the Sheriff of Travis County to the Superintendent of said Penetentiary, to be confined at hard labor as aforesaid

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4017 The State of Texas vs Vato Lopez. And now on this day came the district attorney on behalf of the State, and came also the defendant in person, and announced ready for trial; when came a Jury of Twelve good and lawful men of Travis County, consisting of Ben. Bonnett and eleven others, who being tried, elected and sworn according to law, heard the Indictment, the plea of guilty, and the charge of the Court, and returned the following verdict, to-wit: "We the Jury find the defendant guilty and assess the punishment at Two years in the State Penetentiary; Ben. Bonnett, foreman." And thereupon said defendant waives his right to a motion for new trial, and asks to be sentenced. And said defendant being asked if he had anything to say why Judgment should not be entered and Sentence pronounced against him in accordance with the verdict of the Jury, and saying nothing; It is ordered that said Vato Lopez is guilty of felony as in the Indictment in this behalf is charged; and that he be confined at hard labor in the Penetentiary of the State of Texas for a period of Two years; and that he be safely conveyed by the Sheriff of Travis County to the Superintendent of said Penetentiary, to be confined at hard labor as aforesaid.

And Court adjourned till to-morrow at 9 o'clock A.M.

Wednesday, February 17th, 1875.

Court met at 9 o'clock AM pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit.

4064 Henry Lindenmeyer et als vs James P. Newcomb et al. And now on this day came the plaintiffs by atty and asked leave to execute the writ of inquiry awarded in this case. And then came a jury of twelve good and lawful men of Travis County consisting of Ben. Bonnet and eleven others who being tried, elected and sworn according to law, heard the pleadings, evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for pltf in the sum of $695.96/100 Ben. Bonnet foreman." Whereupon it is ordered and adjudged that Henry Lindenmeyer and John Lindenmeyer under their firm name of Lindenmeyer Bro. do have and recover of and from said James P Newcomb and E M Wheelock said sum of Six hundred, Ninety five 96/100 Dollars to found to be due the case of this suit for which execution may issue

Pltf's Atty's fee $50.00 - Sheriff's fee in this case $5.00 - Sheriff's fee in case of $174.55 - $229.55

4066 Wall Belvin & Vaz vs Benjamin Bonnet. And now comes the pltffs by atty and claim a judgment final by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered and adjudged that A. Wall, J. A. Belvin Jr. & T. P. Vaz under their firm name of Wall Belvin & Vaz do have and recover of Ben. Bonnet the sum of Two hundred, Twenty eight 30/100 Dollars, debt and interest due upon the instrument sued on to this date and 8 per centum per annum interest thereon from date until paid and all the cost of this suit, for and which execution may issue

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No 4074. M C Hamilton vs John H. Conner. And now at this day this cause being called, came the plaintiff by atty and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County Texas to wit: Ben Monnet and eleven others who being tried and sworn according to law heard the pleadings, evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for Pltff $598 27/100 Gold. Ben Monnet, foreman" Whereupon it is ordered and adjudged that said M C Hamilton do have and recover of John H. Conner the sum of Five hundred, Ninety-Eight and 27/100 Gold Dollars so found to be due, with interest thereon from this date until paid at the rate of eighteen percent. per annum, and all the cost of this suit, for which execution may issue.

No 4075 William Nelson vs John H Conner. And now comes the parties to this cause by their attys and thereupon the Defendant withdraws his answer and says nothing in bar of pffs demand. And because the Deft has been duly cited and fails to answer and makes default, It is ordered and adjudged that William Nelson do have and recover of and from John H. Conner the sum of Eleven hundred, Two and 26/100 ~~Gold~~ Dollars, debt and interest thereon the same and to this date, with interest thereon from date until paid at the rate of eighteen per centum per annum and all the cost of this suit for which execution may issue

No 4071. H E Ridgely vs John Ridgely. And now on this day this cause being called for trial came the pltff by atty and announced ready for trial. (it appearing that the defendant was duly served by publication) When came a Jury of twelve good and lawful men of Travis County Texas to wit Ben Monnet foreman and eleven others who being tried and sworn according to law heard the pleadings, the evidence and the charge of the Court returned the following verdict, to wit: "We the jury find the allegations in the pffs petition contained, to be true. Ben Monnet, foreman." Whereupon it is ordered and adjudged that the Bonds of Matrimony heretofore celebrated and existing between said H. E. Ridgely and John Ridgely be and the same are dissolved and set aside and held for naught, that the parties be divorced and that the plaintiff recover of the Defendant all the Cost of this suit for which execution may issue

No 4056. M D Miller vs R. S. Morris. And now comes the pff by atty whereon whereupon it is ordered that the Writ of Inquiry awarded in this case be set aside and that Judgment final be entered And it is ordered and adjudged that said M D Miller do have and recover of said R. S. Morris the sum of One hundred, Twenty and 50/100 Dollars, the amount due upon the account sued on and sworn to and all the cost of this suit for which execution may issue. And it appearing that the pff has a lien by attachment upon the following described property to wit. 1 plain table Singer Sewing Machine (2d hand) and one No A Singer (2d hand) 1 plain table Singer Sewing Machine (2d hand), It is ordered that said lien be foreclosed and that the Clerk issue an order of sale directed to the Sheriff of Travis County requiring him to sell as under execution the above described property and the proceeds thereof he shall apply to the satisfaction of this Judgment and the proceeds thereof he shall apply to the and the overplus if any he shall pay over to the Defendant, and if the same shall not bring a sufficiency that execution may issue for any balance that may be due.

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4058 McDonnell &c vs Harris &c A H Hutchins a Rule for Security for Cost having been entered in this cause at a former term of this Court of which pffs Counsel had notice &c the same not being complied with, it is ordered &c adjudged that said cause be dismissed for want of compliance with said Rule &c that the Defendant recover of the Plaintiffs F. McDonnell and P S Harris all the cost of this suit for which execution may issue.

4059 Emil A Kadjy &c Louis Pflyer. Continued under rule for cost.

4060 Snyder & Dayton vs Davidson & Johnson. Continued

4061 Pa Pace &c John T. Miller Continued

4062 James P. Newcomb &c W. C. Dyer et al. Continued

4065 William Sharman &c Robert Avery. Continued

4073 R A Lane &c Geo. O. Evans. Continued by the Defendant

4073 R A Lane &c Geo. O. Evans. Comes now the Pltff by atty when on motion it is ordered that said Plaintiff have leave to amend.

4076 Henry Burkhardt &c Mary Burkhardt. Continued for Service.

4098 T. C. Barden vs W. W. Fletcher. Continued for Service.

4103 G B Zimmerman vs J. M. Harrell. Continued

4318 W. L. Chalmers vs J B Damon. Continued under rule for cost.

3757 R A Lane vs R B Swann. And now on this day came the parties by atty & announced ready for trial and waiving a Jury submit the case to the Court. Whereupon on a hearing of the case it is ordered &c adjudged that R A Lane do have & recover of the Defendant R B Swann the sum of Sixty Six 37/100 Dollars and all the cost of this Suit, for which execution may issue.

4109 Christian Kurtz v. Mitchell Moody A Rule having been entered at a former term of this Court requiring the pltff to give Bond &c Security for the cost of this suit, which he has failed to Comply with, it is ordered & adjudged that the cause be dismissed for want of compliance with said Rule &c that said Christian Kurtz be adjudged to pay all the cost of this suit for which execution may issue.

4112 Susan Andrews Exty vs J. W. Allen et als Continued

4107 Geo F Gage vs The Old Dominion Insurance Company of Richmond Va And now on this day came the parties to this cause by their atty &c announced ready for trial. And the demurrer of the Defendant Coming on to be heard and being duly Considered the same is overruled. And then Came a Jury of 12 good &c & lawful men of Davis County Consisting of Ras Hommel &c &c who being tried elected &c & Sworn according to Law, heard the pleadings, the evidence, argument of Counsel &c & the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for pltff in the sum of $1561.00 Ras. Hommel, foreman." Wherefore it is ordered &c adjudged that said Geo F Gage do have &c & recover of &c from said Old Dominion Insurance Company of Richmond, Virginia, the sum of Fifteen hundred &c & Sixty Six Dollars & Costs to be due &c & all the Cost of this suit, for all which execution may issue when required.

Dismissed vacated & stricken out by the Court this 17th day of May A.D. 1875.
Geo. W. Wilson Clk.

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4113. Austin College vs. R. W. Turner Answer on this day came the parties to this cause by their attys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of J. J. Musgrove and eleven others who being Tried, elected and sworn according to Law, heard the pleadings, evidence and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for Defft. J. J. Musgrove, Foreman." Whereupon it is ordered and adjudged that said Austin College do have and recover of the Defendant R. W. Turner the following described tract of land to wit. On the East Bank of the Colorado River about twenty five miles West from the City of Austin, in Travis County, beginning at the upper corner of the Brandon league and labor Survey: thence down the River by its meanders so as to make a front of 1700 varas, the same being two-thirds of the width of the said league: thence N. 30° parallel with the upper line to a point a sufficient distance, so that a line run from said point N 60° 1700 varas to the N. W. upper boundary line, will include one-third of a league of land in the N. W. Corner of said league "Wilson Survey" And it is further ordered by the Court that the Defendant be divested of all right, title, interest and claim in and to said land, that the same be vested in the Plaintiff and that a Writ of Possession issue ousting the Defendant therefrom and placing the Plaintiff in possession thereof and that Austin College do have and recover of said R. W. Turner all the cost of this suit for which execution may issue.

4055. M. D. Miller vs J. W. Parr and John Drew. Febuary 17th, 1875.
O/C
This cause coming on for trial, all the parties, including the Intervenor Mrs. Rebecca F. Parr appeared in person and by their attorneys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men who after being duly empannelled, sworn and charged to try the issues joined between the parties herein, and who after hearing the evidence and argument of Counsel retired to Consider of their verdict: and afterwards to wit: on the same day returned into open Court the following verdict, to wit: "We the Jury find a verdict in favor of Plaintiff for the sum of $380 2/100 Coin: also in favor of Plaintiff against Intervenor J. J. Musgrove, Foreman." It is therefore Considered ordered, adjudged and decreed by the Court that the Plaintiff M. D. Miller do have and recover of and from the Defendants J. W. Parr and John Drew the sum of Three Hundred and Eighty Dollars and Twenty two cents in Coin with interest thereon from this date at the rate of ten per cent. per month until paid (that being the rate of interest mentioned in the note sued on) It appearing to the Court that the firm of Driskill, Day and Ford of the City of Austin have been garnished in this cause by plaintiff and that by the answer of James Ford, one of said firm, filed in this cause on the 5th day of July 1875, that said firm of Driskill Day & Ford are indebted to J. W. Parr and John Drew, the Defendants in this cause, in the sum of One Hundred and Sixty five Dollars and eighty five cents in coin. It is therefore Considered, ordered adjudged and decreed by the Court that the Plaintiff M. D. Miller do have and recover of and from the said Driskill Day and Ford the said sum of One hundred and Sixty Dollars and eighty five cents in coin. And it is

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further ordered that the said Driskill Day & Ford, upon paying said sum of $165.85 be discharged from all costs in this Suit & that this Judgment shall be a bar to the said T W Parr & others executing said amount from the said Driskill Day & Ford. And it further appearing to the Court that an attachment had been sued out in this cause on the 10th day of Oct. 1874, by Plaintiff & that by virtue of said attachment the Sheriff of Travis County seized seventeen thousand three hundred and eighty eight feet of lumber as the property of the Defendants herein, which lumber is now in the hands of said Sheriff & which lumber has been claimed in this suit by the Intervenor Mrs. Rebecca F. Parr, but the Jury having found against the said Intervenor or her claim to said lumber in this cause, It is therefore Considered, ordered, adjudged & decreed by the Court that said lumber, or so much thereof as may be necessary, be sold by said Sheriff in the manner required by law to satisfy the balance of the amount of principal, interest & cost of suit due by T. W. Parr & John Green on this Judgment after the said amount of one hundred & sixty Dollars and eighty five cents coin is paid thereon by Driskill Day & Ford as aforesaid. It is further ordered by the Court that should said amount due from Driskill Day & Ford and the said lumber now in the hands of said Sheriff not be sufficient to pay the full amount of this Judgment of $380.70 coin, with interest & the costs of this suit, that the said M D Miller, then Execution is ordered to be issued without delay against the said T W Parr & John Green for the balance that may be due. It is further ordered by the Court that the plaintiff M D Miller do have & recover of & from T. W. Parr & John Green and the Cost of this suit except such as may have accrued by Mrs. Rebecca F. Parr by reason of her intervention, and that Plaintiff do recover such amount as may have accrued by reason of said intervention from the said Mrs. Rebecca F Parr, & that Execution do issue therefor.

And Court adjourned until to-morrow at 9 o'clock A.M.

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Court met at 9 o'clock A M pursuant to adjournment. Present same as yesterday. Whereupon the following proceedings were had to wit:

4118. Geo F. Gage vs. Western Texas Insurance Company. Continued by Defendant.

4126. Raymond & Whitis vs. J. H. Burns & Geo W. Haney. And now on this day came the parties to this cause by their attys and thereupon the Defendant withdraws his answer and says nothing in bar of pltffs demand. And thereupon the pltff claims a judgment final by default. And thereupon it is ordered and adjudged that James H. Raymond & C. W. Whitis, under their firm name of Raymond & Whitis do have and recover of J. H. Burns & G. W. Haney the sum of Two Hundred, Eight & 70/100 Dollars in coin, debt, interest & attorneys fee due upon the instrument sued on to this date, with interest thereon from this date until paid, at the rate of 2½ per cent. per month & all the Cost of this suit, for all which execution may issue

4127. Raymond & Whitis vs. W. F. Wells & G. F. Sarne. And now on this day came the parties to this cause by their attys & announced themselves ready for trial. When came a Jury of twelve good & lawful men of Travis county,

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consisting of Ben. Monnet and eleven others who being tried, elected and sworn according to law, heard the pleadings and evidence and the charge of the Court returned the following verdict, to wit: "We the Jury find for Pltff in the Sum of $719 15/100 Sold. Ben. Monnet Foreman." Whereupon it is ordered and adjudged that James R. Raymond and C. W. Whitis, under their firm name of Raymond & Whitis do have and recover of and from the Defendants. W. F. Wells and G. F. Sarmel the sum of Seven hundred nineteen and 15/100 Gold Dollars, debt and interest thereupon the instruments sued on to this date, with interest thereon from this date until paid, at the rate of two per cent. per month, and all the cost of this suit for which execution may issue

✓ 4129. H. Reinstelder v. Coleman and Melton. On this day this cause being called for trial came the Pltff by atty and announced ready for trial, and thereupon the Pltff dismisses this suit as to the Deft. Melton, who has not been served. And there came a Jury of twelve good and lawful men of Travis County, Consisting of Ben. Monnet and eleven others who being tried elected and sworn according to law, heard the pleadings, evidence and the charge of the Court returned the following verdict to wit: "We the Jury find for Pltff in the Sum of $273.40 Ben. Monnet Foreman." Whereupon it is ordered and adjudged that said H. Reinstelder do have and recover of W. O. Coleman the Sum of Two Hundred Seventy three and 40/100 Dollars, so found to be due, together with the cost of this suit for which execution may issue

✓ 4133. B. M. Odom vs. Thos. G. McGehee. On this day this cause being regularly called on the Docket came the parties, and the demurrer of the Defendant was by the Court overruled, and the Defendant filing no answer, thereupon on application of Pltff Judgment by default was entered. And the Cause of action being liquidated it is ordered and adjudged that B. M. Odom do have and recover of said Thomas G. McGehee the Sum of Four hundred, forty-five and 87/100 Gold Dollars debt and interest thereupon the instrument sued on to this date, with interest thereon from this date until paid at the rate of twelve per centum per annum and the cost of this suit for all which execution may issue

✓ 4132. W. H. Morris vs. J. P. McLaren. On this day came the Pltff by atty when on motion it is ordered that this cause be dismissed and that the cost of this suit be adjudged against the Pltff for which execution may issue

✓ 4117. Raymond & Whitis vs. Simon Muzzia and James P. McKinney. And now at this day come the above named Plaintiffs, and the said Muzzia and the said McKinney being both duly and regularly served in accordance with law and it appearing at the time of the filing of the suit and service of citation, that the said Muzzia was beyond the limits of the State and that the service on him by publication was in accordance with law and said Plaintiffs having announced ready for trial and the said Defendants though served having failed to answer and wholly made default thereupon came a Jury of twelve good and lawful men to wit. J. J. Musgrove and eleven others, who being duly empannelled and sworn according to law, and having heard the ordered and the charge of the Court, retired to consider of their verdict,

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and thereupon returned into Court the following verdict, to wit: "We the jury find for the plaintiffs the sum of $3502 10/100 Dollars gold and also find that the McArthur tract of 124 acres is bound for the Doyle and McArthur tract of 160 acres is bound for the last dated note of Nov 25, 1872, and confirm the facts in the petition true as to the amounts for which each tract is bound. J. J. Musgrove foreman." And it is ordered and adjudged that the plaintiffs recover of said Defendants said sum of three thousand five hundred and 2/10 Dollars with interest thereon from date at the rate of 12 per cent per annum and the cost of this suit for which execution may issue. And it appearing to the Court that the notes described in the petition originally payable to Mary Doyle and J. F. McArthur, is and was a lien on the following land in Travis County. 124 and 2/10 acres of land situated on the right margin of the Colorado River about 2 miles below the City of Austin beginning at a stake in the upper bank of a branch at its entrance into the River and the lower corner of the Stone tract thence to the South 30° West 1578 vs to a stake in Post Oak timber from which a Black Jack 10 in in dia marked X bears S. 71° E. 15 vs another Same marked bears N. 79½ E. 18½ vs thence S. 60° E. 420 vs to a branch, 487 vs to a Stone mound on the North slope of a hill from which the fork of a drain bears N. 80° W. about 100 vs thence N. 30° E. at 1080 vs a drain 1708 vs a Stake in the Bank of the River and upper corner of Mrs. Timmins tract. thence up the River in a direct line N. 75° W 505 vs to the beginning - and that the deed of the Defts Mufsina and the Defeasance offered in proof, constituted a mortgage lien on said land to secure said note in favor of said pffs, and it appearing that the said tract is bound for $2672 30/100 It is ordered that the lien be foreclosed and that an order of sale issue out of this Court directing the Sheriff to sell the same for gold according to the law governing Sheriffs sales and apply the proceeds of the sale to the payment one half of the costs of this suit, and the remainder of said sale to the satisfaction of the said debt of the plaintiffs. And it further appearing that the last note bearing date 25 Nov 1872. was a lien upon the land in Limestone County of 640 acres described as follows: 640 acres in Limestone County, on the waters of McKenzie Creek a branch of the Navasota River about 10 miles S 70° W. from Springfield being the land surveyed by virtue of Land Scrip No 107 issued by W. S. Hotchkiss Com. of Claims to the San Antonio and Mexican Gulf R Rec. dated Feby 6th 1861 Beginning at the N. E cor of Daniel Ford's Survey at Austin Pendersons S. E. cor. thence a Mesquite 15 ins bears S. 42° E. 45 vs and 12 ins. bears S. 47° E. 53 vs Thence N. 60° E with the S. E line of said Punderson Survey 1900 vs to his E. corner being also the S. cor. of W. G. McKenzie's Western 640 a. Survey and the W. corner of Evans Mabry's 640 a. Survey, from which an Elm 15 ins. brs S. 79 W. 80 vs and 18 ins. brs S. 42° W. 9 vs Thence S. 30° E with Mabry's S. W. line 1900 vs to his S cor. being also the N. corner of Samuel Rome Jr. a Stake where a mesquite 14 ins. bears S. 61° W. 20 vs and a Pecan 10 ins. bears N. 61 W. 31 vs thence S. 60° W. with Romes N. W. line 1900 vs to his W. cor. a stake in N. E. line of Daniel Ford's Survey. thence N. 30 W. with his line 1900 vs to beginning - and that the amount for which said land was bound is the sum of $827.46 (903.09) gold it is ordered that the Sheriff of Limestone County, under order of this Court, sell said land in accordance with the law governing Sheriffs Sales, and apply the proceeds to the payment one half the costs of this suit and the remainder to pay the debt of these plaintiffs and should both tracts of land sell for more than the debts of the plaintiffs then the overplus to be paid to the Defendant Mufsina. It is further ordered that

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the Defendant McKinney be required, at the request of the plaintiffs if necessary to deliver all title deeds and papers relating to said land, to the plaintiffs or their order, and all the parties go hence without day. And if the proceeds of said sale be not sufficient to satisfy said debt and costs then it is ordered that the Plffs. have execution against the Defendant for the balance.

Deed Ratification in favor of this judgment Issued 19 Oct 75 Sturgeon & Sneed Attys. for Plff.

✓ 4147. E. K. Arkney vs W. A. Morris. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of Ben. Hornet and eleven others who being tried, elected and sworn according to law, heard the evidence and the charge of the Court, and after retirement returned into Court the following verdict, to wit: "We the Jury find for Plff $25.00 Coin. Ben. Hornet Foreman." Whereupon it is ordered and adjudged that E. K. Arkney do have and recover of W. A. Morris, and his securities John D. Pyle Deceased and Ben. F. Thompson the sum of Twenty Five Dollars in Coin, together with all the cost of this suit in this Court and the Justice's Court, for all which execution may issue

✓ 3902. The State of Texas v. Crockett Johnson. And now comes the Defendant and the Pffs by Counsel and announces ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Crockett Johnson the sum of ten Dollars as a fine for the cost of the prosecution, and that a Commitment issue to collect the same.

✓ 3922. The State of Texas v. Dan Jones. And now comes the Pffs by the Defendant in person and announced ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Crockett Dan Jones the sum of Ten Dollars as a fine for the cost of the prosecution and that a Commitment issue to collect the same.

✓ 3996 The State of Texas v. Dan Jones Dismissed

And Court adjourned till 9 o'clock A M.

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Court met at 9 o'clock A M pursuant to adjournment. Present Hon J. P. Richardson Judge presiding. Whereupon the following proceedings were had to wit.

4209. Sidney Johnston et als vs Thomas E. Rowe et als Continued by agreement & on file.

✓ 3952. E. Raven vs E. J. Davis et als. And now on this day comes P. DeCordova Esq by atty and upon motion in open Court, it is ordered that said DeCordova have leave to amend.

✓ 4169. Pelucia F. Parr v. Geo. B. Zimpelman Comes now the Defendant when on motion it is ordered that said Defendant have leave to amend.

4177. Cora E. Shepherd et als vs John H. Conner et als. And now come William Nelson and M. C. Hamilton by attys when on motion it is ordered that said Nelson and Hamilton have leave to amend. intervene in the above entitled cause.

✓ 4148. M. D. Miller v. M. Poggi. And now on this day came the parties to this cause by their attys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of J. J. Mus grove & eleven others, who being tried, elected and sworn according to law, heard the evidence, argument of Counsel and the charge of the Court, returned the following verdict, to wit:

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"We the Jury find a verdict for the plaintiff for the sum of $415 00/100 Currency.
"J. J. Musgrove foreman." Whereupon it is ordered & adjudged that M. V. Miller do have & recover of & from M. Paggi the sum of Forty Five Currency Dollars, so found to be due. And it appearing to the Court that the Defendant, at the date of the maturity of the note sued on, had made a tender of $45 cy to the plaintiff; that said tender had been kept up; that the same had been paid into the Custody of the Court, and there being no controversy upon the matter of tender, the same being admitted by the parties. It is ordered & adjudged that the Defendant do have & recover of the plaintiff all the cost of this suit in this Court & the Justice's Court expended, and that the cost of this suit be deducted from the amount of said tender & the remainder thereof be paid over to the plaintiff. But if the cost shall amount when taxed, to more than $45 then execution shall issue against said plaintiff for any balance that may be due.

And Court adjourned till to-morrow at 9 o'clock A. M.

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Court met at 9 o'clock A M pursuant to adjournment. Present Hon. J. P. Richardson Judge presiding. Whereupon the following proceedings were had by said Court to wit.

1302 Geo L Robertson vs J. M. Long. And now come the parties by their attys & the Deft. submitted his motion to set aside the verdict and Judgment & dismissal entered in this cause and to reinstate the same upon the docket. And the same being heard and considered, it is ordered that said motion be overruled.

1004 A Klein vs R S Capelton et. al. And now come the parties by their attorneys when the Plaintiff submitted his motion for a new trial which being heard & considered, it is ordered that said motion be overruled. Whereupon said plaintiff by atty gives notice in open Court of an appeal to the Supreme Court.

1004 A Klein vs R. S. Capelton et. als And now come the parties by their attorneys when the plaintiff submitted his motion to arrest the Judgment in this case which being heard & considered, it is ordered & adjudged that said motion be overruled. Whereupon said plaintiff by atty gives notice in open Court of an appeal to the Supreme Court.

1005 Wm Wendel vs M & Nickols et. als And now on this day come the parties to this Cause by their attys. when the plaintiff submitted his motion for a new trial, which being heard & considered, it is ordered that the same be overruled. Whereupon said plaintiff gives notice in open Court of an appeal to the Supreme Court.

1005 Wm Wendel vs M. C. Nickols et. als. And now on this day come the parties to this cause by their attys when the plaintiff submitted his motion in arrest of the Judgment, which being heard & considered, it is ordered that said motion be overruled. Whereupon said plaintiff gives notice in open Court of an appeal to the Supreme Court.

1225 The State of Texas E. Daffet et. als. And now on this day come the Defendants by atty & submit their motion for a new trial, which being heard

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"Ed Considered, this ordered that said motion be overruled.

/ 4113 / Austin College v. R. H. Turner. And now come the parties by atty when the Defendant submitted his motion for a new trial, which being heard "Ed Considered this ordered that said motion be overruled. Whereupon the Defendant by atty gives notice in open Court of an appeal to the Supreme Court.

/ 4107 / Geo. F. Gage v. The Old Dominion Insurance Company of Richmond, Virginia. And now on this day came the parties to this cause by their attys when the Deft. submitted the motion for a new trial heretofore filed which being heard "Ed Considered this ordered that said motion be overruled. Whereupon the Defendant by atty gives notice in open Court of an appeal to the Supreme Court.

/ 4055 / M. D. Miller v. T. W. Parr et als And now on this day came the parties to this cause by their attys when the Defendants submitted their motion for a new trial which being heard "Ed Considered, this ordered that said motion be overruled. And thereupon said Defendants by atty gave notice in open Court of an appeal to the Supreme Court.

/ 4055 / M. D. Miller vs. T. W. Parr et als And now on this day came the parties to this cause by their attys when the Intervenor submitted her motion for a new trial herein, which being heard "Ed Considered, this ordered that said motion be overruled. And thereupon said Intervenor by atty gives notice in open Court of an appeal to the Supreme Court.

/ 4149 / D. A. Teague v. Townsend "Ed Goodman And now on this day came the parties to this cause by their attys "Ed announced themselves ready for trial Whereupon came a Jury of twelve good "Ed lawful men of Travis County consisting of Ben. Hommel "Ed eleven others, who being Tried, elected "Ed Sworn according to Law heard the evidence, argument of Counsel "Ed the Charg of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "No. 4149. We the jury find for pff Ben. Hommel, Foreman." Whereupon it is ordered "Ed adjudged "Ed decreed that the plaintiff Drayton A. Teague do have and recover of the Defendants Martin W. Townsend "Ed Joseph Goodman the possession of the following described property to wit: A certain tract of Land in the City of Austin, County of Travis, State of Texas, being part of Lot No. Nine (9) in Block No. One (1) in Division "A" of what is called and known as Conner's addition to the City of Austin, according to the subdivision of Out Lot No. One (1) in Division "A" by John H. Conner and being the part of said Lot Nine fronting Twenty feet on Pine Street "Ed running back, of North, forty feet, together with all "Ed singular the tenements, improvements and appurtenances thereunto belonging "Ed all costs of this suit including those incurred in the Justices Court where it was appealed And that a Writ of Restitution issue Canvas ending the Sheriff of Travis County to dispossess said Defendants, to place the plaintiff Drayton A. Teague in full possession of the same, the premises above described

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4219 The State of Texas v Major Van de Graaff et al Ordered on motion that the forfeiture entered against these Defendants be set aside and the Cause dismissed

4233 The State of Texas v Major Van de Graaff et al Ordered on motion that the forfeiture entered against these Defendants be set aside and the Cause dismissed

4234 The State of Texas v. Geo. W. Miller et al It appearing to the Court that at the last Term of this Court, in the Cause No 3833, of the State of Texas v Geo. W. Miller, a Judgment nisi was entered against said Geo. W. Miller as principal and E. L. Evans and Nat Moore as securities upon a forfeited recognizance for the Sum of Five Hundred Dollars, and that said securities have been cited to appear and shew cause why said Judgment should not be made final, which they and their said principal have wholly failed to do within the time prescribed by Law. It is ordered and adjudged that said Judgment nisi be made final and that the State of Texas do have and recover of said Geo. W. Miller as principal and E. L. Evans and Nat. Moore as securities, the said sum of five hundred dollars and the cost of this proceeding and that execution issue therefor.

4235 The State of Texas v Geo. W. Miller et als. It appearing to the Court that at the last Term of this Court, in the Cause No 3834 of the State of Texas v Geo. W. Miller, a Judgment nisi was entered against said Geo. W. Miller as principal and E. L. Evans and Nat. Moore as securities, upon a forfeited recognizance for the Sum of Five Hundred Dollars, and that said securities have been cited to appear and shew Cause why said Judgment should not be made final, which they and this said principal have wholly failed to do, within the time prescribed by Law, it is ordered and adjudged that said judgment nisi be made final and that the State of Texas do have and recover of said Geo W. Miller as principal and E. L. Evans and Nat. Moore as securities, the said sum of Five Hundred Dollars and the cost of this proceeding and that execution issue therefor.

4236 The State of Texas v. Geo. W. Miller et als It appearing to the Court that at the last Term of this Court, in the Cause No 3835, of the State of Texas v Geo W. Miller, a Judgment nisi was entered against said Geo W. Miller as principal and E. L. Evans and Nat Moore as securities upon a forfeited recognizance for the Sum of Five Hundred dollars and that said securities have been cited to appear and shew cause why said Judgment should not be made final, which they have wholly failed to do, as well as their said Principal, within the time prescribed by law, it is ordered and adjudged that said Judgment nisi be made final and that the State of Texas do have and recover of said Geo. W. Miller as principal and E. L. Evans and Nat. Moore as securities, the said Sum of Five Hundred Dollars and the cost of this prosecution, and that execution issue therefor.

4237 The State of Texas v. Geo. W. Miller et als It appearing to the Court that at the last Term of this Court, in the Cause No 3837 of the State of Texas v. Geo. W. Miller, a Judgment nisi was entered against said Geo. W. Miller as principal and E. L. Evans and Nat. Moore as securities, upon a forfeited recognizance for the Sum of Five Hundred Dollars and that said securities have been cited to appear and shew cause why

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said judgment should not be made final, which they & their said principal have wholly failed to do within the time prescribed by law, It is ordered & adjudged that said judgment nisi be made final and that the State of Texas do have & recover of said Geo. W. Miller as principal & E.L. Sims & Nat. Moore as securities the said sum of Five hundred dollars and the cost of this proceeding and that execution issue therefor

4238 The State of Texas v. Geo. W. Miller et als. It appearing to the Court that at the last term of this Court, in the Cause No. 3838 of the State of Texas v. Geo. W. Miller, a Judgment nisi was entered against said Geo. W. Miller as principal & E.L. Sims & Nat. Moore as securities upon a forfeited Recognizance for the sum of Five Hundred Dollars, & that said securities have been cited to appear and shew cause why said Judgment should not be made final, which they & their said principal have wholly failed to do, within the time prescribed by law, It is ordered & adjudged that said judgment nisi be made final & that the State of Texas do have & recover of said Geo. W. Miller as principal & E.L. Sims & Nat. Moore as securities, the said sum of Five Hundred Dollars & the cost of this proceeding & that execution issue therefor

4239 The State of Texas v. Sam Williams. Dismissed

And Court adjourned till Monday at 9 o'clock A.M.

Monday February 22d 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.P. Richardson Judge presiding. Whereupon the following proceedings were had to wit:

4152 R.S. Rust vs. J.H. Smiley. And now on this day came the parties to this cause by their attys & announced themselves ready for trial & waiving a Jury submit the Case to the Court. And upon a hearing of the case it is ordered & adjudged that R.S. Rust do have & recover of & from the defendant J.H. Smiley the sum of One hundred, Thirty Nine & 29/100 Coin Dollars, debt & interest due upon the instrument sued on to this date, with interest thereon from this date until paid, at the rate of twelve per centum per annum, together with all the cost of this suit, for which execution may issue.

4155 P. De Cordova vs. Maria L. Allen. And now on this day came the parties to this cause by their attorneys & when upon motion of Defendants, the defendants demurrer being to pffs petition being heard the same is sustained, & it is ordered & adjudged that the cause be abated. and dismissed that the Defendant go hence & recover of said P. De Cordova all the cost herein to be taxed, for which execution may issue

4156 Stuart & Mair v. J.S. Newcomb. Continued

4157 Thos. McCormick v. M.W. Townsend et al. Continued by the Plaintiff

4159 H.T. Saunders v. Eli Denny et al. Continued

4161 H. Bendal vs. F. Alderete. It appearing that a Rule for security for costs was entered in this cause at the last Term of this Court, which has not been complied with, it is ordered that said cause be dismissed for want of Compliance with said Rule & that the cost herein be adjudged against the Plaintiff, for which execution may issue.

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4162. C. Brader v. G. M. Rias. And now come the parties by their attys when on motion it is ordered that the cause be dismissed and that the Defendant be adjudged to pay the cost of this suit, for which execution may issue

3954. C. Brader v. G. M. Rias. And now come the parties by their attys when on motion this ordered that this cause be dismissed and that the Defendant be adjudged to pay the cost of this suit, for which execution may issue

4167. Wm Rmeggerhoff vs N. Hauson Continued

4169. R. F. Parr vs Geo. D. Zimpelman. Continued

4172. F. B. Wheeler v. J. Cecil et.als. Continued

4176. Julia Hill et.als vs Tom Hill. Come now the Plffs by atty when on motion it is ordered that said Plaintiff have leave to amend.

4199. William Smith vs Rickenbach Come now the parties by their attys when on motion it is ordered that this cause be dismissed and that the said Wm Smith be adjudged to pay the cost of this suit, for which execution may issue.

4069. P. W. Chandler vs Life Association of America Comes now the Plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend.

4111 S. Fuller et.als vs Tom Hill. Continued

And it is ordered that Dand Sheeks Esq. Jno W. Robertson, Esq. and J.B. Morris Esq be appointed a Committee to examine A. R. Coleman and D. Pmarr in open Court touching their applications for License to practice as an Attorneys and Counsellors at Law, and that said examination be appointed for next Saturday.

4175. C. Hallmann vs H and Texas C. Rail Road. And now come the parties by their attorneys when on motion it is ordered that the Plaintiff and Defendant respectively have leave to amend.

4171 M O Mallison vs Daniel A. James et.als And now on this day came the parties to this cause by their attorneys, and upon thereupon the plaintiff dismisses this suit as to the Defendant Dowell. And then came a Jury of twelve good and lawful men of Travis County, consisting of James Phillips and Eleven others, who being tried, elected and sworn according to law, heard the pleadings, evidence, and the charge of the Court, and retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit:

" We, the Jury find for the plaintiff the sum of $957 89/100 Nine hundred & fifty-
" Seven Dollars and eighteen cents, as principal, interest and attorney's fees as
" called for in the note sued on. We also find that plaintiff has a lien on
" the following property to secure the payment of said sum of money, to wit: One
" cream horse, eight mules and ten horses, branded TS on left shoulder and
" hip, all between four and five years old, and 13 head of cattle, which
" were in the pasture of John M. Cooley, and we also find that the cream
" horse sequestered from Miller & Dowell, is subject to said lien sued on.
" James Phillips, foreman." Whereupon it is ordered and adjudged that M O.
Mallison do have and recover of said Daniel A. James the said sum of
Nine hundred, Fifty Seven and 89/100 Dollars, together with compound interest

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thereon at the rate of Nine & 50/100 Dollars per month, until paid, with the addition of ten per centum per month, interest thereon until paid, and all the cost of this suit, for which execution may issue

And it appearing that the plaintiff has a lien upon the following described property to secure the amount of the judgment rendered in this case, to wit: One certain cream horse, eight mules and ten horses, branded VS on left shoulder and hip, all between four and five years old, and 13 head of cattle which were in the pasture of John M Crosby, It is ordered that said lien be foreclosed, and that an order of Sale issue requiring the Sheriff to seize as well, as under the execution, the above described property and apply the proceeds thereof, (except as herein above provided) to the payment of the interest, principal interest and costs of this suit, and the remainder, if any, shall be paid over to the defendant James. But if said property should not bring a sufficiency, then said plaintiff shall have his execution for the remainder. And it is further ordered and adjudged that all the cost of this suit incurred by reason of the issuing out of the Sequestration, be adjudged against the Defendant W.A. H. Miller, for which execution may issue. And it is further ordered and adjudged that execution may issue in favor of the officers of Court against the plaintiff, M. D. Matteson and the securities on his cost Bond, M.J. Matteson, J. M. Bennett, Wm Pepperer and A. M. Matteson, for all the cost incurred by the plaintiff in the prosecution of this suit

And Court adjourned till to-morrow at 9 A.M.

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Court met at 9 o'clock A.M pursuant to adjournment. Present Hon. J.T. Richardson, Judge presiding. Whereupon the following proceedings were had to wit:

And Court adjourned till to-morrow at 9 o'clock A.M.

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Court met at 9 o'clock A.M pursuant to adjournment. Present same as yesterday. Whereupon the following proceedings were had to wit:

4205. Otto D'Amour vs J.W. Van Dyke. And now come the parties by their attys when on motion it is ordered that this cause be dismissed and that the Plaintiff recover of the Defendant all the Cost of this suit, for which execution may issue

4197. McDannell & Co. vs J. F. Miller. Comes now the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

3997. J.C. DeGress vs R B Hubbard et.als. And now come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

3997. J.C. DeGress R B Hubbard et.als And now comes the Defendants by Plaintiffs by atty when on motion it is ordered that said Plaintiff have leave to amend.

4120. Geo. McNeely vs Swans Johnson. Continued by agreement

4204. L & H Blum vs F. Blanc & Co. And now come the pffs by atty and claims a Judgment by default as to the Defendant Shannon. And because said Defendant has been duly cited and has failed to answer within the Time prescribed by law Whereby

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made default, It is ordered and adjudged that the Plaintiffs do have & recover of said Defendant according to the prayer of their Petition & that a writ of inquiry be awarded

4759. Thomas A. Maxwell vs Thd K. Stafford. Comes now the Plff by Atty & when on motion it is ordered that said Plaintiff have leave to Amend

Our Court adjourned till to-morrow at 9 o'clock A. M.

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Court met at 9 o'clock A.M. Pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit.

4175. Ernst Hallmann vs Houston & Texas Central Railway Company And now on this day came the parties to this cause by their Attys & announced themselves ready for trial. Whereupon the demurrer of the Defendant coming on to be heard, and being duly considered the same is overruled, to which ruling the Defendant excepts. Whereupon came a Jury of Wm good & lawful men of Travis County, consisting of T. W. Nolen & others who being first, elected & sworn according to law heard the pleadings & evidence & the charge of the Court, & retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find a verdict for the Defendant. T. W. Nolen foreman" Whereupon it is ordered & adjudged by the Court that the Plaintiff take nothing in this behalf: that the Defendant go hence & recover of said E. Hallmann & others costs

4257. L. A. Cavines vs Houston & Texas Central Railway Company.

And now on this day came the parties to this cause by their Attorneys, and by agreement and consent of parties, it is ordered that Judgment be entered in favor of the Plff against the Defendant, as per agreement on file. Whereupon, it is ordered and adjudged by the Court that said Plaintiff L. A. Cavines do have and recover of and from the Defendant, the Houston & Texas Central Railway Company, the sum of One Hundred & Fifty Dollars & the costs herein & that execution may issue

1332. T. J. Harris & Rachel J. Harris v. Jonathan Rogers & others This cause coming on to be heard the parties announce themselves ready for trial and waiving a Jury submit this cause to the Court. And it appearing to the Court that Elizabeth Rogers on the day of 1869 departed this life intestate, leaving Defendant Jonathan Rogers Senior as her surviving husband, and the Plaintiff Rachel J. Harris and Defendants James Rogers, Lizzie Rogers, Jonathan Rogers Junior & Charles Rogers as her surviving children and heirs at law; and it also appearing to the Court that at the time of the death of said Elizabeth Rogers she was seized and possessed in her own right and as her separate estate of the following three tracts of land to wit:

First Tract Contains 1280 acres of land situated in Lampasas County Texas granted to John O. Hyatt beginning at the N. E. corner of Survey No. 29 Thence N. 19° W. at 1900 varas a stake from which is a Pecan bearing S. 15° E. 32 varas and another bears S. 25° E. 35 varas. Thence S. 71° W. at 736 varas the North Lampasas, at 1900

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varas a Stake from which is a Sine Oak bearing S 25° E 20 varas and another bears N. 67 W. 8 varas. Thence S. 19° E. at 1900 varas a stake from which is an Elm bearing N. 40° W. 8 varas and one N. 88 W. 7 varas. Thence N. 71° E. 1900 varas to the beginning. Second tract is a part of the Joseph Dewty Survey in Travis County Commences in the prairie having two Elm trees for bearing tree at Jonathan Rogers' and Washington Lloyds Corner. Thence N. 30° E. 3590 varas to the back line of said Dewty Survey. Thence S. 60° E. 403½ varas to a Corner in the prairie. Thence S. 30° W. 3590 varas in the prairie near said Rogers gate. Thence N. 60° W 403½ varas to the beginning and Containing 256½ acres of land more or less. This tract was Conveyed by deed from W. H. Gichert and Silvy Gichert to Jonathan Rogers by deed dated 19th day of August, 1867.

Third tract is a part of the John Burleson head Right also situated in Travis County and was Conveyed by deed from Aaron J. Burleson and Edward Burleson to Jonathan Rogers Sr by deed dated the 3rd day of July 1858 and is described as follows: Being the upper third of the upper half of the league granted to John Burleson set apart to one Aaron Burleson in the partition of the estate of Elizabeth Thomas as per the records and papers in said estate, administered in the County of Travis, less that part of said third heretofore Conveyed by said Aaron Burleson to Thomas Puckett; and also the middle third of said half league set apart in said partition to one Edward Burleson less that part thereof heretofore Conveyed by said Edward Burleson to A B Burleson from which 215 acres to be taken off said tracts and which was sold by Jonathan & Elizabeth Rogers by deed dated 29th day of August 1867, to W. H Gichert.

And it further appearing to the Court that since the death of said Elizabeth Rogers, one of her children to wit Charles Rogers died without wife or issue and that the interest of said Charles Rogers in said land passed by descent one half to the said defendant Jonathan Rogers, Senior, as his father, and that the remainder of the interest of such Charles passed in equal parts to the Plaintiff Rachel J Harris and to the Defendants James Rogers, Lizzie Rogers and Jonathan Rogers Junior. It is therefore ordered adjudged & decreed by the Court that in said three tracts of land owned by the said Elizabeth Rogers, deceased as aforesaid, the defendant Jonathan Rogers Senior has an interest of one tenth, and that the said Plaintiff Rachel J Harris and the Defendants James, Lizzie and Jonathan Junior each have an interest of nine fortieths, and it is further ordered that partition of said three tracts of land be had accordingly. And it is further ordered that Aaron Burleson, J. P. Sprinkle and M. M. Hornsby be and they are hereby appointed Commissioners to partition and divide said three tracts of land between the said Jonathan Rogers Senior, the said Rachel J Harris and the minor Defendants James Rogers, Lizzie Rogers and Jonathan Rogers Junior, so that there shall be set apart to the parties to this suit their respective shares in said tracts of land as follows:

To Jonathan Rogers Sr., shall be allotted one tenth

To Rachel J Harris nine-fortieths: to James Rogers nine-fortieths; to Lizzie Rogers nine fortieths and to Jonathan Rogers Junior nine-fortieths, and

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that in making such partition and division due regard shall be had to quantity and quality & value of said Land.

And it is further ordered that said Commissioners at once proceed to make such partition and that they report their action at the present term of this Court in writing giving full field notes of the several tracts set apart to each of said parties accompanied by sketches or plats clearly delineating the several portions allotted to each of said parties, for further action by the Court.

3997. J. C. DeRiggs vs. R. B. Hubbard et al. And now on this day came the parties to this cause by their attys and announced themselves ready for trial. Whereupon the Defendants submitted their demurrer to the Plaintiff's Petition, which being heard and duly considered, it is ordered & adjudged that said demurrer be sustained, that the cause be dismissed, that the Plaintiff take nothing in this behalf, that the Defendants go hence, and recover of said J. C. DeRiggs and the securities Wm Ros Maxwell and R. T. Campbell all the cost of this suit for which execution may issue. To all of which ruling the plaintiff excepts & gives notice in open Court of an appeal to the Supreme Court.

4299. Lavinia Packard vs. Lewis Packard. And now on this day this cause being called for trial came the plff and announced ready. When came a jury of twelve good & lawful men of Travis County consisting of Ben Monnet & eleven others who being tried, elected & sworn according to law, heard the pleadings evidence & the charge of the Court & returned the following verdict to wit: "We the Jury find the allegations in the Plffs Petition to be true. Ben Monnet Foreman." Whereupon it is ordered and adjudged that the Bonds of Matrimony heretofore celebrated & existing between Lavinia Packard and Lewis Packard be set aside, and held for naught, that the said parties be divorced, and that the Plaintiff recover of the Defendant the cost herein & be discharged for which execution may issue

1248. John D. Rector vs. W. M. Walton. And now on this day this cause being called for trial came the plff by atty & announced ready. When came a Jury of twelve good & lawful men of Travis County, Consisting of Ben. Monnet Foreman & eleven others who being tried elected & sworn according to law, heard the pleadings, evidence & the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for Plff in the sums $228.50 Gold
$345.00 Paper
Total $573.50 Gold
Ben. Monnet Foreman" Whereupon it is ordered and adjudged that John D. Rector do have and recover of W. M. Walton the sum of Five Hundred Seventy three 50/100 Gold Dollars & costs to be due, together with interest thereon from date till paid at the rate of ten per cent. per annum, and all the costs of this suit, for which execution may issue.

4302. Geo Pierce Boyd & Houston. Comes the plff by atty when on motion it is ordered that said Plff have leave to amend.

4247. C. R. Johnston & Co. vs. J. M. Crank et al. And now on this day this cause being called for trial came the parties & announced ready. When came a Jury of

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twelve good and lawful men of Davis county consisting of or to be heard the pleadings and the evidence, and the same being duly considered by the Court, it is ordered and adjudged that C. R. Johns, F. Everett and H. von Rosenberg, under their firm name of C. R. Johns & Co. do have and recover of and from the Defendants J. M. Crank, A. S. Main and John W. Robertson the sum of One Hundred, Sixty-Eight and 00/100 Dollars, debt and interest due upon the instrument sued on to this date, with interest thereon from this date until paid at the rate of two and one half per cent. Per month, and all the cost herein to be taxed for which execution may issue.

And it appearing that the Defendants Main & Robertson are endorsers upon the note sued on and are not principal debtors, it is ordered that said Main and Robertson do have and recover judgment over against the principal, J. M. Crank, for the sum of $168 00/100 Dollars, with interest thereon from this date until paid at the rate of 2½ per cent. per month, and the cost of this suit to be taxed for which execution may issue in the event said endorsers should be compelled to pay the same, and that execution issue for the same or any portion thereof they or either of them may be compelled to pay

3688 William H. Day vs Wm J Clond et als. Comes now the Plaintiff by atty when on motion it is ordered that said Plaintiff have leave to substitute the citation issued & served in this case

3688 William J Clond vs H. Day et al Wm J Clond et als And now comes the Peff. by atty & claims a judgment final by default. And because the Defendants have been legally cited & have failed to answer within the time prescribed by law and wholly made default and the cause of action being liquidated It is ordered & adjudged that said William H. Day do have and recover of the Defendants William J Clond and A. C. Herren the sum of Five Hundred Twenty Eight & 26/100 Dollars debt & interest due upon the instrument sued on to this date with interest thereon from this date until paid at the rate of 12 percent per annum and all the cost of this suit for which execution may issue

4124 James P. Newcomb vs John D. Elliot. Continued by Defendant

4173 Edward Hipp vs Geo H. Smith. Continued by Plaintiff

4176 Julia Hill et als vs Tom Hill. Continued

4177 Cora E. Shepherd et als vs John H. Conner et als And now come the Defendants Moore & Clond, whereupon motion it is ordered that said Defendants have leave to amend.

4178 Christian Fisher vs W. W. Archer. Continued

4184 J. J. Dykes et als vs E. H. Taebel. Continued

4186 A Klein vs Amalia Biaß. And now on this day came the parties to this cause by their attys, when the Peff. submitted the Bond executed by the Defendant, which being inspected and being found insufficient, it is ordered that the Cause be & is said Bond be quashed and the cause dismissed and that the Peff. recover of the Defendant Amalia Biaß all the cost of this suit, for which execution may issue

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1195 Raymond & Whites vs H. C. Fowler Deft & G. W. A. Latham & J. P. Smith Garnishees

Also now come the Pffs by atty & file a Judgment by default and because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law, and wholly made default, this ordered that the said Plaintiffs do have and recover of the Defendant according to the prayer of their petition & that a writ of Inquiry be awarded

1195 Raymond & Whites vs H. C. Fowler Deft & G. W. A. Latham & J. P. Smith Garnishees

And now on this day this cause being called for trial came the plaintiffs & announced ready. When came a Jury of twelve good and lawful men of Travis County, Consisting of John T. Miller & eleven others, who being duly & sworn according to law, heard the pleadings, evidence & the charge of the Court & returned the following verdict, to wit: "We the Jury find for the Plaintiff the sum of Seventeen Hundred & Forty One Dollars & eighty two cts. ($1741 82/100) John T. Miller foreman" Whereupon this ordered & adjudged that the pffs. James H. Raymond & C. W. Whites under their firm name of Raymond & Whites, do have and recover of the said H. C. Fowler the sum of Seventeen hundred, Forty One & 82/100 Dollars so found to be due, with interest thereon from date until paid at the rate of 1½ per cent. per month & as all the cost of this suit for which execution may issue.

And it appearing that the pffs have an attachment then upon the following described property to secure the Judgment rendered in this cause, to wit: 320 acres of land in the name of A. D. Lowe

160 " " " " " " " H. C. Fowler

also a Stock of Cattle marked & Branded as follows: ⊏ brand on either hip ⊐ R brand on hip marked ⊐ also two Bales of Cotton at Gin

Also 320 acres of land in the name of A D Lowe on the West Bank of the Colorado River in the County of Burnet beginning at the N E corner of Robt Davis Survey on N line of the Lowe Survey - thence with said line East 995 varas to a Stone mound from which a Live Oak brs N. 34 E. 3 vrs another bears S. 13 W. 52 vrs thence South 770 vrs to a Stone mound from which a Post Oak bears S. 41 W. 3 vrs thence West 1000 vrs to a Stone mound from which a Live Oak bears S. 65 E. 23 vrs another bears N. 10 E. 26 vrs thence S. 574 vrs to a Stone mound in the South Boundary line of the Lowe Survey from which a Live Oak bears N. 19 E. 26 vrs. Another bears S 31 vrs thence with said line West 1795 to S. W. corner of said Lowe Survey thence with West boundary of same N. 584 vrs to S. W. corner of Robt Davis Survey thence E. with the same 900 vrs to the S. E. corner of the Robt Davis Survey thence N. 760 vrs to the place of beginning bearings marked H. Also 160 acres situated in said County on W bank of Colorado River Beginning at the S. W. Corner of D. W. Francis Survey a Post Oak bears S. 29 E. 12 vrs another bears S. 15 E. 14 vrs thence S. 1250 vrs to a Stone Corner a P. O. bears N. 30 W. 22 vrs & Blk Jack bears S. 6 W. 15 vrs thence E. 900 vrs a Stone, a Live Oak bears N. 60 W. 2 vrs another bears N 21 E 3 thence N. 400 vrs to a Stone from which a Black Jack bears S 17 E. 15½ vrs another bears N. 75 W. 6 vrs thence W. 760 vrs a Stone thence N. 850

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varas a stone, an Elm bears S. 38 E. 18 vrs another bears S 14 W. 10 vars thence West 639 vrs to beginning, bearing marked H also a stock of Cattle running on West Side Colorado River in said County branded H on side hip also 2 Bales of Cotton marked one H & T E & one H F & T E. It is ordered that an order of sale do issue to the Sheriff of Bowie County, requiring him to seize, advertise & sell, as under execution, the above described Property and the proceeds thereof he shall apply to the satisfaction of the principal, interest and costs of this Judgment, and the overplus, if any, he shall pay over to the Defendant. And should said property not bring a sufficiency then execution may issue for any balance that may be due.

4197. McDaniel & Co. v J. J. Miller. Continued by plaintiff.

4202. G. M. Bragg vs Boyd Houston. And now comes the plaintiff and claims a judgment by default. And because the Defendant has been duly cited and has failed to answer within the time prescribed by law and wholly made default, It is ordered adjudged that the Plaintiff do have and recover of the Defendant according to the prayer of his petition and that a writ of Inquiry be awarded

4202. X G. M. Bragg vs Boyd Houston. And now on this day this cause being called for trial came the plff by atty and announced ready. When came a Jury of twelve good and lawful men of Davis County, consisting of Ben Hommel and eleven others who being tried, empannelled and sworn according to law heard the pleadings, evidence and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for Plff in the sum of $100. Ben Hommel Foreman." Whereupon it is ordered and adjudged that the Plaintiff do have and recover of the Defendant Boyd Houston the sum of One Hundred and Ten Dollars and all the cost of this suit, for which execution may issue. And it appearing that the plff has a lien upon two Bales of Cotton requested in this case it is ordered that said lien be foreclosed and that an order of sale issue requiring the Sheriff to sell the same as under execution and apply the proceeds thereof to the payment of the principal, interest and costs of this Judgment and the overplus if any he shall pay over to the Defendant. But if the same should not bring a sufficiency then execution may issue for the same.

4244. John Paul Jones vs. S. T. Scott et als Continued

4254. X R. H. Cousins v. Edward Hipp et als. And now on this day comes the plff by atty and claims a judgment final by default And because the Defendants have been legally cited and have failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that R. H. Cousins do have and recover of and from the Defendants Edward Hipp, D. M. Odum and M. M. Long the sum of Two Hundred and Fifty Five (255.00) Dollars debt and interest due upon the instrument sued on to the date, together with interest thereon from this date until paid, at the rate of 2½ per cent. per month and all the cost of this suit to be taxed, for all which execution may issue when required

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#1256 J. J. Wooldridge v. T. D. Kingsworth et als Continued for Service.

#1258 Wren & Hilliard vs. Jno. O. Campbell. And now come the Counsel for the Pefft. Messrs Fred. Carleton and Jno. A Robertson when on motion it is ordered that said Counsel be permitted to become sureties pg said Pefft on their cost Bond.

#1265 M. C. Hazeldon v. M. J. Fahey et als Continued

#1266 A R Jewett et als v. Geo. Hancock et als Continued

#1271 P. J Willis & Bro. vs Pierce and Gill. And now at this time comes the Pefft R. S. Willis and suggests the death of P. J. Willis and asks leave of the Court to prosecute this suit as sole surviving partner of the said firm of P. J. Willis & Bro. which is granted and said cause being reached on the docket comes the Pefft R. S. Willis, surviving partner as aforesaid and announces himself ready for trial and the Defendants come not but make default And the Court having heard the pleadings and evidence, it is ordered adjudged and decreed by the Court that said R. S. Willis surviving partner of said P. J. Willis & Bro do have and recover of and from the said Defendants George Pierce and Joseph Gill the sum of Nine Hundred and Sixty Seven Dollars ($967) together with all costs in this behalf expended for which execution may issue.

#1278 Herman Sontag v. Wm Bepperer. Continued for Service.

#1285 Georgetown College v. C. A. Horan. Continued

#1286 Geo. W. Brackenridge v. J. Stumpf et als Continued

#1290 S R Hollingsworth v. J. T. Battaile et als And now on this day this cause being called for trial came the Pefft by atty and announced ready Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of John T. Miller foreman and others who being tried and sworn according to law and duly empannelled heard the pleadings, the evidence and the charge of the Court and returned the following verdict, to wit: "We the Jury find a verdict for plaintiff for $198 24/100 John T. Miller Foreman." Whereupon it is ordered and adjudged that said S. R. Hollingsworth do have and recover of the Defendants J. J. Battaile & Emile V. D. Stucken the said sum of One Hundred and Ninety-Eight and 24/100 Dollars, so found to be due, with interest thereon from this date at 12 paid at the rate of 12 per centum per annum and all the Cost of this suit for all which execution may issue

#1291 Hicks & Sneed v. W. C. Cain. Continued for Service

#1293 C. L. Terrell v. Wm. M. Brudlove et als Continued

#1297 H. H. Werner v. Phil Abraham & Bro Continued

#1331 M. G. Campbell v. T. G. Campbell. And now comes the Pefft by atty when on motion it is ordered that said Plaintiff have leave to amend.

And Court adjourned till to-morrow at 9 o'clock A. M.

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Court met at 9 o'clock a.m. pursuant to adjournment. Present Hon. J. P. Richardson, Judge 27th Judicial District presiding. Whereupon the following Proceedings were had by said Court, to wit.

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1295 John M. Castley vs Jac Bonner. And now on this day came the parties to this cause by their att'y plaintiff, (the cause being called for trial) and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of John T. Miller and eleven others who being first duly sworn according to law heard the pleadings, evidence and the charge of the Court and the following verdict, to wit: "We the Jury find for the plaintiff the sum of Five Hundred and Eight Dollars and eighty cents. John T. Miller, foreman." Whereupon it is ordered and adjudged that said John M. Castley do have and recover of said Jac Bonner the sum of Five hundred Eight and 80/100 Dollars and all the cost of this suit for which execution may issue. And it appearing that by virtue of the Distress Warrant issued in this case the Sheriff has levied upon 120 bushels of corn (in the possession of the Defendant,) and now in the hands of the Sheriff and that the same is liable for the judgment rendered herein, it is ordered and adjudged that the Sheriff, upon order to be issued, do advertise and sell, as under execution, the said 120 bushels of corn, and the proceeds thereof he shall apply to the satisfaction of the principal, interest and costs of this suit and the one-plus, if any, he shall pay over to the Deft. But if the same should not bring a sufficiency then execution may issue for the remainder.

1296 B. M. Odum vs August Schalz et als. And now on this day this cause being called for trial came the Plaintiff by atty and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County consisting of Ben. Bonnet and eleven others, who being first duly sworn according to law, heard the pleadings, evidence and the charge of the Court, and retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "We the jury find for Deft the amount of $364 75/100 Gold and $334 25/100 Coin. Ben. Bonnet, foreman." Whereupon it is ordered and adjudged that B. M. Odum do have and recover of and from said August Schalz, Francis B. Forster, B. C. Ludlow and George B. Zimpelman the sum of three hundred Sixty four and 75/100 Gold Dollars, with interest thereon from date until paid at the rate of 2½ percent per month, and the further sum of three hundred, Sixty four and 05/100 Coin Dollars, with interest thereon from date until paid at the rate of 5 per centum per month, and all the cost of this suit for which execution may issue.

Shaver & Moore atty for Plff in this case

1245 Henry T. Barnard vs Geo W. Cozine et als. Continued

1246 H. G. Burland Guardian vs C. Conin et als. Comes now the Plff by atty when on motion it is ordered that said Plaintiff have leave to amend.

2013 E. Henry et als v. A. M. Davidson. And now at this day came the parties to the above entitled cause, the plaintiff Elizabeth Henry by Hancock & West & Nord, and the Defendant A. M. Davidson by W. W. Chandler and it appearing to the satisfaction of the Court that said Plaintiff and Defendant made and entered into the following agreement the subject matter of the above entitled cause to wit

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The State of Texas } Whereas, there have been several law suits and
County of Travis } considerable dispute & litigation, as to the proper dividing lines, between the following adjoining proprietors to wit: Elizabeth Henry and A M Davidson.

The said parties are owning lands, on the Del Valle Grant in Turdits prairie in said County in what is known as the Curtis or Sims league.

Now, in order to settle amicably and peacably this matter and to avoid uncertainty and lawsuits among ourselves in the future, We, hereby agree to select John Wallace and Dennis Cormie two competent and disinterested Surveyors, and agree to furnish them title deeds or certified copies of the same, such as they may need, to enable them intelligently and fairly and fully to run and settle said dividing lines between the parties hereto, and we agree to abide by their decision and not to appeal from the same and to conform our fences to the lines so established by the 10th of January 1874 and further in case the two surveyors above named cannot agree, then they are to select a third surveyor a competent and disinterested person whose decision in the matter shall be final. We are to share and bare amongst us equitably and fairly our proportion of the costs attending this settlement. The surveyors so selected to bring in their report and decision by the first of July next or within ten days thereafter. In witness whereof, we hereto set our hands, this 10th day of June A D 1873.

Witness
P. C. Smith
J. A. Shou.

signed Elizabeth Henry
By T. J. Henry Agt
A M Davidson

and it further appearing that in accordance with said agreement Dennis Cormie and J. E. Wallace two surveyors have made the following survey and report touching the land described in pltffs Petition to wit: Surveyors Report.

To the Honorable District Court of Travis County, at its June Term A D 1874. The undersigned surveyors beg leave to submit the following Report of a survey made by them to establish the dividing line between two tracts of land, constituting what is known as the Herbert or Rowe tract, forming a part of a tract of land known as the Sims or Curtis League lying and being on the Del Valle grant in Travis County.

This survey was made according to an agreement, entered into on the 10th day of June A D 1873, between Elizabeth Henry and A M Davidson owners of said two tracts of land.

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Field notes of tract transferred by Rowe to Davidson.

Date of Transfer from Rowe to John D. Henry Field Notes

The papers furnished us for the work to were the deeds from Rowe to said Davidson and Elizabeth Henry respectively. The substance of the field notes of the track sold by Joe Rowe to A. M. Davidson is as follows: One half of a tract of land bought from Herbert adjoining the land of Thomas Jones & W. P. Burditt on the north, Isaac C, & Minor Burditt on the east, A. C. McArthur on the south, and P. P. McKinney on the west, to be divided by a line drawn in the centre running due S. 45° W. being the N.W. half of said tract of land containing 600 acres more or less. This transfer was made Feby 21st 1849. The Transfer from Joe Rowe to John D Henry was made and the field notes are. Beginning at the south corner of M. & J. Burditts track on Mitchells line, runs N. 45° W. 49½ rds to a stake on Davidsons line. Thence S. 45° W. 7868 rds to the west boundary the Seins league Thence S 45 W. 49½ rds to McArthurs line. Thence with said McArthurs line with its meanders to the place of beginning, containing 667 acres. Neither A. M. Davidson nor Thomas Henry could point out any of the corners of their respective tracts and the papers handed to us were not specific enough to find them. The N E & N. W. corners of both these tracts, being on cultivated land can not now be identified by the original marks, if there were any. The S. E & S W. corners of both tracts fall in a prairie away from timber. Assuming as a starting point for examination about 500 varas of a marked line, known as the Pace line near Mrs Henry's house (see Sketch, we ran N. 45 W. Variation 10° 30' East course of the marked line to the intersection with a line from a recently established corner on the line of fence posts between A. M. Davidson's and James Thompsons fields. The course of the line now being S. 45° E and its length 98 rds 36 lks less than the length 983 rs of the East line of the Herbert tract if Mrs Henry's field notes by the correct field notes of One half the Herbert track. We found nothing to indicate a corner at at M. The pace line shown (see Sketch as ran by us intersected the back string of fencing of the McArthur farm at a very small angle and crossed the east string of the same farm one panel below the corner as shown in sketch, and at k we found a stone mound perhaps intended indicate the intersection of the Pace line with the back line of the Seins league. There is nothing to be found to indicate the S W corner K of the Herbert track.

Having found nothing to indicate the corners of the Herbert track we proceeded to establish the Division line between said Davidson and Elizabeth Henry by assuming M as the N E corner of the Herbert track and measured N. 45. W. 49½ varas to b for the first line of Mrs Henrys track as per field note. Thence S 45° W. to S in the back line of Seins league for the second line of Mrs Henrys track, and Division line between said Mrs

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Henry and A M Davidson. The line B S is parallel to the greater part of Davidsons farm fence and 05 05 inside of the field. Dennis Corrin

S E Wallace.

Field notes fixing the position of the Division line between the two tracts belonging to Elizabeth Henry and A. M. Davidson Variation 10° 20' East.

Beginning at a stone set in the ground the N W corner of a tract purchased from Joseph Rose by John D Henry, Thence S. 45° W. 7868 varas to a stone set in the ground in the back line of the Jens league 36 varas N. 45° W from a stone mound the S W. corner of a tract of land owned by Brock.

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and it appearing that the plaintiff and defendant have ratified the said report and agree to the same, and also agree that a judgment be entered in the above entitled cause in accordance with said agreement and report, and to carry the same into effect, It is therefor ordered, adjudged and decreed, that the said Elizabeth Henry do have and recover from the said A. M. Davidson all that tract of land in Travis County Texas, being a part of the Sims league, and a part of the Herbert or Rowe tract in said league, lying East of line (marked h f. on the foregoing plat) beginning at a stone set in the ground 191½ varas N. 45° W. from the N. E corner of said Rowe tract and abt 55 varas inside of said defendants East fence, as heretofore located and being the N W. corner of the tract purchased from Joseph Rowe by John D Henry; thence N 45° W. 7868 varas to a stone set in the ground in the back line of the Sims league 36 varas N. 45° W. from a stone mound the S. W corner of a tract of land owned by Booth, It is further ordered, adjudged and decreed, that a writ of possession issue to the Sheriff of Travis County, directing him to place the said Elizabeth Henry in possession of the said land & remove therefrom the said A M Davidson, and all persons having entered upon said land since the institution of said suit. It is further ordered adjudged and decreed, that each party pay one half of the cost in this behalf incurred, for which execution may issue.

Leon & H Blum
vs.
P Blum & Co.

On this day come the pltffs by attorney, and it appearing to the court, that suit is brought against the firm of P. Blum & Co consisting of P. Blum, Gustave Kluge and William Sherman, and it appearing to the court that Wm Sherman one of said Defendants has been duly served with citation herein, on application of Pltffs judgment by default is entered against the said Defendant served as aforesaid & against said firm, so far as to affect the enforced against the assets of the same, and a writ of enquiry is awarded, and thereupon comes a jury to wit John D. Miller & eleven others duly impannelled, who after hearing the pleadings & evidence, return their verdict as follows: We the jury find for Pltffs the sum of Seventeen Hundred & sixty two & 65/100 Dollars. Jno D Miller
Foreman.

Wherefore it is considered by the Court, that the plaintiff do have and recover of & from the said firm P. Blum & Co. the sum of Seventeen Hundred & sixty two & 65/100 Dollars, to affect & be enforced against the assets

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of said firm and the partnership property thereof and the separate property of said defendant Wm Sherman to serve & with process, together with all costs of suit, and it further appearing to the Court that the attachment herein issued has been levied upon certain property, the assets of said firm, liable to sale to satisfy this judgment and which property so levied on is returned & described as follows:

Exhibit "A"

20 yds	Calico	4	lbs cloves	1	wht Ladies undershirt
10	"	1	Gross pant	buckles	13 yds wht Linning
188	"	3	doz Dress	Buttons	91 " " Jaconet
194	"	mottled	4	Cards "	" 9 " Blue "
52	"	"	5	doz wht glass	" 3 Ladies Shawls
140	"	Lining	4	" "	" " 6 " Underskirts (corse
188	"	Flannell	15	" blk	" " 21 Doz Pocket Handkfs
140	"	Muslin	4	" "	clock " 4 " Towels
1149	"	Alpaca	100	" red	Tape 20 yds cloth
25	"	Ginhams	60	" wht	" 25 " blk roaling
1 dress	Pattern	150	"	cold	" 1 Mosquito Bar
4	table Cloths	18	bunches	wht	Braid 35 yds wht Delaine
39 yds	Paper Jaconet	10	pkges	"	" 27 " red silk velvet
2 "	Linning linning	111	yds	cal	Tape 20 " roated
5	ladies aprons	259	"	wht	Lace 1 Dress Pattern (worsted
6	doz Pod matches	2	"		Ruffle 50 yds Cambric 14
11	pr ladies wht hose	9½	dz	Dress	Buttons 20 " wht Sheeting
21	" " mix "	11	pr	Gents	wht Cot Gloves 2 Table Cloths } Braided
3	Pocket Hdkfs.	53	"	Lad.	" " " 6 " "
3	" "	16	"	Gents	Buck " 678 yds blkd Domestic
1	Gross Corset	Laces	6	dz	Spools wht Thread 77 " unbleached
2	dz bell	Binding	4	cakes	Soap 10 " Cotton flannell
3/4	"	wht. "	9	pr	Child cold hose 11 " wht drilling
2	"	" "	4	dz	Spool thread 15 " Bed Ticking
16	Tucking	Combs	3		Nit Needles 111 " Blue drilling Cut
3	pacKgs	wht thread	2½	"	Ladies Corset Laces 42 " Cotton Cassimers
21	"	blk "	105	yds	wht Lace Shirt buttons 2 " Jeans
14	Pocket	Combs	6	dz	Toilet Soap 18 " " Cassimers
6	Course	"	9	"	Ladies Hair nets 63 " Wool Tweeds
6	"	"	2	Lad	Hair wigs 35 Pkges Envelope
1	Box	Drapers Pins	82	Bals	Cotton Thread 3 Bales Legal Cap Pap
3	Papers	Hooks & Eyes	6	Lad	Corsets 3 Bales note Paper
21	Round	Combs	32	"	" 5 Lad. Wlpst Shawls
15	Gross	Pants Buttons	5	yds	Linning 14 Umbrellas
7	Hair	Brushes	76	"	" 2 Bales Soap 3/4 tins

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Bar Road 3/8 iron
2 Box Soap
½ " Candy
18 Gents frock Coats
36 pr Pants
12 " Vests
12 Woolen overshirts
16 pr Cot Flannel Drawers
10 " wht Woolen "
2½ doz Shirt Bosoms (wht.
1½ " wht Shirts
4 " Calico "
5 " Under "
10 Felt Hats "
11 doz Stuff "Hats
6 Child felt "
11 doz light "
3½ " felts. "
5 pr Brogan Boots
10 Tea Cups wht
3 Plates "
33 Child Muggs
10 Water Pitchers
3 box Axle greased
1 Sack Salt.
10 yds Cadet Socks (gum)
9 Cow Hides
1 Water Keg
2 wooden Trunks (small)
4 felt Satchells
6 Wagon Whips
3 pr Gents Boots Shoes (coarse)
4 " " " fine
9 " Ladies Brogan shoes
7 " Child "
4 " Ladies "
4½ " " Cloth "
5 " " Slippers
14 " Children Cloth
1 doz Sifters
2 Kegs
3 Foot Tubs

1 Bbl Vinegar
½ " Dried apples
½ " Soda Crackers
½ Box Sweet "
1½ " Ginger Snaps
11 pr Stirrupps
2 Strainers
1 Iron Spoon
" 2 Brushes
2 Doz Bells
14 Mouse Traps
2 Garden Hoes
1 pr small Balances
1 Counter Scale small
1 pr large "
3 Well Buckets (Tin)
18 Tin "
2 Frying Pans
4 Candle Sticks
2 Tin Cups
½ Stanners
2 Molasses Pitchers
1 Water Bucket
5 ½ gal Tin Cups
10 Coffee Pots
1 Oil Can (1 gal)
6 pr Grass Gloves
½ Keg Powder
¾ Bbl Flour
½ " Sugar
15 lbs Coffee
1¼ Bbl Salt
15 lbs Beans
½ box Candles
½ " Smoking Tobacco
33 Boxes Conc. Lye
19 " Pepper
18 " Snuff
5 " Bluing
2 " "
Bale Wrapping Paper
6½ Box Can. Meat Soap

½ Box Turpentine Soap
1 Lft Bush Measure
1 Pecke "
4 Plow Handles
3 Cotton Hoes
19 pr Hames
4½ pk Kg Smoking Tobacco
8½ Cans Oysters
19 " Pine Apples
18 Box Yeast Powders
17 " Peaches
19 " Strawberries
63 Pounds Soda
33 Half Pint Pickles
9 Pint "
22 lbs Soda
1 doz Bottles Quinine
7 pkgs (Common)
1 Soothing Syrup
10 pr Boys Boots (Coarse
3 Looking glasses
10 Blind Bridles
3 pr Stirrup leathers
5½ pr Bridle Reins
2 Check lines
5 Grass Whips
13 " Collars
2 Pr Check lines
6 " Bridle reins
6 " "
12 Martingales
6 Surcingles
3 Quilts
4 Wash Tubs
5 Churns
11 Wash Boards
4 Well Buckets
26 Wat. Buckets
3 Gum Ov. Coats
3 pr Leggins
6 Pcs Soup Plates
7½ " "

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2 2 large dishes
36 Soup Dishes
10 " Dishes
3 pkgs Stone Polish
1 Gross Pen Holders
2 Doz Box Blacking
2 Doz Blank Books (small)
1/2 Box Blk Peppers
1/2 " Cloves
1/2 " Spice
16 Slates
1 Pat Cast Mechanical
1 pkg Small Screws
3 pr Butts
2 doz Table Spoons
1/2 gross Tea "
3 Powder Flasks
1 Shot Pouch
3 Butcher Knives
2 Doz Knives & forks
1 " Window Sash
6 Whet Rocks
1 " Draw Lock
1/2 Doz Pad "
1/2 Curry Combs
21 Pocket Knives
2 Doz Buttons
3 Cans Powder
6 Doz Snaps (for Bridles)
3 papers tacks
1 Doz Peg Tops
2 Box Saddle taps
1 " Caps
1 " Cartridges
2 " Coffin Screws (silver head)
8 Augers
1 Rasp
6 Mill Saw files 3"
1 Monkey Wrench 8"
2 pr Horse Shoe pinchers
9 Horse Brushes

1 pkg Cut Bits
1 doz Thumb Latches
1/4 " Door Locks
2 " "
2 Door Knobs
1 Pkg Starch
3 Rounds Allum
3 1/2 doz Gate Hinges
10 Hatchets
3 lbs Cinnamon Bark
1/2 Box Sulphur
6 Pkg Starch
1 lbs All Spice
5 Sheets Sand paper
1 lbs Assafoetida
16 " Nutmegs
2 " Salts
1 " Shot gun
4 bbl. Turpentine (small)
21 Cast Axe
1 pr Ballances
2 Cakes Soap
16 bot Lilly White
9 bot Extract Lemon
6 " Tip Top
19 " Syrup of Tolu
6 " M & Mustang Liniment
4 " Pain Killer
1 " Jg American
3 Pectoral
3 Soothing Syrup
2 Box Lemon Sugar
11 Bot Hair Oil
9 " Worm Dest
Mulge
Cologne
3 Bot Balm of Beauty
1/2 Bride Roses

9 Doz blue mass
15 " pills
2 pkgs Horse & Cattle Powd.
2 Bot Vermifuge
1 Oz " Strichnine
6 " Calomel
6 " Quinine
3 " Sarrah Wet.
12 " Laudanum
4 " Paregoric
4 " Espirit Cinnamon
" Peppermint
60 " Blk Drop.
5 " Mucilage
8 " Peppermint
11 Box Mustard
2 lbs Camphor
4 lbs Candy
1 " Mustang
1 Box Horse shoenails
1 Pair Back Band & Buckles
1 Sack shot
" 1 pr Spurs
" 1 Powder Flask
3 Pair Dippers
3 Curry Combs
1 pr Scales
8 Pair Cups
2 Box Steel Pens
4 box Watches
61 pap. Needles
10 " Lad. Breast Pins
2 Box Hair "
2 pr Sleeve Buttons
13 bot. Lillie White
6 ladies belts
2 box Marbles
1/2 Doz Lad Collars
10 bot Lad Hair Oil
11 bunches Velvet Trimmings
1 Ladies Switches

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9 Doz Lillie White. 10 Bolts Ribbon. 2 China Dolls 19 per Shell heads.
1 Artificial Wreath, 1 Hat Band. 12 Doz French Harps. 7 Lad Jet Breast Pins
4 Ladies Plats, 2 Lad. Parasols, 4 Lad. Collars, 29 Gilt Neck tie
1 Box Ruffling, 2 Brooms, 3 Stoves, 1 Rol Buggin, 3 Keg Nails
2 Kegs Horse & Mule Shoes, 3 Bunches Twine, 1 Box Window glass.
8 Round Combs, 12 Box Hair Pins, 8 French Harps, 10 Course Combs
37 Bunches Fiddle Strings, 4 Spools Sek Silk Thread, 5 Fine Combs
2 Pocket Combs, 2 Finger rings, 1 Tucking Comb, 9 Pocket Books
14 Shaving Brushes, 2 Crochet Needles & 8 Kegs Cotton Gloves
3 Pocket Brushes, 5 Razors, 3 Razor Straps, 1 Ladies Belt
11 Thimbles, 5 Bales Twine, 4 Pocket Looking Glasses, 1 Box Flowers
11 Ladies Harps, 1 Box Cuffs & Collars, 12 Doz Shell beads, 21 box Ribbon
8 Gents Armlets, 1 Doz Lad Hats. 11 pr Suspenders, 1 Market Basket
3 Bunches Ties, 6 Glass Tumblers, 1/2 Bbl Vinegar 1/2 Bbl Molasses
1 Store House 16 x 30 feet framed 1 Shed room 10 x 20 adjoining the house
1 Cook room 10 x 10. 1 Crib & Stable and all the right title and interest the said defendants have in and to the real estate in which the above described house is situated, All of the above described property, is situated on what is known as the John Burton or Hughes Place near Manchaca Springs in Hays County Texas.

signed Jas A Wren
Sheriff Hays Co

Exhibit "B"

It is therefor further ordered by the Court, that an order of sale, do issue for the sale of said property, the proceeds to be applied to this judgement & if any remain after such sale, then that execution do issue as above provided.

And Court adjourned till to morrow at 9 o'clk A.M.

February 27th 1875.

Court met at 9 o'clock A.M pursuant to adjournment. Present same as yesterday. Whereupon the following Proceedings were had in court.

4321. Walton Green & Hill vs Houston & Texas Central Railway Company. And now on this day came the parties to this cause by their attys when on motion it is ordered that this Cause be dismissed & that the Defendant recover of the plaintiffs all the Cost of this suit for which execution may issue

2957. Abby Thompson Admrx &c vs R A Rutherford. And now on this day came the parties to this cause by their attys when the plaintiffs submitted their motion for a new trial in said Cause, which being heard & considered, it is ordered & adjudged that said Motion be overruled. Whereupon said Plaintiffs give notice in open Court of an appeal to the Supreme Court. And the Defendant gives notice of Cross appeal

C.H.C. Smith. The State of Texas } Charles Henry Evans Smith being duly sworn according to law
County of Travis } in the District Court of said County, doth declare that he was born in the year A.D. 1819 in England where he emigrated in the year 1838

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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 renounces 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. C. H. C. Smith.
Sworn To and Subscribed Before me this 27th day of Feby 1875. F. Brown, Clerk.

3228 State of Texas v. Bob Ridley. Now cometh parties by atty when they announced ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Bob. Ridley the sum of Ten Dollars as a fine and the cost of this prosecution & that a Commitment issue

3717 State of Texas v. Potter. Now come the parties and announce ready for trial & waiving a Jury submit the case to the Court. And defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Potter the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3861. State of Texas v. Boatman. Come the parties and announce ready for trial & waiving a jury submit the case to the Court. And defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Boatman the sum of Twenty Five Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

3862 State of Texas v. J. Hallum. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of J. Hallum the sum of Twenty Five Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3901. State of Texas v. Theodore Gibbs. Now come the parties and announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Theodore Gibbs the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3925. State of Texas v. Capt. Dodson. Now come the parties and announce ready for trial & waiving a Jury submit the case to the Court. And Defd pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Capt. Dodson the sum of Twenty Five Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3926 State of Texas v. Maroney. And now come the parties by atty and announce ready for trial & waiving a Jury submit the case to the Court. And Defd. pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Maroney the sum of Twenty Five dollars as a fine and the cost of this prosecution & that a Commitment issue

3927 State of Texas v. Rhoads Johnny. And now come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. And defd pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Rhoads Johnny the sum of Twenty Five dollars as a fine and the cost of this prosecution & that a Commitment issue to collect the same.

3929. State of Texas v. Jim Ralls. And now come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. And Defd. pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Jim Ralls the sum of Twenty Five Dollars as a fine

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and the cost of the prosecution and that a commitment issue to collect the same
✓ 3931. The State of Texas v Tom Doules. And now come the parties by atty and announce ready for trial
X and waiving a Jury submit the case to the Court And Defendant pleads guilty. Whereupon
it is ordered that the State of Texas do have and recover of Tom Doules the sum of Twenty-
Five Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect same
✓ 3985. State of Texas v. George Cummings. And now come the parties by atty and announced ready for trial
X and waiving a Jury submit the case to the Court And Defendant pleads guilty. Whereupon it is or-
ered and that the State of Texas do have and recover of George Cummings the sum of Fivedollars as
a fine and the cost of this prosecution and that a Commitment issue to collect the same.

And Court adjourned till Monday at 9 o'clock a.m.

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Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on Saturday.
Whereupon the following proceedings were had to wit.

✓ 4143. J. C. DeRuss v. J. E. Dillard Et Als And now on this day came the parties to this cause by
X their atty and announced themselves ready for trial. And Defendants demurer to the
plaintiffs petition coming on to be heard the same is overruled, to which ruling said
Defendants excepted. When came a Jury of twelve good and lawful men of Travis
County Consisting of James Phillips and seven others who being tried elected and
sworn according to law heard the pleadings evidence and argument of Counsel and the
charge of the Court retired for deliberation. Whereupon said Jury returned into Court
the following verdict to wit "We the Jury find for the Defendants. James Phillips
foreman." Whereupon it is ordered and adjudged that the plaintiff take nothing in this
behalf. that the cause be dismissed. that the Defendants go hence and recover of
J. C. DeRuss and wife sureties on his Cost Bond, R. T. Campbell and W. R. Maxwell
and the Cost of this suit for which execution may issue

2561 State of Texas v. H. H. Morris. Dismissed
2970. State of Texas v. Neil Cain. Dismissed
3136. State of Texas v. M. J. Matteson Dismissed
3137. State of Texas v. M. J. Matteson. Dismissed
3138. State of Texas v. M. J. Matteson. Dismissed
3139. State of Texas v. M. J. Matteson Dismissed
3144. State of Texas v. Juan Arallas. Dismissed
3145. State of Texas v. Alcaneda. Dismissed

✓ 3193. State of Texas v. John Finch. And now come the parties by atty and announce ready for
X trial and waiving a Jury submit the case to the Court. And Defr. pleads guilty. Whereupon it is
ordered that the State of Texas do have and recover of said John Finch the sum of Twenty-
five Dollars as a fine and the cost of the prosecution and that Commitment issue to collect same.
3579. State of Texas v. David Edwards. Dismissed
✓ 3594. State of Texas v. Paul Deats. And now come the parties by atty announce ready for trial and waiving
a Jury submit the case to the Court And Defendant pleads guilty. Whereupon it is ordered and
adjudged that the State of Texas recover of Paul Deats the sum of Ten Dollars as a fine and
the cost of this prosecution and that a Commitment issue to collect the same

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3794. State of Texas v. Howard and Howell. Dismissed

3854. State of Texas v. Robert McKay. And now come the parties and announce ready for trial and waiving a Jury submit the Case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Robert McKay the sum of Four dollars as a fine and the Cost of this Prosecution and that a Commitment issue to collect the same.

3919. State of Texas v. Dutch Dock. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Dutch Dock the sum of Twenty Five Dollars as a fine and the Cost of the prosecution and that a Commitment issue to collect the same.

3982 X The State of Texas v. W. G Davidson. And now come the parties and announce ready for trial waiving a Jury submit the case to the Court. And Defendant pleads guilty Whereupon it is ordered that the State of Texas do have and recover of W. G Davidson the sum of Ten dollars as a fine and the Cost of this prosecution and that a Commitment issue to collect the same.

4038 The State of Texas v. Barnes Parker. And now comes Barnes Parker as principal and G.W. Glasscock and F.M. Chandler as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars to be levied upon their goods and Chattels Lands Tenements and Estate But to be void upon condition that said Barnes Parker be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer the Indictment preferred against the said Barnes Parker by the Grand Jury of Travis County at the February Term 1895 of the District Court of Travis County for passing a forged Power of Attorney, and that he do not depart the Court without leave.

3131 X The State of Texas v. Charles Coney. And now on this day came the parties to this cause by their attys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County Consisting of M. Parker and eleven others who being tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the jury find the Defendant guilty and assess the fine at Seventy Five Dollars ($75.00) M. Parker, Foreman." Whereupon it is ordered that the State of Texas do have & recover of said Charles Coney the sum of Seventy Five Dollars as assessed by the Jury and all the Cost of this prosecution and that a Commitment issue to collect the same.

3176. The State of Texas v. Pink Reed. And now on this day came the parties to this cause by their atty and announced ready for trial. Whereupon came a Jury of 12 good and lawful men of Travis County Consisting of W. T. Davis and eleven others who being tried, elected and sworn according to law, heard the indictment, the plea of not guilty, the evidence argument of Counsel and the charge of the Court, and retired for deliberation. Whereupon said jury returned into Court the following verdict to wit: "We the Jury find Defft. guilty of the charge alleged, and assess the fine at $25.00 W. T. Davis Foreman." Whereupon it is ordered that the State of Texas do have and recover of the Defendant Pink Reed the said

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sum of Twenty Five Dollars and the cost of this Prosecution and that a Commitment issue to collect the Same.

3538. State of Texas v. Ed Gray. Dismissed

3857. State of Texas v. Wm Wilson. Dismissed

✓ 3916. State of Texas v. Eugene Stell. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant thereupon pleads guilty Whereupon it is ordered that the State of Texas do have and recover of said Eugene Stell the Sum of Ten Dollars as a fine and the cost of this prosecution & that commitment issue

✓ 4022 The State of Texas v. N B. Mitchell. And now come the parties by duly and announce themselves ready for trial and waiving a Jury submit the case to the Court And the Defendant pleads guilty Whereupon it is ordered that the State of Texas do have and recover of said N. B. Mitchell the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

✓ 4022 The State of Texas v. William Wilson. And now come the parties by duly and announced ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of the deft William Wilson the sum of Ten Dollars as a fine and the cost of this prosecution & that a Commitment issue to collect the Same.

And because to-morrow is a legal holiday being the Anniversary of Texas Independence, it is ordered that Court do stand adjourned till Wednesday at 9 am

March 3d 1875.

Court met at 9 o'clock A M pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

D P Marr and A K Coleman. Upon a Report of the Committee appointed to examine D. P. Marr and A. K. Coleman in open Court touching their applications to practice as Attorneys and Counsellors at Law, It is ordered that said applicants be and they are admitted to practice as Attorneys and Counsellors at Law in the several District and Inferior Courts of the State of Texas and that Licenses issue accordingly.

3287. State of Texas v. Sidere Stewart. Continued

3288. State of Texas v. Bill Peal et al. Dismissed as to Peal.

3289. State of Texas v. Bill Peal et al. Dismissed as to Peal

3290. State of Texas v. Bill Peal et al. Dismissed as to Peal

3294. State of Texas v. R. Marion. Dismissed

3295. State of Texas v. Bill Peal. Continued by the State.

✓ 3853 State of Texas v. Henry Luther. And now come the parties and announce ready for trial. When came a Jury of 12 good and lawful men of Travis County Consisting of M. Parker and eleven others who being tried elected and sworn according to law, heard the Indictment, plea of not guilty the evidence and the Charge of the Court returned the following verdict to wit: "We the Jury find the Defendant not guilty as charged. M. Parker Foreman." Whereupon it is ordered that said Defendant go hence discharged.

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3399. State of Texas v Ira J. Cox. Continued for service.
3458 State of Texas v Cythe Dismissed
3572 State of Texas v. Pink Reed Continued
3553 State of Texas v. T.A Johnson. Dismissed
3559. State of Texas v Neal Cain. Dismissed
3565. State of Texas v. Chas Freeman. Continued
3566. State of Texas v Chas Freeman. Continued
3567 State of Texas v C Covey. Dismissed
3568. State of Texas v. Sam Johnson. Dismissed
3569. State of Texas v J. C. Tarrol. Continued by consent.
3570. Austin City v Frank Givens Dismissed
3572. State of Texas v E.T. Duff. Continued for Service.
3583. State of Texas v Buck Warren. Dismissed
3584. State of Texas v John Evans. And now on this day came the parties by atty announced ready for trial. When came a Jury of 12 good & lawful men of Travis County Comprising of W.T. Davis & eleven others who being first elected & sworn according to law heard the indictment, the plea of guilty the evidence and the charge of the Court retired for deliberation. whereupon said jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty & assess the fine at $10. W.T. Davis Foreman." Whereupon it is ordered that the State of Texas do have & recover of John Evans the sum of Ten Dollars & all the cost of this prosecution and that a Commitment issue to collect the same.

3593. State of Texas v. Dick Warren. Come the parties by atty & announced ready for trial. and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Dick Warren the sum of Ten Dollars as a fine & the cost of this prosecution & that a Commitment issue to collect the same.

3595. State of Texas v. Billy Sims. Dismissed
3596 State of Texas v. Frank Taylor. Dismissed
3597 State of Texas v Dorsey. And now come the parties by atty & announced ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Dorsey the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment issue
3598. State of Texas v. Tully. Dismissed
3603. State of Texas v. Billy Robinson. Continued by Consent.
3615 State of Texas v Ambrose Steel. And now come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court and deft. pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of the said Ambrose Steel the sum of Ten Dollars as a fine and the cost of this prosecution & that a Commitment issue to collect same

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✓ 3648	The State of Texas v. John Evans. And now on this day came the parties by attys and announced ready for trial. Whereupon came a Jury of twelve good & lawful men of Travis County consisting of M. Parker & eleven others who being tried, elected & sworn according to law, heard the indictment, the evidence & the charge of the Court & returned the following verdict to wit: "We the Jury find the Defendant guilty and assess the fine at Twenty Dollars ($20.00) M. Parker, Foreman." Whereupon this ordered that the State of Texas do have & recover of John Evans the sum of Twenty Dollars and the cost of this prosecution & that a Commitment issue to collect the same.
3620	State of Texas v. Jno Lockett. Continued by the State.
✓ X 3627.	State of Texas v. Newell Burdett. And now on this day came the parties to this cause by their attys & announced ready for trial & waiving a Jury submit the case to the Court. And Defts. plead guilty. Whereupon this ordered that the State of Texas do have & recover of Newell Burdett the sum of Ten Dollars as a fine & the cost of this prosecution & that a Commitment issue to collect same.
3629	State of Texas v. Darcey. Dismissed
3638	State of Texas v. Milus Miller. Continued
3640	State of Texas v. Ambrose Steele Dismissed
3640.	State of Texas v. Butler Lott. Continued for service.
3642	State of Texas v. Ambrose Steele. Continued
✓ X 3659.	State of Texas v. Frank Cotton. And now come the parties by atty & announced ready for trial and waiving a Jury submit the case to the Court. And defendant plead guilty. Whereupon this ordered that the State of Texas do recover of Frank Cotton the sum of twenty Five Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.
3671.	State of Texas v. Mrs Cox et al. Dismissed
3672.	State of Texas v. Sallie Davenport. Dismissed
3673.	State of Texas v. Sallie Seymour et als Dismissed
3674.	State of Texas v. Agnes Brown. Dismissed
3675.	State of Texas v. Fanny Kelley Dismissed
3676	State of Texas v. Lizzy Myers. Dismissed
3690.	State of Texas v. Louis Malitsky. Dismissed
✓ 3694.	State of Texas v. Geo. King. Come the parties by atty & announced ready for trial and waiving a Jury submit the Case to the Court. And Defendant plead guilty. Whereupon this ordered that the State of Texas do have & recover of the Defendant Geo. King the sum of Ten Dollars as a fine & the Cost of the prosecution & that a Commitment issue
3699.	State of Texas v. Robert Owens. Dismissed
3701.	State of Texas v. Jonny Houston. Dismissed
3702.	State of Texas v. Clint. Thompson. Dismissed
3726.	State of Texas v. Miss Momas. Dismissed
✓ X 3887.	State of Texas v. Geo. Lorlace. And now come the parties by atty & announced ready for trial & waiving a Jury submit the case to the Court. And Defts. plead guilty.

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Whereupon it is ordered that the State of Texas do have and recover of Geo Lovelace the Sum of Ten Dollars as a fine & the cost of the prosecution and that a Commitment issue

3942. State of Texas v John M Jones. And now come the parties by atty & announced ready for trial and waiving a Jury submit the Case to the Court. And Defendant pleads guilty. Whereupon this ordered that the State of Texas do have & recover of John M Jones the Sum of Five Dollars as a fine & the cost of the prosecution and that a Commitment issue.

3961. State of Texas v Frank Cotton Continued by Consent.

3966. State of Texas v Dick Warren. Dismissed

3980 State of Texas v Geo. Lovelace Dismissed

3983. State of Texas v Tom Warren. And now Come the parties by atty announced ready for trial and waiving a Jury submit the Case to the Court. And Defe. pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Tom Warren the Sum of Ten Dollars as a fine and the Cost of the prosecution & that a Commitment issue to collect the same.

2980. State of Texas v Barnes Parker et als Dismissed

3081. State of Texas v C. Coney. Cont'd by Defe.

and Court adjourned till to-morrow at 9 o'clock Am

March 5th 1875.

Court met at 9 o'clock am pursuant to adjournment. Present Hon. J. P. Richardson Judge &c Presiding. Whereupon the following Proceedings were had to wit.

3728. The State of Texas v. H. B. Davy. And now on this day came the parties to this Cause and announced ready for Trial. And thereupon came a Jury of twelve good & lawful men of Travis County consisting of W. T. Davis and eleven others who being tried, elected & Sworn according to law, heard the Indictment and the plea of not guilty, the evidence, argument of Counsel, and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find Defd. guilty of simple assault and assess the fine at $1.00 W. T. Davis foreman." Whereupon it is ordered that the State of Texas do have & recover of the said H. B. Davy the sum of One Dollar & all the Cost of this suit, for which a Commitment will issue.

3731. State of Texas v. Lucy White. Dismissed

4048. Wm alexander vs Jas P. Newcomb & Co. On motion it is ordered that this Cause be dismissed, and that the Plaintiff recover of the Defendants all the Cost of this suit

4114. Wm alexander v. J P Newcomb & Co On motion it is ordered that this Cause be dismissed, & that the Plaintiff recover of the Defendants all the Cost of this suit.

4043. J. R. Allen vs Hiram Paddock. And now come Messrs Sheeks & Sneed, Counsel for the Defendants, and upon motion it is ordered that said Sheeks & Sneed have leave to become sureties on the Replevy Bond of the Defendant in this Case.

4003 The State of Texas v. D. J. O'Brien et als. Indictment quashed & dismissed

4004 The State of Texas v. D. J. O'Brien. And now on this day Came the District Atty on behalf of the State & Came also the Defendant in person and by atty & announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, Consisting of W. T. Davis

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and eleven others who being tried, elected and sworn according to law, heard the indictment, the plea of not guilty, the evidence, argument of counsel and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find Deft guilty and assess the punishment at ten years in State Penitentiary. W. T. Davis Foreman." Whereupon it is ordered by the Court that the said Defendant do Stand Committed to the County Jail to await judgment and Sentence.

/ 3981. The State of Texas v Pat Conner. And now come the parties by their attys announced ready for trial and waiving a Jury, submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of the said Pat. Conner the sum of Ten Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

/ 3722. The State of Texas v. Reno Jim. And now come the parties by atty and announced ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Reno Jim the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

/ 3730. State of Texas v Jeff Crow. And now come the parties by atty and announced ready for trial and waiving a Jury submit the case to the Court. And the Defl. pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Jeff. Crow the sum of One Dollar as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

3734. State of Texas v. Waldrop et als Dismissed

3736. State of Texas v. John Goforth. Dismissed

3738. State of Texas v. Bill Wells et als. Dismissed as to Smith. Costs for same as to Wells

3740. State of Texas v. G. M. Brass. Continued by the State.

3741. State of Texas v John Goforth. Dismissed

3753. State of Texas v. John Hollon et als. Dismissed

3755 State of Texas v. C. Covey. Continued by Defl

3756. State of Texas v. Jennie Campbell. Dismissed

3758. State of Texas v. Jessie Wade. Dismissed

3759. State of Texas v. Jennie Butterfield. Dismissed

3762 State of Texas v. Mrs. Miller. Con. for service

3761 State of Texas v. Emma. Dismissed

3762. State of Texas v. Mat Teague et al Dismissed

3763 State of Texas v Cora Lee. Dismissed

3770. State of Texas v. Maggie Raney et al Dismissed

3771. State of Texas v. Ida Lake et al. Dismissed

3773. State of Texas v. Pres Lavinia et als Dismissed

3774. State of Texas v. Jane Henderson et als Dismissed

3790. State of Texas v. W. M. Walton. Continued

3798. State of Texas v. John Raney. Continued by Defl

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3799. State of Texas v. John Raney et als Continued by Defendants
3998 State of Texas v. Jim H Harris. Dismissed
4007. State of Texas v. Sprague. Continued by Defendant

And Court adjourned till to-morrow at 9 o'clock am

March 5th 1875.

Court met at 9 o'clock am Pursuant to adjournment. Present Hon. J. P. Richardson Judge presiding. Whereupon the following proceedings were had to-wit

3716. State of Texas v. Miller, Continued for service

3819. State of Texas v. Ochiltree. And now come the parties & announce ready for trial & waiving a Jury submit the case to the Court. And the Defts. plead guilty. Whereupon it is ordered that the State of Texas do have & recover of the said Ochiltree the sum of Five Dollars as a fine & the Cost of this prosecution & that a Commitment issue to collect the same.

3724. State of Texas v. Rodgers And now come the parties & announce ready for trial & waiving a Jury submit the case to the Court. And Defts. plead guilty. Whereupon it is ord. and that the State of Texas do have & recover of said Rodgers the sum of Ten Dollars as a fine & the cost of this proceeding for which a Commitment will issue

3816 State of Texas v. Henry Simms. Continued

3839. State of Texas v. A. J. Mair Continued by Defendant.

3840 State of Texas v. E. Means Dismissed

3841 State of Texas v. C. Coney. Dismissed

3842. State of Texas v. Mirty Dismissed

3880. State of Texas v. Rud Napoleon. And now come the parties by Atty & announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Rud Napoleon the sum of Ten dollars as a fine & the cost of this prosecution & that a Commitment issue to collect same.

3947. State of Texas v. Wm Henderson. And now comes the District Atty on behalf of the State and came also the Defendant in person and by Atty & announce themselves ready for trial. When came a Jury of the true good & lawful men of Travis County, Consisting of W. T. Davis & eleven others who being Tried, elected & Sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel & the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find Deft. guilty and assess the punishment at two years in State Penitentiary. W. T. Davis Foreman." Whereupon it is ordered that the Defendant Hand Committed to the County Jail to await judgment & Sentence

3721. State of Texas v. J. Pennington And now on this day came the parties to this cause by their Attys & announced themselves ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said J. Pennington the sum of Ten Dollars as a fine & the Cost of this prosecution & that a Commitment issue to collect the same.

3843. State of Texas v. C. Coney. And now on this day came the parties to this cause by their Attys & announced themselves ready for trial. Whereupon came a Jury of 12 good & lawful men of Travis County consisting of D. C. Farrell and eleven others who

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being tried, decided and sworn according to Law heard the Indictment the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We the jury find the Defendant guilty and assess the fine at ($25) twenty five Dollars D.C. Gandel foreman." Whereupon it is ordered that the State of Texas do have and recover of and from the Defendant C Coney the sum of twenty five Dollars and cost of this prosecution & that a Commitment issue to collect the same

3844. State of Texas v. R B Faulkner. Continued by the State.

3845. The State of Texas v R B Faulkner. Continued by the State.

3848 State of Texas Austin City v. C Conio. Dismissed

3849. Austin City v. C Conio. Dismissed

3852. State of Texas v Cummings Dismissed

✓ 3872 State of Texas v. J M. Hall. And now come the parties by atty and announce ready for
X trial and waiving a Jury submit the case to the Court. And Defendant plead guilty to an aggravated assault. Whereupon it is ordered that the State of Texas do have and recover of said J M. Hall the sum of One hundred Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3882. State of Texas v Richard McKinney Dismissed

3892. State of Texas v Neil Cain Continued

✓ 3895. State of Texas v Thomas Jarrell. And now on this day came the parties to this
X cause by their attys and announced themselves ready for trial and thereupon the Defendant pleads guilty to an aggravated assault. Whereupon it is ordered that the State of Texas do have and recover of said Thomas Jarrell the sum of One Hundred Dollars as a fine and the cost of this prosecution and that he be committed to the County Jail until the same are paid in full.

✓ 3912. State of Texas v Neal Cain. And now come the parties by atty and announced ready for
X trial and waiving a Jury submit the case to the Court. And Defendant plead guilty. Whereupon it is ordered that the State of Texas do have and recover of said Neal Cain the sum of Ten Dollars as a fine & the cost of this prosecution and that Commitment issue

3921. State of Texas v John Pennington. Continued

3992. State of Texas v Neal Cain. Continued

And Court adjourned till to-morrow at 9 am.

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Court met at 9 o'clock AM. pursuant to adjournment. Present Hon J P Richardson Judge presiding. Whereupon the following proceedings were had to wit:

✓ 3890 Douglass Jerrold vs J. P. Newcomb et als. And now on this day came the parties to this cause by their attys and the Defendants submitted their motion for a new trial, which being heard and considered, it is ordered that said motion be overruled. Whereupon said Defendants give notice in open Court of an appeal to the Supreme Court.

✓ 4156 Strait & Main v J P Newcomb & Co And now comes on to be heard the motion to set aside the order entered in this cause, which being heard

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and Cause duly considered, it is ordered that said motion be overruled.

1 0151 State of Texas v C. Covey. And now comes on to be heard the motion of the Defendant for a new trial in this cause, which being heard and considered, it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court

1 0151 State of Texas v C. Covey And now comes on to be heard the motion of the Defendant for an arrest of the Judgment in said Cause, which being considered by the Court, it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

1 3023 State of Texas v Newcomb & Butcher And now come the parties by attorney announce ready for trial and waiving a Jury submit the Case to the Court. And Defendants pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Newcomb & Butcher the sum of Ten Dollars as a fine and the Cost of prosecution and that a Commitment do issue

1 4331. Mr. S. Hemphill v. S. G. Hemphill And now on this day This Cause being called for trial came the Pff by atty & announced ready for trial and the Defendant Came not though he had accepted Service of plaintiffs petition more than five days before the meeting of the present term of this Court. Whereupon came a Jury of twelve good and lawful men of Travis County Coming of W. T. Davis & eleven others who being Tried & Sworn according to Law, heard the pleadings the evidence and the charge of the Court & retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the allegations in the Pffs Petition & Amended Petition, to be true. W. T. Davis foreman." Whereupon it is ordered and adjudged that the Bonds of Matrimony heretofore celebrated & existing between the said Mary G. Hemphill & S. G. Hemphill be and the same are set aside, dissolved and held for naught, and that the parties be divorced, and that the plaintiff recover of the Defendant all the Cost of this suit for which execution may issue. And it is further ordered and adjudged that the care, custody and education of the minor child of the parties, to wit John D. Hemphill be committed to the plaintiff & that the Defendant be enjoined from interfering with the plaintiff in the possession of their said Child

1 1327. J. D. Sliddon v. W. A. Johnson. And now come the parties by atty When on motion it is ordered that this Cause be dismissed & that the Defendants recover of the plaintiff all the Cost of this suit for which execution may issue.

and Court adjourned till Monday at 9 A.M.

March 8th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge presiding. Whereupon the following proceedings was had by said Court to wit.

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3796 State of Texas v E Currie Dismissed Nal Pros

3801 State of Texas v J E. Downes. Dismissed Nal Pros.

3831 State of Texas v Diblecle. Dismissed

3886 State of Texas v Jim Moore Dismissed

3897 State of Texas v Park Reed Continued

/ 3898 State of Texas v John Baughn And now come the parties by their attys and announced ready for trial. Whereupon the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said John Baughn the sum of Twenty Five Dollars as a fine and the cost of this prosecution & that a Commitment issue to collect.

3909 State of Texas v J B. Hand. Continued by the Defendant.

3917 State of Texas v Kemp Jim Continued

3918 State of Texas v Bradley. Dismissed

/ 3920 State of Texas v Bill Tunney. And now come the parties by atty and announced ready for trial and waiving a Jury submit the case to the Court and Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of the Defendant Bill Tunney the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

/ 3932 State of Texas v George Price. And now come the parties by atty and announced ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty And thereupon it is ordered that the State of Texas do have and recover of the said George Price the sum of Ten Dollars as a fine and the cost of this prosecution & that a Commitment issue to collect the same.

/ 3936 State of Texas v Newell Rundell. And now come the parties by atty and announced ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of the said Newell Rundell the sum of Ten Dollars as a fine & the cost of the prosecution and that a Commitment issue to collect the same.

3937 The State of Texas v Stocker Continued

3938 The State of Texas v Geo Harris Continued

/ 3939 The State of Texas v Wiley Craft. And now come the parties by atty and announced ready for trial and waiving a Jury submit the case to the Court And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of the said Wiley Craft the sum of Ten Dollars as a fine and the cost of the prosecution & that a Commitment issue to collect the same.

3948 The State of Texas v Billy Thompson Continued

3950 The State of Texas v Sprague. Continued

3962 State of Texas v Tom Mauney. Service quashed

3965 State of Texas v Giles Burnett Jr. Continued

3994 State of Texas v Suddy Meeks. Contd by Deft

3995 State of Texas v Charley Meeks. Dismissed

/ 3977 State of Texas v Jim Mayo. And now come the parties by atty and announced ready for trial & waiving a Jury submit the case to the Court. And

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the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Jim Mays the sum of Four Dollars as a fine and the Cost of this prosecution and that a Commitment issue to collect the same.

4001 The State of Texas v. John Darleton. Continued

4002 The State of Texas v. John Darleton Dismissed

4012 The State of Texas v Felix Saunders. Continued

4020 The State of Texas v Charles Coney. Dismissed

4021 The State of Texas v Charley Coney. And now come the parties by their attys the defendant also appearing in person. When came on to be heard Defendants motion to quash the indictment, which being considered the same is overruled, to which ruling the Defendant excepts. And thereupon came a jury of twelve good and lawful men of Travis County consisting of F W Glenn and eleven others who being tried, elected and sworn according to law heard the Indictment the plea of not guilty the evidence, argument of Counsel, and the charge of the Court and returned for deliberation. Whereupon said Jury returned into Court the following verdict to wit: "We the Jury find the Defendant guilty and assess the fine at Fifty Dollars. F.W. Glenn Foreman." Whereupon it is ordered that the State of Texas do have and recover of said Charley Coney said sum of Fifty Dollars and the Cost of this prosecution, and that a Commitment issue to collect the same.

D. F. Stiles It is ordered that W m Walton, D Sheeks and R H Ward be appointed a Committee to examine in open Court the applicant D. F. Stiles, for license to practice Law and report that the examination he had in open Court on the 13th inst.

2429 State of Texas v Jno. Meeks et als. Continued by the Deft.

2430 State of Texas v Jno Meeks et als. Continued by the Deft.

4030 State of Texas v M C R James et als Continued by the Deft

4035 State of Texas v Ambrose Steele. Dismissed

4039 State of Texas v John Holmes Dismissed

3465 The State of Texas v Jo Burlage. This cause being called for trial the Defendant Jo. Burlage failing to appear and answer to the Indictment in this case, heard his securities A.P. Blocker and M. C. Nuckols being distinctly called at the door of the Courthouse door of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jo. Burlage with the said A. P. Blocker and M. C. Nuckols as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 11th day of June 1874 payable unto the State of Texas in the sum of One hundred Dollars, conditioned that the said Defendant Jo. Burlage make his personal appearance at the District Court of said County of Travis then in session to answer the Indictment preferred against the said Defendant Jo. Burlage by the Grand Jury of Travis County at the June term A.D. 1874 for Betting at a Gaming Bank called Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is Considered by the Court that the State of Texas

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do have and recover of the said Jo. Dunlap principal and A.P. Blocker and M.C. Nichols Securities the said sum of One hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Jo. Dunlap did not appear and further ordered that citations do issue to the said securities

3533. The State of Texas v Mays et al Clanton) And now come Peter Murchison, J.A. Craft,
3534. The State of Texas v Mays et al Clanton) Claib. Young, Geo. W Peirce, Kinney Murchison et al John C. Dunlap and T.J. Houston, and each of them, (they intending for the Defendants) acknowledged themselves and himself jointly to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars each, to be levied upon their goods and chattels, lands tenements et estate But to be void upon Condition that the said witnesses do make their personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter, to testify on behalf of the Defendants in the above Causes Nos 3533 and 3534 of the State of Texas v. Mays and Clanton and that they do not depart the Court without leave. And case Continued by Defendants.

3548 The State of Texas v N.P. Larsen. This cause being called for trial the Defendant N.P. Larsen failing to appear and answer to the indictment in this case, & he and his securities N.P. Summerow and John Eckel being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant N.P. Larsen with the said N.P. Summerow and John Eckel as his securities, did enter into recognizance in open Court substantially as follows: Dated 16th day of November 1874 payable unto the State of Texas in the sum of Five hundred Dollars, conditioned that the said Defendant N.P. Larsen make his personal appearance at the District Court of said County of Travis then in session to answer the Indictment preferred against the said Defendant N.P. Larsen by the Grand Jurors of Travis County at the June Term A.D. 1874 for Swindling 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, which said Bond Recognizance is forfeited and it is considered by the Court that the State of Texas do have and recover of the said N.P. Larsen principal and N.P. Summerow and John Eckel securities the said sum of Five Hundred Dollars and that this Judgment will be made final unless good Cause be shown at the next Term of this Court why the said Defendant N.P. Larsen did not appear. And further ordered that Citations do issue to the said securities

3578. The State of Texas v Nat Moore This cause being called for trial the Defendant Nat. Moore failing to appear and answer to the indictment in this case he and his security John H. Conner being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Nat Moore with the said John H. Conner as his security did execute the Bail Bond on file in this case substantially as follows. Dated 19th day of October 1874 payable unto the State of Texas in the sum of

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One Hundred Dallars conditioned that the said Defendant Nat Moore make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Nat Moore by the Grand Jurors of Travis County at the October Term A D 1874 for Betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited and it is Considered by the Court that the State of Texas do have & recover of the said Nat Moore principal & John M Conner security the said Sum of One Hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Nat Moore did not appear. And further ordered that Citations do issue to the said Securities

3702 The State of Texas v. J. R. Norris. This cause being called for trial the Defendant J. R. Norris failing to appear and answer to the indictment in this case he and his Securities W. G. Barrow & Adison Smith being duly & timely called at the door of the Courthouse of Travis County and the defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant J. R. Norris with the said W. G. Barrow and Adison Smith as his securities did execute the Bail Bond on file in this case substantially as follows. Dated 13th day of August 1874. payable unto the State of Texas in the Sum of Five Hundred Dollars Conditioned that the said Defendant J. R. Norris make his personal appearance at the District Court of said County of Travis on the 1st Monday in October 1874 to answer any Indictment that might be preferred against the Defendant J. R. Norris by the Grand Jurors of Travis County at the October Term A D 1874 for Swindling and there remain from day to day and from term to term of said Court & that he do not depart thence without leave of said Court, which said Bond is forfeited And it is Considered by the Court that the State of Texas do have & recover of the said J. R. Norris principal and W. G. Barrow & Adison Smith Securities the said Sum of Five Hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant J. R. Norris did not appear. And further ordered that citations do issue to the said Securities

4001 The State of Texas v. Albert Hutchins And now come Sam. H. Nichols & A. J. Lloyd and each of them acknowledged himself justly to owe and be indebted unto the State of Texas in the penal sum of Fifty Dollars each to be levied upon their goods and chattels lands Tenements & estate But to be void upon Condition that said Sam. H. Nichols & A. J. Lloyd do make their personal appearance before the District Court of Travis County now in session & there remain from day to day & from term to term thereafter to testify in behalf of the Defendant in the above entitled cause of the State of Texas v. Albert Hutchins and that they do not depart the Court without leave. And cause continued by the State

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4015. The State of Texas v. H. Cohen. And now comes H. Cohen as principal and Sam. Friedleyer, A. D. Kaber and J. S. Davis as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Five hundred Dollars to be levied upon their Good and Chattels Lands Tenements and Estate But to be void upon condition that the said H. Cohen make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer the Indictment preferred against said H. Cohen by the Grand Jurors of Travis County at the February Term 1875 of the District Court of said County for Concealing Stolen property and that he do not depart the Court without leave.

4015. The State of Texas v. S. Cohen. And now comes S. Cohen as principal and Sam. Friedleyer A. D. Kaber and J. S. Davis as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars to be levied upon their Goods and Chattels, Lands, Tenements and Estate But to be void upon condition that the said S. Cohen make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer the Indictment preferred against said S. Cohen by the Grand Jurors of Travis County at the February term 1875 of the District Court of said County for Receiving Stolen Propety and that he do not depart the Court without leave and Cause continued by defendants.

And Court adjourned till to morrow at 9 o'clock A.M.

March 9th 1875.

Court met at 9 o'clock A.M pursuant to adjourment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

3008 The State of Texas vs. D. M. Eyell et als Dismissed.

✓ 3863 The State of Texas v. Jo. Wadsworth. And now on this day came the parties to this cause by their Attorneys and announced themselves ready for trial and waiving a Jury submit the Case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of the Defendant Jo Wadsworth the sum of Twenty Five Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

✓ 4018. The State of Texas v. L. Britton. And now on this day came the parties to this Cause by their Attorneys and announced themselves ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said L. Britton the sum of Ten Dollars and the cost of this prosecution and that a Commitment do issue.

✓ 11029. State of Texas v. Charley Woods. And now on this day came the parties by their Attys and announced ready for trial and waiving a Jury Submit the Case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Charley Woods the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

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And thereupon Court adjourned till to morrow at 9 A.M.

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Court met at 9 o'clock A.M. Pursuant to adjournment. Present Hon. J. P. Richardson Judge &c presiding. Whereupon the following proceedings were had to wit.

8151 The State of Texas v. Charley Covey. The Defendant Charley Covey and Charles Wolf and Geo. H. Gray, his sureties, jointly and severally acknowledge themselves indebted to the State of Texas in the penal sum of three hundred Dollars for the payment of which, well and truly to be made, they bind each of themselves, their heirs, executors & administrators, to be levied of their respective goods, lands, tenements and estates. But to be void on condition that the said Defendant Charley Covey, who is charged with the offense of Penciling Monte to be exhibited in whose under his control appear before the District Court of the County of Travis on the 1st Monday of June next there to remain from day to day, and from term to term, and not depart without leave of said District Court, in order to abide the judgment of the Supreme Court of the State of Texas.

2572 The State of Texas v. R. B. McLaren. And now at this day came the parties & announced ready for trial & there came a Jury of twelve good & lawful men of Travis County consisting of W. G. Barrow and eleven others who being tried elected & sworn heard the plea of not guilty evidence & the charge of the Court returned the following verdict, to wit- "We the Jury find the Defendant not guilty. W. G. Barrow Foreman." Whereupon it is ordered that said Defendant go hence fully acquitted & discharged.

3952 State of Texas v. Fred. Schmidt. And now come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And the Defts. pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Fred. Schmidt the sum of Ten Dollars as a fine & the Cost of the prosecution & that a Commitment issue to collect the same.

9908 The State of Texas v. John Schooley. And now come the parties by atty & announced themselves ready for trial. And the Defendant pleads guilty to simple theft. Whereupon it is ordered that the State of Texas recover of John Schooley the sum of One Dollar as a fine & the cost of this prosecution & that a Commitment issue to collect the same.

9958 The State of Texas v. Charley Cook. And now come the parties by atty & announced ready for trial & waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Charley Cook the sum of Ten Dollars as a fine & the Cost of this prosecution & that Commitment issue to collect same.

3793 The State of Texas v. John Duey. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person & by attorney and announced ready for trial. Whereupon came a Jury of twelve good & lawful men of Travis County, consisting of J. J. Musgrove & eleven others who being tried, elected & sworn according to law, heard the Indictment, the plea of not guilty the evidence, argument of Counsel & the charge of the Court & retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find Defendant guilty and assess the punishment at two (2) years in State Penitentiary and recommend him to the clemency of the Court. J. J. Musgrove Foreman." Whereupon it is ordered that said Defendant stand committed to the

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County jail to await the judgment and Sentence of the Court.
And Court adjourned till to-morrow at 9 AM
March 11th 1875

Court met at 9 o'clock AM pursuant to adjournment Present same as yesterday
Whereupon the following proceedings were had to wit:

3428 State of Texas v. Ed. Grooms and now come Daniel Mack, Peter Chapman, J. M. Berryman and Chapman, and each of them acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of Fifty Dollars each, to be levied upon their goods and Chattels, lands, tenements and estate But to be void upon condition that said witnesses remain in attendance upon the District Court of Travis county now in session and there remain from day to day and from term to term thereafter to give evidence on behalf of the Plaintiff in the said cause of the State of Texas against Ed Grooms, and that they do not depart the Court without leave and the cause is continued by the State.

3854. The State of Texas v. R. McKay. Upon motion it is ordered that the entry of final judgment entered in this cause at a former day of this term, be set aside and vacated.

3867. State of Texas v. Geo. Crawford. Continued by the State.

3873. State of Texas v. Lewis Holmes. And now comes James Mays and acknowledges himself justly to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars to be levied upon their Goods and Chattels Lands tenements and Estate But to be void upon condition that said James Mays be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to give evidence on behalf of the Plaintiff in the said cause of the State of Texas v. Lewis Holmes, and that he do not depart the Court without leave.

3913. State of Texas v. D. M. Ezell. And now comes the parties by Atty and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said D. M. Ezell the sum of One Dollar as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3972. The State of Texas v. Ann Eliza Brown. And now comes Ann Eliza Brown as principal and Tom Hill and Milton Wallace as securities and acknowledge themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Two Hundred and Fifty Dollars to be levied upon their goods and Chattels Lands Tenements and Estate But to be void upon Condition that said Ann Eliza Brown be and remain in Attendance upon the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer the Indictment preferred against said Ann Eliza Brown by the Grand Jurors of Travis County at the February term 1875 of the District Court of said County for theft from a house and that she do not depart the Court without leave. Cause Continued.

4008. State of Texas v. Jim Smith et als Dismissed as to the Defts Robert Williams And now come Scott Wilson, Bob. Gillespie, Robert Hamilton and Richard Franklin, and each of them acknowledged himself justly to owe and be

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indebted unto the State of Texas in the sum of Fifty Dollars each to be levied upon their goods and Chattels Lands Tenements and Estate But to be void upon condition that said witnesses be and remain in Attendance upon the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to give evidence on behalf of the Plaintiff in the above entitled Cause of the State of Texas Jim Smith et als and that he do not depart the Court without leave.

1014. State of Texas v. Jim Whitehead And now comes Bob. Smith and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of Fifty Dollars to be levied upon his goods and Chattels Lands Tenements and Estate But to be void upon Condition that said Bob Smith be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day and from term to term thereafter, to give evidence on behalf of the Plaintiff in the above entitled Cause of the State of Texas vs Jim Whitehead, and that he do not depart the Court without leave.

3645. State of Texas v. Al Rust. And now come the parties by their attys and announced ready for trial and waiving a jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Al Rust the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue

3719 The State of Texas v. Jo. Burlage. This cause being called for trial the Defendant Jo. Burlage failing to appear and answer to the Indictment in this case he and his security S. Mufsett being distinctly called at the door of the Courthouse of Travis County the defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jo. Burlage, with the said S. Mufsett as his security did execute the Bail Bond on file in this case substantially as follows. Dated 21 day of October 1874 payable unto the State of Texas in the sum of One hundred Dollars Conditioned that the said Defendant Jo. Burlage make his personal appearance at the District Court of said County of Travis then in session to answer the Indictment preferred against the said Defendant Jo. Burlage, by the Grand Jurors of Travis County at the October term A D 1874 for Betting at Monte 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 which said Bond is forfeited And it is Considered by the Court that the State of Texas do have and recover of the said Jo Burlage principal and S. Mufsett Security the said sum of One hundred dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Jo Burlage did not appear. And further ordered that citations do issue to the said Securities

3763. State of Texas v. Daniel Lewis. Dismissed

3610. State of Texas v. Paul Lewis. And now come the parties and announce ready for trial and waiving a jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Paul Lewis the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3626. State of Texas v Bud Bolton. Continued

3664. State of Texas v Paul Lewis Dismissed

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3896. State of Texas v. Rud Cotton. And now come the parties by atty & announced ready for trial & waiving a Jury submit the case to the Court And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Rud Cotton the sum of Twenty Five Dollars as a fine & the cost of this prosecution & that a Commitment issue to collect the same.

3904 State of Texas v. Paul Lewis. Dismissed

3735. The State of Texas v. Wm Washington. And now come the parties by atty & announced ready for trial and then came a Jury of 12 good & lawful men of Travis County Consisting of F. W. Glenn & eleven others, who being Tried elected & sworn according to law, heard the indictment, the evidence & the argument of Counsel & the charge of the Court and returned the following verdict, to wit: "We the Jury find the Deft. not guilty. F. W. Glenn foreman." Whereupon it is ordered that said Defendant go hence fully acquitted & discharged.

And Court adjourned till to-morrow at 9 o'clock A.M.

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Court met at 9 o'clock AM pursuant to adjournment. Present Hon. J. P. Richardson Judge &c presiding. Whereupon the following proceedings were had to wit:

4040 The State of Texas v. Job Smith & Peter Matthew, called a white man. And now on this day came the parties by their attys & announced ready for trial And waiving a jury submit the case to the Court And the Defendants plead not guilty. Whereupon it is ordered that the State of Texas do have & recover of each of said Defendants the sum of Twenty Five Dollars each & all the cost of this prosecution & that a Commitment issue to collect the same.

4041. State of Texas v. Job Smith et als Dismissed

4042. State of Texas v. Job Smith et als. Dismissed

4043 State of Texas v. Job Smith et als Dismissed

3960 State of Texas v. J. Dyson et als. And now Come the parties by atty & announced ready for trial & waiving a Jury submit the case to the Court And the Defe. pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of J. Dyson the sum of Ten Dollars as a fine & the cost of this prosecution & that a Commitment issue to collect the same.

3873. State of Texas v Lewis Holmes. Continued

3654. State of Texas v. S. B. Robinson. Continued by the State

3101. State of Texas v. S. M. Cain, Jr. Continued

3293. State of Texas v. D. M. Ezell. Continued by State as to Ezell.

3686. State of Texas v. Brown Boss alias W. R. Brown. And now comes the District Atty on behalf of the State & came also the Defendant by attorney & announced ready for trial. Whereupon came a Jury of twelve good & lawful men of Travis County Consisting of J. J. Musgrove & eleven others who being tried elected & sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel & the charge of the Court retired for deliberation. Whereupon said

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Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess fine at ten Dollars ($10.00) J J Musgrove, Foreman." Whereupon it is ordered that the State of Texas do have & recover of said Brown Boss & his H. R. Brown the sum of Ten Dollars & assessed by the Jury and all the cost of this proceeding and that a Commitment issue to collect the same.

4314. Leon & H. Blum v. P. Thompson. And now on this day this cause being called came again the Plffs by their atty & upon motion it is ordered that the writ of Injunction awarded in this cause be set aside and that judgment final be entered by default. And because it appears that the account sued on is duly sworn to, and that by agreement said account was to draw interest at the rate of twelve per centum per annum It is ordered and adjudged that Leon Blum, Hyman Blum & Sylvain Blum, under their firm name of Leon & H. Blum, do have & recover of said P. Thompson the sum of Four Hundred Fifty six & 06/100 Dollars debt & interest due to this date, together with interest thereon from this date until paid at the rate of twelve per centum per annum, and all the cost of this suit for which execution may issue.

2968. The State of Texas v. Tilman Hannibal. Dismissed

3525. The State of Texas v. F. Allen. Dismissed

And Court adjourned till to-morrow at 9 o'clock A.M.

March 18th 1875.

Court met at 9 o'clock A M pursuant to adjournment. Present & same as yesterday Whereupon the following proceedings were had, to wit:

3457 4021 The State of Texas v. Charles Coney. And now come the parties by atty & the Defendant submitted his motion for a new trial in said cause, which being heard and duly considered by the Court, it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

3843 The State of Texas v. Chas Coney. And now come the parties by their attys when the Defendant submitted his motion for a new trial, which being heard & considered it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

3293. State of Texas v. John Duey. And now on this day came the parties to this cause by their attorneys when the Defendant submitted his motion for a new trial which being heard and duly considered by the Court, it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal And it is ordered that said John Duey is guilty of felony as in the indictment in this behalf charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of one years, in accordance with the verdict of the Jury who tried his case. And to the Supreme Court. because of the notice of appeal it is ordered that judgment and sentence be suspended to await the result of said appeal.

3889. M Galloway v. Richard Galloway. And now on this day came the parties when was submitted their motion to dismiss the cause and to set aside Judgment rendered herein at a former term which being duly considered it is ordered that said motion be overruled. And the said parties give notice in open Court of an appeal to the Supreme Court.

4149. League v. Townsend. And now come the parties by their attorneys the Defendant submitted his motion for a new trial which being heard & considered it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

March 15th 1875

4233. State of Texas v. Dick McLaren et als. And now on this day came the parties by their attys when the Defendants submitted the motion to set aside the final judgment rendered in this cause at a former day of the term which being considered the same is overruled, to which defendant excepts and gives notice in open Court of an appeal to the Supreme Court.

And Court adjourned till Monday morning at 9 o'clock

Monday, March 15th 1875.

Court met at 9 o'clock a.m. pursuant to adjournment Present Hon. J. P. Richardson Judge & presiding. Whereupon the following proceedings were had to wit.

D. F. Stiles. D. F. Stiles having been examined in open Court touching his qualifications to practice as an Attorney & Counsellor at Law and being found duly qualified, it is ordered that said D. F. Stiles be and he is admitted to practice as an Attorney & Counsellor at Law in the several District & Inferior Courts of the State of Texas & that a license issue accordingly.

3928. The State of Texas v Jo Sovean. And now on this day came the parties by their attys & announced ready for trial. and waiving a Jury submit the case to the Court And the Defendant enters the plea of guilty. Whereupon it is ordered that the State of Texas do have & recover of the Defendant Jo. Sovean the sum of Twenty Five Dollars as a fine & the cost of this prosecution And that a Comm. Amend issue to collect the same.

3531. State of Texas v. J. P. Newcomb Continued

Geo. W. Brackenridge vs John Stringer et als. Now on this day came the plaintiff by his attorneys and Defendants F. W. Chandler and A. P. Blocker by their Attorney & by Consent of parties the continuance heretofore entered in this cause is set aside Whereupon the Plaintiff by Counsel moved the Court for a judgment by default against Defendant John Stringer. And it appearing to the Court that said Defendant John Stringer had been duly served with process, and being duly called came not but wholly made default. And it appearing to the Court that the cause of action sued on in this cause is liquidated Whereupon it is ordered by the Court that Plaintiff have judgment by default against said John Stringer & the Clerk of this Court is ordered to assess the damages due plaintiff And the plaintiff and Defendants F. W. Chandler & A. P. Blocker having announced themselves ready for trial and agreed to submit this cause to the Court. And it appearing to the Court that Defendants executed & delivered to the plaintiff the note sued on in this cause. And it further appearing to the Court that said Defendant John Stringer signed said note as principal and the said F. W. Chandler and A. P. Blocker as securities. And the said Chandler & Blocker having moved the Court for judgment over against said John Stringer It is therefore ordered and adjudged that Plaintiff Geo. W. Brackenridge have & recover from said John Stringer as principal & F. W. Chandler and A. P. Blocker as sureties the sum of Nine Hundred and Ninety nine 16/100 currency Dollars the amount due upon said note sued on in this case with interest thereon at the rate of twenty-five per centum per annum from date until paid

Trial by Jury waived & cause submitted by Stringer 1875 F. W. Chandler Assignee

March 15th. 1870

together with all costs in this behalf expended. It is further ordered & adjudged that Defendants F.W. Chandler & A.P. Blocker do have & recover the said sum of Nine Hundred and Ninety-Nine 16/100 Currency dollars, together with all costs in this behalf expended, with interest at the rate of twenty five per centum per annum over against said John Stringer. It is further ordered that execution issue in behalf of the respective parties for whom said judgment is rendered.

3249. E. S. Compton vs Shadrack Cayce et als. And now at this day came the parties to this cause by their attys. when came on to be heard Defendants plea to the jurisdiction of the Court, as also the demurrer of the Defendants to the petition of the Plaintiff, which being duly considered by the Court, it is ordered & adjudged that said plea & demurrer be and the same are overruled. to which ruling of the Court said Defendants except.

3686. The State of Texas vs Brown Rees alias W. L. Brown. And now on this day came the parties to this cause by their attys when the Defendant submitted his motion for a new trial, which being heard & considered, it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

3997. J. C. DeGress vs R. B. Hubbard et als. And now on this day came the parties to this cause by their attys when the Plaintiff submitted his motion for a new trial in said cause, which being heard & considered it is ordered that said motion be overruled. Whereupon said Plaintiff gives notice in open Court of an appeal to the Supreme Court.

3868. The State of Texas vs Charles Ryberg. And now comes the District Atty on behalf of the State & came also the Defendant in person & announced themselves ready for trial. When came a Jury of 12 good & lawful men of Travis County, consisting of W. T. Davis & eleven others, who being tried, elected & sworn according to law, heard the indictment, the plea of guilty, & the charge of the Court, returned the following verdict, to wit: "We the Jury find Deft. guilty and assess the Punishment at two years in State Penitentiary. W. T. Davis, Foreman." Whereupon it is ordered that said Defendant stand Committed to the County Jail to await Judgment & Sentence.

3974. State of Texas vs Bill Henderson et al. Service on Hudson quashed & Capias for Henderson.

3906. Geo W. Glasscock vs C. Culmore et als. Continued

4283. Georgetown College vs C. A. Horan. And now comes the Pff. by Atty when on motion it is ordered that said Plaintiff have leave to amend.

3796. State of Texas vs E. Baker. Indictment quashed and Deft. discharged

3802. State of Texas vs E. Baker. Indictment quashed & Deft. discharged

3804. State of Texas vs E. Baker. Indictment quashed & Deft. discharged

3805 State of Texas vs E. Baker. Indictment quashed & Deft. discharged

3806 State of Texas vs E. Baker. Indictment quashed & Deft. discharged

3811 State of Texas vs E. Baker. Indictment quashed & Deft. discharged.

March 15th 1875.

Michael D. Moller vs. M. R. Mitchell and J. B. Mitchell. March 15th 1875.

1349. And now on this day comes the Plaintiff in this cause in his own proper person and by attorney and demands judgment final in this cause, and after the petition of plaintiff had been read and after the answer purporting to confess judgment and signed by the Plaintiff as the Agent and attorney in fact of the Defendant had both been read and after plaintiff M. D. Miller appeared in person and prayed to confess judgment final under the terms of the note sued on, D. E. Thomas, Esq. an attorney of this Court, appeared as amicus curiae and suggested to the Court that the Defendant had never been cited to answer plaintiffs petition and had no notice of the pendency of this suit, and that the Court had no jurisdiction or authority to render final Judgment without service of citation, which suggestion being argued and fully understood the Court doth refuse to render Judgment final on the note described in plaintiffs petition for the want of service of citation, and ordered that pff. might amend his petition so as to ask for the issuance of citation returnable at the next term of this Court. Whereupon the Plaintiff declined to amend his petition and rested his right to take final judgment without service of citation upon the stipulations in the note sued on, and on the right of the Plaintiff to confess judgment for Defendant, and upon the answer purporting to confess judgment and signed by the plaintiff as the agent and attorney in fact of Defendant only. It is therefore ordered by the Court that plaintiff take nothing by this suit: that the same be dismissed, and that plaintiff pay all the costs incurred herein for which execution shall issue, to which ruling of the Court the plaintiff M. D. Miller then and there excepted and gives notice of appeal to the Supreme Court.

4077. George Young vs Houston and Texas Central Railway Company. And now on this day this cause being called for trial came the plaintiff and announced ready. And the Defendant came not, though duly cited. And the plaintiff moved that a jury be empannelled to try the writ of Inquiry heretofore issued. Whereupon came a jury of twelve good and lawful men of this County consisting of J. H. Walker and eleven others, who being duly elected and Sworn according to law, heard the pleadings, and the charge of the Court, and retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "We the jury find for the plaintiff the sum of Three hundred, eighteen Dollars & 18 Cts Walker Foreman." Whereupon it is ordered and adjudged that said George Young do have and recover of the Houston and Texas Central Railway Company the sum of Three Hundred and Eighteen Cts Dollars found to be due, together with all costs of this suit, & that execution issue

Received on rec'd Judgment - One Hundred and Fifty Dollars as payment in full of the same upon a Cancellation with the Plaintiffs this day April 6th 1875

Miller & Lyons Attys

4267. Asper Scott v. Johannes Eikel. And now on this day this cause being called for trial came the plaintiff and announced ready, and the Defendant came not. When came a jury of twelve good and lawful men

March 16th 1875.

of Travis County, Consisting of J. H. Wacker and eleven others, who being tried, empannelled and Sworn according to law, heard the pleadings, evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the plaintiff J. H. Wacker, Foreman." Whereupon it is ordered and adjudged that said Alfred Scott do have and recover of said Johannes Eikel the right, title and possession of Lot No 5 in Block No 23 of the subdivision of Out Lot No 13 in Division A of Out Lots adjoining the City of Austin in Travis County, Texas, and that the Clerk do issue a Writ of Possession requiring the Sheriff to oust said Defendant and all persons claiming under him and place the plaintiff in possession thereof. It is further ordered that the plaintiff recover of the Defendant all the Cost of this suit, for which execution may issue.

And Court adjourned till to-morrow at 9 A.M.

March 16th. 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon J. P. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had, to wit:

1307. Peter J. Plumb and Diana E. Plumb Pffs vs R. S. Bacon, Hugh S. Bacon and William R. Bacon Defts. On this day came on to be heard the above Styled and numbered cause, and it appearing to the Court that the Defendant R. S. Bacon has been duly served with process in this case and has failed to appear either in person or by atty. It is ordered by the Court that Judgment by default be rendered against him according to the prayer of plaintiffs petition, and that the jury do assess the damages. And it appearing to the Court that the defendants William R. Bacon and Hugh S. Bacon are minors, and that they have each personally been served by process in due form of law and are now hereby John Dowell Esq. their Special Guardian duly appointed by this Court and who has legally qualified as such and the pffs being present by atty the said parties announced themselves ready for trial and thereupon came a jury of twelve good and lawful men of Travis County to wit: J. H. Wacker and eleven others who having been duly elected, tried, empannelled and Sworn according to law, who after they had heard the pleadings read, the evidence introduced and the argument of Counsel, retired to consider of their verdict, and thereupon they returned into Court the following verdict, to wit: "We the Jury find for Plaintiffs the Sum of $1227.00 in Coin, and we find that the Same is a lien upon the property described in Plaintiffs petition and this note. J. H. Wacker Foreman." It is therefore ordered adjudged and decreed by the Court that the Plaintiffs Peter J. Plumb and Diana E. Plumb do have and recover of and from the Defendant R. S. Bacon the Sum of One Thousand Two Hundred and Twenty Seven Dollars in coin, with interest thereon at the rate of eight per cent per annum from this date and costs of this suit. And it appearing to the Court that the said $1227.00 Coin is balance of purchase money due on Lots Number (2) four (5) five and (6) Six in Block No Two (2) of the subdivision of Out Lot No (4) Four in Division A of the Out Lots in the

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City of Austin, Travis County Texas and known as the Government tract &
a plat of which is on file in the General Land Office and a plat of which sub-
division is recorded among the Records of Deeds for Travis County Texas,
being the same lots conveyed by Plaintiffs Diana O'Neil & Peter J Plumb to the
minor Defendants William R & Hugh S. Bacon on the 18th day of March 1874
it is thereupon adjudged & decreed by the Court that the Vendor's lien of the
Plaintiffs on the above described town lots be and the same is hereby fore-
closed, and that the Clerk of this Court do issue an order of sale authorizing
and requiring the Sheriff of Travis County Texas to sell as under an execution all
the right, title, claim and interest of said minor Defendants Hugh S. & William
R. Bacon in & to the above described lots of land with all the improvements
thereon situated and apply the proceeds to the payment of this judgment,
principal & interest and all costs & the residue if any he shall pay over
to the legally appointed Guardian of said minor Defendants: and it further
ordered that the plaintiffs do have execution against the Defendant R.S.
Bacon for so much of this judgment & costs as may remain unpaid after
the sale of the above described lots of land, should it happen that the pro-
ceeds thereof shall be insufficient to satisfy this judgment, principal, interest
& costs. It is further ordered that the Special Guardian John Donnell Esq be al-
lowed a fee of Twenty — Dollars which shall be taxed as a part of the costs

/ 3868. The State of Texas v. Charles Nyberg. And now on this day the Defendant be-
ing brought into Court & asked if he had any thing to say why judgment
should not be entered & sentence pronounced against him in accordance
with the verdict of the Jury who tried his case, and giving no sufficient
reason, it is ordered that said Charles Nyberg is guilty of Felony as in the
indictment in this behalf is charged, and that he be confined at hard labor
in the Penitentiary of the State of Texas for a period of two years & that he
be taken by the Sheriff of Travis County to the Superintendent of said Penitentiary
there to be confined at hard labor in said Penitentiary as aforesaid.

/ 3947. The State of Texas v. William Henderson. And now on this day the Defendant be-
ing brought into Court & asked if he had anything to say why judgment should
not be entered & sentence pronounced against him in accordance with the
verdict of the Jury who tried his case, & giving no sufficient reason it is ordered
that said William Henderson is guilty of Felony as in the indictment in this
behalf is charged, and that he be confined at hard labor in the Penitentiary of
the State of Texas for a period of two years & that he be taken by the Sheriff
of Travis County to the Superintendent of said Penitentiary there to be confined
at hard labor in said Penitentiary as aforesaid

/ 4004. The State of Texas v. D. J. O'Brien. And now on this day the Defendant
being brought into Court & asked if he had anything to say why judgment
should not be entered & sentence pronounced against him in accordance with
the verdict of the Jury who tried his case, & giving no sufficient reason it is

March 17th 1875

ordered that said D. J. O'Brien is guilty of Felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of ten years, and that he be taken by the Sheriff of Travis County and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor as aforesaid.

3696. The State of Texas v Dick Hamilton. And now on this day came the Pratis and announced ready for trial and waiving a jury submit the case to the Court And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Dick Hamilton the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3944. The State of Texas v Willis West. And now on this day this cause came on to be heard and the parties came and waived a jury and submitted the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Willis West the sum of Twenty Five Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect same.

3533 The State of Texas v Mays and Clanton. This day came being called for trial the witness J. W. Craft failing to appear and testify in this case he was duly called at the door of the Court House of Travis County and said witness after a reasonable length of time, still failed to appear. And it appearing to the Court that the witness J. W. Craft did enter into recognizance in open Court in this case substantially as follows. Dated 8th day of March 1875 payable unto the State of Texas in the sum of One hundred Dollars conditioned that the said witness J. W. Craft make his personal appearance at the District Court of said County of Travis then in session, to testify as a witness on behalf of the Defendant in the Cause No. 3533 of the State of Texas v. Mays and Clanton 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, which said recognizance is forfeited And this Cause coming on by the Court that the State of Texas do have and recover of said J. W. Craft the said sum of One hundred Dollars and that this Judgment will be made final unless good Cause be shown at the next term of this Court why the said J. W. Craft did not appear. And further ordered that Citation do issue. And Cause Cont.

And Court adjourned till to-morrow at 9 A. M.

March 17th 1875.

Court met at 9 o'clock AM. Pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

3814. John A. Burdett et als v. M. C. Burdett et als And now comes the Defendants by atty when on motion it is ordered that said Defendants have leave to amend

3815. Joel A. Burdett et als v. John A. Green et als And now come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend

4131. Long & Co. vs C. T. McClellan. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial and waiving a Jury submit the matters in controversy to the Court. Whereupon the

March 18th 1875.

the parties plaintiffs and Defendant respectfully submitted their Pleadings by reading the same in the hearing of the Court, and the Court having heard the evidence introduced on both sides, and having considered the pleadings and the evidence, It is ordered and adjudged that Thusy S. Long, Frank L. Carroll, William A. Fletcher and John Keith, under their firm name of Long & Co. do have and recover of the Defendant C. F. Millett, the sum of Eight Hundred, Ten and 67/100 Dollars and all the cost of this suit for which execution may issue and thereupon Court adjourned until to morrow morning at 9 o'clock.

March 18. 1876.

Court opened pursuant to adjournment the same as on yesterday, and thereupon the following proceedings were had.

Rubena Bell Wood et als
vs
G R Truman et als

On this day come on to be heard the motion of Pltffs to confirm the report of commissioners of Partition herein appointed by decree of Partition rendered in this Court in October 1874 and thereupon it appearing that the Commissioners appointed as aforesaid have made report which is on file & is as follows:

Rubena Bell Wood et als
vs
G. R. Truman and Robert A Wood

To the Hon. J. P. Richardson
Judge 27th Judicial District of the State of Texas.

The undersigned appointed by your honorable Court at its October Term 1874. to partition the lands involved in this case in the following manner.

1. To Defd. G R Truman the share by him taken subject to be corrected as to value in favor, or against the Plaintiff Rebecca Bell Hall, shoud said part be more or less, than an equal half in value of said lands.
2. To Rubena Bell Hall (late Wood) one tenth in value of the lands without regard to former partial division
3. To Emily C. Warren, one fifth of that part reserved to the heirs of E B. Wood, in the partial division
4. To Elizabeth Primm one fifth of that part reserved to the heirs of E B Wood, in the partial division.
5. To Mary Virden one fifth of said part reserved to said heirs.
6. To Robert Wood, one fifth of said part reserved to said heirs.

Respectfully beg leave to submit this as a report of their acts and doings in the premises.

Valuation 114 6 acres in Falls County 1/3 League Abstract No 283 situated on the N. E. side of Pond creek, about 7 1/2 miles S. 54° W. from the Falls of the Brazos, patented to Edw. B Wood Janry 24. 1855. valued at two dollars per acre $2952.00

335 3/4 acres in Falls County Abstract No 296 on the east side of Pond creek about 7 1/2 miles S. 45° W. from the Falls of the Brazos, patented to Edw. B. Wood March 3. 1853, valued at one & one half dollars per acre, 503.62½

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March 18. 1876.

320 Acres of land in Bell County patented to Edward B Wood on the 21st day of July 1854 situated on the waters of Donahoes Creek, about 12 miles S. 12° W. from the three forks of said river, valued at two and one half dolls per acre $ 800.00

301½ acres of land in Haskell County patented to Edw. B Wood situated on the waters of Lake creek abt 52½ miles N. 78° W. from Fort Belknap valued at one half dollar per acre 150.75

total value $ 1407.75

1218 Acres allotted to G.R. Freeman in the partial partition are part of the ½ league, valued at two dollars per acre 2436.00

all the other lands according to above valuation amount to 1971.75

total as above 1407.75

Emily C. Warren, Elizabeth Simms, Mary Virden and Robert Wood, are deeded one fifth of $ 1971.75 each or $ 394.35

Rebecca Bell Hall, per deed one tenth of $ 1407.75 equal to 140.77

The difference between these shares to be made up, by deducting $ 46.42 from G. R Freeman's part by the partial partition, $ 2436.00 less $ 46.42 equal to $ 2389.58 as the amount of Freemans share.

Partition

The 1176 Acres survey in Falls County, having been allotted to G.R. Freeman in the partial partition less 258 acres, in a square out of the S.E corner, or 1206 varas by 1206 varas we have added 23¾ acres on to the N.W. line of this square.

The 335¾ acres survey in Falls County, divided as follows.

The 320 acres survey in Bell County divided as follows:

The 301½ acres survey in Haskell County, we allott as a whole, to Emily C. Warren.

March 18. 1876.

1. To G. R Freeman.

1194 3/4 acres of land part of the Edw. B Wood 1/3 league in Falls County, beginning at the N.E corner of said 1/3 league, thence S. 60° W. 4116 varas, thence S. 30° E 2024 9/10 varas, thence N. 60° E 2910 varas, thence N. 30° W. 1315 1/2 varas, thence N. 60° E 1206 varas, thence N. 30° W. 709 9/10 varas to the beginning at 2cc p. acre $2389. 50.

2. To Reuben Pell Nall

220 1/4 acres of land, part of the Edw. B Wood 1/3 league in Falls County, beginning 284 1/2 varas N. 30° W. from the S.E corner of said 1/3 league, thence N 30° W. 1031 varas, thence S. 60° W. 1206 varas, thence S. 30° E. 1031 varas, thence N. 60° E. 1206 varas to the beginning, at 2cc per acre. 440.50

3. To Emily C. Warren.

304 1/2 acres of land being the entire survey granted to Edw. B Wood situated in Haskell County at 50 cents per acre. $152. 13 1/2

97 acres of land being part of the 320 acres survey granted Edw. B. Wood situated in Bell County beginning at the S.E. corner of said 320 acres survey, thence N. 19° W. E. 950 varas, thence N. 71° W. 576 varas, thence S. 19° W. 950 varas thence S. 71° E. 576 varas to the beginning at 2cc p acre $242. 50. 394.62 1/2

4. To Elizabeth Simms.

111 1/2 Acres of land being part of 320 acres Survey granted Edw. B. Wood situated in Bell County beginning at the S. W. corner of said survey thence N. 71° W. E. 662 varas, thence N. 19° E 950 varas, thence N. 71° W 662 varas thence S. 19° W 950 vara to the beginning at $2 50/100 p. acre 278.75.

77 acres of land being part of 335 3/4 acres survey granted to Edw B Wood in Falls County, beginning at the S. W. corner of said survey, thence N. 60° E. 695 varas, thence N. 30° W. 625 1/2 varas, thence S. 60° W. 695 varas, thence S. 30° E. 625 1/2 varas to the beginning at 1 50/100 per acre. 116.60. 394.25.

5. To Mary Virden.

111 1/2. acres of land being part of 320 acres survey granted Edw B Wood in Bell County, beginning 576 varas N. 71° W. from the S.E corner of said survey, thence N. 19° E. 950 varas, thence N. 71° W. 662 varas, thence S. 19° W. 950 varas thence S. 71° E 662 varas to the beginning at 2cc p acre 278.75.

77 acres of land being part of 335 3/4 acres survey granted to Edw B Wood in Falls County beginning at the N. W corner of said survey, thence S. 30° E 625 1/2 varas, thence N. 60° E 695 varas, thence N. 30° W. 625 1/2 varas, thence S. 60° W. 695 varas to the beginning at $1 50/100 pr acre. $116.60. 394.25.

6. To Robert Wood.

181 3/4 acres of land being part of 335 3/4 acres survey granted Edw. B Wood in Falls County, beginning at the S.E corner of said survey, thence N. 30° W. 1261 varas, thence S. 60° W. 820 varas, thence S. 30° E 1261 varas thence N. 60° E 820 varas to the beginning, at $1 50/100 per acre. 272 62 1/2

61 acres of land being part of 1/3 league survey granted Edw B Wood in Falls County beginning at the S.E corner of said survey, thence N. 30° W.

March 18. 1875

forward 272.62½ 4013.12½

284½ varas thence S. 60° W 1206 varas, thence S. 30° E 284½ varas, thence N. 60° E 1206 varas to the beginning at $2.50/100 per acre. 122.00 394.62½

total value $4407.75.

Respectfully submitted February 20., 1875. Alterations in red ink made before signing

signed H. Von Rosenberg
" Joseph Spence
" Jr. W. Chandler } Commissioners.

Sworn to and subscribed before me this the 11th day of March 1875 by Von Rosenberg and Spence. Frank Brown Clk by S. M. Lee dep.

and upon full & careful examination of said report & it appearing to the Court that said partition has been fairly made and in accordance with the decree the Court doth thereupon order adjudge & decree that the said Report of Commissioners and the partition made by them as herein above set forth be & the same is in all things approved & confirmed. And the Court doth order & decree that each party shall hold the part of said land set apart to such party in severalty all the right & title of the others as to such part being divested, and such right vested in each party in such lands as herein are adjudged to such party. And that the said share so above set apart to the said Rubena Bell Holt be liable to be charged with the life estate to one third thereof in her mother the said Bettie S. Doremus. And the Court doth further decree that the five sixth of the costs herein be paid by the said heirs of Wood pro rata and that said Freeman do pay the one sixth of said costs. For which as to all of said parties as the costs are adjudged execution may issue. It is further ordered that H. Von Rosenberg Commissioner be allowed $15.00 and that Joseph D. Spence Commissioner be allowed $6 to be taxed in the Bill of Costs.

P. I. Harris and
Rachel J. Harris
vs.
Jonathan Rodgers Senr. et al.

1337

And now on this day come the parties cause by their attorneys and the report of the Commissioners, M. M. Hornsby, J. P. Spruill and Aaron Burleson appointed at a former day of this term of this Court to partition the land described in Plaintiffs Petition, coming on to be heard and the same being considered and fully understood and there being no objections made to said report, and the same appearing to the Court to be a fair and equitable division and partition of the land described in plaintiffs petition, quantity, quality & value considered and that the rights of the parties hereto as heretofore determined by this Court has been duly regarded: It is therefore ordered and adjudged and decreed by the Court that said report of said Commissioners be and the same is hereby approved ratified & confirmed and is here made a part of this decree and is adopted as the decree of this Court in the partition of the land so described

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in plaintiffs petition, and it is furtha ordered, adjudged & decreed by the Court that each party to this suit is hereby invested with the full & perfect title to the land set apart to them in said report and that all right of the other parties than the one to whom said several tracts of land are so set apart be and the same is hereby divested. It is further ordered & for the purpose of equalizing the partition that Lizzie Rodgers recover from James Rogers and Jonathan Rogers Junior, each the sum of One hundred & in dollars for which execution shall issue.- It is further ordered that Jonathan Rogers Senior pay one tenth of the costs of this suit and that the balance of the costs be paid in equal parts by Rachel J Harris, James Rogers, Lizzie Rogers and Jonathan Rogers Junior for which Execution shall issued. It is further ordered that J P Spinkle be allowed $6. for services as Commissioner and that M M Hornsby be allowed $20 as Commissioner & surveyor to be taxed as part of the costs. The report of said Commissioners herein referred to is as follows to wit:

We the undersigned, appointed by the honorable District Court as Commissioners to partition and divide the land of Elizabeth Rogers dec. between her surviving heirs, have set apart to Jonathan Rogers Junior, subdivision No 1. and to James Rogers subdivision No 2 and to Lizzie Rogers subdivision No 3. to Jonathan Rogers Senior subdivision No 4. together with lots No 4. out of subdivision No 1 and to Rachel J Harris subdivision No 8! together with 6½ acres situated in Lampasas County. For description of the different subdivisions &lot see accompanying plat and field notes. We further agree that James Rogers, and Jonathan Rogers Jr shall each pay to Lizzie Rogers One hundred dollars coin.

Aaron Burleson, M M Hornsby
& J. P Spinkle they being duly sworn,
state, that the partition made by them
as set out in their report hereto attacked is just and fair, to the best of their knowledge and information, that they have no interest in said Partition, that they believe the same to be just division of said land that can be made.

Signed Aaron Burleson
M M Hornsby.
J. P Spinkle

Sworn to & subscribed before me by J. P. Spinkle
March 12. 1875. F Brown Clk

Aaron Burleson
M M Hornsby.

Sworn to & subscribed before me on this 16th day of March A.D 1875. by Aaron Burleson and M M Hornsby. (signed) Albert Brown
Justice of the Peace Lamp Co Texas

No. 1. Set apart to Jonathan Rogers junior containing 131 acres and 261 square varas beginning at a stone set in the ground in the upper line of the John Burleson Head Right League at a point in said line N. 30 E. 1830 varas from the South west corner of said league on

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the Colorado River, the beginning corner of this tract No 1 being the North west corner of a tract of 215 acres said reconveyed by Jonathan Rogers and his wife Elizabeth Rogers to H. H Gilbert by and dated August 29. 1867. Thence N. 30° E. 1380 varas to the S. W. corner of a small tract containing 2 acres and 478 square varas set apart to Jonathan Rogers Senior being No 4. Thence S. 60 E. 70½ varas, Thence N. 30° E. 154 varas, Thence N. 60 W 70½ - Thence N. 30° E. 958 varas to the N. W corner of this tract of a large black Jack tree on South side of the Bastrop road - Thence S. 60° E 309 varas to the N. W. corner of No 2 of this subdivision set apart to James Rogers a stake from which a hickory 11 in diameter bears N. 83½ W. 9 varas another hickory 4 in diameter bears S. 2½ W. 7½ varas - Thence S. 30° W. 2496 varas to the South west corner of No 2, from which a Pecan bears S. 60° E 16 varas distant and 22 in diameter and a Hackberry 8 in diameter bears N 51½ W 3¾ varas distant. - Thence N. 60 W. 309 varas to the place of beginning.

No 2 set apart to James Rogers contains 136 acres and 604 9gr varas and begins at the S. E. corner of No 1. of this subdivision from which a Pecan 22 in diameter bears S 60 E 16 varas distant and a hackberry 8 in dia bears N. 61½ W. 3¾ varas Thence S. 60 E 16 varas corner. thence S. 66 E 260 varas corner, thence S. 53½ E. 30 varas to a stake for the S. W corner of No 3 of this subdivision, from which an Elm bears N. 63½ W. 30 varas a pecan 20 in dia bears S. 10° W. 9 varas distant, thence N. 30 E. 2497 varas to the N. W. corner of No 3 of this subdivision from which a Post oak 4 in dia bears S. 21½ W. 3½ varas another Post Oak 2 in dia bears S. 30 ½ W. 3¾ varas distant Thence N. 60. W. 308 varas to the N. E corner of No 1 of this subdivision from which a hickory 11 in dia bears N. 83½ W. 9 varas another hickory 4 in dia bears S. 2½ W. 7½ varas distant. Thence S. 30 W. 2495 varas to the beginning.

No 3. Set apart to Lizzie Rogers beginning at the S. E corner of No 2 of this subdivision a stake from which an Elm bears N. 63½ W. 30 varas distant and a Pecan 20 in dia bears S. 10 W. 9 varas, thence S. 53½ E 226 varas to a stake from which a Gumelastic bears N. 84 W. 15 varas a hackberry bears N. 66 E. 4 varas distant, thence S. 39 E to the South east corner of this tract No 3 in David Jones west line thence N. 30 E with said Jones west line 2610 varas to the north east corner of this tract, thence N. 60 W. 308 varas to the N. E corner of No 2 of this subdivision from which a Post oak 4 in dia bears S. 21½ W. 3½ varas another Post oak 2 in dia bears S. 30 ½ W. 3¾ varas distant Thence S. 30 W. 2495 varas to the beginning, containing acres. No 4 set apart to Jonathan Rogers Senior containing two acres and 478 9gr varas beginning at a point in a west line of the John Burleson Head Right League N. 30 E and 3210 varas distant from the South west corner of said League and N. 30 E. and distant 1380 varas from the South west corner

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of No 1. of this Sub division at a stake from which a post oak 12 in dia brs. S. 82½ E. 5½ varas distant another post oak 11 in dia bears N. 9 ¾ E distant 17 varas, Thence S. 60° E. 70½ varas to a Post oak 8 in diameter, thence N. 30 E 157 varas to a stone from which a post oak 2½ in dia bears N. 9½ E 3 varas distant another 20 in dia bears N. 88½ W. 15 ¾ varas distant, Thence N. 60 W. 70½ varas to a stake from which a hickory 10 in dia bears N. 30 E 16½ vrs, a blackjack 14 in dia bears N. 14 E 4 varas distant, thence S. 30 W. 157 ~~vrs~~ with west line of Burleson League to the beginning, this tract embraces the stables of Jonathan Rogers Senior. No 4 also set apart to Jonathan Rogers senior being a part of the Joseph Duty survey and containing 87 acres and 1068 sqr varas beginning at the South West corner of a tract sold to and conveyed by W. H. Gilbert and Silvey Gilbert to Jonathan Rogers by and dated August 29th 1867 and known as the Gilbert Post Oak tract. Thence N. 30 E 1160 varas to a stake on the South side of the Bastrop road from which a Post oak 12 in dia bears N. 52½ E 15 ¾ varas distant, a hickory 6 in dia bears S. 29 ¼ E 10 varas distant, thence S. 77 ¼ E 426 varas to a stake in Bastrop road from which a Black Jack 18 in dia bears S. 17 E. 14 varas distant a Post oak 7 in dia bears N 11½ E 11½ varas distant, thence S. 30 W. 1780 varas to a stake known as the S. E corner of said Gilbert tract; thence N. 60 W. 403½ varas to the place of beginning.

× No. 5. Set apart to Rachel J Harris containing 169 acres and 2130 sqr. varas being part of said Gilbert Post oak tract, beginning at the N. W corner of said tract of 87 acres and 1068 sqr varas set apart to Jonathan Rogers Senior as aforesaid a stake on South side of Bastrop Road from which a Post oak 12 in dia bears N. 62½ E 15 ¾ varas a hickory 6 in dia bears S. 29 ¼ E 10 varas distant. Thence N. 30° E 2430 varas to a stake in the back line of Joseph Duty half League. Thence S. 60 E. 403½ varas to a stake in the back line of said Duty survey; Thence S. 30° W. 2310 varas to a stake on the Bastrop Road from which a Black Jack 18 in dia bears S. 17 E 14 varas distant, a Post oak 7 in dia bears N. 11½ E 11½ varas distant; Thence S. 77 W. 426 varas to the place of beginning. 640 acres of land situated in Lampasas County granted to John Pettyatt was also set apart to the said Rachel J. Harris — said 640 acres of land being described by meles and bounds as follows: Beginning at the N. E corner of Survey No 29, Thence N. 19° W. 1900 varas a stake from which is a pecan bearing N 15 E 33 varas and one S. 35 E 36 varas. Thence S. 71 W. at 730 varas the North Lampasas at 1900 varas a stake from which is a Live Oak S. 28 E 20 varas and one N. 67 W. 8 varas distant. Thence S. 19 E 1901 varas a stake from which is an Elm N. 40 W. 8 varas and one N. 88 ~~vrs~~ W. 7 varas distant. — Thence N. 71 E 1900 varas to the place of beginning.

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Plat of Property

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And now comes Frank Brown Clerk of the District Court of Travis County and makes the following report of Jury service at the present term of this Court, and the same being found correct, is approved, and ordered to be recorded, as follows to wit:

Grand Jury Feby Term 1875

676	J B Rogers	12 days	$24.00				
677	E H. Haller	12	"	24.00	=	697	
678	John Fisher	12	"	24.00	=	693	
679	Leander Brown	12	"	24.00	=	694	
680	Walter Epps	12	"	24.00	=	695	
681	Gust Johnson	12	"	24.00	=	696	
682	D F Waadle	12	"	24.00	=	697	
683	Jerry Johnson	12	"	24.00	=	698	
684	W. L Harris	12	"	24.00	=	699	
685	P G Leach	12	"	24.00	=	700	
686	Jeff Johnson	12	"	24.00	=	701	
687	H. D Miller	12	"	24.00	=	702	
688	John Canfield	12	"	24.00	=	703	
689	R.C. Robbins	12	"	24.00	=	704	
690	M. C. Nichols	12	"	24.00	=	705	
691	L. Malitsky	12	"	24.00	=	706	

Petit Jury Feby Term 1875

707	Geo Juencke	5 days	$10.00	-	728	R B Smith	5 days $10.00
708	O. P. Daniel	5	"	10.00	-	729	A Gruninger 5 " 10.00
709	Billy Patterson	5	"	10.00	-	730	J A Talby 4 " 8.00
710	Ben Hommett	5	"	10.00	-	731	E S James 5 " 10.00
711	Wm Wallace	5	"	10.00	-	732	J. J. Musgrove 5 " 10.00
712	J. J Musgrove	5	"	10.00	-	733	Geo Juencke 5 " 10.00
713	J B. Glasscock	5	"	10.00	-	734	M P Barrow 5 " 10.00
714	W. R Turner	5	"	10.00	-	735	Ben Hommett 5 " 10.00
715	V. A Finley	5	"	10.00	-	736.	Louis Blumenthal 5 " 10.00
716	J M. Tunley	5	"	10.00	-	737	J A Glasco 5 " 10.00
717	Ed Williamson	5	"	10.00	-	738	H. P Bridges 5 " 10.00
718	A Trautwine	4	"	8.00	-	739	Geo M Tally 5 " 10.00
719	F. Schlinger	4	"	8.00	-	740	R B Wright 5 " 10.00
720	Jacob Smith	5	"	10.00	-	741	A Klein 5 " 10.00
721	T. E. Tullis	5	"	10.00	-	742	J H Washington 5 " 10.00
722	J E Tracy	5	"	10.00	-	743	Jerry Brown 5 " 10.00
723	J T. M Arthur	5	"	10.00	-	744	Milton Wallace 5 " 10.00
724	Robert Barr	5	"	10.00	-	745	James Wall 5 " 10.00
725	H. T Davis	5	"	10.00	-	746	John Moses 5 " 10.00
726	J McGowen	5	"	10.00	-	747	Ed Timmins 2 " 4.00
727	John Allen	5	"	10.00	-	748.	S. Monnett 2 " 4.00

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Petit Jury Feby Term 1875

749.	Ben Holliday	2 days	$4.00	788	A McMatteson	1 day	2.00
750	Horace Holly	2 "	4.00	789	W H. Townsend	2 "	4.00
751	E McMayfield	2 "	4.00	790	J H Pope	1 "	2.00
752	Henry Sears	2 "	4.00	791	J B Watson	2 "	4.00
753	Wm Tunney	5 "	10.00	792	Sam Mason	2 "	4.00
754	W T Davis	5 "	10.00	793	S M Mitchell	2 "	4.00
755	Geo Graves	5 "	10.00	794	E R. Orkney	2 "	4.00
756	J. A Flack	5 "	10.00	795	Martin Johnson	2 "	4.00
757	James Davis	5 "	10.00	796	Esau Jackson	2 "	4.00
758	L Watson	5 "	10.00	797	Wm May	1 "	2.00
759	J D Dorsey	5 "	10.00	798	Sam Brodnax	2 "	4.00
760.	W. R Davis	5 "	10.00	799	J. A Cato	4 "	8.00
761.	Charles Dodge	5 "	10.00	800	F. M. Bowlen	4 "	8.00
762	Hugh Eames	5 "	10.00	801	W. R Davis	4 "	8.00
763	W. G Barrow	5 "	10.00	802	A G. Erwin	6 "	12.00
764	R B Small	5 "	10.00	803	A O. Duty	6 "	12.00
765.	Ben Nonnett	5 "	10.00	804	Patrick Conly	6 "	12.00
766.	Isaac Bledsoe	5 "	10.00	805	John T Miller	6 "	10.00
767	John Ross	5 "	10.00	806	D Fullenwider	6 "	12.00
767½	J N Anderson	5 "	10.00	807	W J Davis	6 "	12.00
768	J L Berryman	5 "	10.00	808	James Phillips	6 "	12.00
769	Jo Goodman	4 "	8.00	809	A H Whitten	6 "	12.00
770	C W. Peterson	2 "	4.00	810	J S. Pitzhugh	6 "	12.00
771	T B Babbitt	5 "	10.00	811	C N Freeman	6 "	12.00
772	G W Tunney	5 "	10.00	812	Isaac Bledsoe	6 "	12.00
773	E L James	3 "	6.00	813	W. R. Browning	6 "	12.00
774	J. T M Arthur	5 "	10.00	814	John T M Arthur	4 "	8.00
775	A Greasings	5 "	10.00	815	Joseph Shepherd	4 "	8.00
776	J. E. Tracy	5 "	10.00	816	J. M Hensley	4 "	8.00
777	J. J Musgrove	5 "	10.00	817	Robert Lee	3 "	6.00
778	C N Freeman	5 "	10.00	818	T. B Babbitt	6 "	12.00
779	J. T Waddle	5 "	10.00	819	Geo Graves	6 "	12.00
780	Robert Barr	5 "	10.00	820	W. G. Bridges	6 "	12.00
781	James Ward	5 "	10.00	821	J J. Musgrove	6 "	12.00
782	A H Hutchins	1 "	2.00	822	W. G. Barrow	6 "	12.00
783.	J. Junker	4 "	8.00	823	W. G Davis	6 "	12.00
784	J N Smith	1 "	2.00	824	J. A Flack	6 "	12.00
785.	J Averitte	1 "	2.00	825	Ben Nonnett	4 "	8.00
786.	W. D Miller	1 "	2.00	826	Robt Barr	6 "	12.00
787	J N. Coleman	1 "	2.00	827	A Greasings	6 "	12.00

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878	Sam Piper	6 days	$12.00	869	Jas Lockett	6 days	12 dollars.
879	A. Hill	4 "	8.00	870	A Greisinger	6 "	12 "
830	Tom Hancock	6 4 "	8.00	871	Thomas Hancock	6 "	12 "
831	J. Mato Error see 799.	4. "	8.00	872	Peter Bratton	6 "	12 "
832	J Junker	6 "	12.00	873	R B Faulkner	4 "	8 00
833	Sam Piper	1 "	2.00	874	R B Smith	3 "	6. "
834	A O. Duty	1 "	2.00	875	L Blumenstitt	2 "	4. "
835	M H Browning	2 "	4.00	876	John McArthur	1 "	2 "
836	Geo Graves	1 "	2.00	877	Geo Graves	6 "	12 "
837	A E Whitten	1 "	2.00	878	E A Peterson	5 "	10 "
838	John T McArthur	1 "	2.00	879	Sam Gilbert	5 "	10 "
839	Robert Burr	1 "	2.00	880	Wm Long	5 "	10 "
840	J S. Pitzhugh	1 "	2.00	881	N M. Peeler	5 "	10 "
841	James Phillips	1 "	2.00	882	Wiley Sampson	5 "	10 "
842	M. M. Bridges	1 "	2.00	883	E Polock	5 "	10 "
843	Patrick Conley	1 "	2.00	884	Marion McKinney	5 "	10 "
844	W. G Burrow.	1 "	2.00	885	D W. Glenn	5 "	10 "
845	B O Stanley	6 "	12.00	886	Addison Smith	5 "	10 "
846	Matthew Parker	6 "	12.00	887	J.S. Pitzhugh	5 "	10 "
849	Alfred Kilsoe	6 "	12.00	888	J. J. Musgrove	6 "	10 "
848	B B McCormick	6 "	12.00	889	Geo Graves	5 "	10 "
849	Wade H Smith	6 "	12.00	890	W. G Burrow	5 "	10 "
850	Isaac Bledsoe	6 "	12.00	891	W. T Davis	5 "	10 "
851	J. S. Pitzhugh	6 "	12.00	892	J T Linsley	5 "	10 "
852	M. M. Bridges	6 "	12.00	893	Patrick Conley	5 "	10 "
853	Patrick Conley	6 "	12.00	894	John T McArthur	5 "	10 "
854	J M Cowen	6 "	12.00	895	D C. Sandel	5 "	10 "
855	John Marion	6 "	12.00	896	Isaac Bledsoe	3 "	6.00
856	Jack Jamehill	6 "	12.00	897	G. R Ragan	5 "	10 "
857	F. Sanders	1 "	2.00	898	C. J. Young	5 "	10 "
858	W. C Jones	1 "	2.00	899	Milton Wallace	5 "	10 "
859	J. Junker	6 "	12.00	900	Roger Blunt	5 "	10 "
860	W. T Davis	6 "	12.00	901	J. A Flack	5 "	10 "
861	W. B Turner	6 "	12.00	902	F A. Otto	5 "	10 "
862	G R Ragan	6 "	12.00	903	Peter Bratton	5 "	10 "
863	Charley Smith	6 "	12.00	904	W. M. Moon	2 "	4 " 00
864	D C. Sandel	6 "	12.00	905	Tom Pitt	2 "	4. "
866	R A M Cormick	1 "	2.00	906	J. Junker	5 "	10
866	Milton Wallace	6 "	12.00	907	Jack Jamehill	5 "	10
867	M. M M Clain	1 "	2.00	908	John T Jackson	2 "	4
868	C. G. Young	6 "	12.00	909	John Abercrombie	2 "	4.

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910	Henry Neaus	2 days.	$4.00	930	Tony Mc Henson	3 days	$6.00
911	A F. Boyce	2 "	4.00	931	J H Walker	3 "	6.00
912	N N Furman	2 "	4.00	932	R J Lee	3 "	6.00
913	J. R Darlington	2 "	4.00	933	D L Wren	3 "	6.00
914	E M. Haller	2 "	4.00	934	Geo Washington	3 "	6.00
915	Martin Townsend	2 "	4.00	935	H B Turner	4 "	8.00
916	John Vann	2 "	4.00	936	J S Fitzhugh	3 "	6.00
917	S. E. Jaqua	2 "	4.00	937	H. H Briggs	4 "	8.00
918	W. R Sharp	2 "	4.00	938	W J Davis	3 "	6.00
919	Frank Henry	2 "	4.00	939	J Richardson	4 "	8.00
920	W. J Cloud	2 "	4.00	940	H Kelly	4 "	8.00
921	J. Allens	2 "	4.00	941	M K Miller	3 "	6.00
922	B O Stavely	2 "	4.00	942	Milton Mallory	4 "	8.00
923	J D Harrison Hendersons	1 "	2.00	943	E Fisher	4 "	8.00
924	J H Burns	1 "	2.00	944	T Rylander	4 "	8.00
925	T. C. Welburn	4 "	8.00	945	J H Glass	3 "	6.00
926	Jack Gamehill	5 "	10.00	946	Geo Graves	4 "	8.00
927	J Smeucker	3 "	6.00	947	Gus Evans	4 "	8.00
928	Robt Barr	3 "	6.00	948	Roger Blunck	4 "	8.00
929	G W Erwin	4 "	8.00	949	Jack Gamehill	4 "	8.00

And Court adjourned till to-morrow at 9 o'clock A.M.

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Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. D. Richardson Judge 27th Judicial District presiding Whereupon the following proceedings were had to wit:

3454. State of Texas v. J B Robinson. Disciples.

3752. Sarah J. Gildart et.als v. Alex. L. McRae et.al. This Cause coming on to be heard and it appearing to the Satisfaction of the Court that the estate of Wm W. Lloyd has heretofore been partitioned in the County Court of Travis County between the widow & heirs of W. W. Lloyd, and that a half league of land on the East bank of the Colorado River about 10 miles below the City of Austin, originally granted to Joseph Duty was laid off into tracts by metes & bounds & assigned to the Different heirs, and amongst other things that Lot No 4. Containing an area of two hundred acres and lot No. 11 Containing 186 acres of said subdivision was assigned to Ben W. Lloyd, and lot No 6, Containing 66 7/10 acres and lot no. 15 Containing 85½ acres were assigned to G. W. Lloyd. And that Ben. W. Lloyd & G. W. Lloyd having departed this life intestate as to said lands leaving as the heirs Richard J. Lloyd, Wm S. Lloyd, Bridget Davis, Francis A. Hill, Robert Haley, McRae, children of Matilda McRae formerly Lloyd and John A. Lloyd, each of whom were entitled to one equal one sixth portion of said four lots of land. And it appearing that Francis A. Hill has departed this life leaving as her heirs her children Sarah J. Gildart, Jane W. Hill and Abbie Hill, they are entitled to their mothers portion of one sixth, share and share alike, that is, to each one third of one sixth. And John A. Lloyd having departed

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this life leaving two children as his heirs, they are entitled to his portion of 1/6 share and share alike, or each to one-half of one-sixth. Jonathan Rogers, Aaron Anderson and John M. Easley are hereby appointed Commissioners to partition said four lots of Land according to the boundaries of said original partition, into six equal portions, having regard to quantity and quality and to assign to each of said heirs, one portion, - that is, to R. J. Lloyd one share, to Wm. J. Lloyd one share; the shares of William and Richard Lloyd being owned by A. L. McRae; to Bridget Davis one share; to Sarah F. Gilbert, Jared W. Hill & Abbie Hill one share. To Robert McRae and Alex. McRae one share; and to the children of John M. Lloyd one share - And report their proceedings in this behalf to this Court. It is further ordered that if said Land cannot be divided equally into so many small tracts or it would be injurious to the rights of the heirs to so divide, they the said Commissioners may report the facts to this Court for further examination and order. And the Court doth further order, adjudge and decree that the shares allotted in the partition to Wm. Lloyd and Richard Lloyd and Alex. L. McRae be set off adjoining and so as to constitute but one tract, if such can be done without injury to the other parties in the partition.

/ 1226. / The State of Texas v. John Evans et als. And now on this day came the parties by their
X attys when on motion and by Consent it is ordered that the forfeiture and final judgment entered in this Cause be set aside and vacated, and that the Defendants, John Evans, L. E. Edwards & S. Loomis be adjudged to pay the cost of this suit, for which execution may issue

/ 1229. / The State of Texas v. John Evans et als. And now on this day came the parties by their
X attys when on motion and by Consent it is ordered that the forfeiture and final judgment entered in this Cause be set aside and vacated, and that the Defendants John Evans, L. E. Edwards & S. Loomis be adjudged to pay the Cost of this proceeding & that execution issue

/ 1249. / E. L. Compton v. Shadrack Cayce et als. And now come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

/ 3148. The State of Texas v Gilbert Stewart. And now comes into open Court the Deft. Gilbert Stewart, and withdraws his notice of appeal heretofore entered, and asks the Court to render judgment and pronounce the sentence of the law. And said Deft. being asked if he had anything to say why judgment should not be entered & sentence pronounced against him in accordance with the verdict of the jury who tried his case, and giving no sufficient reason, it is ordered that said Gilbert Stewart is guilty of Felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of five years, and that he be conveyed by the Sheriff of Travis County to the Superintendent of said Penitentiary there to be confined at hard labor as aforesaid.

/ 3974. The State of Texas v. Bill Henderson and Booker Jones. And now come the parties by their attys & announced themselves ready for trial and waiving a jury submit the case to the Court. Whereupon the Defendants plead guilty. And it is ordered that the State of Texas do have and recover of said Bill Henderson and Booker Jones each the sum of one dollar each, as a fine, and all the cost herein to be taxed, & that a Commitment issue to collect the same.

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4349. W D Miller v. M. R Mitchell et.al. And now on this day comes the plaintiff by atty and upon motion it is ordered that the appeal be withdrawn and that the cause be dismissed and that said Plaintiff have leave to withdraw the note sued on in this Case and that the cost of this suit be adjudged against the plaintiff, for which execution may issue

4117. Raymond & White vs S Mufsina. And now on this day came on to be heard the motion of the defendant to set aside the final judgment rendered in this case at a former day of this term, and the same being duly considered by the Court, It is ordered that said judgment be set aside and vacated and held for naught, and that a new trial be awarded.

4175. E. Hallmann v. The Houston & Texas Central Railway Company. And now on this day came the parties to this Cause by their attys when came on to be heard the motion of plaintiff for a new trial, which being heard and considered, the same is overruled. Whereupon said plaintiff gives notice in Open Court of an appeal to the Supreme Court.

4103. J. C. DeGress v. Dillard et.als And now on this day came the parties to this Cause by their attys when the Defendants (Plaintiffs) submitted his motion for a new trial which being heard and considered it is ordered that said motion be overruled. Whereupon said Plaintiff gives notice in open Court of an appeal to the Supreme Court.

3723. J. T. Brown, et.al. v. Lucretia R. Rentfro et.al. The motion of the defendants Lucretia R. Rentfro and W.E. Rentfro to confirm and affirm the judgment and decree of the Court so far as the question of, and a division of property is concerned as rendered by this Court on the 6th March, 1871, in the Consolidated Cases on the docket of the Court, in the consolidation of Cases no. 3038, of Brown v. Buckner et.al and of No. 3036 of Brown vs Brown, notwithstanding the verdict of the Jury in this case, came on to be heard this day, and being heard, the said motion is hereby granted, and it is therefore ordered, adjudged and decreed by the Court that the judgment and decree of the District Court of Travis County rendered on the 6th day of March A.D. 1871 be and the same is hereby confirmed and affirmed in all things, and particularly in so far as said judgment and decree affects or relates to the question of, and a division of property, and that the said Lucretia R. Rentfro be quieted and protected in her title to and possession of the property decreed and adjudged to her by said judgment and decree, notwithstanding the verdict of the Jury in this Case. And it is further ordered that the Defendants recover of the plaintiffs all the Cost in this behalf expended. To the action of the Court and the rendition of this judgment the plaintiffs by attorney then and there excepted, upon the grounds that no issue other than as to the capacity of plaintiff to make the agreement upon which said decree was based, had been tried or considered on the trial, and no evidence introduced, except such as was pertinent and relevant to said issue, and gave notice of appeal

3723. J.T. Brown et.als v. L. Rentfro et.al. And now on this day the parties by atty when the Defendants submitted their motion for a new trial, which being heard and considered it is ordered that said motion be overruled.

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4149. Teague v. Townsend. And now on this day came the parties to this cause by their attys. when the Plaintiff presented his motion to strike out the notice of appeal entered herein by the defendant, which being heard and considered, the same is overruled.

4215. State of Texas v. Robert Marion et als. ordered that the forfeiture entered herein be set aside and vacated, and that the cause be dismissed.

And Court adjourned till to-morrow at 9 am

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Court met at 9 o'clock a.m. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

3374. B. M. Odom v. Paul C. Golden. And now at this Term come the parties by atty and announced themselves ready for trial. and waiving a Jury submit the case to the Court upon an agreed statement of facts. And the Court having heard and considered the pleadings and evidence, It is ordered and adjudged that the said Plaintiff take nothing in this behalf, that the Cause be dismissed. that the Defendants go hence and recover of said B. M. Odom all the cost of this suit for which execution may issue

4117. Raymond & Whitis v. S. Mufina et al. And now on this day came the Pffs by atty & presented their motion to set aside the order entered at a former day of this term, vacating & setting aside the Judgment rendered at a previous day of the term, which being heard & considered it is ordered that said motion be overruled, to which ruling said Plaintiffs except

4021 The State of Texas v. C. Coney. The defendant, C. Coney & John Chleari & Charles Wulf his sureties, jointly & severally, acknowledge themselves indebted to the State of Texas in the penal sum of One hundred and fifty Dollars for the payment of which well & truly to be made, they bind each of themselves, their heirs executors and administrators, to be levied of their respective goods, lands, tenements and estates. But to be void on condition that the said Defendant, C. Coney, who is charged with the offense of Permitting cards to be played in a house under his control, appear before the District Court of the County of Travis on the 1st Monday of June next, there to remain from day to day, and from term to term, and not depart without leave of said district Court, in order to abide the judgment of the Supreme Court of the State of Texas.

3921. Sarah H. Cockrell v. R. B. Remick & Ameson Remick. And now on this day came on to be heard the above numbered and styled cause and the Pffs appeared by her attorneys F. H. Chandler & Carleton & Robertson, but the defendants although duly served with process came not, but wholly made default. And it appearing that plaintiff's cause of action is found upon a liquidated demand evidenced by an instrument in writing, the cause now submitted to the Court, who after hearing the evidence and pleadings, it is ordered, adjudged & decreed that the plaintiff Sarah H. Cockrell, do have and recover of and from the Defendants R. B. Remick the sum of Eight hundred and Twenty Dollars for the amount of her principal debt, and interest with interest from this date at the rate of ten

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per cent. per Annum, together with all costs in this behalf expended. And it further appearing to the Court that the said Claim of Plaintiff constitutes a lien upon three certain tracts of land described as follows:

An undivided three hundred & twenty acres of land the same being a portion of 640 acres of land granted to John W Embree and John T. Flint as the assignees of James M. Manning by Patent from the State of Texas of date the 20th day of April, 1855, which said 640 acres of land is described in the Patents as situated in Milam Land District Coryell County on the North side of Cowhouse Creek, bounded & described as follows to-wit: Beginning at a Stake and mound in prairie the N. E. corner of H. B. Hawkins Survey No 46 thence N. 19° E. 2125 varas to a Stake; thence N. 71° W 1700 varas to a mound thence S. 19° W. 2125 varas to a Stake and mound the N. W. corner of Survey No. 46. thence S. 71° E. 1700 varas to the place of beginning

also the undivided two thirds (⅔) portion of a tract of land containing 320 acres being the same that was conveyed by the State of Texas to Charles Fischer, assignee of A. T. M. Monroe, by patent bearing date 14th April 1847 situated and described as follows In Bexar District known as Survey No. 163 in Section No 9. on the waters of Indian Creek a branch of the Colorado River and about 120 miles N. of the City of San Antonio Beginning at a Stake in the S. corner of Survey No 138 of 1280 acres for the W. corner of this Survey from which a Mesquite bears N. 22° W. 10 vrs a P. O. bears East 8 vrs thence N. 45° E. 950 varas with the S. E. boundary of Survey No. 138 to a Stake the West corner of Survey No. 162 of 320 acres for the N. corner of this Survey from which a mesquite bears S. 25° W. 10 vrs and other bears S. 75° W. 9 vrs thence S. 45° E. 1901 varas with the S. W. boundary line of Survey No 162 to a stone Corner in S. corner of Survey No 162 for the E. corner of this Survey. thence S. 45° W 950 varas to a Stone Corner for the S. corner of this Survey. thence N. 45° W. 1901 vrs to the place of beginning, bearings marked X

also the undivided two thirds (⅔) portion of a piece or parcel of land Containing 426⅔ acres, being the same tract that was conveyed to Geo W. Harper by the State of Texas by patent bearing date 17th day of July 1846, and which said tract of 426⅔ is situated & described as follows: In Bosque County on Spring or the Principal fork of the Meridian, a tributary of the Brazos Bosque. Beginning at the N. W. corner of a Survey made for Hugh H. Pamelee for the S. W. corner of this Survey from which a Live Oak marked A bears N. 60° W. 20 vrs another marked B bears N. 77½ W. 16 vrs thence N. 60° E. 115 vrs a branch 630 vrs Spring, or 2402 vrs S. E. Cor. a mound thence N. 30° W. 1000 varas to a mound for the N. E. Cor. thence S. 60° W. 2042 varas Spring, or 2125 vrs another Creek 2402 vrs N. W. Cor. from which an Elm marked E. bears S. 88° E. 115 thence S. 30° E. 650 vrs a branch 770 vrs and another 1000 vrs to the beginning

It is therefore ordered adjudged and decreed that the plaintiffs lien be and the same is hereby foreclosed upon said lands, and that the Clerk of this Court issue orders of sale directed to the Sheriffs of the Counties where the lands lie, directing them to sell said land in satisfaction of said debt, interest and costs of suit. And if the same shall not bring the amount of her debt, interest & costs, then & in such shall issue against defendant R. B. Renick for the balance of land found due and all costs of suit.

3843. State of Texas v. C. Coney. Judgment set aside & cause dismissed

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J 2211	State of Texas v.	Geo. H. Slaughter.	Disimissed
J 2587.	State of Texas v.	Wm Cotton	Disimissed
2590.	State of Texas v.	Wm Davidson	Disimissed
J 2711	State of Texas v.	Billy Cotton.	Disimissed
J 2712.	State of Texas v.	Billy Cotton	Disimissed
J 2729	State of Texas v.	Charles Smith	Disimissed
J 2754.	State of Texas v.	Sam Evans	Disimissed
J 2792.	State of Texas v.	Elijah Eagle	Disimissed
J 2804.	State of Texas v.	Wm Dixon	Disimissed
2827.	State of Texas v.	Henry Cook	Disimissed
J 2833.	State of Texas v.	Jo V Blum	Disimissed
2834	State of Texas v.	Jack Scoviston	Disimissed
2835.	State of Texas v.	Jerry Warren	Disimissed
J 2836.	State of Texas v.	Dick Blum.	Disimissed
2844.	State of Texas v.	Abek Mack	Disimissed
2851	State of Texas v.	Andy Johns	Disimissed
2877.	State of Texas v.	James Moss.	Disimissed
J 2947.	State of Texas v.	Sam Evans	Disimissed
2959.	State of Texas v.	Jeff Jenkins.	Disimissed
2961	State of Texas v.	W E Horne	Disimissed
2969.	State of Texas v.	Wesley Baker	Disimissed
2982.	State of Texas v.	Geo. Hicks.	Disimissed
3032	State of Texas v.	Monroe Williams.	Disimissed
3035.	State of Texas v.	Wash. White	Disimissed
J 3057.	State of Texas v.	Dan Craig	Disimissed
3072.	State of Texas v.	Bill Johnson.	Disimissed
3085.	State of Texas v.	John Boyd.	Disimissed
3089.	State of Texas v.	Simm Peoples.	Disimissed
3091.	State of Texas v.	Monroe Williams	Disimissed
✓ 3119.	State of Texas v.	Henry Smith	Disimissed
3146.	State of Texas v.	Auto Green.	Disimissed
J 3148.	State of Texas v.	Candidas.	Disimissed
3149.	State of Texas v.	Manuel de Jesus	Disimissed
3150.	State of Texas v.	Jose maria Monley.	Disimissed
3154.	State of Texas v.	Lewis.	Disimissed
3189.	State of Texas v.	Hudson.	Disimissed
3192	State of Texas v.	Samuel Johnson.	Disimissed
J 3202.	State of Texas v.	Craft	Disimissed
✓ 3203.	State of Texas v.	Dan Cragg.	Disimissed
3204.	State of Texas v.	Houston	Disimissed.
3206.	State of Texas v.	Houston.	Disimissed
3212.	State of Texas v.	John Rayley.	Disimissed

bw Dunn

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3217 State of Texas v. Lewis Hill Dismissed
3225. State of Texas v. C. A. Fairbanks Dismissed
3226 State of Texas v. Jeff. Morely Dismissed
3232 State of Texas v. Tobey. Dismissed
3237. State of Texas v. Saddenstrain Dismissed
3240 State of Texas v C. M. Rome Dismissed
3241. State of Texas v Julia Dismissed
3245. State of Texas v. Guadalupe Corales. Dismissed
3246. State of Texas v. Reciente Dismissed
3252 State of Texas v alex. Sneket. Dismissed
3253 State of Texas v. Jeff. Morely. Dismissed
3254. State of Texas v. M. Kapnth. Dismissed
3256 State of Texas v. Rodell. Dismissed
3262 State of Texas v. L. Peoples Dismissed
3266 State of Texas v. W. H. Green Dismissed
3267 State of Texas v. Fairbanks Dismissed
3270 State of Texas v. Geo Walker Dismissed
3272 State of Texas v Bill Thompson. Dismissed
3300 State of Texas v. Jerry Stewart. Dismissed
3306. State of Texas v. A. Martinez Dismissed
3307. State of Texas v. Theodore Hall. Dismissed
3312 State of Texas v. Fortune Dismissed
3313. State of Texas v. Bailey Dismissed
3315. State of Texas v. Henry Brown Dismissed
3319. State of Texas v. L. H. Cook. Dismissed
3321. State of Texas v. Daniel Wheat. Dismissed
3340 State of Texas v. Dick Patterson. Dismissed
3348. State of Texas v. Charles Banks. Dismissed
3352. State of Texas v. L. H. Cook. Dismissed
3357. State of Texas v. James Langford. Dismissed
3367. State of Texas v. McGann. Dismissed
3371. State of Texas v. Peter Jackson Dismissed
3372 State of Texas v. Samuel Brown Dismissed
3373. State of Texas v. James Langford Dismissed
3375. State of Texas v. John Smith Dismissed
3378. State of Texas v. Peter Cooke Dismissed
3382. State of Texas v. Theodore Hall Dismissed
3383. State of Texas v. Geo. Johnson. Dismissed
3414 State of Texas v. A. J. Thurman Dismissed
3470. State of Texas v. Mike. Dismissed
3472 State of Texas v. Germany Dismissed
3482. State of Texas v. Geo Lawrence. Dismissed

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2546. State of Texas v. Charles Reed Dismissed

3273. State of Texas v. Aaron Robinson Dismissed

4008. State of Texas v. Jim Smith et als Ordered that the Bonds executed by the Defendants in this case bequashed, and that alias procs issue

3862 } The State of Texas v. Robert M. Johnson et. als } Come now the parties, and by con-
3863 } The State of Texas v. Robert M. Johnson et. als } sent of ace the parties made in open Court these two causes are consolidated. And ace the parties in open Court agree that the Plaintiff have and recover from the Defendants in said Causes the sum of $1706.81 and costs. It is therefore ordered, adjudged and decreed that the State of Texas recover from the said Defendants, Robert M. Johnson, James B. Hooks Samuel R. Parry, Luke C. Powell, R. A. Howard, W. A. Payne and T. A. Morrow, the sum of One thousand Seven hundred and Six Dollars and eighty one cents, with interest on the same at the rate of eight per cent. per annum until paid, together with accepercosts in said Causes, for which execution shall issue

4146. C. G. Jones v. J. H. Tinney et al. And now on this day came the parties to this cause by their attys when the plff submitted to the Court his motion to set aside the levy & sale on the execution issued and returned in said Cause, which being heard and duly considered, it is ordered that the same be overruled. & that plff pay cost of motion.

4351. Martha Galloway v. Richard Galloway. In this case came the parties and a Jury being waived, the matters of law as well as of fact are submitted to the Court. And the Court having heard the evidence, and having inspected the agreement of the parties herefiled, it is ordered and adjudged that the decree of divorce and for division of property in Cause No. 3889 rendered in this Court on the tenth day of November, 1874, wherein Martha Galloway was plaintiff and Richard Galloway was Defendant, be set aside, vacated, annulled and held for naught; and the parties consenting, the Bonds of Matrimony dissolved by said decree be restored, and the said parties be deemed from henceforth man and wife, as before said decree.

Clerk & Sheriff. And thereupon it is ordered by the Court that Frank Brown, Clerk of the District Court of Travis County, and Geo. B. Zimpelman, Sheriff of Travis County, be allowed the sum of One Hundred and Twenty Dollars, each, for extra Services during the present Term of this Court, to be paid out of the County Treasury of Travis County, upon the Certificate of the Clerk of this Court.

Bailiffs. And thereupon it is ordered that the following named persons be allowed the sums set opposite their names, for services as Bailiffs during the present term of this Court, payable out of the County Treasury of Travis County upon the Certificate of the Clerk of this Court, to wit:

T. A. Weed, for Riding Bailiff to Grand Jury & Bailiff to Court 12 days = Ninety-Six Dollars
Jo Walker for Bailiff to District Court, 12 days = Eighty four Dollars

4086 State of Texas v. Ed. Cook et. al. On motion it is ordered that the forfeiture in this cause be set aside and the Cause be dismissed and that the cost be adjudged against the said Ed. Cook and A. H. Cook for which execution may issue.

The foregoing minutes having been read in open

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Court, and found correct, are approved - And it is ordered that the Court do now stand adjourned to the next regular term -

J. P. Richardson
Judge 27th Judicial District.

June 7th, 1875.

The State of Texas } Be it remembered, that at a Term of the Hon. Dis trict
County of Travis } Court of Travis county, begun and held at the City of
Austin, within and for the County and State aforesaid, on Monday, the
7th day of June, 1875, the same being the time fixed by law for the meeting
of said Court, Present Hon. J. P. Richardson, Judge 27th Judicial District of the
State of Texas presiding: Frank Brown, clerk of said Court: and Geo. B.
Zimpelman. Sheriff of Travis county By T. J. Pendley Deputy. Whereupon the
following proceedings were had by said Court, to wit:

And thereupon the Court ordered the Sheriff to call the names of those who
have been summoned to serve as Grand Jurors at this term of the Court. And
thereupon of those so selected according to law and summoned by the Sheriff
the following named persons, were this, elected, empannelled & sworn
according to law as the Grand Jury of Travis County for and during the
present Term of the District Court of Travis county, to wit:
John S. Haynes: E. S. Matthews: J. B. Barron, Geo. W. Malone, N. G. Johnson,
R. Bertram, C. H. Deffenbaugh: M. M. Hornsby: Joseph Blum, J. S. Mc Innis,
W. D. Wallace: A. Trautwein: J. M. Tinley; J. A. Collier: J. D. Doxey: F. A. Rokey.

And thereupon the Court appointed J. S. Haynes Foreman of said
Grand Jury. And said Jury being charged by the Court as to the duties re-
quired of them, they were ordered to retire upon a discharge of the same.

And thereupon the following persons were appointed Bailiffs to
serve the Grand Jury and were sworn according to law, to wit: J. L. Pogue,
Jo. Walker. John Stringer and Jack Tannehill.

And thereupon it is ordered that the Criminal Docket be set
for hearing and trial for the 5th Monday of the term.

4336. G. M. Brass v. J. B. Perry
4340. J. H. Wiekins v. D. Coulson
4341. Maggie Rowe v. D. Coulson
4343. J. R. Allen v. N. Paddock et al.
4344. Barker & Barton v. N. A. Wiseton
4346. H. M. Truehart v. J. N. Bell
4348. John O. Ford v. H. & T. C. R. Road
4360. First National Bank v. Jno M. Campbell et al
4353. M. D. Miller v. M. R. Mitchell et al
4354. M. Gardiner v. Thomas Anderson et al
4356. J. S. Stewart v. S. K. Miller
4357. J. S. Stewart v. M. K. Miller
4358. W. H. Gaines v. Wm. Holder et al
4359. Anna V. Lucy v. N. B. Lucy et al
4360. Mary H. Price et al. v. Thos E. Stanley et al
4361. Susan Brannon et al v. R. W. Turner et al
4369. W. B. Norris & Co. v. M. & Allen

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4374. Chas. E. Hall v. John P. Dolsen.
4375. Jesse J. Northcutt et al v. C R Johns et al
4377. Henry Kowzik v J T Battaile et al
4380. Richter, Boubright & Co. v P. Thompson et al
4382. M. D. Miller v. S. J. Hallingsworth et al
4384. Mildred E. Davis v. Glenn O. Davis
4390. Frances Willis v Henry B. Willis
4391. J. A. Chandler v mrs. Hancock et al
4392. Jennie Cook v John Cook
4394. Julia Kendall v. A. Kendall
4395. Butler, Wright & Thomas v. S B Shipleman et al
4399. G. A. Reidel v. R. L. King
4401. R D Cude v. W. A. Morris Admr et al
4403. J J McClelland v Jones & Martin
4404. First N. Bank v. W. C. Cain
4406. A. Bailey v. D. Bailey et al
4407. G H Bosch v. R. Walsh
4410. F. Kutter v. Co. Creary
4414. H. Samuels v. F. W. Sulor
4415. E. Mahon v. F. W. Sulor
4416. Geo. Pospisil v. E. W. Shands
4418. W H Fund Ins. Co v J. W. Nolen et al
4419. E & S Cohen v. H & G R R. Co
4420. Haizlip & Allen v. Geo. F. Gage
4431. J. A. Goodhue v. J. S. Stewart et al
4432. E. Erskine v. A. Zimmerman et al
4433. Ruthsauff & Miller v. Geo. W. Honey
4435. C. Lindberg v. A. Goldmann et al
4436. Walston Wells & Vidor v. Stuart & Mair
4437. M A Dye et al v. James Neill
4440. Le Sieur & Co. v J. W. Taylor
4442. R. A. Smith v. J. C. Burleson et al
4444. W. J. Syster v. J. T. Human et al
4447. S. T. Hazzard et al v H & T C Rlway
4449. J. Dukey v C. J. Dukey
4450. D. A. League v. J. Brownlee

And now comes the Clerk of the District Court of Travis County and upon motion it is ordered that the plaintiffs in the foregoing last preceding causes, fifty-three in number, be required to enter into bond and security for the cost in said several causes, on or before the next term of this Court, the attorneys for the said several plaintiffs having notice of the said motion

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3814. John A. Burditt et al. v Wm. B. Burditt et al. And now comes the counsel for the plaintiffs and suggests to the Court the death of Jas. J. Davis one of the plffs. And upon motion it is ordered that F. W. Chandler be appointed Special guardian for the minor heirs of said deceased and that he give Bond in the sum of $1000.

3815. J. A. Burditt et al. v John A. Green et als Come now the plffs by atty whereon motion it is ordered that said plaintiffs have leave to amend.

3906. Geo. W. Glascock v. C. Culmore et al. And now comes the plaintiff by atty when on motion it is ordered that the Sheriff of Harris County have leave to amend the return upon the process served by him in this cause.

3906. Geo. W. Glapcock v. C. Culmore et als And now comes the plaintiff by attorney when on motion it is ordered that said plaintiff have leave to amend.

4445. James M. Swisher v. Jno M. Swisher et als Comes now the plaintiff by atty when on motion it is ordered that R. M. Lane be appointed Guardian ad Special for the minor Defendants in this cause.

R M Russell Upon motion it is ordered that F. W. Chandler, A. J. Wacker and Jno. W. Robertson be appointed a Committee to examine R M. Russell in open Court this day touching his application for License to practice as an attorney and Counsellor at Law.

Whereupon David Sheets Esq rose and addressed the Court as follows:-

May the Court please Andrew J. Hamilton a distinguished and honorable member of this bar died at his residence about two miles East of the Capital on Sunday morning the eleventh day of April last. At a meeting of the bar of the City of Austin held at the Supreme Court Room, on the next day, the following (Resolutions) were adopted as a proper Tribute to the memory of the Hon A. J. Hamilton, beg leave to submit the following resolutions.

"Resolved, That the members of the bar deplore with sincere regret "the death of our brother the Hon A. J. Hamilton.

"Resolved, That in his death the bar has lost one of its most experienced "and distinguished members, the community at large a faithful, "courteous and able advocate, and that we condole with the family "of the deceased in their affliction

"Resolved, That Messrs ..... and ....., be requested to present "these resolutions to the Supreme Court and request that they be spread "upon the minutes of the court, and that Messrs ... and ..... "present them for the same purpose to the District Court of Travis "county, and that Messrs ... and .... present them in like "manner to the Circuit Court of the United States.

"Resolved, That the members of the bar, as a mark of respect "to the memory of the deceased, attend his funeral in a body.

"On motion the resolutions were unanimously adopted, and the "following gentleman appointed to present the resolutions to the

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"different courts, as provided by the resolutions:- To the Supreme Court,
"Attorney General George Clark, and Ex Governor E. M. Pease: to the
"District Court of Travis county, Messrs. F. W. Chandler and D. Sheeks:
"to the United States Circuit Court, Major W. M. Walton and Hon
"John Hancock
"On motion of D. M. Paschal Jr. Gen A. G. Shelley and Hon John Hancock
"were appointed on behalf of the bar to deliver addresses upon the
"occasion of the funeral services at the Representative Hall of
"the Capitol
"On motion the following members of the bar were appointed as
"pall bearers:- Jas Lee. W. M. Walton. D. Sheeks. A. M. Jackson.
"A. J. Walker. and F. W. Chandler.
"On motion Attorney General. Geo Clark was requested to be
"present at the meeting of the Supreme Court to day and announce
"the death of ex-Justice A. J. Hamilton, and to move the adjourn-
"-ment of the Court in respect to his memory; also to request
"that the honorable members of the Court participate with the
"bar in the obsequies
"On motion of J. M. Denton, the Secretary was requested to furnish
"a copy of the resolutions to each of the daily papers of the city
"and a copy of the same to the family of the deceased
"E. M. Pease. Chairman. R. J. Hill. Secretary."

By these resolutions it was made our duty to present them to this Court, and we now appear at this bar for that purpose. In discharge of this melancholy duty we wish to add these statements about the life and character of this illustrious man. He was born in the County of Madison in the State of Alabama, on the 28th day of January 1815. On the recommendation of President Andrew Jackson, he was appointed Cadet at West Point, and started on his way to that place to enter upon his studies, but only proceeded as far as Tennessee, when for some reason, he returned home, and never entered that school. He was without other education than such as the common schools of that day and his own thirst for knowledge gave him.

While engaged as a clerk in the office of Honorable Hugh L. Watson, master in Chancery of a district composed of several counties, known as the Creek Country, in Alabama, he began the study of the law, and was admitted to the bar at Talladega in November 1841. He came to Texas in 1846, settled at La Grange and commenced the practice of the law. In the Spring of 1849 he came to Austin, and on the 15th of January 1850 was appointed Attorney General by Governor P. H. Bell

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In the Fall of 1852. he was elected to represent the County of Travis in the State Legislature. In 1856. he was chosen as an elector on the Buchanan ticket. He was an independent candidate for Congress against General T. N. Waul, the regular nominee of the Democratic party, and elected in 1859.
In March 1861. he was chosen over a popular opponent to represent Travis County in the State Senate, but for reasons satisfactory to himself he declined to qualify, and never took his seat in that body.
Having no sympathy with the secession movement, and being unwilling to take up arms against the United States Government. he in 1862 left the State and went to New Orleans inside of the Federal lines, and from there to the North. where he wrote and spoke in favor of the Federal cause, and urged the emancipation of the slaves. In 1862 Nov 14th he was appointed Military Governor of Texas, with the rank of Brigadier General of Volunteers. by President Lincoln and accompanied a Federal expedition as far as Brownsville, where he issued his proclamation as such Governor to the people of Texas, but the expedition was withdrawn, and he returned North. In May 1864 he was 22d appointed Brigadier General of volunteers by Mr Lincoln. In 1865. the 17th of June, he was appointed by President Johnson, Provisional Governor of Texas, with full authority to reorganize civil government in the State. In the following August he arrived in Austin, and entered upon the duties of his office. He held this office about one year. when the plan for reconstruction which he had moulded (been adopted by Congress) failed, but through no fault, or action of his, he resigned his office, and went North. where he spoke strongly in favor of enfranchising the colored race In the fall of 1867. he was elected to the Constitutional convention from Travis County and served in the two sessions of that body. He served about two years as one of the Supreme Judges of the State during the days of Reconstruction
In 1869 he was an independent candidate for Governor of Texas in opposition to Hon Co. J Davis, and he and many others who were well acquainted with the details of that contest always believed that he was elected, but it was declared otherwise by the authorities and Governor Davis was inaugurated
It is needless for us to say in this presence that his conduct in every relation in life both public and private was marked by the highest evidence of genius and talent.
As an advocate he was eloquent and at the same time strong in the law and facts of his cases. As an orator he had few equals

June 7th 1875.

Though without the culture of a collegiate education, by his own industry and wonderful mental power he was enabled to extort the highest praise from all of his countrymen. Even in Boston that city of refinement and culture, by his speech in Faneuil Hall. he was welcomed as the only man in the entire nation upon whose shoulders the mantle of the lamented Webster could rest. His voice eloquent was always raised in behalf of liberal justice. Oppression and illiberality shaped him and for them he had no patience. These things his worst enimies were always willing to admit.

By his liberal views he extended the right of suffrage in our present constitution to political friends and foes alike, defeated what was known as the "Ab Initio" doctrine and established better relations between contending factions in our State. We knew enough of his character personally to say, that however much we may have differed with him in times past upon matters of policy, we are confident that he was always actuated by the highest and purest love of truth devotion to his country. and the welfare of his fellowman.

He belonged to that noble class of men who work under the banner inscribed "The world is my country and to do good my Religion"

His manly bearing at the bar and in deliberative halls was always masked by true courtesy to all, which can only flow from a kind heart and innate chivalry.

As suggested by these resolutions the pall bearers named therein and the members of this bar almost unanimously followed his remains to their last resting place. and mingled their tears with those of his grief stricken family and placed to rest the earthly part of our lamented brother. Let all differences now be forgotten and let the records of this court show that in the busy whirl of life. we have made this pause in the labor of the day to add to the wreath that crowns his brow and give this further token of the love we bear and the tender regard we have for the memory of our departed brother

Andrew Jackson Hamilton.

D. W. Chandler. David Shuck

And thereupon the Court adjourned until tomorrow at 9 o'clock A.M. in respect to the memory of Genl. A. J. Hamilton

June 8th 1870.

Tuesday June 8th 1870.

Court met at 9 o'clock A M pursuant to adjournment Present Dame as on yesterday. Whereupon the following proceedings were had to wit.

3107. A. G. Mitchell v Risher & Hall. And now come the parties by atty when on motion it is ordered that this cause be reinstated upon the Docket.

3107. A G Mitchell v. Risher & Hall. And now comes the Plff by atty when on motion it is ordered that said Plaintiff have leave to amend.

2641. S M Swenson v. James Nicholson et als Continued for service

2644. S M Swenson v. J H Merrydon et als Continued for service.

3133. Thos G McGehee v. H & T C R. R. Co. And now comes the Plff by atty when on motion it is ordered that said Plaintiff have leave To amend.

3914. Miller & Dowell v. Jno E Campbell. And now comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

4165. Wm Sharman v Robert Avery. Comes now the Plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend.

4434. John S. Spence v. N & J. Stenssy. Come the parties by atty when on motion it is ordered that this cause be dismissed and that the Plaintiff recover of the said N. Stenssy & J. Stenssy all the cost herein to be taxed.

4443. Thomas Bird v. M D Mc Lain dismissed on motion that this cause be dismissed the matter being settled & cost paid.

R M Rupell. And now come the Committee appointed to examine R M Rupell in open Court and report a recommendation that said Rupell be admitted to practice as an Attorney and Counsellor at Law Whereupon it is ordered that said R M Rupell be admitted to practice as an Attorney & Counsellor at Law in the several District & Inferior Courts of the State of Texas and that License issue

2955. Abby Thompson Admr et als v. Barnes & Merrell. Continued

2958. Abby Thompson Admr et als v. Geo. Saunders. Continued

2961. Abby Thompson, Admr et als v. A L Rainer Continued

And Court adjourned till to-morrow at 9 o'clock A M.

Wednesday June 9th 1870

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge &c presiding. Whereupon the following proceedings were had by said Court to wit

3503. M A Taylor v. F. S. Roy. And now comes the Pefft by atty when on motion it is ordered that said cause be dismissed & that the Cost be adjudged against the said M. A. Taylor for which execution may issue

3515. M A Taylor v J T Dunn And now Comes the Pefft by atty when on motion it is ordered that said Cause be dismissed & that the cost be adjudged against said M A Taylor for which execution may issue

3902. E L Whipple v. J. B. Bush & Wm. And now comes the Pefft by atty when on motion it is ordered that said Plaintiff have leave to amend the petition filed herein.

June 9th 1875.

4251 W Pips et al v A Mclewain Mved on motion that this Cause be dismissed The cost being paid.

4297 H A Wirus v P Abrahams & Bro Comes now the Pltff by atty when on motion It is ordered that said Plaintiff have leave to amend.

4298 G H Rook v A Kleinebal Comes now the Pltff by atty when on motion it is ordered that the Entry of Default heretofore entered in this Cause be vacated and set aside, and that said Plaintiff have leave to amend.

2931 Thos J McKinney v Adm Ex. Continued

3117 J McLellen v D R Worrall. Continued to make Parties

4368 S G Kingsbury v J H. Sanders. Upon motion it is ordered that this cause be dismissed and that the plaintiff be adjudged to pay the cost of this suit for which execution may issue

2981 W. C. Philips v A. A. Scroggins and Mack Smith. And now on this day came the parties to this cause by their attys and announced themselves ready for trial and waiving a Jury submit the cause to the Court. And it appearing that the Defendants are indebted to the Plaintiff in the sum of $146.80 It is ordered and adjudged that W. C. Philips do have and recover of said A. A. Scroggins and Mack Smith the sum of One Hundred Forty Six and 80/100 Dollars, due as aforesaid and all the cost of this suit to be taxed for which execution may issue.

And Court adjourned till to-morrow at 9 A.M.

Thursday June 10th 1875.

Court met at 9 o'clock A M pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had to wit.

4018 Eliza J Tunney et als v A. C. Tunney et al. And now come the pltffs by attorney when on motion it is ordered that said Plaintiff have leave to amend

4111 J Fuller et als v Tom Hill. Comes the Deft. by atty when on motion it is ordered that said Defendant have leave to amend

4314 E. L. Compton v J. Cayce et als Comes the Pltff by atty when on motion it is ordered that said Plaintiff have leave to amend.

4309 Jno H Robinson Jr. v J. M. Young Continued by agreement.

4356 J. S. Stewart v R. K. Miller Continued by Consent.

4357 J. S Stewart v M. K. Miller Continued by Consent.

4209 Sidney Johnson, Ann C Johnson, Saml W Johnson and Helen Johnson v. Thomas C Rowe and M Wilson. Come the parties by attorneys, and in accordance with agreement on file, It is Considered and adjudged by the Court that Judgment be rendered for the Defendants, and that the Plaintiffs take nothing by their suit and that Defendants go hence and that the costs herein be taxed one half against the Plaintiffs and one half against the Defendants and that execution do issue therefor against the plaintiffs for one half and against the Defendants for one half.

June 10th 1875.

3151. Charles Shepherd v. John J. Sneed et al. And now come the Defendants by attys and announce the death of Defendant John J. Sneed. Whereupon, on motion it is ordered that Ann Sneed, surviving wife of said John J. be made party Defendant to this suit.

3991. Wm Hancock vs. Ed H Rogers Executor. And now on this day the above entitled and numbered cause coming on to be heard the Plaintiff William Hancock appeared by Mess. Miller & Dowell as his attorneys and Defendant Ed. H. Rogers Executor of Estate of William Armstrong deceased, appeared by Mess. Walton Green & Hill as his attorneys and both parties by their said attorneys announced ready for trial, and a Jury having been waived the cause was submitted to the Court for adjudication and decision. And the Court after hearing the pleadings and arguments of counsel in the case and after duly considering the evidence adduced in said cause, gave judgment in favor of the Plaintiff Wm Hancock against said defendant Ed H. Rogers Executor and Guardian as aforesaid for all things claimed in said Plaintiffs Petition Whereupon it is ordered adjudged and decreed by the Court that the deed from said William Armstrong deceased to the said Wm Hancock, Plaintiff as aforesaid dated in the year of 1855, conveying to said Hancock for a valuable consideration one third of a league of land in McLennan County and State of Texas on the waters of Stampede creek about 23 miles S. 50° W. from Waco being part of the land he the said William Armstrong is entitled to by virtue of Certificate No. 2228 issued by George W Smyth Com. Genl Land Office for 1.1.84.6 to Dg. rs dated Dec. 29th 1851 it being the unlocated balance of Certificate No. 434 issued by the Board of Land Commissioners of Harrisburg County to Charles Cronea for one league and one labor of land dated July 5. 1838, the said unlocated balance certificate transferred to said William Armstrong January 11th 1851 and by said William Armstrong to said Wm Hancock in year of 1855, and more particularly described by field notes as follows: Beginning in the E. line of a Survey of 1920 acres made for R. J. Davidson and 1350 vs. S. 19° W. from his N.E. Corner a mound for the N. W. corner of this Survey from which a Mesquite bears N. 9½ W. 48 vs. Thence S. 19° W. 1900 vs. to the S. E. corner of said Davidson Survey. Thence S. 71° W. 69 vs. to the N.E. corner of a Survey made for H. J. West. Thence S. 19° W. 1562 vs. to the S.W. corner of this Survey and N. W. corner of a Survey of 1280 acres made for R.W. Coleman. Thence S. 71° E. at 2368 vs. to the S. E. corner of this Survey a mound. Thence N. 19° E. 3462 vs. to a mound for the N. E. corner. Thence N. 71° W. 2437 vs. to the place of beginning, patented to Wm Armstrong Assignee of Charles Cronea per letter patent No. 133 Vol. 19 of date the 8th day of November 1872, be and is hereby in all things established, vested, made good and perfect and that all of the right, Title and interest said estate of William Armstrong deceased or of the Minor William E. Armstrong may have in and to the

June 10th 1870.

above described one third league of land conveyed to plaintiff Wm Hancock aforesaid, is hereby divested and with equal force and effect vested in said Wm Hancock his heirs and assigns forever as fully and to all intents & purposes as fully as if said deed had never been lost and this decree is evidence of said title It is further ordered and decreed that Plaintiff Wm Hancock pay all Costs in this behalf expended.

2739. Lucy Ann Johnson vs John H. Wacker & Judith Wacker Defendants & Ben. X
X D. Wacker, Intervenor. And now on this day Came the parties Plaintiff, Defendants & Intervenor, by their Counsel respectively, and thereupon Came to be heard the demurrer of defendant to plaintiffs original Petition, and being heard was overruled by the Court. And thereupon came a Jury of twelve good & lawful men to wit: John H. Wood and eleven others who being duly empannelled and sworn, after hearing the evidence, argument of Counsel and charge of the Court retired to consider of their verdict, and returned into Court their verdict as follows "We the Jury find for Ben. Wacker the Intervenor in this suit. John H. Wood Foreman" And by said verdict it appearing to the Court that the Deed of Trust of date 10th May 1867 from John H. Wacker to D. M. Johnson as Trustee, to secure the following sums of money viz: To Ben Wacker six hundred and Sixteen dollars and Seventy cents: to James M. Dillen, two hundred Ninety One & 46/100 Dollars in Specie: to John A. & Wm T. Robinson two hundred & Seventy Five Dollars American Gold: and to John D. Wacker the sum of three hundred and Fifty Dollars Specie - is and was a good, valid and legal instrument and constituted a lien from its date upon the property therein mentioned and described: And it further appearing to the Court that the levy of the attachment as made in favor of the Plaintiff by the Sheriff of Travis County on the 14th day of November 1867 on three hundred head of the cattle mentioned in said deed of Trust, was subsequent in date to the execution and record of said deed of trust, and created a lien thereon subordinate to the lien created by said deed of trust: And it further appearing to the Court that the said three hundred head of cattle, levied on as aforesaid, were on application of the Plaintiff, ordered to be sold by order of this Court of date 28th day of March 1868: and were sold by the Sheriff of Travis County by virtue of said order on the 5th day of May 1868 when and where the said cattle, so ordered to be sold, and so sold, were purchased by Ben. Wacker, Intervenor in this case, for the price and sum of one thousand dollars currency, he being there and there the best & highest bidder therefor. And it further appearing to the Court that the said Ben. Wacker did, to secure the purchase money for said cattle, execute his promissory note in writing for the sum of one thousand dollars in currency, payable to Radcliff Platt Sheriff of Travis county at the Fall Term 1868 of the District Court of Travis County, with J. M. Dillen, Alfred Smith and J. P. Hart as securities thereon. And it further appearing to the Court that the sum now due upon said note is not sufficient to pay off

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and discharge the Several sums of money secured by the said deed of trust aforesaid of date 10th May 1867, and that said one thousand dollar note represents the entire purchase money received from the sale of the cattle attached, and it further appearing to the Court that Ben. Wacker the intervenor is the sole owner of the Several sums secured by said deed of Trust, and therefore entitled to the benefit of the lien therein and thereby created, It is therefore ordered adjudged and decreed by the Court that the Sheriff of Travis County be and he is hereby ordered to cancel said note, herein before described and deliver the same to the said Ben. Wacker and that he the said Ben. Wacker go hence without day. And this premises ordered and adjudged that the Intervenor Ben. Wacker do have and recover of and from the said Mary Ann Johnson all the costs in this behalf incurred by him for which execution may issue.

And now on this day came into open court the Grand Jury of Travis County empannelled at this term and through their foreman John. T. Haynes presented to the Court the following Indictments to wit:

4040 An Indictment against Jack Romines for Assault to Kill &c
4041 An Indictment against Lewis White for Burglary
4042 An Indictment against Ed McMillan for Theft of a gelding
4043 An Indictment against Kendrick Webb for Theft of a mule
4044 An Indictment against Peter Bratton for Bet at monte
4045 An Indictment against Richd Harrison for Theft of a mare
4046 An Indictment against Lewis White for Theft from a house
4047 An Indictment against James Cain for Assault to kill &c
4048 An Indictment against Moses Steiner for Assault to commit a rape
4049 An Indictment against Moses Steiner for Assault to Kill &c

And said Grand Jury suggested to the Court that there is further business pending before them. they were ordered to retire upon a discharge of the same

And Court adjourned till to-morrow at 9 o'clock A M

Friday June 11th 1875.

Court met at 9 o'clock A. M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit.

4378. William Edwin Utley & Parte. Are now comes on to be heard the petition of Fannie C. McKinney formerly Fannie C. Givens, asking that the name of her son, William Edwin Utley, be changed to William Edwin McKinney, said petition being duly sworn to. And it appearing that the reasons set out in said Petition are sufficient, It is ordered and adjudged by the Court that the name of said William Edwin Utley be and the same is changed to William Edwin McKinney, and that the name of William Edwin McKinney be substituted for that of William Edwin Utley.

and that it will be for the interest of said minor to change his name and to adopt another.

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3843 Wm Chambers v A. Blesse et als And now comes L. Brown, one of the Defendants herein, by his atty, when on motion it is ordered that said Defendant have leave to amend.

4246 H G Burlan Guardian v C. Como et als And now comes E. P. Phillips Esq by atty when on motion it is ordered that said Phillips have leave to intervene in said cause.

4289 R. S. Caperton v J. L Pogue et al. And now comes the Pltff by atty. And it appearing that the Defendant Benton has been legally cited and has failed to answer within the time prescribed by law It is ordered, upon motion, that the Plaintiff do have and recover of said Benton according to the prayer of his petition and that a Writ of Inquiry be awarded

4319 W. C. Philips v S. M. Wright. And now comes the Plaintiff by atty. And it appearing that the Defendant has been legally cited and has failed to answer within the time prescribed by law, It is ordered that said Plaintiff do have and recover of said Defendant according to the prayer of his petition and that a Writ of Inquiry be awarded

4333 Bryant O. Stanley v Francisco Alderete. And now comes the Plaintiff by atty and claims a Judgment final by default. And the Defendant having been duly cited and has failed to answer within the time prescribed by law and made default, It is ordered and adjudged that Bryant O. Stanley do have and recover of Francisco Alderete the right, title and possession of the following described Real Estate, to wit: " Two lots or parcels of land, situated in the City of Austin " County of Travis Texas, on the street passing the residence of said Stanley, beginning " at a stake and stone afew rods East of said residence and fronting on " said Street forty seven and 3/4 feet each and running back 138 feet each " said lots being a part of the tract or parcel of land known on the plat of Surveys " made by the Republic of Texas, adjoining the City of Austin as Lot No. 20 in " Division "O" containing 10 acres" — that said Defendant be divested of all right, title interest and claim in and to said lots and improvements thereon, and the same is hereby vested in the Pltff: and that a Writ of Possession do issue ousting said Defendant and placing the Plaintiff in possession of the same and that the Plaintiff recover of Defendant all the costs for which execution may issue

4361 Susan Brandon et al v R. W Turner et al. Continued for service.

4373 T. J. Parr v R. J Pace et. als. Continued for service.

4380 Buehler, Boatright & Co. v P. Thompson et. als. And now come the plaintiffs by atty and claim a final judgment by default. And because the Defendants have been duly cited and have failed to answer within the time prescribed by law and the cause of action being liquidated It is ordered and adjudged that Martin Buehler, Geo Boatright, Charles P. Swepcott, Edward D. Eyre and Thomas Flock, under their firm name of Buehler, Boatright & Co. have and recover of P. Thompson and W. B. Walker the sum of three hundred & Twenty One Dollars, debt and interest due upon the instrument sued on to this date and all the

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cost of this suit, for which execution may issue

4386. Geo B. Zimpelman et al. v. G. M. Reap. Discharged

4387. B. Schumann v. E. P. Phillips. And now comes the Plaintiff by atty & claims a Judgment final by default. And because the Defendant has been duly cited & has failed to answer within the time prescribed by law and the account sued on being sworn to. It is ordered and adjudged that B. Schumann do have and recover of said E. P. Phillips the sum of One Hundred & Twenty Dollars and all the cost of this suit, for which execution may issue

X 4388. Jno. J. Kimbrough v. T. E. Tullis. And now comes the plaintiff by atty and claims a Judgment final by default. And because the Defendant has been duly cited and has failed to answer within the time prescribed by law and the Cause of action being liquidated. It is ordered and adjudged that said Jno. J. Kimbrough, for the use of Thomas C. Thompson, do have and recover of T. E. Tullis the sum of One Hundred Ninety Three and 33/100 Dollars, debt and interest due upon the instrument sued on to this date, with interest thereon from this date until paid at the rate of 12 per cent. per annum and all the cost of this suit for which execution may issue.

X Dism'd settled Sept 14th 1870 & Stay of Ex't withdrawn & Sci. fa. issued

4392. Jennie Cook v. Jennie Cook. Continued for Service.

4393. C. N. Worthington v. E. Perry. And now comes the Pltf by atty and upon motion it is ordered that this cause be discharged and that the Defendant recover of said C. N. Worthington and the security upon his cost Bond & No. Cross all the cost of this suit for which execution may issue.

4396. J. H. Robinson & Son v. J. P. Idell. And now comes the Pltf by atty & claims a Judgment final by default. And because the Defendant has been duly cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered and adjudged that John H. Robinson & Alfred H. Robinson, under their firm name of J. H. Robinson & Son, do have and recover of J. P. Idell the sum of one hundred, thirty two & 14/100 Dollars in Gold, with interest and principal to date, together with twelve per centum per Annum interest thereon from this date until paid, and the further sum of thirteen & 21/100 Dollars Gold, attorneys fees, and all the cost of this suit to be Taxed for which execution may issue.

4404. First Nat. Bank of Kansas, Mo. v. M. L. Cain. Continued for Service.

4405. Loomis & Christian v. John Rimton. And now comes the Pltf by atty and claims a Judgment final by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that Simon Loomis and Edward Christian under their firm name of Loomis & Christian, do have and recover of John Rimton the sum of two hundred Seventy Five & 6/100 Dollars in Coin, with interest thereon from this date until paid at the rate of 2½ per cent. per month and all the cost of this suit, to be Taxed, for which execution may issue.

June 11th 1870.

4407. G. H. Booth v. Richard Walsh. Continued for Service.

4411. H. Kuhnfeld v. W. C. Curry et al. Continued.

4420. Haydens & Allen v. Geo. F. Gage. Continued for Service.

4438. C. F. Millett v. Geo W. Honey. And now comes the Pltff by Atty and claims a Judgment final by default. And because the Defendant has been legally cited & has failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered and adjudged that C. F. Millett do have and recover of said Geo W. Honey the sum of One hundred, Sixteen, & 67/100 Silver Dollars debt and interest due upon the instrument sued on to this date, with interest thereon from this date until paid at the rate of one per cent. per month, and the further sum of Eleven and 67/100 Dollars in Silver, attorney's fees, and all the cost of this suit, for which execution may issue

4439. Moore & Shelley v. W. C. Cain Continued for Service.

4446. Moore & Shelley v. John H. Conner. And now come the Pltffs by Atty and claim a Judgment final by default. And because the Defendant has been duly cited & has failed to answer within the time prescribed by law. And the cause of action being liquidated, It is ordered and adjudged that Geo F. Moore and N. G. Shelley under their firm name of N. G. Shelley do have and recover of and from said John H. Conner the sum of Six hundred Eighty-Two and 69/100 Coin Dollars, debt and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from this date until paid and all the cost of this suit for which execution may issue

Rec'd July 27th 1875 $151,15 Costs taken in cause Nov 10, 1870 & Indorsed on file as Satisfied & Dis'd

4448. Raymond & Whitis v. M. M. Long. And now come the Pltffs by Atty and claim a Judgment final by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered and adjudged that James H. Raymond and C. W. Whitis under their firm name of Raymond & Whitis, do have and recover of M. M. Long the sum of One hundred forty eight and 86/100 Dollars in Gold, debt and interest due upon the note sued on to this date, with twelve per centum per annum interest thereon from date until paid and all the cost of this suit, for which execution may issue.

4298. G. H. Booth v. A. Kelso, et. als. And now on this day came the Pltff by Atty and claims a judgment final by default. And because the Defendants have been duly cited and have failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered that G. H. Booth do have and recover of the Defendants Alfred Kelso and Louisa J. Kelso the sum of Eight Hundred Fifty Four and 50/100 Gold Dollars, debt and interest due upon the note sued on to this date, together with ten per centum per annum interest thereon from this date until paid and all the cost of this suit for which execution may issue

And it appearing that the note upon which Judgment is rendered in this case was executed in consideration of the purchase money of the

June 11th 1875.

two tracts of land herein after described, and that the same is a lien upon said two tracts of land to secure the payment thereof, as specified in said note, It is ordered that plaintiffs said lien thereon be foreclosed, said lands being described as follows to wit: Field Notes of a tract of 65 acres of land, a part of the Santiago del Valle 11 league grant. Beginning at a stake and pile of rocks, from which an Elm 18 inches in diameter bears S. 47½° W. 85 varas, an Elm 9 inches in diameter bears S. 82° E. 81 varas. thence S. 45° W 941 varas to the N. E. corner of Tract No 2, and the South corner of this Survey a stake & pile of rocks. thence N. 45° W. 690 varas a stake & pile of Rocks. thence N. 45° E. 941 varas a stake & pile of Rocks thence S. 45° E. 690 varas to the beginning also a ten acre tract beginning at the N. E. corner of said 65 acre tract as described, and being a part of said Santiago del Valle Eleven league grant in Travis County: thence N 45° W. 390 varas to corner. thence N. 45° E. 145 varas to a stone for Corner. thence S. 45° E 390 varas to a stone for Corner. thence S. 45° W. 145 varas to the beginig, containing ten acres of land. And it is ordered and adjudged that an Order of Sale be issued requiring the Sheriff to levy upon and sell as under ex. ecution the two above described tracts of land, and the proceeds thereof he shall apply to the satisfaction of the principal and interest to become due of this Judgment and all the cost of this suit, and the overplus if any, he shall pay over to the Defendants. But if said lands should not bring a sufficiency then execution may issue for the remainder.

4316. Crow & Jones v. Isaac Smith et als. Come now the Pltffs by atty when on motion it is ordered that said Plaintiffs have leave to amend.

4433. Ruthrauff & Miller v. Geo. W. Money. And now come the pltffs by atty and claim a Judgment final by default. And because the Defendant has been duly cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered and adjudged that Philip M. Ruthrauff and John F. Miller, under their firm name of Ruthrauff & Miller, do have & recover of Geo. W. Money the sum of Two Hundred, Eighteen & 20/100 Dollars Coin, debt & interest thereupon the instrument sued on to date and all the cost of this suit for which execution may issue

4136 The State of Texas v. Butler Lott. Come the parties by atty & announce ready for trial and waiving a Jury submit the case to the Court and Defft. pleads guilty whereupon it is ordered that the State of Texas recover of said Butler Lott the sum of Ten Dollars as a fine & the cost of the prosecution and that Commitment issue

H. Robertson And thereupon it is ordered that A. G. Sheely, W. M. Walton & D Sheets Esqs be appointed a Committee to examine J. H. Robertson in open Court touching his application for License to practice as an Attorney & Counsellor at Law

3299 Mary Jane Lee v. A. H. Griffin et al. Continued by Defendants Griffin & Dobie

3300 Mary Jane Lee v. J. B. Selwick. Continued by Defts. Griffin & Dobie

And thereupon Court adjourned till to-morrow at 9 A. M.

June 12th 1875.

Saturday June 12th 1875.

Court met at 9 o'clock a.m. pursuant to adjournment Present Hon J.P. Richardson Judge 27th Judicial District Presiding. Whereupon the following proceedings were had, to wit:

4413 First Nat. Bank v. W. C. Clemons et.als. And now comes the Pltff. by atty and dismisses this suit as to the Defendant M. K. Clemons who has not been cited. And the said Pltff claims a Judgment by default as to the other Defendants. And because said Defendants (except M. K. Clemons) have been duly cited, and have failed to answer within the time prescribed by law. and the cause of action being liquidated, it is ordered and adjudged that the Pltff do have and recover from said Defendants according to the prayer of his Petition, and that a Writ of Inquiry be awarded.

3150. Wm A. Shaw et.als v. John Norwood et.als And now on this day came the parties to this cause by their attys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of J.E. Tracy and eleven others who being Empld, elected and Sworn according to law heard the pleadings, evidence, argument of Counsel and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find a verdict for Plaintiff, J.E. Tracy Foreman" Whereupon and Jno N. Freeman, Lizzie Freeman and Rosa Freeman, by their counsel
this ordered and adjudged that William A. Shaw, Lewis Blaylock and Kate Blaylock do have and recover of and from Elisha Norwood, John Norwood and D.C. Freeman the following described tract of land to wit: "In the County of Travis, being a part of the James D. Wallace league, lying about five miles N.E. of the City of Austin, on the Fiskville road, or near the same, beginning at a stake & stone mound in the West line of the said original Survey, it being the N.W. corner of a tract sold by Josiah Fisk out of this Survey to one J. Bennett. thence South 60° E. 166 varas to a stone mound E. line of said Survey: thence N. 30° E. 676 varas to a stone mound. Thence N. 60° W. 166 varas to a stone mound in E. line of Spear's league, the S.W. corner of Shaw's tract: thence S. 30° W. 676 varas to the place of beginning, containing within the area above described about 200 acres of land, more or less". And it is further adjudged that the plaintiffs herein be vested with the right, Title and possession of said tract of land and the improvements thereon, and that said Defendants be divested of the same and that a Writ of Possession do issue requiring the Sheriff of Travis County to oust the Defendants therefrom and to place the plaintiffs in possession thereof and that plaintiffs recover of said defendants all the Costs hereof to be taxed, for which execution may issue

3843 Wm Chambers v. A. Pledsoe, et.als Come now the Defts by atty. when on motion it is ordered that said Defendants have leave to amend.

3952. Ernst Raven v. E. J. Davis et.als And now comes the Intervenor P. De Cordova and upon motion it is ordered that said Intervenor be allowed to amend

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4288. Steele Wood & Co. v John Eikel, Deft and D. F. Parnell, Garnishee. And now on this day Comes on to be heard the answer of D. F. Parnell, Garnishee in this case. And it appearing that said Garnishee has in his hands the sum of $118 39/100 belonging to Defendant, It is ordered and adjudged that the pltffs herein do have and recover of said D. F. Parnell the sum of One hundred, Eighteen and 39/100 Dollars, and that execution may issue And upon payment of said sum into Court the said Garnishee shall be discharged from this judgment, and the said Eikel credited accordingly. and that the costs of this suit be paid pro rata of said sum when so paid into Court.

4455. Mary C. Dickerson et al vs Robert M. Hatton. 12th day of June A. D. 1875. This day came the plaintiffs by their attorneys and the said defendant Robert M. Hatton having filed his answer admitting all the allegations in plaintiffs petition to be true. And it appearing to the Court from the allegations in said petition and the admissions of defendant as aforesaid that the plaintiffs Mary C. Dickerson, Mary E. Foreman, J. Moses Hatton, M. C. Moulton and D. W. Doom and said defendant are the owners and tenants in common of a certain tract of land containing Twenty six Labors the headright of Robert C. Hatton granted to him by the State of Texas by patent dated the 19th day of November A. D. 1874 said tract of land being situated and described as follows: In Live Oak County west of the Puenta de la Piedra about 9 miles N. 30° E. from the junction of the Nueces River with the Rio Frio and 9 miles North of Oakville. Beginning at the N. E. corner of Sur. No 134 for Wm J. C. Pearce a stake from which Mesqt. mkd V brs S. 10° W. 12 vrs do mkd Q S 15° W. 18 vrs. Thence East 2721. 34 vrs to stake a Mesqt mkd F brs N 58 W. 21. 5 vrs do mkd E. S 68° W 7 vrs. Thence north 5099. 01 varas a stake for wh. a Mesqt mkd X brs N. 5° E. 10 vrs do mkd Z S 58° E 21 vrs Thence west 1188 vrs the S. E. Corner of the Hrs of John Sawyers Sur. No 130 with Sd Sur in all 5099. 01. vrs Sta fr wh. a. Mes marked V brs N. 62 E. 55 vrs do mkd X S 11° W. 6. 5 vrs Thence South 5099 1/100 vrs intersecting N. B line said Pearce Sur. Post & Md Thence East with Sd Sur 2377. 67 vrs to the place of beginning. And it further appearing to the Court from the allegations in said petition and the admissions of defendant as aforesaid that the plaintiff Mary C. Dickerson is entitled to our twenty fourths in value of said tract of land, the plaintiff Mary E. Foreman to one twenty fourth in value of said tract of land. the plaintiff J. Moses Hatton to three twenty fourths in value of said tract of land. the plaintiffs M. C. Moulton and D. W. Doom to twelve twenty fourths in value of said tract of land and the defendant Robert M. Hatton to four twenty fourths in value of said tract of land. It is therefore

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ordered adjudged and decree by the Court that the said tract of land be partitioned among the said parties plaintiffs and defendant the owners and tenants in common thereof and that each parties interest as above stated be set apart to such party; and that W. Tom Rosenberg A. B. McGill and Dennis Corwin citizens of Travis County Texas be and they are hereby appointed Commissioners to view the said tract of land to hear evidence pertinent to the question of division: to partition the said tract of land and to assign to each party his or her portion thereof with the amount of difference in value or compensate a difference in quality or improvements by a difference in quantity and that they report their action with regard to the matters above set forth upon oath with the evidence on which they acted to this Court.

It is further ordered that a writ of partition do issue to the said commissioners for the purposes herein set forth

4456. Jane Berry et al vs Robert. M. Hatton 12th day of June 1875 A.D

This day came the plaintiffs by their attorney and the said defendant Robert. M. Hatton having filed his answer admitting all the allegations in plaintiffs petition to be true. And it appearing to the Court from the allegations in said petition and the admissions of defendant as aforesaid that the plaintiffs Jane Berry. Samuel H. Hatton. Drucilla Hatton. Mary E. Foreman. J. Moses Hatton. Mary C. Dickerson. M. C. Moulton and D. W. Doom and the said defendant are the owners and tenants in common of the following described tract of land lying and being situate partly in the County of Live Oak and partly in the County of Bee in the State of Texas being the headright-League and Labor of land of William T. Hatton granted to him by the State of Texas by patent dated the 29th day of August A. D. 1846 said land being described as follows to wit on the headwaters of the Puenta de la Piedra. Beginning at the N.E. corner of survey No 28 made for John McMullen a post and mound. Thence south with said survey fifty hundred and ninety nine 10 vs to its S.E. corner a stake from which a Mesquite Mkd V brs S 46° W. 7 vs another Mkd X brs N. 58° E. 22 vs Thence East Thirty five hundred and fifty vs a branch runs South fifty hundred and forty vs to the Puenta de la Piedra runs South fifty hundred and ninety nine vs to a stake from which a Mesquite Mkd I brs S 6° E. 16 vs another Mkd V brs S. 67° E 24 vs Thence north nine hundred and ten vs to a branch runs south west one thousand vs same branch runs S.E. at fifteen hundred and seventy vs same branch runs West fifty hundred and ninety nine 10 vs to a stake from which a Mesquite Mkd N bears S 82° E 19 vs another mkd X brs S 38° E. 15 vs Thence West One hundred and fifty vs to a branch runs N. W. fifty hundred and

ninety nine /10 to the beginning containing four thousand six hundred and five acres more or less. And it further appearing to the court from the allegations in said petition and the admissions of defendant as aforesaid that the plaintiff Jane Berry is entitled to two forty eighths in value of said tract of land: the plaintiff Sam'l H. Hatton to five forty eighths in value of said tract of land the plaintiff Drucilla Hatton to five forty eighths in value of said tract of land the plaintiff Mary E. Foreman to one forty eighth in value of said tract of land. the plaintiff J. Moses Hatton to three forty eighths in value of said tract of land the plaintiff Mary E. Dickerson to four forty eighths in value of said tract of land. the plaintiff M. C. Moulton and D. W. Dodini to twenty four forty eighths in value of said tract of land and the defendant Robert M. Hatton to four forty eighths in value of said tract of land. It is therefore ordered adjudged and decreed by the court that the said tract of land be partitioned among the said parties plaintiffs and defendant the owners and tenants in common thereof and that each parties interest as above stated be set apart to such party; and that W. Von Rosenberg. A. B. McGill and Dennis Corwin citizens of Travis County Texas be and they are hereby appointed commissioners to view the said tract of land to hear evidence pertinent to the question of division to partition the said tract of land and to assign to each party his portion of the said tract of land with the amount of difference in value or compensate a difference in quantity. and that they report their action with regard to the matters above set forth upon oath with the evidence on which they acted to this court. It is further ordered that a writ of partition do issue to said commissioners for the purposes herein set forth.

4407 Edwin R Scarborough Ex Parte. And now comes on to be heard the application of Edwin R. Scarborough asking for a removal of his disabilities as a minor. duly sworn to. And the reasons set out in said petition being sufficient and said minor being more than seventeen years old. It is ordered and adjudged that the disabilities of said applicant as a minor be removed and that he be held for all legal purposes twenty one years of age and that he be held responsible for his business transactions the same as if he were of full age except the right to vote.

E. T. Cook. E. T. Cook. Upon the application of E. T. Cook it is ordered that N. G. Shelley. W. M. Walton and David Sheeks be appointed a committee to examine said applicant in open court next Monday touching his his qualifications to practice as an attorney and counseller at Law.

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4417 J. B. Gildart vs H. & T.C. R. R. Company. And now comes on to be heard the motion of the defendant to quash the return of service upon the citation issued and returned in this cause which being considered the same is overruled to which ruling said Defendant excepts.

4419 C. & S. Cohen vs H. & T.C. R. R. Company. And now comes on to be heard the motion of the defendant to quash the return of service upon the citation issued and returned in this cause which being considered the same is overruled to which ruling said Defendant excepts.

4447 S. T. Hayden and Wife vs H. & T.C. R. R Company. And now comes on to be heard the motion of the defendant to quash the return of service upon the citation issued and returned in this cause which being considered the same is overruled to which ruling said Defendant excepts.

4425 A. Gordon vs F. W. Chandler. And now comes on to be heard the motion of plaintiff to quash the appeal bond in this case which being considered the same is overruled.

4348 Jno O. Ford vs H. & T. C R. R. Company. And now comes on to be heard the motion of the defendant to quash the return of service upon the citation issued and returned in this cause which being considered the same is overruled to which ruling said Defendant excepts

And thereupon Court adjourned till Monday morning at 9 o'clock a.m.

Monday, June 14th 1875

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

3664 Charlotte Eadies Surviving Wife v. John Gilbert. And now comes the Deff. by atty. when on motion it is ordered that this Cause be dismissed and that the costs hereof be adjudged against said Plaintiff for which execution may issue.

3844 G. R. Freeman v. Robert Lewis et.als On motion it is ordered that the Plaintiffs and Defendants respectively have leave to amend, and that they also have leave to make new parties.

4039 Geo. W. Tinney v. W. A. Morris Comes now the Deff. by atty When on motion it is ordered that said plaintiff have leave to amend.

4176 Julia Hill et.als v. Tom Hill. now comes the Defendant, and upon motion it is ordered that said Defendant have leave to amend.

3527 H. & T.C.R. Road v. B. M. Odom. And now comes the Defendant by atty whereon motion it is ordered that said defendant have leave to amend.

3538 H. & T.C.R. Road v. Fred Carleton And now comes the Defendant by atty whereon motion it is ordered that said Defendant have leave to amend.

3647 H. & T.C. R. Road v. J. B. Barron. And now comes the Deft. by atty when on motion it is ordered that said defendant have leave to amend.

3648 H. & T.C.R. Road Co. v. A. R. Morris. And now comes the Defendant by atty whereon motion it is ordered that said Defendant have leave to amend.

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3151 Charles Shephud v. John J. Sneed et.als. And now on this day Came the parties to this cause by their Attys and announced themselves ready for trial. When came a duly of twelve good and lawful men of Travis county, consisting of R. A Lane and eleven others who being tried, elected and Sworn according to Law, heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. And thereupon said duly returned into Court the following verdict, to wit: "We the duly find for Defendants, R. A Lane foreman." Whereupon it is ordered and adjudged that the plaintiff take nothing in this behalf. that the Defendants go hence: that because he discontinued. And because said Plaintiff that the Defendants do have
[illegible] of said Charles Shephud all the cost of this suit, for which execution may issue
has made affidavit that he was unable to give security for cost, it is ordered
that he go free from all liability for cost in this cause. and that the Defendants be adjudged to pay the cost by them incurred, only, for which execution
may issue.

3345 Wm Simpson v. H & G C R Road Co And now comes the Pff by duly thereon
motion it is ordered that said Pff have leave to substitute the original
Petition filed herein which has been lost

3590 John H. Conner et.al. v. Ella R. Carter et.al. Continued by Plaintiff

And now on this day came into open Court the Grand Jury of Travis County empannelled at this term and through their Foreman John T. Haynes presented to the Court the following Indictments to wit-

4050 An Indictment against Kendrick Webb for Theft from a house
4051 An Indictment against Charles Calvin for aggravated assault
4052 An Indictment against Baxter Smith for aggravated assault
4053 An Indictment against Frank Mathewson for Theft of a gelding
4054 An Indictment against Julius Van Velde for Theft of a gelding
4055 An Indictment against Orlando. Joe & Sylva for Theft of money
4056 An Indictment against Buck Roberts for Theft of a gelding
4057 An Indictment against George Walker for Theft of a bay gelding
4058 An Indictment against T. W. Parr for Aggravated assault
4059 An Indictment against T. W. Parr for Aggravated assault
4060 An Indictment against Tom Simms for Aggravated assault
4061 An Indictment against Green Ridgway, John Rodgers & John Nelson for Aiding the escape of a Prisoner
4062 An Indictment against S. Valdera for Theft from a house
4063 An Indictment against Green Ridgway. John Rodgers & John Nelson for Assault to Kill &c
4064 An Indictment against Wm Isbell for Theft of cattle
4065 An Indictment against Louis Buschiani for Theft from a house
4066 An Indictment against John Isbell for Theft of an Ox
4067 An Indictment against Rhueben Murphy & Collin Dunkin Malicious mischief
4068 An Indictment against E. C. Mathews for Theft of a Bull calf
4069 An Indictment against John P. Powers for Assault to Kill &c
4070 An Indictment against Peter Bratton for Betting at Monte

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4071 An Indictment against John Isbell for Theft of a cow
4072 An Indictment against Tom Williams & Hooker for Theft of Rail Road ties
4073 An Indictment against Mark Tiner for Murder
4074 An Indictment against Bart Kelso for Theft of a gelding
4075 An Indictment against Al. Rainey for Ex route
4076 An Indictment against Charley Ferguson for Aggravated assault
4077 An Indictment against John Dowell for Assault to kill &c
4078 An Indictment against Wm Twomey for Theft from a house
4079 An Indictment against Charles Dirke for Theft from a house
4080 An Indictment against N. Sansberry for Theft of money
4081 An Indictment against Charles Conoy et al for Assault to Kill & murder
4082 An Indictment against Al. Rainey for Theft of a calf

And said Jury suggesting to the Court that there is further business pending before them they were ordered to retire upon discharge of the same.

Declaration of Intention to become a Citizen.

John F. Davis — The State of Texas. County of Travis. John F. Davis being duly sworn according to law, in the County court of said County doth declare that he was born in the year A.D. 1835 in Ireland whence he emigrated in the 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 State of Texas and renounces 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. (Signed) John F. Davis. Sworn to and Subscribed before me this 14th day of June 1875 in open Court. Frank Brown Clerk

3259 Georg Wegand, Admr of Wm Reese, v. Risher & Hall. And now on this day came the parties to this cause by their attorneys and announced ready for trial, and waiving a Jury submit the Case to the Court. And thereupon the Court having heard the pleadings, evidence, and argument of counsel and duly considered the same, and being of opinion that the law is with the Defendants, It is ordered and adjudged that the plaintiff take nothing in this behalf: that the cause be dismissed and that the Defendants go hence and recover of and from the Estate of Wm Reese, deceased, all the cost of this suit to be taxed, ~~that such persons~~ ordered that the Bill of cost in this case be certified as a just and established claim against the Estate of William Reese, to be paid in due Course of administration. And thereupon the plaintiff gives notice in open Court of an appeal to the Supreme Court.

3009 Harris Dudley & Co. v. Henry Klenert. And now comes the Counsel for plaintiffs and suggest the death of A. Fox one of the pffs. Whereupon it is ordered that the cause be continued to make parties

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4350. First National Bank of Austin v. Jno M. Campbell et.als. And now comes the plaintiff by attorney and claims a judgment by default as to the Defendant Jno. M. Campbell and because said Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that The First National Bank of Austin do have and recover of said Jno M. Campbell the sum of Two Hundred Eighty One & 33/100 Dollars in Gold Coin, principal and interest due upon the instrument sued on to this date, together with twelve per centum per annum interest thereon from this date until paid & all the Cost of this suit, for which execution may issue. And orders that the cause be continued for service upon the other Defendants.

And thereupon Court adjourned till to-morrow at 9 A.M.

Tuesday, June 16th 1875

Court met at 9 o'clock a.m. pursuant to adjournment. Present Hon. J. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

J.H. Robertson And now come the Committee appointed to examine J.H. Robertson in open Court and making a Report recommending that said candidate be admitted, It is ordered that said J.H. Robertson be admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas and that License issue accordingly

9330. J.W. Manning v. N. Hanson. Now comes the Pefft by atty & shew on motion it is ordered that said Plaintiff have leave to amend

3330. J.W. Manning v. N. Hanson. Now comes the Deft by atty & shew on motion it is ordered that said Defendant have leave to amend.

4304. F.E. Smith Guardian v. W.C. Lurey et.al. Comes now the Pefft by atty and upon motion it is ordered that said Plaintiff have leave to amend.

4073. R.N. Lane v. Geo O. Evans. Comes now the Pefft by atty & shew on motion it is ordered that said Plaintiff have leave to amend

4435. C. Lundberg v. A. Goldmann and E. Goldmann. And now come the parties by atty & upon motion it is ordered that this Cause be dismissed and that the Plaintiff pay over of said Defendants all the cost of this suit for which execution may issue.

3449. Summerow & Bro. v. L.S. Williams et.als. And now on this day this cause being regularly reached and it appearing that at a former day of this term a Rule was entered in this cause requiring the Pefft herein to enter into Bond and Security for the Cost of this suit, which they have failed to do, it is ordered and adjudged that said cause be dismissed for want of Compliance with said rule and that the cost hereof be adjudged against the plaintiffs for which execution may issue

4018. Eliza J. Tinney et.als v. A.C. Tinney et.al. And now comes G.W. Tinney by atty and upon motion it is ordered that said G.W. Tinney have leave to amend his pleadings

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3467 Wm Bruggerhoff v. N. Hanson. And now comes the Defendant by Atty when on motion it is ordered that said Defendant have leave to demur.

4350 First National Bank v. Jno. M. Campbell et.als. And now comes again the Pff. by Atty when on motion it is ordered that the order entered for a continuance in this cause be set aside. and it appearing to the Court that the Defendants C. A. James and J. M. Morphis have accepted service of this suit and have failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered and adjudged that the First National Bank of Austin do have and recover of the Defendants Jno M Campbell, C. A. James and J. M. Morphis the sum of Two Hundred, Eighty ~~Dollars~~ and 35/100 Dollars ($281.35) Gold, principal and interest thereupon the instrument sued on to this date, together with interest thereon from this date until paid, at the rate of twelve per centum per annum, and all the cost of this suit, for which execution may issue.

And Court adjourned till to-morrow at 9 o'clock A.M.

Wednesday, June 16th, 1875.

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

34 54 The State of Texas v. J. Davidson Continued.

3462 Raymond & Whitis v. Thomas McConnell Deft & D. R. Wallace Garnishee upon motion it is ordered that the proceeding in Garnishment in this case be dismissed and that the Plaintiffs be adjudged to pay the cost thereof.

3486 Paul Lewis v. H & T C Rail Road. Upon motion it is ordered that the Defendant have leave to amend. And thereupon, on further motion it is ordered that this cause be dismissed and that the Defendant recover of said Plaintiff all the cost of this suit, for which execution may issue.

3527 H & T C R. Road v. D. M. Odom. Continued by Deft.

3538 H & T C R. Road v. Fred Carleton. Continued by Deft.

3830 J. W. Manning v. N. Hanson. And now at this day came the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of B. F. Fox foreman and eleven others who being tried, elected and sworn according to law, heard the pleadings, the evidence, argument of counsel and charge of the Court and retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We the jury find for the Plaintiff. B. F. Fox. Foreman." Whereupon it is ordered and adjudged that J. W. Manning do have and recover of and from the Defendant N. Hanson the right, title and possession of the following described property, to wit: 1 Walnut Wardrobe 1 Walnut Bedstead. 1 Spring Bed. 1 Mattress. 1 Walnut What-not. 4 oil Shades 1 Tapestry Rug. 6 Walnut Spring Seat Chairs. 1 Walnut Spring Seat Rocker 1 Walnut Dining Table. 28½ yds 2 ply Carpets. 2 Pillows. 1 Child Chair. Shade Fixtures. 39 yds. Rufel Carpet. 16 yds. 6/4 oil cloth. 1 Walnut centre Table.

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& oil Shades: 4 oil Shades by feet: valued at $427 65, being the same property levied on and that the Sheriff turn over the same to the said D. W. Glasgow for sequestrated in this cause and that the plaintiff do recover of the Defendant all the cost of this suit, for which execution may issue.

4316 Cron & Jones v Isaac Smith et. als. And now come the pffs by atty & claim a Judgment final by default. and because the Defendants have been legally cited and have failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that G. Cron and D.W. Jones, under their firm name of Cron & Jones, do have and recover of the Defendants Isaac Smith and L. Hartson the sum of Two Hundred, Twenty & 77/100 Dollars Coin, debt and interest due upon the instrument sued on to this date, with interest thereon from this date until paid at the rate of Nine percent. per month, and all the cost hereof to be taxed, for which execution may issue. And it appearing that the note sued on in this case was given for part of the purchase money of the following described tract of land, and the same is a lien thereon, to wit: "Being a part of 1280 acres granted originally to Thos. "Jeff. Chambers, situated in Travis county, Texas, and Contains Seventy acres "more or less, and deeded to L. Hartson by Mrs. Chambers and Chubb, under "an order of the District Court of Travis County and by said Hartson deeded "to Isaac Smith". It is ordered and adjudged that said plaintiffs lien on said land be foreclosed, and that an order of sale do issue requiring the Sheriff of Travis County to seize said land as under execution, and the proceeds thereof he shall apply to the payment of the principal, interest to accrue, and cost hereof, and the overplus if any he shall pay over to the defendants. But if said land shall not bring a sufficiency then execution may issue for the remainder.

And Court adjourned till to-morrow at 9 o'clock A. M.

Thursday, June 17th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

4334 J. H. Cunningham v Augusta Raven et al. Upon motion it is ordered that this cause be dismissed and that the pff be adjudged to pay the cost of this suit, for which execution may issue.

4035 Thomas Anderson v John Harrell and Banyan Payne. Come now the parties and by their agreement, it is ordered, adjudged and decreed that Thomas Anderson have the right, and that he shall be entitled to cut an outlet so as to enable him to use a head of water six inches perpendicular upon the pool or water hole which is upon and adjoining the land of defendants, but he is not to dam the said outlet at any time so as to raise the water on the surface of said pool or water hole more than six inches above the lowest point to which the water is drawn off by his gate or stop when the same is removed, it being the intention of the Defendants to grant to plaintiff the right to the use of a head of water six inches

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deep on the surface of said pool or water hole, and no more, for the purpose of propelling such machinery as he now has or may hereafter construct on his plaintiffs land. And said plaintiff is to have the right to enter upon the land of said Harrell for the purpose of cutting said outlet, and for the further purpose of putting up and operating such dam gate or stop as may be necessary to give him the use of said head of water- But he is not to dam said water so as to cause it to overflow the adjoining lands of either of the Defendants. And said plaintiffs right to the privileges herein granted are personal to himself and his employees, and is not to be sold or conveyed to any other person- and the privilege of entering upon said land, and using said head of water is to cease at all times when he has no machinery to be propelled by said water. And the plaintiff is to pay all costs of this suit. It is therefore ordered adjudged and decreed that Defendant recover from Plaintiff all their costs herein laid out and expended.

3546. J. W. Manning v. H. & T. C. R. R. Company. Continued.

3547. John O. Johnson v. H & T C R R Company. Comes now the Defendant by atty whereon motion it is ordered that said Defendant have leave to amend.

3548. Rhoads Fisher v. H & T C R R Company. Comes the Defendant by atty whereon motion it is ordered that said Defendant have leave to amend.

3549. J. B. Barron v. H & T C R R. Company. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

3545. William Simpson v. Houston & Texas Central Railway Company. And now come the parties by attorney and announce themselves ready for trial. And the demurrer of Defendant to plaintiffs petition coming on to be heard the same is overruled. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of R. N. Lane and eleven others, who being tried, elected and sworn according to law, heard the pleadings, evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for Pltff and assess the damage at Twenty Five Hundred Dollars. ($2500) R. N. Lane, Foreman." Whereupon it is ordered and adjudged that William Simpson do have & recover of the Houston & Texas Central Railway Company the sum of Twenty Five Hundred Dollars, so assessed by the Jury, together with all cost of this suit, for which execution may issue.

Jas. H. Stewart

upon presentation of a License admitting Jas. H. Stewart to practice as an Attorney and Counsellor at Law and Solicitor in Chancery in the Circuit & Inferior Courts of Arkansas. It is ordered that said Jas. H. Stewart be admitted to practice as an Attorney and Counsellor at Law in the several District & Inferior Courts of the State of Texas, and that License issue accordingly

And now on this day came into open Court the Grand Jury of Travis County empannelled at this term and through their foreman John. T. Haynes presented to the Court the following Indictments to wit-

4083 An Indictment against Jo Hallan for Ex Parte

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4084 An Indictment against Tom Jackson for Betting at monte
4085 An Indictment against Joe Dunigan for Betting at monte
4086 An Indictment against Toney Murphy for Betting at monte
4087 An Indictment against Bob Organ for Betting at monte
4088 An Indictment against Lucius Buttain for Betting at monte
4089 An Indictment against Dutch Dock for Ex Faro
4090 An Indictment against Frank Smith for Betting at monte
4091 An Indictment against Newell Burditt for Betting at monte
4092 An Indictment against Neal Cain for Betting at monte
4093 An Indictment against Billy Davidson for Betting at monte
4094 An Indictment against Billy Curtman for Betting at monte
4095 An Indictment against Givens for Betting at monte
4096 An Indictment against George Pierce for Betting at monte
4097 An Indictment against Tom Dieterick for Betting at monte
4098 An Indictment against Charles Wood for Betting at monte
4099 An Indictment against Peter Bratton for Betting at monte
4100 An Indictment against Bud Cotton for Ex monte
4101 An Indictment against Bud Cotton for Betting at monte
4102 An Indictment against Billy Thompson for Betting at monte
4103 An Indictment against Billy Simms for Betting at monte
4104 An Indictment against Dock Thompson for Betting at Faro
4105 An Indictment against Peter Hanson for Ex monte
4106 An Indictment against Maroney for Ex monte
4107 An Indictment against Pink Reed for Betting at monte
4108 An Indictment against Tom Warren for Betting at monte
4109 An Indictment against Emanuel for Betting at monte
4110 An Indictment against Joe Barado for Betting at monte
4111 An Indictment against Bill Ochiltree for Betting at monte
4112 An Indictment against Dave Steele for Ex monte
4113 An Indictment against Dave Steele for Ex monte
4114 An Indictment against George Farris for Betting at monte
4115 An Indictment against Billy Brennan for Ex Faro
4116 An Indictment against Suddy Meeks for Betting at monte
4117 An Indictment against Johnny Chenerille for Ex monte
4118 An Indictment against Jo Fricks for Betting at monte
4119 An Indictment against Tom Jackson for Betting at monte
4120 An Indictment against Charley Woods for Betting at monte
4121 An Indictment against John Jackson for Betting at monte
4122 An Indictment against Steve Marsleff for Betting at monte
4123 An Indictment against Johnny Davis for Betting at monte
4124 An Indictment against Thomas Cain for Betting at monte
4125 An Indictment against Mexican Jesus for Betting at monte

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4126 An Indictment against Mexican Jo for Betting at monte
4127 An Indictment against George Cummings for Betting at monte
4128 An Indictment against Ambrose Steele for Betting at monte
4129 An Indictment against Jo Wadsworth for 64 monte
4130 An Indictment against Charles Fugett for 64 Faro
4131 An Indictment against Al. Rainey for Betting at monte
4132 An Indictment against Booker for Betting at monte
4133 An Indictment against Clay Eaves for Betting at monte
4134 An Indictment against Hugh Eaves for Betting at monte
4135 An Indictment against Mat Lane for 64 Faro
4136 An Indictment against Rhondo Johnny for 64 monte
4137 An Indictment against John Baughn for 64 monte
4138 An Indictment against Neil Cain for 64 monte
4139 An Indictment against Frank Cotton for Betting at Faro
4140 An Indictment against John McKinney for Betting at monte
4141 An Indictment against Paul Lewis for Betting at monte
4142 An Indictment against Bully Oliver for Betting at monte
4143 An Indictment against George Parris for Betting at monte
4144 An Indictment against Joe Hallan for Betting at monte
4145 An Indictment against Billy Brennan for Betting at monte
4146 An Indictment against Dock Stone for False Imprisonment
4147 An Indictment against Dock Stone for Aggravated assault
4148 An Indictment against G. H. Irwin for Aggravated Assault
4149 An Indictment against G. H. Irwin for Threats to take life of a human being
4150 An Indictment against John Monroe for Assault to Kill &c
4151 An Indictment against E. Baker for Selling liquor within 3 miles of Parsons F. C.
4152 An Indictment against E. Baker for Selling liquor within 3 miles of Parsons F. C
4153 An Indictment against Baker for Selling liquor within 3 miles of Parsons Female College
4154 An Indictment against Charles Cannon for Murder
4155 An Indictment against G. Kluge for Selling liquor within 2 miles of Live Oak Academy
4156 An Indictment against Gus Kluge for Selling liquor within 2 miles of Live Oak Academy
4157 An Indictment against A negro man (name unknown) for Assault to Rape
4158 An Indictment against Jim Chapman for Theft from a house
4159 An Indictment against Bob. Hamilton for Theft of Gelding
4160 An Indictment against Joe Burbage for Swindling
4161 An Indictment against Joe Burbage for Theft of a Buggy
4162 An Indictment against Joe Burbage for Swindling
4163 An Indictment against Hal Brown for Theft of two heifers
4164 An Indictment against George Gilbert for Theft of a gelding
4165 An Indictment against Pat Brown for Theft of a mare
4166 An Indictment against Reuben Murphy for Theft of a bull calf
4167 An Indictment against August Wilson for Theft from a house

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4168 An Indictment against Mary Mitchell & John Mitchell for Theft of a gelding
4169 An Indictment against Mart. T. Durst for Theft of a mare & three colts
And said Jury suggesting to the Court that there is further business pending before them they were ordered to retire upon a discharge of the same
3547. John O. Johnson vs Houston & Texas Central Railway Company. And now on this day Came the parties to this cause by their atty & announced themselves ready for trial And the demurrer of the Defendant to plaintiffs petition coming on to be heard, the same is overruled. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of W. E. Risher and eleven others who being Tried elected & Sworn according to Law, heard the pleadings, evidence, argument of counsel and the charge of the Court, retires for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury fine for the Plaintiff and asses the same at $500 W. E. Risher, foreman." Whereupon it is ordered and adjudged that said John O. Johnson do have & recover of & from the Houston & Texas Central Railway Company the sum of Five Hundred Dollars and all the cost of this suit for which execution may issue.

And Court adjourned till to-morrow at 9 A.M.

Friday June 18th 1875.

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

3549. J. B. Barron v. H & T C R Road Company. Comes again the Defendant by atty when on motion it is ordered that said Defendant have leave to amend
3902. E. Raven v. E. J. Davis et.als. And now come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.
4177. Mora E. Shepherd et.als v. John H. Conner et.als. And now comes Deft. Moore by atty when on motion it is ordered that said Defendant have leave to amend.
4421. C. D. Millett v. E. Gaedmann et.als. And now come the parties by atty when on motion it is ordered that this cause be dismissed and that the cost hereof be adjudged against the plff. for which execution may issue.

And now on this day came into open Court the Grand Jury of Travis County empannelled at this term and through their foreman John T. Haynes presented to the Court the following Indictments to wit.

4170 An Indictment against George Farris for Betting at Monte
4171 An Indictment against John Louise for Betting at Monte
4172 An Indictment against Hart Barrett for Betting at Monte
4173 An Indictment against Jo Farris for Betting at Monte
4174 An Indictment against Ike Johnson for Betting at Monte
4175 An Indictment against Squire Robets for Exhibiting Monte
4176 An Indictment against Moses Swisher for Betting at Monte
4177 An Indictment against Al. Rust for Betting at Monte

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4178 An Indictment against Jack Brown for Betting at Monte
4179 An Indictment against John Clark for Betting at Monte
4180 An Indictment against Spinosa Gustavus for Betting at Monte
4181 An Indictment against Martina Rodrigues for Betting at Monte
4182 An Indictment against Tom Jackson for Betting at Monte
4183 An Indictment against Bill Doug for Betting at Monte
4184 An Indictment against Fred Parks for Betting at Monte
4185 An Indictment against Charley Woods for Betting at Monte
4186 An Indictment against Bailey Sparks for Betting at Monte
4187 An Indictment against George McKay for Betting at Monte
4188 An Indictment against Dock Dupree for Betting at Monte
4189 An Indictment against Silas Watson for Betting at Monte
4190 An Indictment against John Gonzales for Betting at Monte
4191 An Indictment against Peter Brattow for Betting at Monte
4192 An Indictment against Bill Gordon for Betting at Monte
4193 An Indictment against Dan Wheat for Betting at Monte
4194 An Indictment against Wm Brown & Mrs Wm Clarke for Adultery
4195 An Indictment against John Griffin for Assault to Rape
4196 An Indictment against John Henry for Assault to Kill &c
4197 An Indictment against Jerry Page for Murder
4198 An Indictment against M. J. Hawley for Theft of a Gelding

And said Jury suggesting to the Court that there is further business pending before them they were ordered to retire upon discharge of the same

3548. Rhoads Fisher v. Houston & Texas Central Railway Company. And now on this day came the parties to this cause by their Attys and announced themselves ready for trial. And Defendants Demurrer Coming on to be heard the same is overruled. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of W. T. Patterson and eleven others, who being tried, elected and sworn according to Law, heard the pleadings, evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict. to wit: "We the Jury find for Deff and assess the damage at eight hundred dollars ($800.00) W. T. Patterson, Foreman." Whereupon it is ordered and adjudged that Rhoads Fisher do have and recover of the Houston & Texas Central Railway Company the sum of Eight Hundred Dollars and all the cost of this suit. For which Execution may issue

1279. Lottie Tarlton v. W. C. Cain. Continued for service

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

Saturday, June 19th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 7th Judicial District presiding. Whereupon the following proceedings were had to wit.

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3666 A R Valls et al v. C. A. Minter et al. And now on this day coming on to be heard a Report made by Dolan W. Patton, Commissioner heretofore appointed by this Court to make sale of all the property involved in this suit for the purposes of partition. and it appearing to the Court that said Patton as such Commissioner has sold to one William A. Evans a tract of one hundred acres of land involved in this suit situated in Calhoun County, being a part of a tract of 800 acres allotted to the heirs of Edward Linn out of the Half League Head Right of Dolan Linn, said 100 acre tract being described by metes and bounds as follows. About 16 miles S. from the town of Calhoun, which is further described by its metes and bounds as follows. It being a part of a Survey of 13 21/100 labors patented in the name of Dolan Linn. Beginning at a stake set in the W. bdy line of the H. G. & C. Summers league for the N. W. corner of a Survey on the same for W. A. Evans S. thence S. 65 W. 531 1/10 varas to a stake from which a B. J. 6 in. in dia. mkd. E. bears S. 18 W. 2 vrs. and a P. O. 15 in. in dia mkd W. bears S. 88 W. 37 varas. Thence N. 25 W. 1062 2/10 varas to a stake set in a small Prairie from which a B. J. 24 in in dia mkd W. bears S. 15 E. varas Thence N. 65 E. 531 1/10 varas to a Stake set in the aforesaid league line from which a B. J. 12 in in dia mkd X bears S. 25 E. 2 1/2 vrs. Thence with said line S. 25 E. 1062 2/10 varas to the place of beginning." And it appearing to the Court that said land has been sold to said Evans at the price and sum of Two Dollars in Coin per acre and that said sum is a fair price for said land and that said sale has been fairly made and in all respects in conformity to law and the orders of this Court heretofore rendered in this cause. It is therefore ordered and decreed by the Court that said Sale be in all things ratified and confirmed and upon the payment of the price of said land according to the terms of said sale the said Dolan W. Patton as such Commissioner is ordered to execute and deliver to said Evans a deed for said land wherein and whereby the title of all the parties to this suit (said parties being the surviving wife and children of Edward Linn Deceased) shall be vested in said Evans. and it is further ordered that the proceeds of said sale shall be paid over to James M. Dillon a party to this proceeding and agreeable to the Estate of Edward Linn

And now on this day came into open Court the Grand Jury of Travis County empannelled at this term and through foreman John T Haynes presented to the Court the following Indictments to wit

4199 An Indictment against L. M. Bradley & Frank Goodrich for Malicious Mischief

4200 An Indictment against L. M. Bradley & Frank Goodrich for Removing Timber from

4201 An Indictment against Tom Simms for Taking up & using an estray

4202 An Indictment against T. D. Wardlow for Embezzlement

4203 An Indictment against Delia McCutcheon for driving stock not her own

4204 An Indictment against Henry Green for driving stock from range

4205 An Indictment against Henry Green for driving stock from accustomed range

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4206 An Indictment against Sam Anderson for driving stock from range
4207 An Indictment against John Isbell for aggravated assault
4208 An Indictment against J. J. Sullivan for Assault to Rob &c
4209 An Indictment against J. J. Sullivan for Assault to Kill & murder
4210 An Indictment against Felippe Ramerez for Theft of a gelding
4211 An Indictment against Hal Brown for Theft of heifers
4212 An Indictment against Dave Little for Betting at Monte

And said Jury suggesting to the Court that there is further business pending before them they were ordered to retire upon a discharge of the same

✓ 3849. J. B. Barron v. Houston & Texas Central Railway Company. And now on this day came the parties to this cause by their atty & announced ready for trial. And Defendants demurrer to plaintiffs petition coming on to be heard the same is overruled. And thereupon the demurrer of plaintiff to the amended answer of Defendant filed to-day, is sustained, to which ruling of the Court Defendant excepts. Then came a Jury of twelve good and lawful men of Travis County consisting of J. C. Hamilton and eleven others who being impl. elected & sworn according to law, heard the pleadings, evidence, argument of Counsel and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff & assess the damage at $300 — J. C. Hamilton, Foreman." Whereupon it is ordered and adjudged that J. B. Barron do have and recover of and from the Houston & Texas Central Railway Company the sum of Three Hundred Dollars and all the cost of this suit for which execution may issue.

✓ 3952. E. Raven v. E. J. Davis et al. And now come the Defendants by atty whereon motion it is ordered that Jno. D. Costa Esq. be appointed Auditor to state the accounts between the Parties and that he report to this Court on or before the 7th Thursday of this Term.

✓ 1142. E. P. Phillips v. Meyer & Hirsch. And now on this day came on to be heard the motion of Defendants to quash the appeal Bond in this case and to dismiss the appeal. And upon a consideration of said motion it is ordered and adjudged that the appeal Bond executed and returned in this cause be quashed: that the Cause be dismissed: and that a Writ of Procedendo issue requiring the Justice to proceed with the execution of his judgment: And that the Defendants recover of said E. P. Phillips all the cost in this Court and that execution issue. And thereupon said Plaintiff excepts.

And Court adjourned till Monday at 9 A. M.

Monday June 21st 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

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✓ 3583 J. Bernstein Vs. v. T. E. Cain. And now come the parties to this cause by their attys when on motion it is ordered that said cause be dismissed and that the Defendant recover of the Plaintiffs all the cost of this suit in this Court and the Court below for which execution may issue.

✓ 3633 Thos G. McGehee v. H & T C R Road Company Comes the Defendant by attorney when on motion it is ordered that said Defendant have leave to amend.

3906 Geo. W Glasscock v. C. Culmore et al. Continued by Defendant

✓ 3628 Louis P. Cooke et al v. C. Krohn. And now comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

✓ 3628 Louis P. Cooke et al. v. Charles Krohn. And now on this day came the parties by their attorneys and in open Court agree that judgment may be rendered in favor of defendant Krohn against the plaintiffs L. P. Cook and Mary L. Hardy and her husband John T. Hardy for the title and possession of Lot No One (1) in Block No One hundred and Twenty Four (124) on Congress Avenue in the City of Austin, and that said suit be dismissed as to Virginia B. Tacket and Cora K. Rice. Wherefore it is considered, ordered, adjudged and decreed that the said Charles Krohn do have and recover of and from the said Louis P. Cooke, Jr., and Mary L. Hardy and her husband John T. Hardy Lot No One (1) in Block No One hundred and Twenty Four (124) situated on Congress Avenue in the City of Austin in Travis County Texas: that whatever title if any the said Lot may be in said Louis P. Cooke, Mary L. Hardy and her husband John T. Hardy, be divested out of them and vested in said Charles Krohn: that said Krohn retain the quiet and peaceable possession of said Lot. that this suit be dismissed as to Virginia B. Tacket and Cora K. Rice, and that the plaintiffs have and recover of and from the defendant Krohn all the costs in this behalf expended for which execution may issue.

3633 Thos G. McGehee v. Houston and Texas Central Railway Company. And now on this day came the parties to this cause by their attys and announced themselves ready for trial. And Defendants demurrer to pffs Petition coming on to be heard the same is overruled - To which ruling Defendant excepts. And thereupon came a jury of twelve good and lawful men of Travis County consisting of W. T. Patterson and eleven others who being tried, elected and sworn according to law heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit. "We the Jury find for the plaintiff and assess the damages at $5 W. T. Patterson Foreman." Whereupon it is ordered & adjudged that said Thomas G. McGehee do have and recover of and from the Houston and Texas Central Railway Company the sum of Five Dollars, so assessed by the Jury, and the cost of this suit, for which execution may issue.

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3632 B. O. Staveley v. Helen M. Staveley. Continued
3638 J. L. Baker v. J. E. Maxey. Continued
3642 Bayley & Pond v. L. A. Speer. Continued
3646 H & T. C. R. Way Co v. Jonathan Rogers. Continued
3647 H & T. C. R. Way Co v. J B Barron Continued
3648 H & T C R Way Co. v. A R Morris. Continued
3690 Jno. Keirle v. Raymond & Whites Come the parties by atty when on motion it is ordered that this cause be dismissed and that the defendants recover of said Jno. Keirle and the security on his cost bond, C R. Johns all the cost of this suit for which execution may issue
3691 Joseph Lamon v. Raymond & Whites. Come the parties by atty and on motion it is ordered that this cause be dismissed and that the Defendants recover of said Joseph Lamon and the security on his cost bond C R Johns all the cost of this suit for which execution may issue
3696 Jno Wieland v. C. S. West et al. Continued
3720 Geo W. Peschal v. Central Rail Road. Continued.

And thereupon Court adjourned till 9 to-morrow at 9 A.M.

Tuesday 22d June 1875.

Court met at 9 o'clock A.M. Pursuant to adjournment. Present Hon. J. P. Richardson Judge & Presiding. Whereupon the following proceedings were had to wit:

3843 Wm Chambers v. A. Bledsoe et als. And now comes the Pff by atty when on motion it is ordered that said Pff have leave to amend.
3334 J. B. Hurd v. R. S. Young. And now comes Hiram Paddock by atty when on motion it is ordered that said Hiram Paddock have leave to intervene in this cause.

And Court adjourned till 9 o'clock tomorrow at 9 o'clock A.M.

Wednesday June 23d 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

3739 G R Freeman v. Joshua Fine et als. And now on this day this cause being called for trial the pltf not appearing in person or by atty to prosecute the same, it is ordered that the same be dismissed for want of prosecution and that the plaintiff pay all cost of this suit, for which execution may issue
3754 Locke & Marshall v. J. Davidson. Continued by Intervenor
3764 Alfred Grooms v. L. P. Cooke et als Continued for Service
3803 R W Russell v. H. C. Eanes et al. And now on this day this cause being called for trial and the pff not appearing in person or by atty to prosecute the same, it is ordered that said cause be dismissed for want of prosecution and that the Defendants recover of said R W Russell and the securities on his cost Bond, T. E. Jallis and J. A. Robertson all the cost of this suit, for which execution may issue

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3838 Mary Moore v. Charles Pickett. It appearing that a Rule for security for cost had been entered in this cause at a previous term, and the same not being complied with, it is ordered that said cause be dismissed for want of compliance with said Rule, and that the Pffs pay the cost of this suit, for which execution may issue

3872. The State of Texas v. J. E. Carlton et als. Continued for service.

3734 Wm. F. Orr et al. v. Mary O'Brien. And now on this day came the parties to this cause by their attys and announced ready for trial. And thereupon the demurrers of plaintiffs and Defendant respectively coming on to be heard, the same are overruled. To which rulings the plaintiffs and defendants respectively except. Whereupon came a jury of twelve good and lawful men of Travis county consisting of John H. Woods and eleven others, who being tried, elected and sworn according to law, heard the pleadings, evidence, argument of counsel and the charge of the Court retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "We the jury find for the Defendant. John H. Woods Foreman." Whereupon it is ordered and adjudged that the plaintiffs herein take nothing in this behalf. that the cause be dismissed, that the Defendant go hence and recover of the said Plaintiffs and the securities on their cost Bond W. M. Walton and Geo. S. Robertson all the cost of this suit for which execution may issue

3880 E. A. Hicks v. Rust & Cummings. And now on this day came the parties to this cause by their attys and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county consisting of O. T. Patterson and eleven others who being tried, elected and sworn according to law, heard the pleadings, evidence, argument of Counsel and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Defendant, for the lot of land described in plff's petition. O. T. Patterson, Foreman" Whereupon it is ordered and adjudged that the plaintiff take nothing in this behalf: that the cause be dismissed, and that the Defendants go hence and recover of said E. A. Hicks and the security on his cost Bond, John H. Conner and H. H. Tong all the cost of this suit, for which execution may issue

3883. Jno. Dougherty v. Phil. Davis et al. And now comes the Pff. by atty when on motion it is ordered that the Plaintiff have leave to substitute the citation issued and served in this cause upon the Defts. Phil. Davis

3883. Jno. Dougherty v. Phil. Davis et als. And now comes the Pff. by atty when on motion it is ordered that said Plaintiff have leave to amend

3883. Jno. Dougherty v. Phil. Davis et als. And now on this day came the parties to this cause by their attys and announced ready for trial. And the Defendants demurrer coming on to be heard the same is overruled. To which ruling the Defendants except. Whereupon came a Jury of 12

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good and lawful men of Travis County consisting of W. T. Patterson and Eleven others, who being Tried, elected and Sworn according to Law, heard the pleading, evidence, argument of counsel and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Plaintiff $157 50/100 Coin. W. T. Patterson Foreman." Whereupon it is ordered & adjudged that John Doughty do have and recover of and from the Defendants Phil Davis, George Gunn and Charles Johnson the sum of One hundred. Fifty Seven & 50/100 Coin Dollars and all the cost hereof to be taxed for which & execution may issue.

And now on this day came into open Court the Grand Jury of Travis County empannelled at this term and through their Foreman John T. Haynes presented to the Court the following Indictments to wit:

4213 An Indictment against Dutch Dock for Playing cards &c
4214 An Indictment against Buck Watton for Playing cards &c
4215 An Indictment against Jo Walker for Playing cards &c
4216 An Indictment against B. Campbell for Playing cards &c
4217 An Indictment against Lee for Playing Cards
4218 An Indictment against Ike Jones for Playing Cards
4219 An Indictment against Newell Burditt for Betting at Monte
4220 An Indictment against Tom Bowles for Betting at Monte
4221 An Indictment against Isham Good for Betting at Monte
4222 An Indictment against Jim Moore for Betting at Monte
4223 An Indictment against E. Baker for selling liquor within 3 miles of Parsons Femal.C.
4224 An Indictment against E. Baker for selling liquors within 3 miles of Parsons Female C.
4225 An Indictment against E. Baker for selling liquors within 3 miles of Parsons Female College
4226 An Indictment against Frank Poston for Taking up and using an Estray &c
4227 An Indictment against Isham Anthony for Vagrancy
4228 An Indictment against Dick Hart for Aggravated assault
4229 An Indictment against J. J. Sullivan for Assault to Murder
4230 An Indictment against Charles Freeman for Accomplice to Robbery
4231 An Indictment against W. H. Barrett for Bigamy
4232 An Indictment against W. S. Billups for Embezzlement
4233 An Indictment against J. J. Sullivan for Robbery
4234 An Indictment against J. N. Casteel for Forgery
4235 An Indictment against J. N. Casteel for Swindling
4236 An Indictment against C. Mathews for Embezzlement
4237 An Indictment against Joe Burlage for Forgery
4238 An Indictment against Joe Burlage for Swindling
4239 An Indictment against Joe Jones for Theft of Cattle
4240 An Indictment against Warren Davis for Theft of a Gelding
4241 An Indictment against Joe Brown for Theft of a hog
4242 An Indictment against Dave James for Theft of a Gelding

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4243 An Indictment against Paul James for Theft of a Gelding
4244 An Indictment against Manley Turner for Theft of a Gelding
4245 An Indictment against G. M. Turner for Theft of Calf
4246 An Indictment against G. M. Turner for Theft of Calf
4247 An Indictment against G. M. Turner for Theft of Steer
4248 An Indictment against G. M. Turner for Theft of a bull calf
4249 An Indictment against Oly Caldwell for Playing Cards &c

And said Jury suggesting to the Court that there is further business pending before them they were ordered to retire upon a discharge of the same

v 4046 The State of Texas vs Richard Harrison. And now comes the defendant in open Court and the District Attorney and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of J. H Wood and eleven others who being tried elected and sworn according to law heard the Indictment, the plea of guilty and the charge of the Court returned the following verdict to wit. We the Jury find the Defendant guilty and assess the Punishment in the Penitentiary for five years. J.H. Wood Foreman. And thereupon the defendant waives his right to a motion for a new trial. And being asked if he had anything to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, says nothing. Wherefore it is ordered that said Harrison is guilty of felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of five years and that he be taken by the Sheriff of Travis County and safely delivered to the Superintendent of the Texas Penitentiary, there to be confined at hard labor for the period aforesaid.

v 4050 The State of Texas vs Kendrick Webb. And now comes the Defendant in open Court and the District Attorney and announce ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of J. H. Wood and eleven others, who being tried, elected and sworn according to law heard the Indictment; the plea of guilty and the charge of the Court returned the following verdict to wit. "We the Jury find the Defendant guilty and assess the punishment at imprisonment in the Penitentiary for two years." J.H. Wood Foreman. "And thereupon the Defendant waives his right to a motion for a new trial. And being asked if he had anything to say why judgement should not be entered and sentence pronounced against him in accordance with the Verdict of the Jury who tried his case, says nothing whereupon it is ordered that said Kendrick Webb is guilty of felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of two years and that he be taken by the Sheriff of Travis County and safely delivered to the Superintendent of the Texas Penitentiary there to be confined at hard

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labor for the period aforesaid.

1078 The State of Texas vs William Twomey. And now comes the Defendant in open Court and the District Attorney and announce ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of J. H. Wood and eleven others, who being tried, elected and sworn according to law heard the Indictment, the plea of guilty and the charge of the Court returned the following Verdict to wit- "We the Jury find the Defendant guilty and assess the punishment at imprisonment in the Penitentiary for Two years. J. H. Wood foreman". And thereupon the Defendant waives his right to a motion for new trial. And being asked if he had anything to say why judgement should not be entered and sentence pronounced against him in accordance with the Verdict of the Jury who tried his case, says nothing whereupon it is ordered that said William Twomey is guilty of felony as in the indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of Two years and that he be taken by the Sheriff of Travis County and safely delivered to the Superintendent of the Texas Penitentiary there to be confined at hard labor for the period aforesaid

1079 The State of Texas vs Charles Dirke. And now comes the Defendant in open Court and the District Attorney and announce ready for trial. When came a Jury of Twelve good and lawful men of Travis County consisting of J. H. Wood and eleven others, who being tried elected and sworn according to law heard the Indictment, the plea of guilty and the charge of the Court returned the following Verdict to wit- "We the Jury find the Defendant guilty and assess the punishment at confinement in the Penetentiary for Two yeahs. J. H. Wood foreman" And thereupon the Defendant waives his right to a motion for new trial. And being asked if he had anything to say why judgement should not be entered and sentence pronounced against him in accordance with the Verdict of the Jury who tried his case, says nothing whereupon it is ordered that said Charles Dirke is guilty of felony as in the Indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of two years and that he be taken by the Sheriff of Travis County and safely delivered to the Superintendent of the Texas Penitentiary there to be confined at hard labor for the period aforesaid

3736 Wm F Orr et als v. Wm H. Cushney. And now on this day came the parties to this cause by their attys and announced ready for trial. When came on to be heard the demurrers of the pffs and Deft respectively, and the same being considered, are overruled. And the plaintiffs and Defendant respectively except to said rulings. Whereupon came a Jury of twelve good and lawful men of Travis County, Consisting of J. H. Wood and eleven others who being tried, elected and sworn according to law, heard the pleadings, evidence, argument of counsel and the charge of the Court, returned the following verdict to wit: We the Jury

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find for the Defendant, J. H. Wood Foreman." Whereupon it is ordered and adjudged that the Plaintiffs herein take nothing in this behalf, that the cause be dismissed, that the Defendant go hence, and recover of and from the plaintiffs in this suit and the securities on their cost Bond, to wit: W. M. Walton and Geo L. Robertson acc the cost hereof to be taxed, for which execution may issue

3894. Samuel J Lanahan v. J. H. Robinson & Son. And now on this day came the X parties to this cause by their attys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of Geo Dye and eleven others, who being tried, elected and sworn according to law, heard the pleadings, evidence, argument of counsel and the charge of the Court and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the plaintiff for the sum of Two hundred & forty-five Dollars. June 23d 1875. Geo Dye, Foreman." Whereupon it is ordered and adjudged that Samuel J. Lanahan, under the name and style of "Wm Lanahan & Son" do have and recover of and from John H. Robinson and Alfred H. Robinson, under the firm name of "John H. Robinson & Son", the sum of Two Hundred and Forty Five Dollars and all the cost of this suit, for which execution may issue

3987. The State of Texas v. Geo Farris. Come the parties and announce ready for trial X and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Geo. Farris the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

4087. The State of Texas v. Bob. Organ. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do recover of said Bob. Organ the sum of Ten dollars as a fine and the cost of this prosecution and that Commitment issue to collect same.

4095. The State of Texas v. Givens. Come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do recover of Givens the sum of Ten Dollars as a fine and the cost of the prosecution and that Commitment issue to collect the same.

4114. The State of Texas v. Geo Farris. Come the parties and announce ready for trial & waiving X a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do recover of said Geo. Farris the sum of Ten Dollars as a fine & the cost of this prosecution and that a Commitment issue to collect the same.

4120 The State of Texas v. Charley Woods Cometh parties and announced ready for trial & waiving a Jury submit the case to the Court and Defendant pleads guilty. Whereupon it is X ordered and adjudged that the State of Texas do have and recover of Charley Woods the sum of Ten dollars as a fine and the cost of the prosecution & that Commitment issue to collect

4132. The State of Texas v. Booker. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Booker the sum of

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Ten Dollars as a fine and the cost of the prosecution & that Commitment ifsue to collect same.

✓ 4143 The State of Texas v Geo Farris Come the parties by atty and announce ready for trial and
X waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is or-
dered that the State of Texas recover of Geo Farris the sum of Ten Dollars as a fine and the
cost of the prosecution and that Commitment ifsue to collect same

✓ 4170. The State of Texas v Geo Farris Come the parties and announce ready for trial & waiving a Jury
X submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State
of Texas do have and recover of Geo Farris the sum of Ten Dollars as a fine & the cost of the
prosecution & that a Commitment ifsue to collect the same

✓ 4185. The State of Texas v Charley Woods. Come the parties by atty and announce ready for trial
X waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is or-
dered that the State of Texas do have and recover of Charley Woods the sum of ten dollars
as a fine and the cost of the prosecution and that Commitment ifsue to collect the same.

✓ 4192. The State of Texas v. Bill Gordon. Come the parties & announce ready for trial & waiving a Jury
submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State
of Texas do have & recover of Bill Gordon the sum of Ten Dollars as a fine & the cost of this pro-
secution and that a Commitment ifsue to collect the same

✓ 4193. The State of Texas v. Dan. What. Come the parties & announce ready for trial and waiving a
Jury submit the case to the Court and Deft. pleads guilty. Whereupon it is ordered that the State
of Texas do recover of Dan. What the sum of Ten Dollars as a fine & the cost of the prosecution
and that a Commitment ifsue to collect the same.

And thereupon Court adjourned till to-morrow at 9 o'clock a.m.

Thursday June 25th 1875.

Court met at 9 o'clock a.m. pursuant to adjournment. Present same as on yesterday. Where-
upon the following Proceedings were had by said Court, to wit.

✓ 3814 John A. Burdett et.als v. W. C. Burdett et.als Come the Defendants by atty & when on
motion it is ordered that said Defendants have leave to amend

✓ 3815. Jo A. Burdett et.als v. Jno A. Green et.als Come the Defendants by atty when on
motion it is ordered that said Defendants have leave to amend

✓ 3843. Wm Chamberlain v. A. Bledsoe et.als Come the Defendants by atty when on motion it is
ordered that said Defendants have leave to amend

3950 Poulter & Scott v. R. N. Lane et.als Continued by Plaintiff

✓ 4069. F. W. Chandler v. Life Association of America. Now comes the Peff. by atty when
on motion it is ordered that said Peff. have leave to amend

✓ 4069. F. W. Chandler v. Life Association of America. Now comes the Defendant by atty
when on motion it is ordered that said Defendant have leave to amend

✓ 4100 John Willie v. H & T C Rail Road Co Comes the peff. by atty when on motion it is
ordered that said Peff. have leave to amend

✓ 4103. Geo B. Zimmelman v. J. M. Harrell. Comes the Defendant by atty when on mo-
tion it is ordered that said Defendant have leave to amend

✓ 4173. Edward Hipp v. Geo H. Smith. Comes the Peff. by atty whereon motion it is
ordered that said Plaintiff have leave to amend.

June 24th 1875.

4256 J. J. Wooldridge v. T. D. Haywood et als. And now comes the Pff. by atty & claims a judgment by Dfault against the Defendants T. D. & A. B. Haywood. And because said Defendants have been legally cited and have failed to answer within the time prescribed by law It is ordered that said J. J. Wooldridge do have and recover judgment by Dfault against said Defendants according to the prayer of his petition.

4264 M. C. Hamilton v. R. M. Rupell. And now comes Mary J. Rupell by atty when on motion it is ordered that said Mary J. Rupell have leave to intervene in said cause.

4340 J. H. Wilkins v. David Conlson. Continued by Defendant

4341 Maggie Rowe v. David Conlson. Continued by Defendant.

4256 J. J. Wooldridge v. T. D. Haywood et als. And now comes the Pff and dismisses this suit as to the Defendant Claiborne, who has not been served with process. And said Plaintiff asks for Judgment final by Dfault as to the other Defendants herein. And because said other Defendants have been legally cited and have failed to answer within the time prescribed by law and wholly made Dfault and the cause of action being sworn to, It is ordered and adjudged that said J. J. Wooldridge do have and recover of and from the Defendants T. D. Haywood, A. B. Haywood, R. C. Stuart and A. S. Main the sum of Eighty Nine & 75/100 Currency Dallars and the sum of two hundred Eighteen & 00/100 Coin Dallars, due upon the accounts sued on, and all the cost of this suit for all which execution may issue

And now on this day came into open court the Grand Jury of Travis County empannelled at this term and through their foreman John. T. Haynes presented to the court the following Indictments to wit.

4250 An Indictment against E. L. Givens for Perjury

4251 An Indictment against John Landers for Theft

4252 An Indictment against W. Bray for Pursuing Occupation without obtaining license

4253 An Indictment against Silas Collins for Carrying Pistol

4254 An Indictment against W. C. Lamy for Pursuing Occupation without license

4255 An Indictment against Dr B. Busby for Pursuing Occupation without license

4256 An Indictment against Roger Blount for Pursuing Occupation without license

4257 An Indictment against Dick Blunt for Carrying a Pistol

4258 An Indictment against Dick Blunt for Assault to kill &c

4259 An Indictment against Elliott for Pursuing Occupation without license

4260 An Indictment against G. A. Gray for Pursuing Occupation without license

4261 An Indictment against C. D Anderson for Pursuing Occupation without license

4262 An Indictment against C. J. Evans for Pursuing Occupation without license

4263 An Indictment against Gus Kluge for Pursuing Occupation without license

4264 An Indictment against R. Kenny for Pursuing Occupation without license

4265 An Indictment against B. Nadra for Pursuing Occupation without license

4266 An Indictment against T. T. Bathop for Pursuing Occupation without license

4267 An Indictment against C. J. Jones for Pursuing Occupation without license

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4268 An Indictment against T.E. Sneed for Pursuing Occupation without license
4269 An Indictment against Duff for Pursuing Occupation without license
4270 An Indictment against Gustave Hess for Pursuing Occupation without license
4271 An Indictment against Beers for Pursuing Occupation without license
4272 An Indictment against Saffroi for Pursuing Occupation without license
4273 An Indictment against J. P. Alvey for Pursuing Occupation without license
4274 An Indictment against Tom Crawford for Theft of a heifer
4275 An Indictment against Wm Schroeder for Pursuing Occupation without license
4276 An Indictment against W. A. East for Pursuing Occupation without license
4277 An Indictment against W. F. Clark for Pursuing Occupation without license
4278 An Indictment against Geo F Wieselberg for Pursuing Occupation without license
4279 An Indictment against Sylvester Lockwood for Robbery
4280 An Indictment against W. T. Moore for Pursuing Occupation without license
4281 An Indictment against J. W. Taylor for Pursuing Occupation without license
4282 An Indictment against T. G. Searcy for Pursuing Occupation without license
4283 An Indictment against M. Swisher for Pursuing Occupation without license
4284 An Indictment against Cohen & Cohen for Pursuing Occupation without license
4285 An Indictment against Jim Morgan for Carrying a Pistol
4286 An Indictment against W. B. Ochiltree for Pursuing Occupation without license
4287 An Indictment against H. M. Peck for Pursuing Occupation without license
4288 An Indictment against R. W. Miller for Pursuing Occupation without license
4289 An Indictment against A. Goldman for Pursuing Occupation without license
4290 An Indictment against Wentworth for Pursuing Occupation without license
4291 An Indictment against W. H. Maytum for Pursuing Occupation without license
4292 An Indictment against B. Grimes for Pursuing Occupation without license
4293 An Indictment against Raggio for Billiard Table without license
4294 An Indictment against E. P. Phillips for Pursuing Occupation without license

And said Jury suggesting to the Court that there is no further business pending before them. It is ordered by the Court that the Grand Jury be discharged for this term.

And thereupon Court adjourned till to-morrow at 9 o'clock A.M.

Friday, June 25th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

3843 William Chambers v. A. Bledsoe et.als. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of M.G. Barrow and eleven others, who being tried, elected and sworn according to law, heard the pleadings, evidence, and the charge of the Court, and returned the following verdict, to wit: "We the jury find a verdict for the Deff for one dollar damages. June 25th 1875. M. G. Barrow, Foreman." Whereupon it is

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ordered and adjudged that said Wm Chambers do have and recover of said A. Bledsoe, principal, and his securities J. C. Bledsoe, M. O. Bledsoe, F. G. Bledsoe, J. G. Bell, B. J. Ridgar, Henry Erway, Henry Ball, J. C. Seydel, W. C. Philips, M. Thevenet, A. M. Cox, A. Ruffington, A. Seimering, Geo. C. Rives, Amos Morrill, J. Richardson, F. W. Suter, Leander Brown, O. H. Millican and C. H. Fox, the said sum of One Dollar so assessed by the Jury, for which execution may issue And by agreement of parties it is further ordered and adjudged that said William Chambers do have and recover one-half of the costs of this suit of the principal Defendant A. Bledsoe, and that said plaintiff also recover of the above named securities the other one-half of all the costs of this suit, for all which execution may issue

3897. A. J. Ridge v. C. W. Haller et al. Continued

3911. The State of Texas v. E. B. Dwyer et al. Continued for service.

3922. B. F. Garrison v. James Finley. Continued

3923. B. F. Garrison v. James Finley et al. Continued

3927. M. Wear v. Geo. B. Zimpleman. And now on this day this cause being called for trial and said plaintiff not appearing in person or by atty to prosecute the same, it is ordered and adjudged that said Cause be dismissed for want of prosecution, & that the Defendant recover of said M. Wear and the security on his cost bond, C. R. Perry all the cost of this suit, for which execution may issue.

3932. E. L. Whipple v. S. B. Bush, Admr et al. And now on this day this cause being called for trial and said plaintiffs not appearing in person or by atty to prosecute the same, it is ordered that said Cause be dismissed for want of prosecution, and that the Defendants recover of the plaintiffs herein all the cost of this prosecution, and that execution issue.

3933. E. A. Hicks v. James S. Gillett. Continued to make parties

3935. Loomis & Christian v. Bettie A. Ford. Continued for service.

3932. E. L. Whipple v. S. B. Bush, Admr. Come the parties by atty & hereon on motion it is ordered that the order entered herein dismissing this cause for want of prosecution be set aside and vacated, and that the cause be reinstated by consent.

3814. John A. Burdill et al. v. M. C. Burdill et al. Come the Pffs. by atty and upon motion it is ordered that said Plaintiff have leave to amend

3815. J. A. Burdill et al v. John A. Green et al Come the Pffs. by atty & hereon on motion it is ordered that said Plaintiffs have leave to amend

And Thereupon Court adjourned till to-morrow at 9 A. M.

Saturday June 26th 1875.

Court met at 9 o'clock AM pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

3709. G. R. Freeman v. Joshua Fine et al. Now come the parties by atty when on motion of Plaintiff it is ordered that this cause be reinstated upon the docket. that the order of dismissal for want of prosecution be set aside and vacated, and that the cost of this Term be adjudged against the said Plaintiff

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4037. M. L. Scrogin et al. v. Alfred Smith Comes the Plffs by atty when on motion it is ordered that said Plaintiff have leave to amend.

4418. Widow & Orphan Fund Insurance Company v. F. W. Nelson et als Come the parties by atty when it is ordered that this cause be dismissed and that the said Plaintiff and the security R. A. Bland for pay all the cost of this suit, for which execution may issue.

8627. Louis P. Cook et als v. Joseph Lee et als Come the parties by atty when on motion it is ordered that W. A. H. Miller be appointed Special Guardian of the minor Defts in this cause, and that he give Bond in the sum of one Thousand Dollars.

4460 W. B. Dunn & Parte And now Comes W. B. Dunn, a minor over the age of Seventeen years, and presents his application, under oath, praying for removal of his Disabilities as a minor. And it appearing that said Relief should be granted, It is ordered that the Disabilities of Minorage of said W. B. Dunn be removed, and that he be held for all legal purposes of full age and held responsible as such, except he shall not have the right to vote.

4387 B. Schumann v. E. P. Phillips And now Come the parties by atty when on motion it is ordered that the Orda and Final Judgment entered in this cause at a former day of the term be set aside and vacated, and that the Cause be reinstated upon the docket. To which ruling plaintiff excepts.

3151. Charles Shepherd v. J. J. Sneed Come the parties by atty when cameon to be heard plaintiffs motion for a new trial, which being considered it is ordered that said motion be overruled. Whereupon said Plaintiff gives notice in open Court of an appeal to the Supreme Court.

3883. Jno. Dougherty v. Phil. Davis et al. now comes on to be heard Defendants motion for a new trial, which being considered the same is overruled. Whereupon said Defendants give notice in open Court of an appeal to the Supreme Court.

3883. Jno. Dougherty v Phil. Davis et als. Now comes on to be heard Defendants motion in arrest of the judgment in this Cause, which being considered the same is overruled. Whereupon the Defendants give notice in open Court of an appeal to the Supreme Court.

3880. E. A. Hicks v. Cummings & Quast. Comes on to be heard Plaintiffs motion for a new trial, which being considered the same is overruled. Whereupon said Plaintiff gives notice in open Court of an appeal to the Supreme Court.

4423. Blair & Hays v. D. Lynch. Comes on to be heard the motion to dismiss the case and to quash the appeal Bond. And the same being considered it is ordered that the appeal bond in this cause be quashed. that the cause be dismissed. and that the plaintiffs recover of the appellant and Defendant D. Lynch all the cost of this suit in this Court for which execution may issue. And further ordered that a Writ of Procedendo do issue requiring the Justice below to execute the Judgment rendered by him.

4040. M. D. Miller v. J. C. Tullis And now comes the parties by atty when on motion it is ordered that the Judgment rendered in this cause at a

June 26th, 1875.

former term of this Court be set aside and vacated, and the cause reinstated.

3464. R. N. Lane et al. v. Eliza C. Green et als. On application of the parties leave is given to supply the lost papers herein, and to make necessary parties.

3464. R. N. Lane et als v. Eliza C. Green et als. Come the parties whereupon the Court appoints John B Costa Auditor to state the account of John A. Green Executor with the heirs of Thomas Green Decd and to state the account of said heirs with each other, and said Auditor is ordered to report as soon as possible.

3464. R. N. Lane et als v. Eliza C. Green et als. In this cause the Court appoints as Commissioners to complete the partition of said lands &c of said Estate of Thomas Green deceased, which said Commission is as follows: Joseph Spence, William Von Rosenberg and P. de Cordova, which Commission is ordered to complete the partition ordered but to be furnished with specific directions by order of this Court on the coming in of the Auditors Report.

And thereupon it is ordered that Certificate do issue to the following persons for Services as Riding Bailiffs to the Grand Jury during this Term of the Court, payable out of the County Treasury of Travis County, to wit:

J. L. Pogue, Riding Bailiff, 16 days @ $3.00 per day = Forty Eight Dollars
Jo Walker, Riding Bailiff, 16 " " " " " = Forty Eight Dollars
J. Strickland, Riding Bailiff, 16 " " " " " = Forty Eight Dollars

55. Mary C. Dickerson et al. v. Robert M. Hatton. Upon motion it is ordered that James E. Rector be appointed Commissioner of Partition in this cause in place of D. Corwin, who has left the County.

56. Jane Berry et al. v. Robert M. Hatton. Upon motion it is ordered that James E. Rector be appointed Commissioner of Partition in this cause in place of D. Corwin, who has left the County.

58. Warren & Nadler v. The Texas Banking & Insurance Company. And now on this day came the parties to this cause by their Attys and announced ready for trial. Whereupon the Defts Demurrer coming on to be heard, the same is overruled, to which ruling the Defts except. And the demurrer of the Defendant being submitted and considered the same is overruled. To which ruling the Defendant excepts. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of M. G. Barron and eleven others, who being Tried, elected and Sworn according to Law, heard the pleading, evidence, argument of Counsel and the Charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find verdict for the plaintiffs for three thousand one hundred and thirty-nine dollars and three cents in Gold. M. G. Barron, Foreman." Whereupon it is ordered and adjudged that J. L. Warren and Joseph Nadler, under their firm name of Warren & Nadler, do have and recover of and from the Texas Banking & Insurance Company the sum of three thousand one hundred and Thirty Nine Dollars and three cents in Gold, so found to be due, together with all the cost of this suit, for which execution may issue.

June 28th 1870.

And thereupon Court adjourned till Monday morning next at 9 am

Monday, June 28th, 1870.

Court met at 9 o'clock a.m. Pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had by said Court, to wit:

1264. M. C. Hamilton v. R. M. Russell Deft and Mary J. Russell, Intervenor. The above entitled and numbered cause coming on to be heard comes the Plaintiff by attorney and announces ready for trial: comes also Defendant by his atty and Intervenor by her atty and confess and deny not the allegations in plaintiffs petition contained: and it appearing to the Court that plaintiffs cause of action is liquidated and evidenced by a promissory note which states that the sum of money therein promised to be paid the plaintiff is for the purchase of the lot of land in Pltffs petition described. It is therefore ordered and adjudged by the Court that the Plaintiff do have and recover of said R. M. Russell the sum of Fourteen Hundred, Ninety Seven and 7/100 ($1497 7/100) Dollars in gold coin of the United States, with interest thereon from date at the rate of one and one half per centum per annum for which execution may issue. And it further appearing to the Court that said sum is part of the unpaid balance purchase money for the lot of land described as follows, to wit: In the City of Austin, Travis County, State of Texas, a part of Out Lot No (6) Sixty in Division E, beginning at a stake in the North line of "North Avenue" (a street in said City) the S. E. corner of a lot heretofore owned by W. H. Carr; thence East with the North line of said North Avenue Sixty nine feet to a point for corner: thence N. with the West line of M. & H. G. Cane's lot 138 feet to the N. E. corner. thence West parallel with said North Avenue 69 feet to the N. W. corner; thence S. with the East line of said W. H. Carr lot 138 feet to the beginning and that a lien exists thereon in favor of plaintiff, it is ordered and adjudged that said lien be foreclosed, and that said land be sold as under execution for the satisfaction of the aforesaid debt, and the Sheriff of Travis County after paying from the proceeds of such sale the aforesaid debt, and interest, and all costs of suit - shall pay over the remainder if any, to the said Defendant. And by consent of parties it is ordered that no execution or order of sale issue under this decree until the 24th day of June, 1876, provided Deft shall pay the costs of Court

judgment amended July 1st 1876. see page 120. Book M.

1270. M. D. Mather v James P. Newcomb. This day came on to be heard the above styled cause, the Plaintiff M. D. Mather appeared by atty and announced himself ready for trial, the Defendant Newcomb failing to appear either in person or by atty, but wholly made default. It appearing to the Court that plaintiffs claim is upon a liquidated demand to wit: a promissory note executed by James P. Newcomb in favor of M. D. Mather on the 16th of Nov. 1874, for one hundred and forty three dollars in coin, with interest thereon from the date of the note at the rate of one per cent per month, and that the same is now due and unpaid, or any part thereof. It is therefore ordered and adjudged that the Pltff M. D. Mather do have and recover of James P. Newcomb the sum of One hundred

Rec'd on this Judgment & amount of this Judgment

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and fifty three Dollars in Coin, that being the amount of principal & interest due on said note at this date, with interest thereon from this date at the rate of one per cent per month until paid, and all costs of suit, for which execution may issue. It further appearing to the Court that Edmund J. Davis, Frank L. Britton and Geo. R. Freeman are garnished in this cause to answer under the Statute, what funds or money they had in their possession, or what person or persons were indebted to said Defendant Newcomb, and it further appearing to the Court that said Garnishees have withdrawn their answers in this cause, and that they have each Consented that a judgment shall be rendered in this cause in favor of said M. D. Mather against the garnishee Edmund J. Davis for the full amount of this Judgment of $153.00 Coin and interest and costs, provided there are funds enough left in the hands of said Davis, belonging to the said Newcomb out of the funds arising from the sale of the State Journal Office concern, sold by said Davis after paying attorney's fees due or to be due to the law firm of Davis & Britton for defense of suits against said funds, and all claims against the late firm of J. P. Newcomb & Co and a claim of J. B. DeGuss for $225 U. S. Currency and interest from January 1st, 1873, then to pay off and discharge this Judgment: but should there be no funds left in said Davis's hands belonging to Defendant after paying the above claims against said funds, then there is to be no judgment or liability on the part of said Davis to this plaintiff. It is therefore ordered and adjudged that the plaintiff M. D. Mather do have and recover from the said Edmund J. Davis the sum of one hundred and fifty three dollars in coin, with interest thereon from this date at the rate of one per cent. per month until paid and all costs of this suit, provided there are funds enough in his hands as above set forth: and if the full amount of this judgment or any part of it shall be paid by said Davis it shall pro tanto have the effect of cancelling and paying this Judgment against the Defendant Newcomb as well as against himself as garnishee. It is further ordered that execution and other process may issue to enforce this Judgment

v 3995. B. Melasky v. H. Metz. And now comes the Pffs by atty and claims a Judgment final by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered and adjudged that B. Melasky do have and recover of H. Metz the sum of Four Hundred, Fifteen and 79/100 Dollars in specie, principal and interest due upon the instrument sued on to this date, with interest thereon from this date until paid at the rate of 10 per centum per annum and all the Cost of this suit, for which execution may issue.

Rec'd on this Judgment the amount of this Judgment in full to date Oct 1/88. B. Melasky

3967. Heirs of H. Lackey v John Hancock. It appearing that at a former Term of this Court a Rule was entered requiring the Pffs. to enter into bond & security for the cost of this suit which they have failed to do, it is ordered & adjudged that this cause be dismissed for want of complainin therewith, and that

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the case of this suit be adjudged against said plaintiffs for which execution may issue.

3975. The State of Texas v. Charles Rea, Wm Wilson & Matt Woodlief. on motion it is ordered that this cause be dismissed and that the cost of this proceeding be adjudged against the Defendants for which execution may issue.

3987. M. R. Ware & J. R. Ware v. W. B. Walker. On motion it is ordered that this cause be dismissed and that the cost of this suit be adjudged against the plaintiffs and their securities D. Molasky and T. E. Tullis for which execution may issue

3992. Thomas Johnston v. A. P. Jones. A Rule for security for cost having been entered at a former term and the same not being complied with, It is ordered that this cause be dismissed for want of compliance with said rule, and that the cost hereof be adjudged against said Plaintiff, & that execution issue.

3993. W. C. Cabell v. John Hancock. Continued by agreement.

3999. Henry Lucksinger v. A. G. Puddington. ordered that this cause be dismissed for want of prosecution, and that the cost be adjudged against the plaintiff

4003. Daniel Alexander v. John Hughes. This cause being called and it appearing that a Rule for security for cost has been entered at a former term and the same not being complied with, it is ordered that this cause be dismissed for want of Compliance therewith, and that the cost be adjudged against the plaintiff for which execution may issue

4007. M. D. Miller v. F. M. Rundell et al. Continued for service.

4027. Henry Brown v. J. D. Perry. Comes the Pff. by atty whereon motion it is ordered that said Plaintiff have leave to amend.

4037. M. L. Scogin et al. v. Alfred Smith. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

4292. Wheeler & Wilson Manuf. Co. v. Henry Manor. Comes the Defendant by attorney when on motion it is ordered that said Defendant have leave to amend.

4329. Loomis & Christian v. Dyson & Brooks et als Come the Defendants by atty whereon motion it is ordered that said Defendants have leave to amend.

4391. J. A. Chandler v. M. P. Glascock et als Come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

4208. Gonzales v. Gonzales. Ordered, on motion, that the cause be dismissed, cost paid.

4264. M. C. Hamilton v. R. M. Rundell. Comes now the Pff. by atty when on motion it is ordered that said Plaintiff have leave to withdraw title papers on file in this case

3156 State of Texas v. Robt. Holman. ordered that the Bond taken herein be quashed.

4164 State of Texas v. Geo. Gilbert Dismissed

4268 State of Texas v. T. C. Sneed Dismissed

4276 State of Texas v. W. A. East Dismissed

And Court adjourned till to-morrow at 9 o'clock a.m

Tuesday June 29th 1870.

Court met at 9 o'clock A.M. pursuant to adjournment. Present as on

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as on yesterday. Whereupon the following proceedings were had by said Court, to wit:
4014 August F. Kemp v. S. Mussell et al. And now on this day came the parties
to this cause by their attorneys and announced themselves ready for trial.
When came on to be heard the demurrers of the plaintiff and Defendants re-
spectively, which being Considered the same are overruled. To which rulings
the parties respectively excpt. Whereupon came a Jury of twelve good and
lawful men of Davis county Consisting of Jno. P. Holmes and eleven others
who being tried, elected and sworn according to law, heard the pleadings, evidence,
argument of Counsel and the charge of the Court, retired for deliberation.
Whereupon said Jury returned into Court the following verdict, to wit: "We
the Jury find for Defts. Jno. P. Holmes as Damages." Whereupon it is ordered
and adjudged that said August F. Kamp take nothing in this behalf
that the Cause be dismissed. that the Defendants go hence and recover of and
from said August F. Kamp and the Security on his cost Bond, F. Jourdan,
all the Cost of this Suit, for which execution may issue.
4246. H. G. Rimland v. C. Comis et al. Comes C. Comis by atty when on motion it is
ordered that said Comis have leave to amend
4294 F. G. Ake v. J. L. Britain. Comes the Peff by atty when on motion it is ordered
that said Plaintiff have leave to amend.
4390. Frances Willis v. H. B. Willis. Comes the Peff by atty when on motion
it is ordered that said Plaintiff have leave to amend.
4390 Frances Willis v. H. B. Willis. Now comes the Defendant by atty when on
motion it is ordered that said Defendant have leave to amend and to file
a cross Bill.
4442 Rebecca Ann Smith v. Jno. C. Rimleson et al. And now comes Martha
Ann Rimleson by atty when on motion it is ordered that said Martha
Ann Rimleson have leave to intervene in this cause.
4390. Frances Willis v. Henry B. Willis. And now comes the Peff by her atty
and upon motion and presentation of her petition it is ordered that a
writ of injunction do issue restraining and enjoining the Defendant from
selling or disposing of any of the personal property of the parties as
prayed for, and from ill-treating or abusing the Peff. in any manner.
And it is further ordered that the Defendant do pay to the plaintiff
the sum of fifteen dollars per month on or before the tenth of each month, as alimony, pending this suit.
4030 L. H. Luckett v. J. E. Hollingsworth. On motion it is ordered that this cause be
dismissed, the cost being paid.
3803 R. M. Russell v. H. C. Ennis et al. And now come the parties by atty
when on motion and by agreement It is ordered that this cause be re-
instated upon the docket.
4044 Walton & Shelley v. Creamy & Randall And now come the parties by atty and
the Peff. dismiss this suit as to the Defendant W. H. Green. And thereupon the
Case Peff. and the Defendants Creamy and Randall announce ready for trial

June 30th 1870.

and waiving a Jury agree to submit the cause to the Court. And because the demand is evidenced by an instrument in writing. It is ordered and adjudged that W.M. Walton and N.G. Shelley do have and recover of said Defendants E. Creary and Ed. T. Randle the sum of Eleven Hundred and Thirty Three Gold Dollars debt and interest due upon the note sued on to this date, together with interest thereon from this date until paid at the rate of 12 Percentum per annum and all costs of this suit, for which execution may issue.

And Court adjourned till to-morrow at 9 o'clock A.M.

Wednesday June 30th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.P. Richardson Judge 27th Judicial District presiding. Whereupon the following Proceedings were had, to wit:

4027. Henry Brown v. Jno. B. Perry. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, Consisting of F. Schmitz and eleven others who being tried, elected and Sworn according to law, heard the pleadings, evidence, argument of Counsel and the Charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for Plaintiff $75.00. F. Schmitz, Foreman." Whereupon it is ordered and adjudged that Henry Brown do have and recover of said John B. Perry the sum of Seventy Five Dollars and all the cost of this suit, for which execution may issue.

4069. F.W. Chandler v. Life Association of America. Comes the Deff. by atty when on motion it is ordered that said Plaintiff have leave to amend.

4114. B.B. Rose et al. v. Jane B. Rose et al. Comes the Counsel for the Deffs. when suggestion is made of the death of E.T. Rose and the marriage of Emma N. Rose. Whereupon it is ordered that the legal representatives of said E.T. Rose and the husband of said Emma N. Rose be made parties

4038. M.D. Matteson v. Heinrich Diehman. And now on this day came the parties to this cause by their attys and announced themselves ready for trial. Whereupon the Defendants demurrer being heard and considered the same is overruled to which ruling the Defendant excepts. And thereupon Plff's demurrer to plea in reconvention being considered, the same is sustained, to which ruling Defendant excepts. And thereupon came a Jury of twelve good and lawful men of Travis county, Consisting of John Holmes and eleven others, who being tried, elected and Sworn according to law, heard the pleadings, evidence, 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 verdict for the plaintiff the Sum of Sixty-Nine Dollars Principal twenty-two hundred and eight & 4/100 Dollars interest, making $2277 4/100 and Law fee of $50, aggregating $2327 4/100 cy Dollars. John Holmes. Foreman." Whereupon it is ordered and adjudged that M.D. Matteson do have and recover of the Defendant Heinrich Diehman the sum of twenty-two hundred

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twenty seven & 40/100 Dollars and all the Cost of this suit, for which execution may issue and thereupon the pefft. enters a Remittitur upon the Judgment in this case, to the amt. of $13.77 40/100 and the said amount is a credit upon this Judgment. And it is further ordered that this Judgment draw Compound interest at the rate of nine dollars on seventy Five dollars per month until paid, with the addition of ten per cent per month thereon

And Court adjourned till to-morrow at 9 o'clock A.m.

Thursday July 1st 1875

Court met at 9 o'clock a.m. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District Presiding. Whereupon the following proceedings were had to wit.

4060 Snyder & Dayton v. Davidson & Johnson. Come the parties when on motion it
X is ordered that this cause be dismissed and that the cost be adjudged against the pefts. Edw and Snyder & Aaron O. Dayton & that execution issue

4061 G. A. Race v. Jno T. Miller. Continued by the Plaintiff

4069 F. W. Chandler v. Life Association of America. Continued by Defendant.

4066 J. P. Newcomber v. W. C. Bowen et als. And now come the parties by their attorneys
Error when the plea to the jurisdiction of the Court coming on to be heard and being considered the same is sustained. And thereupon on motion it is ordered that the Plaintiff herein have leave to amend and cause continued.

4068 D. A. Fields v. A. A. Brozier. On motion it is ordered that this cause be dis-
X missed and that the pefft. recover of the Defendant and the cost of this suit, for which execution may issue

4063 James P. Newcomb v. W. C. Bowen et als. This cause coming on to be heard the
X parties announced themselves ready to try the issues raised by the plea to the jurisdiction of the Court of this suit. Whereupon the Court upon hearing the evidence is of opinion that the law is with Defendants on the question of jurisdiction, It is therefore ordered and adjudged by the Court that the plea to the jurisdiction in this cause be sustained: that this suit abate for the want of jurisdiction and that Defendants go hence without day and pefft. pay all the costs herein expended.

And thereupon Court adjourned till to-morrow at 9 A.M.

Friday July 2d 1875

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had to wit:

4065 William Sharman v. Robert Avery. And now comes the Defendant, by
atty when on motion it is ordered that said Defendant have leave to amend.

4065 Wm Sharman v Robert Avery. And now come the parties by their attys
X and announce themselves ready for trial. Thereupon the parties waived Jury and agree to submit the case to the Court. And the Court having

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heard the pleadings, evidence, and argument of counsel, and duly considered the same, doth find for the Defendant. Whereupon it is ordered and adjudged that the said Peff take nothing in this behalf that the cause be dismissed: that the Defendant go hence and recover of said William Sharman and the securities on his cost Bond, W. P. DeNormandie & E. M. Cockelock all the cost of this suit for which execution may issue

1291. Sheeks & Sneed v. W. C. Cain. And now come the Peffs. by atty and claim a judgment final by default and because the Defendant has accepted service of Peff's petition and has failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered and adjudged that said Davd Sheeks and Thomas E. Sneed under their firm name of Sheeks & Sneed do have and recover of said W. C. Cain the sum of One hundred Seventy Three & 90/100 Gold Dollars, debt and interest due upon the instrument sued on to this date, together with interest thereon from this date until paid at the rate of 12 per centum per annum, and all the costs of this suit, for which execution may issue

1409. J. C. Hamilton v. M. A. Anderson. And now comes the Peff by atty when the said Peff claims a judgment final by Default. And because said Defendant has been legally cited and has failed to answer within the time prescribed by law. and the cause of action being liquidated, It is ordered and adjudged that said Plaintiff do have and recover of said M. A. Anderson the sum of Four Hundred & Forty Seven Coin Dollars, debt and interest due upon the instrument sued on to this date, with interest thereon from this date until paid at the rate of 12 per centum per annum, and all the cost of this suit for which execution may issue

1412. Jno. A. Webb & Bro. v. S. W. Harris et. als. And now come the Peffs by atty and dismiss this suit as to the Defendants M. A. Mitchell and J. B. Mitchell, who have not been cited. And said Peffs claim a judgment final by default as to the Defendants S. W. Harris and P. Thompson. And because said Defendants have been legally cited and have failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that Jno. A. Webb and Joseph H. Webb, under their firm name of Jno. A. Webb & Bro, do have and recover of said S. W. Harris and P. Thompson, the sum of One Hundred Forty Seven and 53/100 Dollars in Coin, being the principal, interest and collection fees sued for, to draw interest at the rate of five per cent. per month from this date, and all the cost of this suit, for which execution may issue.

1407. J. S. Bernard v. D. M. Wilson et. als. And now come the Peffs. by atty and claim a judgment final by Default. and because said Defendants have accepted service of Peff's petition and have failed to answer within the time prescribed by law. and the cause of action being liquidated, It is ordered and adjudged that J. S. Bernard do have and recover of D. M. Wilson and Geo. B. Zimpelman the sum of Eight Hundred. Sixteen and 87/100 Coin Dollars and interest thereon at 8 per cent. from date until paid, and all costs of this suit, for all which execution may issue. And

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appearing that the Defendant Zimpelman is security on the instrument sued
, and not a principal debtor, It is ordered and adjudged that said Geo. D
impelman do have and recover judgment over against the said D. M. Wilson
or the said sum of Eight Hundred Dollars & 57/100 dollars in coin, with eight
er centum per annum interest thereon from this date until paid and all
ost of suit And if said Zimpelman shall be compelled to pay this judg-
ment, or any part thereof, then he shall have his execution against Dm.
Wilson for the same or any part thereof he may be compelled to pay.
✓ 4117 Raymond & White v S. Maspina et al Come the Defendants by attorney & then on
motion it is ordered that said Defendants have leave to amend.

And Court adjourned till to-morrow at 9 o'clock am.

Saturday July 3rd 1875.

Court met at 9 o'clock a. m. pursuant to adjournment. Present same
as heretofore. Whereupon the following proceedings were had, to wit:

And Court adjourned till Monday morning at 9 o'clock

Monday July 5th 1875.

Court met at 9 o'clock a m pursuant to adjournment. Present Hon J. P.
Richardson Judge 27th Judicial District presiding. Whereupon the follow-
ing Proceedings were had to wit:

✓ 4039 Geo. W. Turney v. W. A. Morris And now on this day came the parties to
this cause by their attorneys and announced themselves ready for trial
And Defendants demurrer being submitted the same is overruled. to which
ruling said Defendant excepts And the Demurrer of pltf coming on to be
heard the same is sustained, to which ruling Defendant excepts Whereupon
a Jury of 12 good and lawful men of Travis County Consisting of J. H.
Wood and eleven others who being tried, elected and sworn according to
law heard the pleadings evidence, argument of Counsel and the charge of
the Court, retired for deliberation. Whereupon, after much & protracted
said Jury came into Court and reported that they are unable to
agree upon a verdict. Whereupon said Jury are discharged from any
further consideration of the cause and a mistrial is awarded.

John J. Grimon. It appearing that John J. Grimon has heretofore been admitted to practice as
an Attorney and Counsellor at Law in the Supreme Court of the State
of Mississippi, It is ordered that said John J. Grimon be and he is hereby
admitted to practice as an Attorney and Counsellor at Law in the District
and Inferior Courts of the State of Texas and that License issue

✓ 4465 James P. McKinney et al v. James P. McKinney Sr. et al. On motion
it is ordered that F. W. Chandler Esq be appointed Special Guardian for
the minors Stephen A. McKinney and Jessie L. McKinney

✓ 3123 The State of Texas v. B. M. Little And now comes B. M. Little as principal
and T. Jourdan and T. W. Anderson as securities and acknowledged themselves
jointly and severally justly to owe and be indebted unto the State of Texas in

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the sum of one hundred dollars to be levied upon their goods & chattels, lands tenements & Estate But to be void upon Condition that said B M. Little remain in attendance upon the District Court of Travis county now in session & then remain from day to day and from term to term thereafter, to answer an Indictment preferred against him by the Grand Jury of Travis county for Theft from a House and that he do not depart the Court without leave.

1046. The State of Texas v. Lewis White. And now comes Lewis White as principal & Horace Oldham & Geo McDavis as securities and acknowledge themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars, to be levied upon their Goods & Chattels, Lands Tenements and Estate, But to be void upon Condition that said Lewis White make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter, to answer an Indictment preferred against said Lewis White by the Grand Jury of Travis County at the June Term 1875 for Theft from a house, and that he do not depart the Court without leave.

1050. The State of Texas v Jas. And now comes Joe as principal with Charles Coney & N. Seligman as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Five hundred Dollars to be levied upon their Goods and Chattels Lands Tenements & Estate, But to be void upon condition that said Jas be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day and from term to Term thereafter, to answer an indictment preferred against said Jas by the Grand Jury of Travis county at the June Term 1875, of Travis District Court for Theft, & that he do not depart the Court without leave.

1064. The State of Texas v. Wm Ishell. And now comes Wm Ishell as principal and John Ishell, D. A. Porter & S. T. Porter as securities, and they acknowledge themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars, to be levied upon their Goods & Chattels, Lands, Tenements & Estate But to be void upon condition that said Wm Ishell make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to Term thereafter, to answer an Indictment preferred against said Wm Ishell by the Grand Jury of Travis county at the June Term 1875 of the Travis District Court for theft of Cattle, and that he do not depart the Court without leave.

1066 The State of Texas v John Ishell. And now comes John Ishell as principal & D. A. Porter & S. T. Porter as securities & they acknowledge themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Five hundred Dollars to be levied upon their Goods & Chattels, Lands Tenements & Estate But to be void upon condition that said John Ishell be and remain in attendance upon the District Court of Travis County now in

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session, and there remain from day to day and from term to term thereafter to answer the Indictment preferred against said John Isbell by the Grand Jury of Travis County at the June Term 1875 of Travis District Court for theft of a cow, and that he do not depart the Court without leave.

4071 The State of Texas v. John Isbell. And now comes John Isbell as principal and D. A. Porter and E. D. Porter as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars to be levied upon their Goods and Chattels, Lands Tenements and Estate But to be void upon condition that the said John Isbell make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer an Indictment preferred against said John Isbell by the Grand Jury of Travis County at the June Term 1875 of the District Court of said County for theft of a cow and that he do not depart the Court without leave.

4077. The State of Texas v. John Dowell. And now comes John Dowell as principal and C. T. Moore, J. M. Denton and J. W. Hanna as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate, But to be void upon condition that said John Dowell make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer an Indictment preferred against said John Dowell by the Grand Jury of Travis County at the June Term 1875 of Travis District Court for An Assault with intent to Kill and Murder and that he do not depart the Court without leave.

4082 The State of Texas v. Al. Rainey. And now comes Al Rainey as principal and Sandy Bradsham, Moses Brooks and Gabriel Carthy as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of three hundred and fifty dollars to be levied upon their Goods and Chattels Lands Tenements and Estate But to be void upon condition that said Al. Rainey be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer an Indictment preferred against said Al Rainey by the Grand Jury of Travis County at the June Term 1875 of the Travis District Court for theft of a calf and that he do not depart the Court without leave

And thereupon Court adjourned till to-morrow at 9 o'clock A. M.

July 6th 1875

Tuesday July 6th 1875.

Court met at 9 o'clock a.m. pursuant to adjournment. Present same as yesterday. Whereupon the following proceedings were had & to wit:

2682. The State of Texas v. Reuben Murphy. Dismissed

2864 The State of Texas v. M. J. Madison. Dismissed

2879 The State of Texas v. E. T. Randle. It appearing from the Mandate of the Supreme Court filed in this cause that the appeal has been dismissed. It is ordered that the Judgment heretofore entered herein be enforced against said Defendant, and that Commitment issue to collect said fine and costs.

3171. The State of Texas v Perry Jimmin. Come the parties by atty and announce themselves ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Perry Jimmin the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

3115. The State of Texas v. Jas Gill. Continued by the State.

4224. The State of Texas v. Wm H. Green. Ordered that the Forfeiture in this case be be set aside and case dismissed

3123 State of Texas v. B. M. Biles. And now comes the District Atty on behalf of the State and also came the Defendant in person and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of W. S. Biles and eleven others who being tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant not guilty. W. S. Biles, Foreman" Whereupon it is ordered ~~that~~ said Defendant go hence acquitted and discharged.

3157. The State of Texas v James Fuller. Continued for Service.

3218. The State of Texas v. Aaron Robinson. Come the parties by atty and announced ready for trial. When came the parties in came a Jury and submit the cause to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Aaron Robinson the sum of Ten Dollars as a fine and the cost of the prosecution & that a Commitment issue to collect the same.

3287. The State of Texas v. Gilbert Stewart. Dismissed

3288. The State of Texas v. Gilbert Stewart. Dismissed

3395. The State of Texas v. Bill Peel. Dismissed

3481. The State of Texas v. Charley Coney. Continued by the State.

3522. The State of Texas v. Frank Cotton. The judgment in this case having been affirmed on appeal It is ordered that the said Judgment be enforced by issuance of Capias pro fine.

3565. City of Austin v. Chas Freeman. This cause being called for trial and the Defendant not appearing to prosecute the appeal. It is ordered that the appeal be dismissed and that a Writ of Procedendo do issue requiring the Mayor of

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Austin to proceed with the execution of the Judgment rendered by him in this cause. and that the appellant, C. A. Freeman, and the securities on his appeal bond, J. A. Cunningham, James Sims and R. Platt, be adjudged to pay all the Cost of this proceeding in this Court incurred, for which execution may issue, and that said appellant's Bond be forfeited

✓ 3566. City of Austin v. Charles Freeman. This cause being called for trial and the Defendant not appearing to prosecute the appeal, it is ordered that the appeal be dismissed, and that a writ of Procedendo do issue requiring the Mayor of the City of Austin to proceed with the execution of the judgment rendered by him in this cause; and that the appellant C. A. Freeman, and the securities on his appeal Bond, J. A. Cunningham, James Sims and Radcliff Platt, be adjudged to pay all the Cost of this Proceeding in this Court incurred, for which execution may issue, and that said appellant's Bond be forfeited

✓ 4072. The State of Texas v. Tom Williams. And now comes Tom Williams as principal and James Finley as his security, and they acknowledge themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars, to be levied upon their Goods and Chattels Lands Tenements and Estate, But to be void upon condition that said Tom Williams make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from Term to Term thereafter to answer an Indictment preferred against said Tom Williams by the Grand Jury of Travis county at the June Term 1875 of Travis District Court for theft of Rail road fees and that he do not depart the Court without leave

✓ 4106. The State of Texas v. Mooney. Come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do recover of said Mooney the sum of Twenty Five Dollars as a fine & the Cost of the prosecution and that a Commitment issue to collect the same.

✓ 4163. The State of Texas v. Hal. Brown. And now comes Hal. Brown as Principal, with C. R. Puckett and W. T. Raton as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of Five Hundred Dollars to be levied upon their Goods & Chattels Lands Tenements & Estate But to be void upon condition that said Hal. Brown be and remain in attendance upon the District Court of Travis County now in session, and there remain from day to day & from term to term thereafter to answer an Indictment preferred against him the said Hal. Brown by the Grand Jury of Travis County at the June Term 1875 of Travis District Court, for theft of two heifers, and that he do not depart the Court without leave

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4166 The State of Texas v. Reuben Murphy. And now comes Reuben Murphy as principal, and Wm. Murphy and J. C. Martin as securities and they acknowledge themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of Five Hundred Dollars. To be levied upon their goods and Chattels Lands tenements and Estate But to be void upon condition that said Reuben Murphy be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day and from term to Term thereafter, to answer an Indictment preferred against said Reuben Murphy by the Grand Jury of Travis County at the June Term 1875 of Travis District Court for Theft of a Bucy Cart & that he do not depart the Court without leave.

4211 The State of Texas v. Hal. Brown. And now comes Hal. Brown as principal, with C. R. Pickett and W. T. Hoton as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of Five Hundred Dollars, To be levied upon their Goods & Chattels, Lands, Tenements and Estate, But to be void upon condition that said Hal. Brown be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day & from term to Term thereafter to answer an Indictment preferred against said Hal. Brown by the Grand Jury of Travis county at the June Term 1875 of Travis District Court for Theft of Hides. And that he do not depart the Court without leave.

4230 The State of Texas v Charles Freeman. And now comes Charles Freeman as Principal, with R. Platt and John Kirkpatrick as securities & they acknowledge themselves jointly and severally justly to owe and be indebted unto the State of Texas in the penal sum of Four Hundred Dollars to be levied upon their goods & chattels, lands, tenements & Estate But to be void upon condition that said Charles Freeman be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day & from term to Term thereafter, to answer an Indictment preferred against said Charles Freeman by the Grand Jury of Travis County at the June Term 1875 of Travis District Court for Being an Accomplice to a Robbery & that he do not depart the Court without leave.

4232 The State of Texas v. W. S. Billups. And now comes W. S. Billups as principal with D. W. Chandler and J. E. Shepard as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of Five Hundred Dollars, To be levied upon their goods & Chattels lands tenements and Estate But to be void upon condition that said W. S. Billups be and remain in attendance upon the District Court of Travis County now in session & there remain from day to day & from term to Term thereafter to answer an Indictment preferred against said W. S. Billups by the Grand Jury of Travis county at the June Term 1875

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of Travis District Court, for Embezzlement & that he do not depart the Court without leave.

4256. The State of Texas v. Roger Blunt, And now comes Roger Blunt as principal with Joseph Bowdon and Sam. Wilson as securities & they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of one hundred dollars to be levied upon their Goods and Chattels Lands Tenements and Estate But to be void upon condition that said Roger Blunt be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer an Indictment preferred against said Roger Blunt by the Grand Jury of Travis county at the June Term 1875 of Travis District Court for Pursuing an occupation without obtaining a License therefor and that he do not depart the Court without leave

4257. The State of Texas v. Roger Blunt. And now comes Roger Blunt as principal with Joseph Bowdon and Sam. Wilson as securities & they acknowledge themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of one hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate But to be void upon condition that said Roger Blunt be and remain in attendance upon the District Court of Travis County now in session & there remain from day to day & from term to term thereafter to answer an Indictment preferred against said Roger Blunt by the Grand Jury of Travis County at the June term 1875 of Travis District Court, for Carrying a Pistol & that he do not depart the Court without leave

4258. The State of Texas v. ~~Dick~~ Rogr. Blunt. And now comes ~~Dick~~ Roger Blunt as principal with Joseph Bowdon & Sam. Wilson as securities & they acknowledge themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of four hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate But to be void upon condition that said Roger Blunt be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day and from term to term thereafter to answer an Indictment preferred against the said Roger Blunt by the Grand Jury of Travis county at the June Term 1875 of Travis District Court for An assault with intent to kill & murder & that they do not depart the Court without leave.

4267. The State of Texas vs. C. J. Jones Dismissed

4165 The State of Texas v. John alias Pat. Brown. And now comes the District Atty and the Defendant in person and announced themselves ready for trial. When came a Jury of twelve good & lawful men of Travis County consisting of W. S. Biles & eleven others who being tried, elected and sworn according to law heard the Indictment, the plea of guilty & the charge of the Court returned the following verdict, to wit: "We the Jury

July 6th, 1875.

find the Defendant guilty and assess the punishment at confinement in the Penitentiary for five years. W. S. Biles Foreman." Whereupon it is ordered that said Defendant stand committed to the County Jail to await Judgment and Sentence.

4073 R. H. Lane v. Geo. O. Evans. And now on this day came the parties to this cause by their attys and announced themselves ready for trial. And Defendants demurrer coming on to be heard the same is overuled, to which ruling said Defendant excepts. And upon motion it is ordered that Defendant do produce in Court the Books and accounts between the Parties. To which ruling said Defendant excepts. And then came a Jury of 12 good and lawful men of Travis County who being tried elected and Sworn according to law, heard the pleadings, evidence, argument of Counsel and the Charge of the Court, retired for deliberation. Whereupon said Jury coming into Court, and reporting that they are unable to agree, they are ordered to be discharged and a mistrial awarded.

3430. The State of Texas v. Maj. Vandewiadt. Forfeiture set aside by Consent.

3465. The State of Texas v. Jo. Burlage. And now Come the parties by atty and announce ready for trial & waive a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Jo. Burlage the sum of Ten Dollars as a fine & the cost of the prosecution & that Commitment issue to collect the same.

3512. The State of Texas v. Pink Reed. And now come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. and defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Pink Reed the sum of Twenty Five Dollars as a fine & the Cost of the prosecution & that Commitment issue to collect same.

3569 The State of Texas v. J. C. Sandel. And now on this day came the parties by their attys and announce ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County Consisting of G. W. Malone & eleven others who being tried elected and Sworn according to law, heard the complaint, the evidence, argument of Counsel and the Charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit. "We the Jury find the Deft guilty and assess the fine at $1. G. W. Malone Foreman." Whereupon it is ordered that the State of Texas do have and recover of said J. C. Sandel the said Sum of One Dollar and all the Costs of this prosecution & that a Commitment issue to collect the same.

3638. The State of Texas v. Silas Miller. Dismissed

And thereupon Court adjourned till to-morrow at 9 o'clock a.m.

Wednesday, July 7th 1875.

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

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3793. The State of Texas v. Ezell & Duey. Continued by the Defendants.

✓ 3875. The State of Texas v Lewis Holmes. And now comes W. D. Ricks and acknowledged himself justly to owe and be indebted unto The State of Texas in the penal sum of One Hundred Dollars to be levied upon his Goods and Chattels Lands Tenements and Estate But to be void upon condition that said W. D. Ricks remain in attendance upon the District Court of Travis County now in session and there remain from day to day and from term to Term thereafter to testify as a witness on behalf of the pff in the above entitled cause of the State of Texas v Lewis Holmes and that he do not depart the Court without leave.

✓ 3909. The State of Texas v J. B. Hurd. Upon motion it is ordered that the Indictment in this case be quashed. that the case be dismissed & defd discharged.

✓ 4075. The State of Texas v al. Rainey. And now comes Al. Rainey as Principal and Sandy Bradshaw, Moses Brooks and Gabriel Carthy as securities and they acknowledged themselves jointly & severally justly to owe and be indebted unto The State of Texas in the penal sum of one hundred Dollars to be levied upon their Goods & Chattels Lands Tenements and Estate But to be void upon condition that al. Rainey be and remain in attendance upon the District Court of Travis County now in session & there remain from day to day and from term to Term thereafter to answer an Indictment preferred against said Al Rainey by the Grand Jury of Travis County at the June Term 1875 of Travis District Court for Exhibiting a Gaming Bank called Monte and that he do not depart the Court without leave

✓ 4131. The State of Texas v Al. Rainey. And now comes Al Rainey as principal and Sandy Bradshaw, Moses Brooks and Gabriel Carthy as securities and they acknowledged Themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of one hundred Dollars to be levied upon their Goods & Chattels Lands Tenements and Estate, But to be void upon condition that said Al Rainey be and remain in attendance upon the District Court of Travis County now in session and there remain from day to day and from Term to Term thereafter to answer an Indictment preferred against said Al Rainey by the Grand Jury of Travis County at the June Term 1875 of Travis District Court for Betting at Monte and that he do not depart the Court without leave.

✓ 4273. The State of Texas v J. Paluey. Dismissed

✓ 4291. The State of Texas v W. H. Mayhew Dismissed

3607. The State of Texas v Rufe Jones. Continued by the State.

3608. The State of Texas v. Rufe Jones. Continued by the State.

3609. The State of Texas v. Minnie Brown. Continued. for service.

✓ 3619. The State of Texas v. Wm. Thetwell. Come the parties & announce ready for trial & waiving a Jury submit the case to the Court. and Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Wm. Thetwell the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect same.

July 7th 1875

3626 The State of Texas v. Red Cotton. Continued by the State

✓3634 The State of Texas v Frank White. Come the parties by atty and announce ready for trial & waiving a Jury submit the case to the Court and the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Frank White the sum of Twenty Five Dollars as a fine and the cost of the prosecution & that Commitment issue

✓4100 The State of Texas v Red Cotton And now come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Red Cotton the sum of Twenty Five Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same

4101 The State of Texas v. Red Cotton. Continued

✓2430 The State of Texas v. John Meeks. Come the parties by atty & announce ready for trial. When came a Jury of 12 good & lawful men of Travis County Consisting of W. S. Riles & eleven others who being tried elected & sworn according to law heard the pleading Instruments, evidence, argument of counsel & the Charge of the Court, after retirement returned the following verdict, to wit: "We the Jury find the Defft. not guilty. W. S. Riles Foreman." Whereupon it is ordered that said Defendant go hence fully acquitted and discharged.

✓2429 The State of Texas v. Jno Meeks et al. Dismissed

✓3636 The State of Texas v. Cain Dr. Indictment quashed

✓4167 The State of Texas v August Wilson. And now comes the District Attorney for the State and also came the Defendant in person & by atty and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County Consisting of D. P. Kinney & eleven others who being tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at three years & six months in the State Penitentiary. D. P. Kinney Foreman." Whereupon it is ordered that the Defendant stand committed to the County Jail to await Judgment and Sentence.

✓3640 The State of Texas v Steel & Lott Dismissed

✓3641 The State of Texas v Butler Lott. Dismissed

✓3642 The State of Texas v Ambrose Steele. Dismissed

✓3650 The State of Texas v. Sam Miner. Come the parties & announce ready for trial & waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Sam Miner the sum of Ten Dollars as a fine & the Cost of the prosecution & that a Commitment issue to collect the same.

3651 The State of Texas v. John Jackson.

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✓3657. The State of Texas v. Monroe Organ. Come the parties legally & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Monroe Organ the sum of Twenty Five Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect same.

✓3706. The State of Texas v. Wiley Craft. And now come the parties legally & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Wiley Craft the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

✓3714. The State of Texas v. Isum Good. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Isum Good the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

✓3716 The State of Texas v. Miller Hack Driver. Dismissed

3727. The State of Texas v. Dick McLaren Continued by the State.

3737. The State of Texas v. Dick McLaren. Continued by the State

✓3740 The State of Texas v. G. M. Brass Dismissed

3755. The State of Texas v. Charles Covey. Continued by the State

3790 The State of Texas v. W. M. Walton Continued by the State

3798. The State of Texas v. John Raney Continued by the Defendant

3815. The State of Texas v. Giles Burdett Jr Continued by the State

3820 The State of Texas v. A. Jourdan. Continued by the State

✓3836 The State of Texas v. John Rogers Dismissed

3844 The State of Texas v. R. B. Faulkner. Continued by the State

3845 The State of Texas v. R. B. Faulkner Continued by the State

3850 The State of Texas v. Thomas C. Sneed Continued by the State

✓3854 The State of Texas v. A. McKay Dismissed

✓3869 The State of Texas v. Harry Bowman. Dismissed

✓4041 The State of Texas v. Lewis White. And now comes Lewis White as principal with Geo. Medrees, Horace Oldham and Alfred Overton as securities & they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of three hundred Dollars, to be levied upon their Goods & Chattels, Lands Tenements and Estate But to be void upon condition that said Lewis White be and remain in attendance upon the District Court of Travis County now in session & then remain from day to day & from term to term thereafter to answer an Indictment preferred against said Lewis White by the Grand Jury of Travis County at the June Term 1875 of Travis District Court for Burglary and that he do not depart the Court without leave.

And Court adjourned till to-morrow at 9 A.M.

July 8th 1875

Thursday, July 8th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

✓ 3465. The State of Texas v. Jo. Burlage. It is ordered that the Judgment rendered in this cause at a former day of this term be amended so as to read as follows: "Now come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. And thereupon It is ordered that the State of Texas do have and recover of the said Jo. Burlage the sum of Ten Dollars as a fine & the cost of the prosecution. And because said Defendant has given Bail and is not in custody it is ordered that the State of Texas do recover of the Securities in the appearance Bond, Jno. M Swisher and Frances Burlage, the said sum of the fine & costs herein imposed, and that execution issue"

✓ 3851. The State of Texas v. Frank Cook. And now come the parties by atty and announced ready for trial & waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Frank Cook the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

✓ 3968. The State of Texas v. Jo. Burlage. And now come the parties by atty and announced ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Jo. Burlage the sum of Ten Dollars as a fine & the cost of the prosecution. And the Defendant having given Bail, and not being in custody, It is ordered that the Bail Bond is forfeited and that the State of Texas recover of the security on said Bond Frances Burlage, the amount of the fine & costs herein adjudged & imposed & that execution issue

✓ 4214 9 The State of Texas v. Aly Caldwell Come the parties by atty & announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Aly Caldwell the sum of Ten Dollars as a fine and the cost of the prosecution and that a commitment issue to collect the same.

✓ 4216. The State of Texas v. B. Campbell. Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said B. Campbell the sum of Ten Dollars as a fine and the cost of the prosecution and that a commitment issue to collect the same.

✓ 4217. The State of Texas v. Lee. Come the parties by atty & announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Lee the sum of Ten Dollars as a fine and the cost of the prosecution & that a Commitment issue to collect the same.

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✓ 4218 The State of Texas v Ike Jones. Come the parties legally and announce ready for trial and waiving a Jury submit the case to the Court and Defendant pleads guilty. Whereupon its ordered that the State of Texas do have and recover of Ike Jones the sum of Ten Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

✓ 4176 X The State of Texas v Mose Swisher. Come the parties legally announce ready for trial and waiving a Jury submit the case to the Court and Defendant pleads guilty. Whereupon its ordered that the State of Texas do have and recover of and from Mose Swisher the sum of Ten Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

✓ 4177 X The State of Texas v. Al Rust. Come the parties legally announce ready for trial and waiving a Jury submit the case to the Court and Defendant pleads guilty. Whereupon its ordered that the State of Texas do have and recover of Al Rust the sum of Ten Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

✓ 3954 The State of Texas v. Sam Miller. Come the parties by atty announce ready for trial and waiving a Jury submit the case to the Court and Defendant pleads guilty. Whereupon its ordered that the State of Texas do have and recover of from Sam Miller the sum of Ten Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

✓ 3893 The State of Texas v. Aaron Robinson. Come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon its ordered that the State of Texas do have and recover of Aaron Robinson the sum of Ten Dollars as a fine and the cost of the prosecution and that Commitment issue to collect the same.

3875 The State of Texas v. J. M. Woods et al. Continued for service.

✓ 3647 The State of Texas v. Mack Hames. Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon its ordered that the State of Texas do have & recover of Mack Hames the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

✓ 3616 The State of Texas v. Mack Hames. Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. and Deft. pleads guilty. Whereupon its ordered that the State of Texas do have & recover of Mack Hames the sum of Ten Dollars as a fine & the cost of the prosecution and that a Commitment issue to collect the same.

✓ 3614 The State of Texas v. Aaron Robinson. Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. and Deft. pleads guilty. Whereupon its ordered that the State of Texas do have & recover of Aaron Robinson the sum of Ten Dollars as a fine & the cost of the prosecution & that Commitment issue to collect the same.

And Court adjourned till to-morrow at 9 A.M.

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3507 The State of Texas v. Louis Hill. Come the parties by atty and announce ready for trial & waiving a Jury submit the case to the Court and Defendant pleads guilty. Whereupon it is ordered that the State of Texas do recover of Louis Hill the sum of Ten Dollars as a fine & the cost of the prosecution & that Commitment issue to collect same.

And Court adjourned till to-morrow at 9 o'clock A.M.

Friday July 9th 1875.

Court met at 9 o'clock am pursuant to adjournment. Present Hon J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

3533 The State of Texas v. Mayo & Clanton Dismissed

3534 The State of Texas v. Mayo & Clanton. Dismissed

3892. The State of Texas v. Neal Cain. Continued by the State

3897. The State of Texas v. Rick Reed. Continued by Defendant

3911 The State of Texas v. Black Davis. Come the parties by atty and announced ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. And it is ordered that the State of Texas do have & recover of Black Davis the sum of Ten Dollars as a fine and the cost of the prosecution & that Commitment issue.

3915. The State of Texas v. John Stone Indictment quashed

3917. The State of Texas v. Kono Jim. And now come the parties by atty & announced ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Kono Jim the sum of Ten Dollars as a fine & the cost of this prosecution & that Commitment do issue.

3937. The State of Texas v. Stocker Dismissed

3938. The State of Texas v. Geo Harris. And now come the parties by atty & announced ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Geo Harris the sum of Ten Dollars as a fine & the cost of the prosecution & that Commitment do issue

3948. The State of Texas v. Billy Thompson. Indictment quashed.

3949. The State of Texas v. M. Scott. Indictment quashed.

3950 The State of Texas v. Sprague. And now come the parties by atty & announced ready for trial & waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Sprague the sum of Twenty-five dollars as a fine & the cost of the prosecution. And because said Defendant has given Bail and is not in custody. It is ordered that his Bail Bond be forfeited and that the State of Texas do have and recover of the security on said Bail Bond, F. W. Kluge, the amount of the fine & costs herein imposed and that execution do issue against said Defendant & security for the same.

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✓ 3965. The State of Texas v. Giles Burditt, Jr. And now come the parties by atty & announced ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Giles Burditt Jr. the sum of Ten Dollars as a fine & the cost of the prosecution and that Commitment issue to collect the same.

✓ 3972. The State of Texas v. Ann Eliza Brown. Dismissed.

3992. The State of Texas v. Neal Cain. Continued by the State.

✓ 3994. The State of Texas v. Suddy Meeks ordered, upon motion, that the District Atty have leave to substitute the papers in this case.

✓ 4001. The State of Texas v. John Dareton. Dismissed

✓ 4005 The State of Texas v. Robert Johnson et al Dismissed

✓ 4006 The State of Texas v. Robert Johnson et al Dismissed

✓ 4007. The State of Texas v. Sprague. Continued.

✓ 4239. The State of Texas v. Jo. Jones. Comes Jo Jones as principal, with Jeff. Houston and J. W. Corbet as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of Five Hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate But to be void upon condition that said J. Jones make his personal appearance before the District Court of Travis County now in session and there remain from day to day and from Term to Term thereafter to answer an Indictment preferred against said Jo. Jones by the Grand Jury of Travis County at the June Term 1875 of the District Court of Travis County for theft of Cattle and that he do not depart the Court without leave.

✓ 4342. Joseph Sherwin v. N. Worch. And now come the parties by atty and upon motion it is ordered that the cause be dismissed: that the plaintiff be adjudged to pay the Cost by him incurred, and that the Defendant be adjudged to pay the Cost by him incurred for all which execution may issue

✓ 4211 The State of Texas v. Hal. Brown. And now come the parties by attorney and announce themselves ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of P. L. Hopkins & eleven others, who being tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence & the charge of the Court returned the following verdict to wit: "We the Jury find the Defendant not guilty P. L. Hopkins Foreman." Whereupon it is ordered that said Defendant go hence acquitted and discharged.

✓ 4130 The State of Texas v. Charles Fugett. Come the parties by their attys and announced themselves ready for trial & waiving a Jury submit the cause to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Charles Fugett the sum of Twenty Five dollars as a fine & the cost of the prosecution & that a Commitment issue to collect same.

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v 11055 The State of Texas v Orlando, Jo. & Sylva. And now come the parties by their attys & announced ready for trial & then came a Jury of twelve good and lawful men of Travis County consisting of P. L. Hopkins & eleven others who being tried, elected & Sworn according to law heard the Indictment, the evidence, argument of counsel & the charge of the Court retired for deliberation whereupon said Jury returned into Court the following verdict, to wit. "We, the Jury find the Defendants not guilty. P. L. Hopkins, Foreman." Whereupon it is ordered that said Defendants go hence fully acquitted & discharged.

v 11028 The State of Texas v. Thomas Jackson. Come the parties by attys & announced ready
X for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Thomas Jackson the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

v 11054 The State of Texas v. Thomas Jackson. And now come the parties by attys & announced
X themselves ready for trial & waiving a Jury submit the case to the Court. And the defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Thomas Jackson the sum of Ten Dollars as a fine & the cost of the prosecution and that a Commitment issue to collect same.

v 11119 The State of Texas v Tom Jackson. And now come the parties by atty & announced
X ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Tom Jackson the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

v 11182 The State of Texas v. Tom Jackson. And now come the parties by atty & announced
X ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Tom Jackson the sum of Ten Dollars as a fine & the cost of the Prosecution & that Commitment issue to collect same.

And thereupon Court adjourned till to morrow at 9 o'clock a.m.

Saturday July 10th 1875.

Court met at 9 o'clock a.m. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

Grand Jury

And thereupon it is ordered that the Grand Jury empannelled & sworn for and during the present Term of this Court be called together to consider such business as may be brought before them & that the order heretofore entered discharging said Grand Jury be revoked, set aside and vacated.

v 3330 J. W. Manning v. N. Hanson et al. Come the parties by atty when came on
X to be heard defendants motion for a new trial which being considered it is ordered that said motion be granted. that a new trial be granted and the judgment set aside.

July 10th 1876.

4173. Hipp v. Smith et al. Upon motion it is ordered that the plaintiff herein be required to give an additional Cost Bond, with proper security.

11429. John Jones v. F. Dohme. And now comes on to be heard the motion to dismiss the appeal in this case for want of a sufficient appeal Bond which being duly considered, it is ordered that said motion be sustained; that the appeal be dismissed: that a writ of Procedendo do issue requiring the Justice below to proceed with the execution of the judgment rendered by him in this cause and that the said Jones do recover of F. Dohme all the Cost of this suit in this Court incurred for which execution may issue

3734. Wm F. Orr et al v. Mary O'Brien. And now comes on to be heard plaintiffs motion for a new trial which being heard & considered the same is overruled. And thereupon the plaintiffs give notice in open Court of an appeal to the Supreme Court

3935. Wm F. Orr et al v. W H Cushney. And now comes on to be heard Plaintiffs motion for a new trial which being duly considered the same is overruled. Whereupon said plaintiffs give notice in open Court of an appeal to the Supreme Court

3927. M. Wear v. Geo B. Zimpelman et als. And now comes on to be heard the motion of pffs. to reinstate this cause upon the Docket which being considered it is ordered that said motion be allowed. that the cause be reinstated upon the docket. and that said plaintiffs and the security upon his cost Bond be adjudged to pay all costs of this suit up to this date, for which execution may issue.

3958. Warren & Nadler v Texas Banking and Insurance Company. And now comes on to be heard the motion of Defendant for a new trial, which being considered it is ordered that said motion be overruled. And thereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

4014. August F. Kamp v. S. Mussett et al. And now comes on to be heard the motion of plaintiff for a new trial in this cause, which being considered the same is overruled Whereupon said plaintiff gives notice in open Court of an appeal to the Supreme Court.

4014. August F. Kamp v. S. Mussett et al. And now comes on to be heard plaintiffs motion in arrest of the judgment in this case which being considered the same is overruled. And thereupon the said plaintiff gives notice in open Court of an appeal to the Supreme Court

4027. Henry Brown v. G. B Perry. And now comes on to be heard the motion of Defendant for a new trial in this cause, which being considered the same is overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

July 10th 1875

4063. J. P. Newcomb v. W. C. Bowen et al. And now comes on to be heard the motion of Deft. to set aside the order sustaining plea in abatement and for a new trial, which being considered, the same is overruled.

4063. J. P. Newcomb v. W. C. Bowen et al Upon motion it is ordered that the Plaintiff herein have leave to plead over, and in default thereof it is ordered that the case be dismissed

4167. The State of Texas v. August Wilson. And now comes on to be heard Defendants motion for a new trial in this cause, which being only considered, it is ordered that said motion be overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court. And it is ordered that said Defendant August Wilson is guilty of Felony as in the Indictment in this behalf is charged & that he be confined at hard labor in the Penitentiary of the State of Texas for a period of three years and six months: and because of the notice of appeal it is ordered that sentence be suspended to await the result thereof.

4038. M. D. Matteson v. Heinrich Deichman. And now comes onto be heard Defendants motion for a new trial, which being considered, it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

4038. M. D. Matteson v. Heinrich Deichman. And now comes on to be heard Defendants motion in arrest of the judgment in this case which being heard and considered, it is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

4038. M. D. Matteson v. Heinrich Deichman. And now comes on to be heard the motion of Defendant for a new trial filed July 1st 1875 which being considered the same is overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court

4038. M. D. Matteson v. H. Deichman. And now comes onto be heard the motion of Defendant filed July 1st 1875 for the arrest of the judgment in this case which being considered the same is overruled. And Defendant gives notice of appeal to the Supreme Court.

4038. M. D. Matteson v. H. Deichman. And now comes onto be heard the motion to dismiss the case from the docket at plaintiffs cost, which being heard and considered the same is overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

4094 The State of Texas v. Pink Reed et als Dismissed

4232. The State of Texas v. Young Houston et. als Dismissed

4362. The State of Texas v. Jo. Burlage et. als It appearing that at the last term of this Court judgment nisi was entered against the Defendants for the sum of one hundred dollars upon a forfeited appearance bond, and that writs of scire facias have been served upon the securities to appear and shew cause why said judgment should not be made final, which they have wholly failed to do, said forfeiture being entered in the cause No. 3465 of the State of Texas

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v. Jo. Burlage, charged with Betting at monte, It is ordered that said judgment nisi be made final, and that the State of Texas do have & recover of said Jo. Burlage principal, and A.V. Blocker and M. L. Nuckols securities the sum of one hundred dollars and all the cost of this proceeding & that execution issue

✓4363 The State of Texas v. Nat. Moore. It appearing that at the last term of this Court judgment nisi was entered against the Defendants for the sum of one hundred dollars upon a forfeited appearance bond, and that writs of scire facias has been served upon the security to appear and shew cause why said judgment should not be made final, which he has wholly failed to do, said forfeiture being entered in the cause No 3578 of the State of Texas v. Nat Moore, charged with Betting at monte, It is ordered that said judgment nisi be made final, and that the State of Texas do have & recover of said Nat Moore, principal, and John H. Conner security the said sum of one hundred dollars and all the cost of this proceeding & that execution issue

✓4364 The State of Texas v. N. P. Larsen et. al. on motion it is ordered that the forfeiture in this case be set aside & that the cost of this proceeding be adjudged against said N. P. Larsen and N. P. Summerow all the cost of this proceeding for which execution may issue

✓4365. The State of Texas v. Jo. Burlage et. al. Upon motion it is ordered that the forfeiture in this case be set aside, and that the cost of this proceeding be adjudged against said Jo. Burlage and S. Mapes & that execution issue

✓4367. The State of Texas v. G. W. Cooper. ordered that the forfeiture in this case be set aside

✓3719 The State of Texas v. Jo Burlage. Come the parties by atty & announce ready for trial & waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Jo. Burlage the sum of Ten Dollars as a fine & ~~the~~ cost of the prosecution, & that a Commitment issue to collect the same.

And now on this day came into open Court the Grand Jury of Travis County empannelled at this term and through their foreman John T. Haynes presented to the Court the following Indictments to wit.

4301 An Indictment against Harry Smith for Theft from Person
4302 An Indictment against Lewis Williams for Assault to Kill &c
4303 An Indictment against Austin Blackwell for Theft of Gelding
4304 An Indictment against Jim Ralls for Exhibiting Monte
4305 An Indictment against Bob. Sprout for Theft of a Calf
4306 An Indictment against Dave Steele for Exhibiting Monte
4307 An Indictment against Andy Dickerson for Aggravated Assault
4308 An Indictment against Booker Griffith for Theft of a Bull yearling
4309 An Indictment against Capt Dodson for Exhibiting Monte
4310 An Indictment against Peter Hanson for Exhibiting Monte
4311 An Indictment against John Davis for Betting Monte

July 12th 1875

4312 An Indictment against — that Lane for Exhibiting Faro
And said Jury suggesting to the Court that there is no further business pending before them. It is ordered by the Court that the Grand Jury be discharged for this term
And Court adjourned till to-morrow at 9 o'clock A.m.

Monday July 12th 1875.

Court met ad 9 o'clock AM Pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District Presiding. Whereupon the following proceedings were had by said Court, to wit.

✓ 3816. The State of Texas v. Henry Simms Dismissed
3851. The State of Texas v. Jim Moore Continued as to Moore, by defendant.
4008. The State of Texas v. Jim Smith et. al. Continued for service.
✓ 4010. The State of Texas v. Charley Graham et. als. Dismissed
4011. The State of Texas v. Robert Hutchins. Continued by Consent.
✓ 4012. The State of Texas v. Felix Saunders Dismissed
✓ 4013. The State of Texas v. Orr. Dismissed
✓ 4015. The State of Texas v. H. Cohen et al Dismissed
4030. The State of Texas v. M. R. Jones et al Continued by the State.
✓ 4038 The State of Texas v. Barnes Parker et als Continued by Defendant Parker Continued for service as to the others.
✓ 4039. Austin City v. Joseph Sherwin. And now comes the pff. by atty. And it appearing that the Defendant does not appear to prosecute the appeal in this case, It is ordered that said appeal be dismissed: that a Writ of Procedendo do issue requiring the Mayor of the City of Austin to proceed with the execution of the Judgment rendered by him in this cause: and that the said Joseph Sherwin & the security on his appeal bond, W. Klaus pay all the cost herein in this Court incurred, for which execution may issue.
✓ 4044. The State of Texas v. Peter Bratton. Come the parties by atty and announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do recover of Peter Bratton the Sum of Fifty dollars as a fine and the cost of this prosecution & that Commitment issue.
✓ 4058. The State of Texas v. T. W. Parr. And now come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said T. W. Parr the Sum of Five Dollars as a fine & the cost of this prosecution & that Commitment issue to collect the same.
✓ 4059. The State of Texas v. T. W. Parr. Dismissed
4064. The State of Texas v. Wm Isbell. Continued by Defendant.
4065. The State of Texas v. Louis Buschaim. Continued by the State.
4066. The State of Texas v. John Isbell. Continued by Defendant.
4067. The State of Texas v. Reuben Murphy et al. Continued by the State.
4070. The State of Texas v. Peter Bratton. Continued by the Defendant.

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4071. The State of Texas v. John Isbell. Continued by the State.

✓ 4072. The State of Texas v. Tom Williams et als Dismissed

4077. The State of Texas v John Dowell. Continued by the State.

4081. The State of Texas v Charley Coney. Continued by the State.

4133. The State of Texas v Ray Eaves. Continued by the Defendant.

4311. The State of Texas v John Davis Continued by the Defendant.

✓ 4148 The State of Texas v G. H. Irwin. And now come the parties by atty & announced
X ready for trial. When came a jury of 12 good and lawful men of Travis County, consisting of Thomas Anderson and eleven others who being tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "Guilty as charged. Fined $50.00 Thos Anderson, Foreman." Whereupon it is ordered that the State of Texas do have and recover of said G.H. Irwin the sum of Fifty Dollars and all cost of this prosecution & that a Commitment do issue to collect the same

✓ 4301 The State of Texas v. Harry Smith. And now comes the District atty on behalf of the State and came also the Defendant in person & announced themselves ready for trial. When came a Jury of Twelve good & lawful men of Travis County consisting of Thos Anderson & eleven others who being tried, elected and sworn according to law heard the Indictment, the plea of guilty and the charge of the Court returned the following verdict, to wit: "We the jury find the Defd. guilty and assess punishment at 2 years in Penitentiary "Thos Anderson, Foreman." Whereupon it is ordered that said Harry Smith is guilty of Felony as in the Indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of Two years

✓ 4139. The State of Texas v. Frank Cotton. And now come the parties by their attys and announced themselves ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of Thos Anderson and eleven others, who being tried, elected and sworn according to law heard the Indictment, the plea of not guilty, the evidence and the charge of the Court retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the fine at $25.00 Thos Anderson, Foreman." Whereupon it is ordered that the State of Texas do have and recover of said Frank Cotton the sum of Twenty Five Dollars and all the cost of this prosecution and that a Commitment do issue to collect the same.

3961. The State of Texas v. Frank Cotton. Continued by the Defendant. ✓

✓ 4083 The State of Texas v. Jo. Hallum. Come the parties by atty & announced ready
X for trial and waiving a Jury submit the case to the Court and the Defendant pleads guilty. Whereupon it is ordered that the State of Texas

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do have and recover of Jo Hallum the sum of Twenty Five Dollars as a fine and the cost of the prosecution and that a Commitment ijssue to collect same.

√ 4086. The State of Texas v. Toney Murphy. And now come the parties by atty and announced ready for trial & waiving a Jury submit the case to the Court and Defendant pleads guilty. Whereupon its ordered that the State of Texas do have and recover of said Toney Murphy the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment ijssue to collect the same.

√ 4088. The State of Texas v. Lucius Britton. And now come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon its ordered that the State of Texas do have & recover of Lucius Britton the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment ijssue to collect the same.

√ 4089. The State of Texas v. Dutch Dock. And now come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon its ordered that the State of Texas do have & recover of Dutch Dock the sum of Twenty-Five Dollars as a fine & the cost of the prosecution and that a Commitment ijssue to collect the same.

√ 4097. The State of Texas v. Tom Dieterich. And now come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon its ordered that the State of Texas do have & recover of said Tom Dieterich the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment ijssue to collect the same.

4099. The State of Texas v. Peter Braillon. Continued

√ 4103 The State of Texas v. Billy Sims. Come the parties by atty & announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon its ordered that the State of Texas do have & recover of Billy Sims the sum of Ten Dollars as a fine & the cost of the prosecution & that Commitment ijssue

√ 4104 The State of Texas v. Dock Thompson. Come the parties by atty and announce ready for trial & waiving a Jury submit the case to the Court and Defendant pleads guilty. Whereupon its ordered that the State of Texas do have & recover of Dock Thompson the sum of Ten Dollars as a fine & the cost of the prosecution and that a Commitment ijssue to collect the same.

4107 The State of Texas v. Pink Reed. Continued.

4110 The State of Texas v. Jo Parr adv. Bond quashed and alias capias ordered

4111 The State of Texas v. Bill Schultze Continued by the Defendant.

√ 4115. The State of Texas v. Billy Brennan. And now come the parties by atty and announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon its ordered that the State of Texas do have and recover of Billy Brennan the sum of Twenty Five Dollars & the cost of this prosecution & that Commitment ijssue to collect the same

4116 The State of Texas v. Sudy Meeks Continued by the Defendant.

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✓ 4117. The State of Texas v. Johnny Chenville And now come the parties by daly and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Johnny Chenville the sum of Twenty Five Dollars as a fine and the cost of the prosecution and that Commitment issue to collect same.

4118. The State of Texas v. Johnny Davis Continued.

✓ 4128. The State of Texas v. Ambrose Steele. And now come the parties by daly & announce themselves ready for trial & waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Ambrose Steele the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

4134. The State of Texas v. Hugh Eames. Continued by Defendant.

4136. The State of Texas v. Rhondo Johnny. Continued by Defendant.

4137. The State of Texas v. John Dangerfield. Continued by Defendant.

✓ 4144 The State of Texas v. Jo Mallum. Dismissed

4145. The State of Texas v. Billy Brennan. Continued

✓ 4146 The State of Texas v. Dock Stone. Dismissed

✓ 4149. The State of Texas v. G. H. Brown. And now comethe pefft by the Distrct atty and the Defendant in person also legally and announce ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of John H Wood and eleven others, who being tried elected and sworn acording to law heard the ~~pleading~~ Indictment, the plea of not guilty the evidence & the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defft guilty and assess the punishment to ninyear in the State Penitentiary John H. Wood Foreman." Whereupon it is ordered that Defendant stand Committed to the County Jail to await Judgment and Sentence.

✓ 4468 J. M. Lillen Trals vs The City of Austin. It is ordered that C. H. Luckett, & Jr. Mintin, Surveyor, do make a Survey of Block 110 situated in the City of Austin, in Travis County, and ascertain and report from the most reliable data accessible, and from actual measurement, the true location of said Block of ground: that he ascertain and designate, by course and distance from such objects as he may refer to, permanent in their character, the position of the South East corner of Block No 110, and that he designate in the same way the location of the North East corner of said Block no. 110, so as to give to said Block a front of 276 feet on Congress Avenue in said City; and that he report all the facts ascertained by him as to the proper position of said Block; that he also report how the location of Block No 110, as ascertained by him, harmonizes in its location with Block No. 111 (one hundred and Eleven) opposite and across Congress Avenue, and other improvements North and South of it, and that he report his action under this order by the 16th July 1876.

July 13th, 1875.

And Thereupon Court adjourned till to-morrow at 9 o'clock A. M.

Tuesday July 13th, 1875.

Court met at 9 o'clock A M Pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had by said Court, to-wit:

1204. The State of Texas v. Henry Green. And now come the parties by atty & announce for Trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Henry Green the sum of One Dollar as a fine & the cost of this Prosecution and that a Commitment issue to collect the same

1205. The State of Texas v. Henry Green. Now come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Henry Green the sum of One Dollar as a fine & the cost of this prosecution and that a Commitment issue to collect the same.

4295. The State of Texas v. Joseph Junker. Continued by the Defendant.

4141 The State of Texas v. Paul Lewis Continued by the Defendant.

1066 The State of Texas v. John Isbell and now come Wm Biles, W. J. Ackey, Jos. Pope & W. McClure, and they acknowledged themselves each to owe and be indebted unto The State of Texas in the penal sum of One hundred Dollars each, to be levied upon his Goods & Chattels, lands, Tenements & Estate, But to be void upon Condition that said persons make their personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the 1st Monday in October 1875 then & there to remain from day to day and from term to term thereafter to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas v. John Isbell and that they do not depart the Court without leave.

3867. The State of Texas v. Geo. Crawford. And now come D. Trimble, M. S. Trimble, N. B. Gossett, E. Armstrong, P. W. Rowlin, G. W. Lacy, Wm Gardner and Walter Plunket, and each of them acknowledged himself severally to owe and be indebted unto The State of Texas in the penal sum of One hundred Dollars each, to be levied upon their Goods & Chattels, Lands Tenements & Estate But to be void upon condition that each of said Witnesses make his personal appearance before the District Court of Travis County now in session and then remain from day to day and from term to term thereafter to give evidence on behalf of the Defendant in the above entitled cause of the State of Texas v. Geo. Crawford, and that they do not depart the Court without leave.

3551. The State of Texas v. James P. Newcomb. This cause being called for trial the witness Stanley Welch failing to appear and answer testify in this cause he and his security H. Chamberlain being distinctly called at the door of the Courthouse of Travis County, and the witness after a reasonable length of time still failed to appear. And it appearing to the Court that the witness Stanley Welch with the said H. Chamberlain as his security, did execute

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the Witness Bond on file in this case substantially as follows: Dated 2d day of March, 1875, payable unto The State of Texas in the sum of Two hundred Dollars, conditioned that the said witness Stanley Welch make his personal appearance at the District Court of said County of Travis then in session to testify as a witness in behalf of the State in the above cause no. 3551 of the State of Texas v. James P. Newcomb 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, which said Bond is forfeited. And this considered by the Court that the State of Texas do have and recover of the said Stanley Welch principal and H. Chamberlain as security the said sum of Two hundred Dollars and that this judgment will be made final unless good cause be shown at the next Term of this Court why the said Witness Stanley Welch did not appear. And further ordered that citations do issue to said principal and security.

3551 The State of Texas v. James P. Newcomb. This cause being called for trial the Witness Wm H. Green failing to appear and testify in this case he and his securities J. F. Battaile, W. M. Burton, L. E. Edwards and John W. Day being distinctly called at the door of the Courthouse of Travis County and the witness after a reasonable length of time still failed to appear. And it appearing to the Court that the witness Wm H. Green, with the said J. F. Battaile, W. M. Burton, L. E. Edwards and John W. Day as his securities, did execute the Witness Bond on file in this case substantially as follows: Dated 2nd day of May 1874 payable unto The State of Texas in the sum of Three Thousand Dollars conditioned that the said Witness Wm H. Green make his personal appearance at the District Court of said County of Travis to be held at the Courthouse thereof in Austin on the 1st Monday in June, 1874, to testify as a witness in behalf of the State of Texas on the trial of any Indictment that might be preferred by the Grand Jury of Travis County against James P. Newcomb for the crime of swindling the State of Texas, and there remain from day to day and from term to Term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And this Considered by the Court that the State of Texas do have and recover of the said Wm H. Green principal and J. F. Battaile, W. M. Burton, L. E. Edwards and John W. Day securities, the said sum of three thousand Dollars and that this judgment will be made final unless good cause be shown at the next Term of this Court why the said Witness Wm H. Green did not appear. And further ordered that citations do issue.

And cause Continued

3585 The State of Texas v. Charles Reid. This cause being called for trial the Defendant Charles Reed failing to appear and answer to the Indictment in this case he and his securities Ties Warnken and J. L. Brooks being distinctly called at the door of the Courthouse of Travis County and the

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Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant C. A. Reed with the said Ties Warnken and J. L. Brooks as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 20th day of October 1874 payable unto The State of Texas in the sum of One hundred Dollars, conditioned that the said Defendant Charles Reed 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 October Term AD 1874 for Betting at Monte and there remain from day to day and from term to Term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said C. A. Reed as principal and Ties Warnken and J. L. Brooks as securities the said Sum of One hundred Dollars and that this Judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant C. A. Reed did not appear. And further ordered that citations do issue to the said securities

√ 3603. The State of Texas v. Billy Robinson. This cause being called for trial the Defendant Billy Robinson alias W. B. Robinson failing to appear and answer to the Indictment in this case he and his securities J. J. Musgrove and E. Creary being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Billy Robinson with the said J. J. Musgrove and E. Creary as his securities, did execute the Bail Bond on file in this cause substantially as follows: Dated day of December 1874, payable unto The State of Texas in the sum of One hundred Dollars conditioned that the said Defendant W. B. Robinson make his personal appearance at the District Court of said County of Travis on the 1st Monday in February 1875, to answer the Indictment preferred against the said Defendant W. B. Robinson by the Grand Jurors of Travis County at the October Term AD 1874 for Carrying a Pistol, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said W. B. Robinson principal and J. J. Musgrove and E. Creary securities the said Sum of One hundred dollars and that this Judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant W. B. Robinson did not appear. And further ordered that citations do issue to the said securities

√ 3978. The State of Texas v. Fritz Holman. This cause being called for trial the Defendant Fritz Holman failing to appear and answer to the Indictment in this case he and his securities Elson Burns and F. E. Young being distinctly called at the door of the Courthouse of Travis County and the Defendant after a

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reasonable length of time Still failed to appear. And it appearing to the Court that the Defendant Fritz Holman with the said Elbon Burns and F. E. Young as his securities did execute the Bail Bond on file in this case Said Bail Bond is for Said Sum and Conditioned as follows. Dated 23. day of June 1875 payable unto The State of Texas in the Sum of One Hundred Dollars, conditioned that the said Defendant Fritz Holman 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 February Term A D 1875 for Exhibiting Monte and there remain from day to day and from Term to Term of said Court and that he do not depart thence without leave of said Court, which said Bond is forfeited and this Considered by the Court that the State of Texas do have and recover of the said Fritz Holman as principal and Elbon Burns and F. E. Young as securities, the said Sum of One hundred Dollars and that this Judgment will be made final unless good Cause be shown at the next Term of this Court why the said Defendant Fritz Holman did not appear. And further ordered that citations do issue to the said securities

√ 1467 √ M. D. Miller v. H. C. Solomon et al. Upon motion of the plaintiff in this Cause it is ordered that the personal property seized under attachment herein be sold by the Sheriff of Travis County in accordance with law, the same being of a perishable nature and liable to waste, as follows, to wit:

9 Penholders: 48 Spools Thread: 41 Bottles Hair Oil: 5 Ladies Belts: 1/2 Box Marbles: 7½ Gross Buttons: 5 Bottles Perfume: 7 quarts Pickles: 20 lbs Beans: 7 bottles Mustard 9 " Pepper Sauce: 17 Cans Lobsters: 7 Cans Salmon: 8 Lamp Chimneys: 1 Lamp: 10 Balls Cord: 20 lbs C. Sugar: 13 Cans Lemon Sugar: 3 pr boxes Crackers: 3 Measures: 2 pr. Scales (Counter) 4 Washing Soda: 2 pasteboxes Candles: 1/2 doz. Brooms: 3 lbs Black Pepper: 4 " Cinnamon: 7 lbs Prunes: 10 Cakes Chocolate: 2½ Boxes fish Hooks: 1/2 " Twist Tobacco: 1 doz Gents Hose: 1/2 box Twist Tobacco: 2 lbs Spice: 15. Starch: 2 " Spice: 10 Rolls Handles: 8 Bottles Lemon Syrup: 7 " Castor Oil: 1 Part Bbl Meal: 1 " Coil Rope: 2 Stone jars: 1 Basket: 5 Washboards: 1 Water Bucket: 1 Rump Bone: 1 hand Saw: 41 Combs: 2 bunches Hoe Strings: 1½ doz. Grease Combs: 3 Boxes Thread: 7 spools Silk Thread: 1 Pack Braid: 4 " Silk Braid 1/2 doz fine Combs: 1 " lead Pencils: 10 Papers Pins: 14 boxes Hair Pins: 8 Fish lines: 3/4 box Dope: 1 needle Case: 1 thread Hand: 10 prs Cotton hose: 2 doz Cotton Mens hose: 1 box Shirts: 7 Corsets: 5 lbs Cream Crackers: 5 gal. Molasses: 1 oil Can: 100 lbs Flour: 10 glasses Jelly 7 oz Pickles: 20 lbs Nutmeg: 7 Cans Cinnamon: 41 " Snuff: 2 Lamps: 20 lbs Sack: 1/4 Bbl Flour: 1/2 bbl Crush Sugar: 1/2 box Vanilla 1/2 box Stick Candy: 3 Funnels: 1 doz Can. (C) milk: 28 Cans of Salmon: 21 Cans Lobsters: 15 " 1 lb Oysters: 5 " 2 oz Corn: 3 " Tomatoes: 10 Sifters: 3 Measures (ots) 20 Ets Corn Meal 3 " Cinnamon Bark: 1/2 Box Clock Pins: 1 Demijohn (5 gal) 12 Sacks Trade Sack: 5 papers Tacks: 40 bars Soap: 1 lb Smoking Tobacco: 33 " Soda: 3/4 " Chew Fly Candy: 1/2 doz box Matches.

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13 bxes Blueing: 50 lbs Pins Shot: 7 Cans Con: Lye: 25 lb Ict Oysters: 4 Doz Mustard: 3 " Blacking: 1 Bottle Pepper Sauce: 20 Cans Salmon (red) 25 bars Soap: 28 prs Ladies Hose: 3 prs Slippers: 5 " La. Shoes: 7 Packs Ht Nfs: 1 Ict Domestic: 2 part bottle Calico: 12 Calico Shirts: 5 Hickory Shirts: 7 pr. Cotton Draws: 11 hd Nfs: 1 part Bot. Br. Domestic: 10 r white: 2 part Bale Calico Dom: 1 part Bale Cambric Lining: 1 part Bale Calico Lining: 1 part Bale Brn Domestic: 1 hr. Jean Pants: 1 Flour Scoop: 1 part Key Pendu

And Thereupon Court adjourned till tomorrow morning at 9 A.M.

Wednesday July 14th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment Present Hon. J. R. Richardson Judge 23d Judicial District presiding. Whereupon the following Proceedings were had by said Court, to wit:

14455 Mary. E. Dickenson et al vs Robert. M. Hatton 13th day of July A. D 1875

On reading and filing the report of W. Von Rosenberg, A. B. McGill and James E. Rector made in pursuance of a decretal order of this Court entered in the above cause on the 12th day of June 1875 appointing the said W. Von Rosenberg and A. B. McGill and Dennis Corwin Commissioners / and an order made by this Court in said cause on the 26th day of June 1875 appointing James E. Rector, Commissioner in place of said Dennis Corwin who had left the County of Travis) directing and commanding them to make partition of the Robert E. Hatton league and labor of land situated about nine miles North of the town of Oakville in Live Oak County Texas- as set out fully in the pleadings and proceedings in said cause and in said decretal order described between the plaintiffs Mary. E. Dickerson, Mary E. Foreman, J. Moses Hatton, M. E. Moulton and D. W. Doom and the defendant. Robert. M. Hatton, according to their respective rights and interests therein, So that four twenty fourths in value thereof be set apart to the said plaintiffs Mary. E. Dickerson. One twenty fourth in value thereof be set apart to the plaintiff Mary E. Foreman, Three twenty fourths in value thereof be set apart to the plaintiff. J. Moses. Hatton That twelve twenty fourths in value be set apart to the plaintiffs. M. E. Moulton and D. W. Doom. And that four twenty fourths in value thereof be set apart to the defendant Robert. M. Hatton, as established and directed in and by said decree by which said report it satisfactorily appears that said commissioners have made partitions of the said tract of land, which by said pleading were sought to be partitioned- and that they have allotted and set apart to the said plaintiff Mary. E. Dickenson four twenty fourths of the Robert. E. Hatton League and Labor survey by metes and bounds as follows. Beginning at the South West corner of said survey. Thence North 2549½ varas to a point on the West line of said Survey, Thence East 1699⅔ varas Thence South 2549½ varas to the South boundary line of said survey Thence West 1699⅔ varas to the place of beginning, containing Seven

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hundred and sixty seven ½ acres of land more or less. and that they have allotted to the plaintiff Mary E. Foreman one twenty fourth of part of the Robert C. Hatton League and Labor of land by metes and bounds as follows. viz - Beginning on the South boundary line of said league and Labor at a point 1699 ⅔ varas East of the South West corner of said League & Labor of land, and at the South East corner of a tract set apart for Mary C. Dickerson Thence North 637 ⅜ varas Thence East 1699 ⅔ varas Thence South 637 ⅜ varas to South boundary line Thence along said South boundary line West 1699 ⅔ varas to the place of beginning, containing One hundred and Ninety one ⅞ acres of land more or less. And that they have allotted to the plaintiff J. Moses Hatton three twenty fourths of the x Robert C. Hatton League and Labor of land by metes and bounds as follows to wit- Beginning at the North East corner of the portion as set apart to Mary C. Dickerson Thence East 1699 ⅔ varas to the North West corner of the portion set apart to Robert M. Hatton Thence South 1912 ⅛ varas to the North East corner of the tract set apart to (Mary E. Foreman Thence West 1699 ⅔ varas to the East line of Mary C. Dickerson) and North West corner of Mary E. Foreman tract Thence North 1912 ⅛ varas to the place of beginning containing five hundred and seventy five ⅝ acres of land more or less

And they have allotted to the plaintiffs M. C. Moulton and D. W. Doom twelve twenty fourths of the Robert C. Hatton League and Labor of land by metes and bounds as follows to wit- Beginning on the West boundary line of said League and Labor of land at a point 2549 ½ varas North of the South West corner of said League and Labor and at the North West corner of Mary C. Dickerson portion, Thence North 2549 ½ varas to the North West corner of said League and Labor Thence East 5099 varas to the North East corner of said League and Labor, Thence South 2549 ½ varas or to the North East corner of Robert M. Hatton share which is 2549 ½ varas North from the South East corner of said League and Labor. Thence West 5099 varas to the place of beginning containing Two thousand three hundred and two ½ acres of land more or less. And they have allotted to the defendant Robert M. Hatton four twenty fourths of the Robert C. Hatton League and Labor of land x by metes and bounds as follows to wit Beginning at the South East corner of said League and Labor of land Thence North on the East boundary line thereof to a point 2549 ½ varas Thence West 1699 ⅔ varas to the North East corner the tract set apart to J. Moses. Hatton Thence South 2549 ½ varas to the South boundary line of said League and Labor of land Thence East 1699 ⅔ varas to the place of beginning containing Seven hundred and sixty seven ½ acres of land more or less. And there being no objection to said Report-

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it is ordered adjudged and decreed by this Court that the said report be and the same is hereby confirmed. And hereupon it is ordered adjudged and decreed that the said partition so made by the said Commissioners of the said tract of land mentioned and described in said decretal order be firm and effectual forever. And it is hereby further ordered adjudged and decreed that the said hereinbefore described part or allotment of the said tract of land so set apart and allotted as aforesaid by the said Commissions by mete and bounds to the said plaintiff Mary C. Dickerson constituting her share of the said tract of land of the Robert C. Hatton League and Labor so divided as aforesaid shall be and is hereby vested in her the said the said Mary C. Dickerson in severalty to be had held and enjoyed by the said Mary C. Dickerson, her heirs and assigns forever and that the said hereinbefore described part or allotment out of said Robert C. Hattox League and Labor of land so set apart and allotted by said Commissioners as aforesaid to the said plaintiff Mary E. Foreman constituting her share of the said tract of land so divided as aforesaid shall be and is hereby vested in her the said Mary E. Foreman in severally to be had held and enjoyed by the said Mary E. Foreman her heirs and assigns forever. And that the said hereinbefore described part or allottment out of said Robert C. Hatton League and Labor of land, so set apart and allotted by said Commissioners as aforesaid to the said plaintiff. J. Moses. Hatton constituting his share of said tract of land so divided as aforesaid shall be and is hereby vested in him the said J. Moses Hatton in severalty to be had held and enjoyed by the said J. Moses Hatton his heirs and assigns forever. And that the said hereinbefore described part or allotment of land out of the Robert C. Hatton League and Labor of land so set apart and allotted by the said Commissioners as aforesaid to the said plaintiffs M. C. Moulton and D. W. Doom constituting their share of said tract of land so divided as aforesaid shall be and is hereby vested in them the said M. C. Moulton and D. W. Doom in severalty to be had held and enjoyed by the said M. C. Moulton and D. W. Doom their their heirs and assigns forever. And that the said hereinbefore described part or allotment of land of the Robert C. Hatton x League and Labor so set apart and allotted by the said Commissioners as aforesaid to the said defendant Robert M. Hatton constituting his share of said tract of land so divided as aforesaid shall be and is hereby vested in him the said Robert M. Hatton in severalty to be had held and enjoyed by the said Robert M. Hatton him his heirs or assigns forever And it is further ordered adjudged and decreed that the costs of this suit be taxed and apportioned as between the parties thereto according to their

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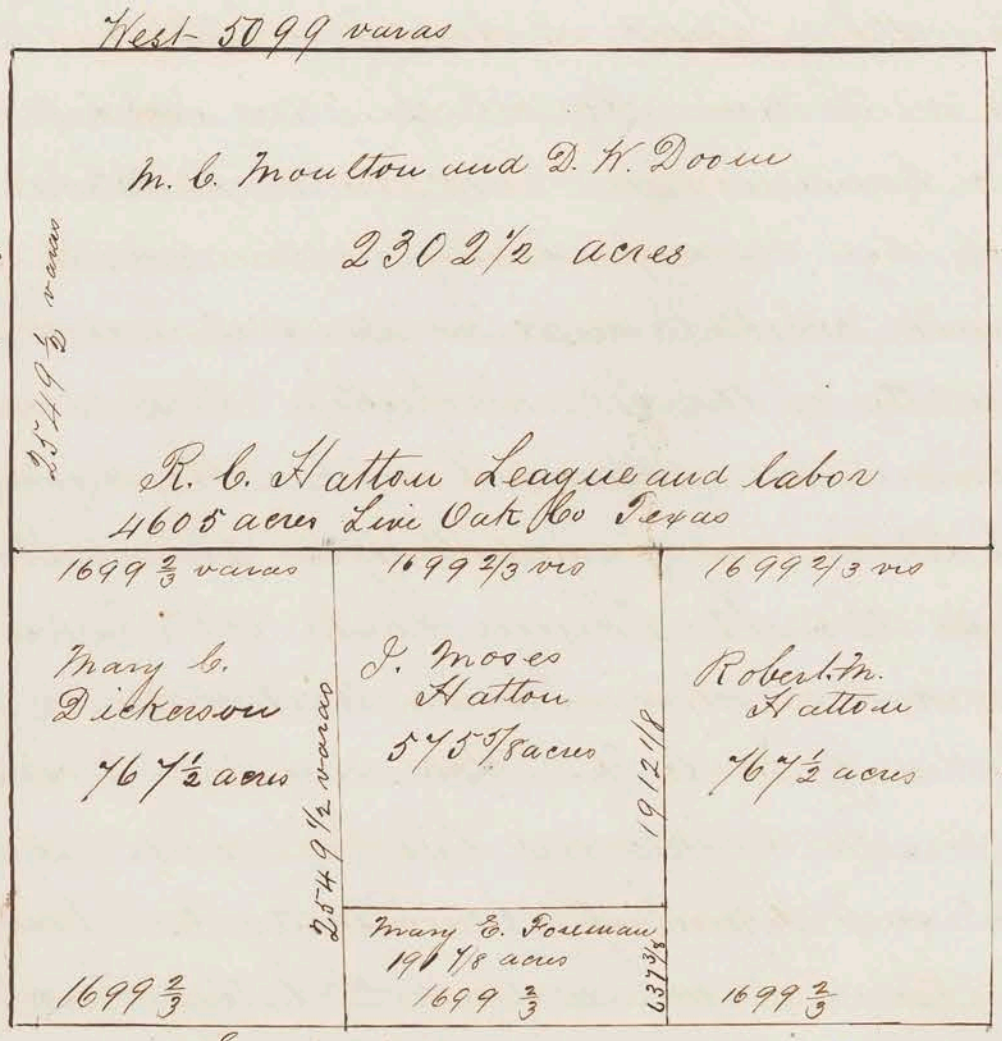
respective rights interests and shares in said lands



4456 Jane Berry et al vs Robert M. Hatton. 13th day of July A. D 1875

On reading and filing the report of W. Von Rosenberg, A. B. McGill and James E. Rector made in pursuance of a decretal order of this court entered in the above entitled cause, on the 12th day of June 1875 appointing the said W. Von Rosenberg. A. B. McGill and Dennis Corwin, Commissioners and an order made by this Court in said cause on the 26th day of June 1875 appointing James E. Rector Commissioner in place of Dennis Corwin / who had left the County of Travis directing and commanding them to make partition of the Wm. T. Hatton League and labor of land situated in Live Oak and Bee Counties, Texas as set out fully in the pleadings and proceedings in said cause and in said decretal order described between the plaintiffs Jane Berry Samuel A. Hatton, Drucilla Hatton, Mary E. Foreman, J. Moses Hatton Mary C. Dickerson, M. C. Moulton, and D. W. Doom and the defendant Robert. M. Hatton. According to their respective rights and shares and interests therein. So that two forty eighths in value thereof be set apart to the plaintiff Jane Berry, Five forty eighths in value thereof be set apart to the plaintiff Samuel A. Hatton. So that five forty eighths in value thereof be set apart to the plaintiff Drucilla Hatton - That one forty eighths in value of said land we gave to the plaintiff Mary E. Foreman. So that three forty eighths in value of said tract of land be set apart to the plaintiff. J. Moses Hatton. So that four forty eighths in value of said tract of land be set apart to the plaintiff Mary C. Dickerson. So that twenty four forty eighths in value of said tract of land be set apart to the plaintiffs M. C. Moulton and D. W. Doom.

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So that four forty eighths in value of said tract of land be set apart to the defendant Robert. M. Hatton. As established and directed in and by said decree by which said report it satisfactorily appears that the said Commissions have made partition of the said tract of land which by said pleadings were sought to be partitioned. And that they have allotted and set apart to said plaintiff Jane Berry two forty eighths of the Wm. T. Hatton League and Labor of land by metes and bounds as follows to wit. Beginning 1529 7/10 varas West of the North East corner of said League and Labor of land on the North boundary line thereof. Thence South 106 7/24 vars to the North boundary line of Mary C. Dickerson Thence West 1019 8/10 varas, to the East line of the part allotted to M. C. Moulton and D. W. Doom. Thence North 106 7/24 varas to the north boundary line of said Survey. Thence East 1019 8/10 varas to the place of beginning. Containing One hundred and ninety one 42/48 acres of land. more or less. And that they have allotted to the plaintiff Samuel H. Hatton five forty eighths part of Wm T. Hatton League and Labor of land situated by metes and bounds as follows. Beginning on the East boundary line of said Original survey, at a point 106 7/24 varas North of the South East corner of said League and Labor Survey Thence West 2549 5/10 varas to the East boundary line of the part set off to M. C. Moulton and D. W. Doom. Thence North 106 7/24 varas to the S. W. corner of the part set off to Robert. M. Hatton. Thence East 2549 5/10 varas to East boundary line of said survey. Thence South 106 7/24 varas to the place of beginning and containing four hundred and seventy nine 33/48 acres of land more or less. And that they have allotted to the plaintiff Drucilla Hatton five forty eighths part of the Wm. T. Hatton League and labor of land by metes and bounds as follows. Beginning at the South East corner of the Original Survey, Thence West on the South boundary line 2549 5/10 varas to the S. E. corner of that part as set out for M. C. Moulton and D. W. Doom Thence North 106 7/24 vars to S. W. corner of Samuel H. Hatton (Share) Thence East 2549 5/10 varas to East boundary line of Original survey Thence South 106 7/24 vars to the place of beginning containing four hundred and seventy nine 33/48 acres of land more or less. And that they have allotted to the plaintiff Mary C. Foreman One forty eighths part of the Wm T. Hatton League and Labor of land by metes and bounds as follows. Beginning at the South West corner of the tract set apart for Jane Berry Thence South 106 7/24 vars. Thence East 509 9/10 varas to the South West corner of the part set of to Mary C. Dickerson Thence North 106 7/24 varas to South line of Jane Berry portion. Thence West 509 9/10 varas to the place of beginning containing Ninety five 45/48 acres of land more or less. And that they have allotted to the plaintiff J. Moses Hatton three forty eighths part of the Wm. T. Hatton League and Labor

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of land by metes and bounds as follows, Beginning at the North East corner of the Wm T Hatton League and Labor of land. Thence West on the north boundary line thereof 1529 7/10 vars to the N. E. corner of Jane Berry portion. Thence South 1067 7/24 to S. E. corner of Jane Berrys tract and to the North line of Mary E. Dickensons portion. Thence East 1529 7/10 varas to the East boundary line of said League and Labor. Thence North 1067 7/24 vars to place of beginning containing two hundred and eighty seven 39/48 acres of land more or less. And that they have allotted to the plaintiff Mary E. Dickenson four forty eighths part of the Wm T. Hatton League and Labor of land by metes and bounds as follows Beginning at a point on the East boundary line of said League and Labor of land 1067 7/48 varas South of the North East corner of said League and Labor of land, Thence West 2039 6/10 varas to the N. E. corner of Mary E. Foreman tract Thence South 1067 7/24 varas to the North line of Robert M. Hattons tract & S. E. corner of Mary E. Foreman's tract Thence East 2039 6/10 varas to the East boundary line of said League and Labor and the N. E. corner of Robert M. Hattons tract Thence North 1067 7/24 varas to the place of beginning containing Thre hunard and eighty thre 36/48 acres of land more or less. And that they have allotted to the plaintiffs M. E. Moulton and D. W. Doom twenty four forty eighths part of the Wm T. Hatton League and Labor of land by metes and bounds as follows, Beginning on the North boundary line of said League and Labor of land at a point 2549 5/10 varas West of the North East corner of said League and Labor of land Thence South 5099 vrs to the South boundary line of said League and Labor of land and the S. West corner of Drucilla Hattons share. Thence West 2549½ varas to the South West Corner of said L & L. Thence North (on the West boundary line thereof) 5099 varas to the North West corner of said L & Labor of land - Thence East on the North boundary line of said L & L 2549½ varas to the place of beginning and containing Two thousand Thre hundred and two ½ acres of land more or less. And that they have allotted to the Defendant Robert M. Hatton four forty eighths part of Wm T. Hatton League and Labor of land by metes and bounds as follows, Beginning at a point on the East boundary line of said League and Labor of land 2134 14/24 varas South of the North East corner of said L & L. and at the S. E. corner of Mary E. Dickensons share Thence West 2549 5/10 varas to S. W. corner of Mary E. Foremans share Thence South 849 5/6 varas to the North West corner of Samuel H. Hattons share, Thence East 2549 5/10 varas to the East boundary line of said L & L. and the North East corner of Samuel H. Hattons share. Thence North 849 5/6 varas to the place of beginning Containing Thre hundred and eighty thre 36/48 acres of land more or less

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And then being no objection to said report it is ordered adjudged and decreed by this Court that the said report be and the same is hereby confirmed. And hereupon it is ordered adjudged and decreed that the said partition so made by said Commissioners of the said tract of land mentioned and described in said decretal order be firm and effectual forever. And it is hereby further ordered adjudged and decreed that the said hereinbefore described part or allotment of the said tract of land so set apart and allotted as aforesaid by the said Commissioners by metes and bounds to the said plaintiff Jane Berry constituting her share of the Wm T. Hatton League and Labor of land so divided as aforesaid shall be, and is hereby vested in her the said Jane Berry in severalty to be had held and enjoyed by the same Jane Berry her heirs and assigns forever. And that the said hereinbefore described part or allotment out of the Wm T. Hatton League and Labor of land so set apart and allotment by said Commissioners as aforesaid to the said plaintiff Samuel H. Hatton constituting his share of the said tract of land so divided as aforesaid shall be and the same is hereby vested in him the said Samuel H. Hatton in severalty to be had held and enjoyed by the said Samuel H. Hatton his heirs and assigns forever. And that the said hereinbefore described part or allotment by metes and bounds out of the Wm T. Hatton League and Labor of land so set apart and allotted by said Commissioners as aforesaid to the plaintiff Drucilla Hatton constituting her share of said land so divided as aforesaid shall be and the same is hereby vested in her, the said Drucilla Hatton in severalty to be held and enjoyed by the said Drucilla Hatton her heirs and assigns forever. And that the said hereinbefore described part or allotment by metes and bounds out of the Wm T. Hatton League and Labor of land so set apart and allotted by said Commissioners as aforesaid to the plaintiff Mary E. Foreman constituting her share of said land so divided as aforesaid shall be and the same is hereby vested in her the said Mary E. Foreman in severalty to be had held and enjoyed by the said Mary E. Foreman her heirs and assigns forever.

And that the said hereinbefore described part or allotment by metes and bounds out of the Wm T. Hatton League and labor of land so set apart and allotted by said Commissioners as aforesaid to the plaintiff J. Moses Hatton constituting his share of said land so divided as aforesaid shall be and the same is hereby vested in him the said J. Moses Hatton in severalty to be had, held and enjoyed by the said J. Moses Hatton his heirs and assigns forever. And that the said hereinbefore described part or allotment by metes and bounds out of the Wm T. Hatton League and Labor of land so set apart and allotted by the Commissioners as aforesaid to the plaintiff Mary E. Dickerson constituting her share of said land

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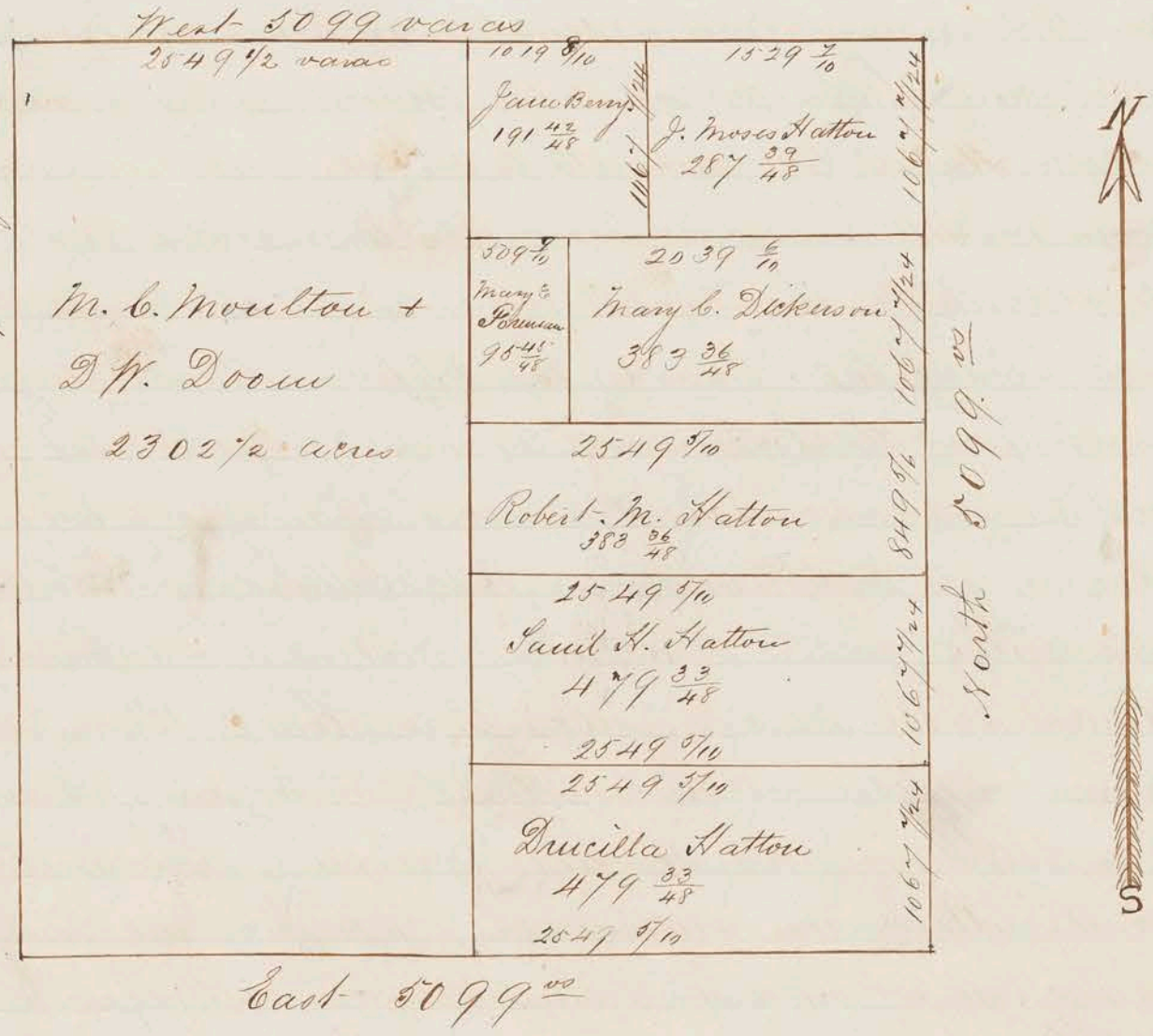
so divided as aforesaid shall be and the same is hereby vested in her the said Mary E. Dickerson in severalty to be had held and enjoyed by the said Mary E. Dickerson her heirs and assigns forever.
And that the said hereinbefore described part or allotment by metes and bounds out of the Wm T. Hatton League and Labor of land so set apart and allotted by the Commissioners as aforesaid to the plaintiffs M. E. Moulton and D W. Doom constituting their share of said land so divided as aforesaid shall be and the same is hereby vested in them the said M. E. Moulton and D. W. Doom in severalty to be had held and enjoyed by the said M. E. Moulton and D. W. Doom their heirs and assigns forever.
And that the said hereinbefore described part or allotment by metes and bounds out of the Wm T. Hatton League and Labor of land so set apart and allotted by the Commissioners as aforesaid to the defendant Robert E. Hatton constituting his share of said land so divided as aforesaid shall be and the same is hereby vested in him the said Robert E. Hatton in severalty to be had held and enjoyed by the said Robert E. Hatton his heirs and assigns forever. And it is further ordered adjudged and decreed that the costs of this suit be taxed and apportioned as between the parties thereto according to their respective rights interests and shares in said lands.

Wm T. Hatton 4605 acres. Live Oak & Bee counties Texas


West 5099 varas
2549½ varas
M. E. Moulton +
D W. Doom
2302½ acres
South 5099 varas
1019 8/10
Jane Berry
191 42/48
1529 7/10
J. Moses Hatton
287 39/48
509 8/10
Mary E. Dickerson
95 41/48
2039 6/10
Mary E. Dickerson
383 36/48
2549 5/10
Robert M. Hatton
383 36/48
2549 5/10
Saml A. Hatton
479 33/48
2549 5/10
2549 5/10
Drucilla Hatton
479 33/48
2549 5/10
1066 24/24
1066 24/24
1066 24/24

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Stephen A. McKinney & Jesse G. McKinney by their gaurdian adlitem F. W. Chandler and it appearing to the Court that the report of the Commissioners heretofore appointed to make partition between the parties to this suit of the property of the Estate of Elvira P. McKinney deceased and of her community property had in common with her husband Jas. P. McKinney Sr had been returned into Court and filed therein on the 10th day of July 1875 and it appearing that all parties to the suit for partition acquiese and accept the said report of said Commissioners as just and legal in all respects. Now therefor in accordance with the provisions of said report it is hereby ordered adjudged and decreed as follows to wit. First: To Mary Doyle wife of M. J. Doyle there is decreed and set apart the following described property of said estates viz The Thirty five hundred and fifty dollars heretofore received by her in money land and other property out of the community property and in addition thereto there is set apart and decreed to her out of the seperate property of the said Elvira P. McKinney deceased. four notes of Allen McLean for Two hundred and seven & 97/100 dollars coin each and the undivided one half interest in lots Numbers (9. 10 & 11) nine, ten and eleven in Block number forty eight in the City of Houston Texas. Second. To James P. McKinney Junior there is decreed and set a part the following described property of said Estates viz The forty three hundred and seventy five dollars heretofore received by him in money, Town and other property out of the community property and in addition thereto there is decreed and set apart to him out of the seperate property of the said Elvira P. McKinney deceased the undivided one half interest in the lots Nos 9. 10 & 11 in Block No 48 in the City of Houston Texas as hereinbefore refered to. Third. To Stephen A. McKinney minor there is decreed and set apart the following described property out of said Estates viz. The One hundred and forty two acres of land heretofore deeded to him by his father Jas. P. McKinney Senr out of the community property being apart of the farm on the Del Valle grant of land and lying on the South bank of Union creek and in addition thereto there is decreed and set apart to him out of the seperate property of the said Elvira P. McKinney deceased Three hundred and seventy acres of land on the Del Valle grant being a part of the farm on which the said Elvira P. and James P. McKinney Senr formerly resided which 370 acres of land is to be laid off as follows viz On the East side of and adjoining the 142 acres heretofore deeded as aforesaid to Stephen A. McKinney and to be bounded on the North by Union creek on the West by the 142 acres above mentioned on the South by the back or south line of the 515 acres tract which originally constituted the Homestead tract of the said Elvira P and

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James P. McKinney Senr and East by the land hereafter set apart to Jesse G. McKinney thus running from Union Creek back to the back of equal width throughout and to be of such a width as will contain the 370 acres above mentioned. Fourth To Jesse G. McKinney minor there is decreed and set apart the one hundred and fifteen dollars heretofore received by her out of the community property in a Mare and a Cow and in addition thereto there is decreed and set apart to her out of the seperate property of the said Elvira P. McKinney deceased the following described property viz the remainder of the land of the Del Valle grant which remains unsold of the old Homestead tract of (1515) fifteen hundred and fifteen acres to include the old Homestead residence and all buildings thereon said remainder supposed to contain three hundred and fifty acres but the whole remainder is decreed and set apart to her be it 350 acres or more or less. Fifth. To James P. McKinney Senior husband of said Elvira P. McKinney deceased there is decreed and set apart the following described property of said Estates viz out of the community property Lot No Nine (9) Block (71) seventy one in the City of Austin Texas with all improvements thereon Twenty three shares of Stock in the "Austin Joint Stock Building Company of Austin Texas. All notes and accounts held in community as well as judgements or other evidences of debt due to the community Estate with the provisor agreed to by the said Jas P. McKinney Senr that he shall liquidate and pay all community debts and all debts against the seperate Estate of the said Elvira P. McKinney if any there be at his own proper cost. There is also decreed and set apart to him out of the seperate property of the said Elvira P. McKinney decd Estate the following property viz Five notes of John Ash given for land and a stone fence thereon amounting to Nine hundred and ten and 50/100 dollars ($910 50) and two notes of Alexander McDonald for land sold him amounting to two hundred and forty three dollars ($243 00) Two horses (Bruce and Bud) which belonged to the community is also decreed and set apart to him. It is however decreed by consent of the said James P. McKinney Senr that out of the seperate property herein set apart to him he shall pay over to Jesse G. McKinney One hundred and five dollars, and that this decree to him is to be in lieu of all life estate interest which he might have had or did have in and to any of said seperate Estate of the said Elvira P. McKinney deceased and he so accepts it. It is understood that wherever dollars or cents are written in this order Judgement and decree Coin and not Currency is intended and meant. . It is further ordered that execution issue for the use of the officers of Court against each party respectively for the costs by him in this behalf incurred except the minors Stephen A & Jessie G. McKinney whose costs will be a charge against their Estates respectively

July 16th 1875.

And Thereupon Court adjourned till to-morrow at 9 o'clock A.M.

Thursday July 15th. 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings was had to wit.

And Court adjourned till to-morrow at 9 o'clock am

Friday June 16th 1875.

Court met at 9 o'clock AM pursuant to adjournment Present Hon. J. D. Richardson Judge 7th Judicial District presiding. Whereupon the following proceedings was had by said Court, to wit.

4235 The State of Texas v Jesse A. Casteel And now comes the District Atty on behalf of the State and came also the Defendant in person and announced ready for Trial. When came a Jury of twelve good and lawful men of Travis County, consisting of John H. Wood and eleven others, who being Tried, elected and sworn according to law, heard the Indictment, the plea of guilty, the charge of the Court, and returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at confinement in the Penitentiary for the Term of 2 years John H. Wood Foreman." Whereupon it is ordered that the Defendant Stand Committed to the County Jail to await Judgment and Sentence

4303 The State of Texas v Austin Blackwell. And now comes the District Atty on behalf of the State and came also the Defendant in person & announced themselves ready for Trial. When came a Jury of 12 good and lawful men of Travis County consisting of John H Wood & eleven others who being tried, elected & sworn according to law, heard the Indictment, the plea of not guilty the evidence & the charge of the Court, returned the following verdict, to wit: "We the Jury find the Defendant not guilty. John H Hood, Foreman." Whereupon it is ordered that said Defendant stand go hence freely acquitted and discharged.

3812. The State of Texas v. John Jackson. Dismissed

3873. The State of Texas v. Lewis Holmes. Continued by the Defendant. And now comes James Mays and George Pierce and acknowledged themselves to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars each, To be levied upon their goods & Chattels, lands tenements and Estate, But to be void upon condition that said James Mays and George Pierce appear before the District Court of Travis County to be held at the Court House thereof in Austin

July 16th, 1875.

on the first Monday in October, 1875, then and there to testify as witnesses on behalf of the Pltff. in the above entitled cause of The State of Texas v. Lewis Holmes, and that he do not depart the Court without leave.

4111/2. The State of Texas v. Ed McClellan. Continued by the State.

4080. The State of Texas v. N. Sansberry. and now comes N. Sansberry and acknowledges himself justly to owe and be indebted unto The State of Texas in the sum of One hundred Dollars to be levied upon ~~this~~ Goods & Chattels Lands Tenements and Estate But to be void upon condition that said N Sansberry make his personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in October 1875, then and there to remain from day to day and from term to term thereafter, to answer an Indictment preferred against said N Sansberry by the Grand Jury of Travis County for the crime of Theft and that he do not depart the Court without leave.

4090. The State of Texas v Frank Smith Continued for cause.

4092. The State of Texas v. Neal Cain. Continued for cause.

4147. The State of Texas v. Dock Stone Continued by consent.

4155. The State of Texas v. G Kluge. Continued

4156. The State of Texas v. Geo. Kluge. Continued

4157. The State of Texas v. A Negro Man. Continued for cause.

✓ 4175. The State of Texas v. Squire Roberts. Come the parties by Atty & announced ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Squire Roberts the sum of Twenty Five Dollars as a fine & the cost of the prosecution and that a Commitment issue to collect the same.

4197. The State of Texas v Jerry Pope. Continued by the State.

✓ 4234. The State of Texas v. J. N. Castle. Dismissed

✓ 4304. The State of Texas v. Jim Ralls. Come the parties by Atty & announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Jim Ralls the sum of Twenty Five Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

✓ 4308. The State of Texas v. Booker Griffith. And now comes Booker Griffith, as principal, and William Wallace, Henry Green, and Fountain Pryor as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Four hundred Dollars to be levied upon their goods & Chattels Land & Tenements and Estate But to be void upon condition that Booker Griffith be and remain in attendance upon the District Court of Travis County now in session & there remain from day to day and from term to term thereafter to answer an Indictment preferred against said Booker Griffith by the Grand Jury of Travis county at the October term 1875 of Travis District Court for theft of a Bull Yearling & that he do not depart the Court without leave.

July 16th, 1875.

4078. The State of Texas v. Mack Diner. And now comes the pltff by her Counsel and also comes the Defendant in person and also by attorney and announce ready for trial. When came a jury of twelve good and lawful men of Travis County consisting of F. Jourdan and eleven others, who being tried, elected and sworn according to law, then heard the Defendant arraigned, his plea of not guilty to the Indictment and in the hearing of the Jury, the evidence, argument of Counsel and the charge of the Court, retired for deliberation, and thereupon said Jury returned into Court the following verdict, to wit: " Jury Room July 16th, 1875. We the Jury find the Defft guilty of manslaughter and assess the punishment to a sentence of (5) five years in the Penitentiary of Texas. F. Jourdan, Foreman." Whereupon it is ordered that said Defendant stand Committed to the County Jail to await judgment and Sentence

4048. The State of Texas v. Moses Steiner. And now come the parties by atty and the Defendant came also in person and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of John N. Wood and eleven others, who being tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We of the Jury find the Defendant guilty and assess the punishment to two years in the State Penitentiary. Austin July 16th 1875. John N. Wood Foreman." Whereupon it is ordered that the Defendant stand Committed to the County Jail to await Judgment and Sentence.

4197. The State of Texas v. Jerry Page. And now come Jerry Page as principal with W. G. Walsh and J. T. Robb as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of Three hundred Dollars, to be levied upon their goods & chattels lands tenements & estate But to be void upon condition that said Jerry Page make his personal appearance before the District Court of the County of Travis to be held at the Court House thereof in Austin on the 1st Monday in October 1875, there to remain from day to day and from term to term thereafter to answer an Indictment pretend against said Jerry Page by the Grand Jury of Travis County at the October Term 1875 of Travis District Court for Murder and that he do not depart the Court without leave.

3682. The State of Texas v. Arundel. And now come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court and the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Arundel the sum of Ten Dollars as a fine & the cost of this prosecution and that a Commitment issue to collect the same.

4196. The State of Texas v. John Henry. And now comes the District atty on behalf of the State and came also the Defendant in person and by atty and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County Consisting of J. W. Brown and eleven others who being tried elected & sworn according to law heard the indictment, the plea of not guilty, the evidence argument of Counsel

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and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty of an aggravated assault and assess fine one hundred dollars J. W. Brown, Foreman." Whereupon it is ordered that the State of Texas do have and recover of said John Henry the sum of One hundred Dollars and the cost of the prosecution & that Commitment issue

v. P. Grasty. Ordered that A. S. Walker, Thomas E. Sneed & Wm Hord be appointed a Committee to examine Thomas P. Grasty in open Court touching his application to practice as an Attorney & Counsellor at Law.

And Court adjourned till to-morrow at 9 o'clock A M.

Saturday July 17th, 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following Proceedings were had by said Court, to wit:

v 4210. The State of Texas v. Felipe Ramirez. And now on this day came the parties by atty & the Defendant in person and announced ready for trial. Whereupon came a Jury of twelve good & lawful men of Travis County consisting of John H Wood and eleven others who being tried, elected & Sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We of the Jury find the Defendant not guilty of the offence charged in the 2nd count. John H. Wood Foreman" Whereupon it is ordered that said Defendant go hence fully acquitted & discharged.

v 3545 Wm Simpson v. Houston & Texas Central Railway. And now come the parties by atty when the Defendant submitted the motion for a new trial in said cause, which being considered, the same is overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

v 3547 Jno. C. Johnson v. Houston & Texas Central Railway Company. And now on this day came the parties to this cause by their attorneys when the Defendant submitted the motion for a new trial, which being considered the same is overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court

v 3548 Rhoads Fisher v. Houston & Texas Central Railway Company. And now on this day came the parties to this cause by their attorneys when the Defendant submitted the motion for a new trial which being considered the same is overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3549. J. B. Barron v. The Houston & Texas Central Rail Road Company. And now come the parties by their attys when the Defendant submitted the motion for a new trial which being considered the same is overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

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3565 State of Texas v. C. Freeman. Comes on to be heard Defendants motion for a new trial, which being Considered the same is overruled.

3565 State of Texas v. C. Freeman. Comes on to be heard Defendants motion in arrest of the judgment, which being Considered the same is overruled.

3566. State of Texas v. C. Freeman. Comes on to be heard Defendants motion for a new trial, which being considered the same is overruled.

3566. State of Texas v. C. Freeman. Comes on to be heard Defendants motion in arrest of the judgment, which being Considered the same is overruled.

4139. The State of Texas v. Frank Colton. Comes on to be heard Defendants motion for a new trial which being considered the same is overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

4149. The State of Texas v. G. H. Irwin. Now comes on to be heard Defendants motion for a new trial, which being considered, it is ordered that said motion be overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court. And thereupon it is ordered that said Defendant gives is guilty of Felony as in the Indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of one year, and because of the notice of appeal it is ordered that Sentence be suspended to await the result thereof.

3846 The State of Texas v. Robert Smith. Dismissed

4091 The State of Texas v. Newell Burditt. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Newell Burditt the sum of Ten Dollars as a fine & the cost of this prosecution and that a Commitment issue to collect the same.

4121. The State of Texas v. John Jackson. Dismissed

4191. The State of Texas v. Peter Bratton. Continued by the State.

4199. The State of Texas v. L. M. Bradley et.als. Comes on to be heard the motion to quash the indictment in this case which being considered the same is overruled. And cause continued by the State.

4200 The State of Texas v. L. M. Bradley et.al. Indictment quashed

4213. The State of Texas v. Dutch Dock. Come the parties by atty when the parties announce ready for trial & waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Dutch Dock the sum of Ten Dollars as a fine & the cost of this prosecution & that a Commitment issue to Collect the same.

4214 The State of Texas v. Buck Walton. Dismissed

4215. The State of Texas v. J. Walker. Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do recover of said J. Walker the sum of Ten Dollars as a fine & the cost of this prosecution & that a Commitment issue to collect same

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✓ 4219. The State of Texas v. Newell Burdit And now come the parties by their attys and announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Newell Burdit the sum of Ten Dollars as a fine & the cost of this prosecution and that a Commitment issue.

✓ 4220. The State of Texas v. Tom Bowles. Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty Whereupon it is ordered that the State of Texas do have & recover of the said Tom Bowles the sum of Ten Dollars as a fine & the cost of this prosecution & that Commitment issue.

4222. The State of Texas v. Jim Moore. Continued.

✓ 4223. The State of Texas v. E. Baker. Dismissed

✓ 4224. The State of Texas v. E. Baker. Dismissed

✓ 4225. The State of Texas v. E. Baker. Dismissed

✓ 4227. The State of Texas v. J. Anthony Dismissed

4228. The State of Texas v. Dick Hart. Continued

4229. The State of Texas v. J. J. Sullivan. Continued for cause.

4230. The State of Texas v. Charles Freeman. Continued by the State.

4239. The State of Texas v. Jo. Jones. Continued by the State.

✓ 4259. The State of Texas v. Elliott. Come the parties & announce ready for trial whereupon a Jury of twelve good & lawful men of Travis County, consisting of J. H. Burns and eleven others who being Tried elected & sworn according to law heard the Indictment the plea of not guilty the evidence, & the charge of the Court & returned the following verdict, to wit: "We the Jury find the Defendant not guilty. J. H. Burns Foreman." Whereupon it is ordered that said Defendant go hence fully acquitted & discharged

✓ 4264. The State of Texas v. R. Henry. Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of R. Henry the sum of Ten Dollars as a fine & the cost of this prosecution & that Commitment issue to collect the same.

✓ 4269. The State of Texas v. Doff. Dismissed

✓ 4271. The State of Texas v. Beers. Dismissed

✓ 4275. The State of Texas v. Wm. Schneider. Dismissed

✓ 4278. The State of Texas v. Geo. F. Weisenberg. Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Geo. F. Weisenberg the sum of Ten Dollars as a fine & the cost of the prosecution & that a Commitment issue to collect the same.

✓ 4287. The State of Texas v. H. M. Peck. Dismissed

✓ 4293 The State of Texas v. Raggio. Dismissed

✓ 4294. The State of Texas v. E. P. Phillips. And now on this day came the parties to this cause and announced ready for Trial. And Defendants motion to quash the Indictment being submitted and duly considered the same is

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overruled, to which ruling the Defendant excepts. When came a Jury of twelve good and lawful men of Travis County Consisting of J. H. Burns & eleven others who being Tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence, and the charge of the Court, retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We the jury find the Defendant guilty and assess the fine at Ten Dollars. J. H. Burns, Foreman." Whereupon it is ordered that the State of Texas do have and recover of E. P. Flores the sum of Ten Dollars as a fine & the cost of the prosecution and that a Commitment issue to collect the same.

1299. The State of Texas v. Solomon et al Continued

1300. The State of Texas v. Virg. Conner. Come the parties by atty & announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty to a simple assault. Whereupon it is ordered that the State of Texas do have & recover of said Virg. Conner the sum of One Dollar as a fine & the cost of this prosecution & that a Commitment issue to collect the same.

1308. The State of Texas v. Booker Griffith. Continued by the State.

1313. The State of Texas v. John Krafe. Dismissed

1445. James Monroe Swisher v. John Milton Swisher et als. In this cause on the application of the plaintiff, and by the consent of all the Defendants it is ordered and adjudged that this cause be referred to an Auditor to take and report an account between the parties to this suit as to any indebtedness by them to the deceased Elizabeth Swisher, and also any debts held or claimed by them or any of them against said deceased, setting forth the said claims and debts particularly, and stating what is due from or to the said parties respectively. And the said Auditor is further charged with the ascertainment of all debts of every nature against the said Elizabeth Swisher which may be due and owing from said deceased. And for the purposes of this reference the said Auditor shall have power to demand of said parties and all other persons having possession of the same all papers belonging to the said deceased: and he shall further have power to examine witnesses in relation to all matters necessary for his report, which witnesses shall be sworn before some officer authorized to administer oaths. And the said Auditor shall make his report at as early a day as practicable. And the parties plaintiff and Defendant consenting thereto, James P. McKinney of Travis County is hereby appointed the auditor to take and state said account

3464. R. N. Lane et al. v. Eliza C. Green et als. Upon motion duly made it is ordered that M. M. Neil & S. D. Hamm have be made parties Defendant in this cause.

3464. R. N. Lane et als v. Eliza C. Green et als. And now come the parties by their attorneys when on motion it is ordered that the parties have leave to substitute the papers which have been lost in this cause.

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3416. The State of Texas v. Mart. Burnham. It appearing to the Court that John C. Burleson, one of the jurors empannelled in this case, has escaped from the jury room, it is ordered that the Sheriff of Travis County do pursue said Burleson and bring him into Court, to be dealt with according to Law.

And Court adjourned till Monday morning at 9 o'clock.

Monday, July 19th, 1875.

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J.P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had, to wit:

4062. The State of Texas v. S. Valdera. Dismissed

3839. The State of Texas v. A. S. Mair. This cause being called for trial the witness R. H. & Bibb failing to appear and testify in this case, he being distinctly called at the door of the Courthouse of Travis county, and the witness, after a reasonable length of time, still failed to appear. And it appearing to the Court that the witness R. H. & Bibb, did enter into recognizance in open Court substantially as follows: Dated 12th day of November A.D. 1874, payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said witness R.H.& Bibb make his personal appearance at the District Court of said county of Travis then in session, to testify as a witness in the said cause No. 3839, of the State of Texas against A.S. Mair, on behalf of the plaintiff, 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, which said Recognizance is forfeited. And it is Considered by the Court that the State of Texas do have and recover of the said R.H.& Bibb the said sum of one hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant witness did not appear. And further ordered that citation do goin.

4209. The State of Texas v. J.J. Sullivan. This cause being called for trial the Defendant J.J. Sullivan failing to appear and answer to the indictment in this case he and his securities Geo. W. Sampson and J.P. Blessington being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant J.J. Sullivan, with the said Geo. W. Sampson and J.P. Blessington as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 27th day of May, 1875, payable unto The State of Texas in the sum of two hundred and fifty dollars, conditioned that the said Defendant J.J. Sullivan make his personal appearance at the District Court of said County of Travis on the 1st Monday in June 1875 to answer any indictment that might be preferred against the said Defendant J.J. Sullivan by the Grand Jurors of Travis county for an assault and battery with the intent to kill and murder one N. Gossett, and there remain from day to day and from term to term of said Court, and that he do not depart thence

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without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Defendant J. J. Sullivan and his said securities Geo. W. Sampson and J. P. Blossington the said sum of two hundred and fifty dollars, and that this judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant J. J. Sullivan did not appear. And further ordered that citations do issue to the said securities

Thomas P. Grasty and E. T. Cook

Upon a hearing of the Report of the Committee appointed to examine in open Court Thomas P. Grasty and Edward T. Cook touching their applications to practice law, it is ordered that said applicants be admitted to practice as attorneys and Counsellors at law in the several District and Inferior Courts of the State of Texas, and that Licenses do issue

✓ 4233. The State of Texas v. J. J. Sullivan. This cause being called for trial the Defendant J. J. Sullivan failing to appear and answer to the indictment in this case he and his securities Geo. W. Sampson and J. P. Blessington being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant J. J. Sullivan with the said Geo. W. Sampson and J. P. Blessington as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 7th day of June A.D. 1875, payable unto The State of Texas in the sum of two hundred and fifty dollars, conditioned that the said Defendant J. J. Sullivan make his personal appearance at the District Court of said County of Travis on the 1st Monday in June 1875, to answer any Indictment that might be preferred against the said Defendant J. J. Sullivan by the Grand Jurors of Travis county for Robbery, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Defendant J. J. Sullivan, and his said securities ~~the~~ Geo. W. Sampson and J. P. Blessington the said sum of two hundred and fifty dollars, and that this judgment will be made final unless good cause be shown at the next terms of this Court why the said Defendant J. J. Sullivan did not appear. And further ordered that citations do issue to the said securities

✓ 4014. The State of Texas v. Jim Whitehead. This cause being called for trial the Defendant Jim Whitehead failing to appear and answer to the indictment in this case he and his securities A. B. Neumann and J. R. Graham being distinctly called at the door of the Courthouse of Travis county and the Defendant after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Jim Whitehead with the said A. B. Neumann and J. R. Graham as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 25th day of February A.D. 1875 payable unto The State of Texas in the sum of One hundred dollars, conditioned that the said Defendant Jim

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Whitehead make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Jim Whitehead alias James Whitehead, by the Grand Jurors of Travis county, at the February Term A.D 1875, for Betting at Monte, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have recover of the said Defendant, James Whitehead alias Jim Whitehead, and his securities A.B. Neumann and J. R. Graham the said sum of One Hundred Dollars and that this judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant James Whitehead did not appear. And further ordered that citations do issue to the said securities

1023. The State of Texas v. Bat. Lane. This cause being called for trial the Defendant Bat. Lane failing to appear and answer to the indictment in this case, he and his securities S. D. Meeks and W. J. Lewis being distinctly called at the door of the Courthouse of Travis county and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Bat. Lane, with the said S. D. Meeks and W. J. Lewis as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 31st day of March 1875 payable unto the State of Texas in the sum of One Hundred dollars, conditioned that the said Defendant Bat. Lane make his personal appearance at the District Court of said County of Travis on the 1st Monday in June, 1875 to answer the indictment preferred against the said Defendant Bat. Lane by the Grand Jurors of Travis County at the February Term 1875 for Exhibiting Monte and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Bat. Lane, principal, and S. D. Meeks and W. J. Lewis securities the said sum of one hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Bat. Lane did not appear. And further ordered that citations do issue to the said securities

187. Martha Mitchell vs Minnie B. Burditt, Jesse Burditt & John D. Miller. And now at this day came all the parties to the above entitled cause by their attorneys and announced themselves ready for trial. And thereupon a jury was waived, and by consent of all parties the matters of law and of fact were submitted to the Court. And thereupon the following agreement as to the judgment to be entered in said cause was read in open Court and filed among the papers in said cause, to wit:

" No 187. Mitchell vs Burditt. 2n District Court Travis county. The following " memorandum of Settlement of the above entitled cause witnesseth as follows:

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"1st. John T. Miller having become the owner of the title of Burditts to the land
"in dispute between the parties in said cause, is to appear & make himself a party
"to said suit as Defendant."
"2d John T. Miller pays to Mrs Martha Mitchell Seven hundred and forty-five dollars
"and is to pay all costs of said suit."
"3. The land within the disputed boundaries is to be vested in said Miller by decree of
"the Court, so as to quiet the title to the same in him, it being the land described
"enclosed by his fence and the extension of said line with his fence line.
"4th Decree as above is to be prepared and entered in the approaching term of the
"District Court of Travis county. Austin, May 31st 1875." "John T. Miller."
"N. G Shelley"
"atty for Mrs Mitchell." ✓3

And the Defendant John T. Miller having fully paid to plaintiff the said sum of Seven hundred and forty-five dollars being the amount of unpaid purchase ✓3
money owing by Jno. D. Henry's estate to plaintiff, And thereupon it is ordered adjudged and decreed that the boundary line between the eight hundred acre tract owned by the plaintiff and the six hundred acre tract now owned ✓4
by the Defendant John T. Miller, be and the same are hereby so altered and changed that the field notes of the said six hundred acre tract be hereafter as set forth below: the sole object of this change being to carry out and conform to the above agreement, so that by this change in the lines the said Defendant John T. Miller may be quieted in his title to all the land along the line of his fence and which is now enclosed by it, and to extend the line as provided by said agreement, to the end of said Miller's line, all of which is effected and done by the following field notes. ✓4

Beginning at a stake on the West bank of the Colorado River about five miles below the City of Austin, from which an Elm 12 in bears S. 23½° W. 21½ vs. and another Elm 12 in. bears S. 51° W. 15½ vs both marked X and a Pecan 30 in. bears N. 24° W. 11½ vs and an Elm 30 in. N. 86 W. 19½ vs. both marked X This said Stake is 148 vs below the upper corner on said river of the Robt. Mitchell 800 acre tract apart of same league, said upper corner of R. Mitchell tract is described in the latters deed from Sims and Curtis to him dated the 18 Dec. 1853. to wit. " a stake, a Cottonwood bears S. 30° E. 22 varas marked X also Elder bears S. 33 W. 4 vs. distant marked X" and said stake is 718 varas N° 45° W. from the West line of S. Highsmiths tract conveyed 23 July 1839 off of same league: thence from said stake first mentioned S. 45° W. 3465 vs. to a stone planted in the ground from which a hackberry 4 in. bears North 27 2 vs and a gum Elastic 4 in. bears S. 84° W. 22½ vs both X thence N. 45° W. with J. T. Miller's fence on the right, and Mrs. Henry, A. Davidson's and Jim Thompson's fields on the left: 1372 vs to a corner on the upper or West line of said league. thence N. 45° E. with said upper or West line 2060 vs. to the N. W. corner of said 600 acre tract.

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Thence S. 45° E. with the North line of said 600 acre tract 886 vs to an inside corner of said 600 acre tract: thence N. 45° E. with a line of said 600 acre tract about 1200 vs to the upper corner on said river of said 600 acre tract thence down said river with its meanders and passing the said upper corner on said river of said R. Mitchells 800 acre tract to the place of beginning.

All of which land as above embraced is vested in the said John D. Miller: and the clerk of said Court is hereby ordered to furnish a copy of this decree to said J.T. Miller to be recorded in the Registry of Deeds of Travis County. This further ordered that the said Plaintiff Marcha Mitchell do have and recover of and from the said John T. Miller all the costs of this suit in the Supreme Court as well as in this Court, for which execution may issue.

✓ 3464. R.N. Lane et al v. Eliza C. Green et al. Upon motion it is ordered that James H. Raymond be appointed Special guardian for the minor Defendants herein.

✓ 3752 Sarah A. Gilbert et al. vs. Alex McRae et als. Upon motion it is ordered that J.E. Campbell be appointed Commissioner of Partition in this cause in place of Aaron Burleson heretofore appointed.

✓ 4285. Orlando Caldwell vs W. A. Oatman. Come the parties by atty when on motion it is ordered that both parties have leave to amend their pleadings.

and thereupon Court adjourned till to-morrow at 9 o'clock a.m.

Tuesday July 20th 1895.

Court met at 9 o'clock a.m. pursuant to adjournment. Present Hon. J.P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had, to wit:

✓ 4129 The State of Texas v. Jo. Wadsworth. This cause being called for trial the Defendant Jo. Wadsworth failing to appear and answer to the indictment in this case, he and his securities C. Ricks and Jno. M. Eastley being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Jo. Wadsworth with the said E. Ricks and Jno. M. Eastley as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 18th day of June A D 1895 payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said Defendant Jo. Wadsworth make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant Jo. Wadsworth by the Grand Jurors of Travis County at the June Term A.D. 1895, for Exhibiting Monte and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Jo. Wadsworth principal and E. Ricks and Jno. M. Eastley as securities, the said sum of One hundred dollars, and that this judgment will

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be made final unless good cause be shown at the next term of this Court why the said Defendant Jo. Wadsworth did not appear And further ordered that citations do issue to the said securities.

J 3416 X The State of Texas v. Matt. Burnham. John C. Burleson having appeared in open Court and made answer to the charge of being in Contempt of Court, and it appearing that said Burleson is guilty of breaking from the jury room and leaving the consideration of the case without being discharged, It is ordered that said Burleson is guilty of contempt, and that he be fined in the sum of Fifty Dollars, and the Sheriff is ordered to commit him to jail until the same is paid.

J 4297. The State of Texas v. Phil Dei. Dismissed

J 4198. The State of Texas v. M. J. Hawley. Dismissed

J 4151. The State of Texas v. E. Baker. Dismissed

J 4152. The State of Texas v. E. Baker. Dismissed

J 4153. The State of Texas v. E. Baker. Dismissed

J 3952. Ernst Raven v. E. J. Davis et als Continued. And the Auditor is allowed till next term to make his report.

J 3893. The State of Texas v Lewis Holmes. Comes now the District Atty & the Defendant in person when on motion it is ordered that the continuance entered herein be set aside. And the parties thereupon announced ready for trial. When came a jury of twelve good and lawful men of Travis county, consisting of John H. Wood and eleven others, who being tried, elected and sworn according to law heard the Indictment, the plea of guilty thereto, and the charge of the Court, returned the following verdict, to wit: "We the jury find the Defendant guilty and assess the punishment at five years in the Penitentiary. John H. Wood, foreman." And thereupon the Defendant waives his right to a motion for a new trial, and asks to be sentenced. And the Defendant being asked if he had anything to say why judgment should not be entered and sentence pronounced in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason, It is ordered that said Lewis Holmes is guilty of felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of five years, and that he be taken by the Sheriff and safely delivered to the Superintendant of said Penitentiary there to be confined as aforesaid.

J 4285. X Orlando Caldwell v. W. A. Catman. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. When came a jury of twelve good and lawful men of Travis county, consisting of F. M. Rundell and eleven others, who being tried, elected and sworn according to law heard the pleadings, evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "Jury Room, July 20th/75. We the Jury find for the Plaintiff $7.533 33 1/3 Cts, with a vendor's lien upon the property

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described in the plaintiffs petition. F. M. Rundell, foreman." Whereupon it is ordered and adjudged that Orlando Caldwell do have and recover of & from the Defendant W. A. Oatman the sum of Seven thousand five hundred and thirty-three dollars and thirty-three & 1/3 cents in gold, with interest thereon in gold at the rate of ten per centum per annum, from this date until paid, and all the cost of this suit, for all which execution may issue.

And it appearing that the plaintiff has a vendors lien upon the following described property, to secure the payment of the judgment rendered herein, to wit: " all that lot or parcel of ground situated, lying and being in the County of Bastrop, and being in the subdivision of ground made by the husband of L. W. Caldwell. beginning at the S. E. corner of subdivision No 1. thence S. 30° W. 1360 varas to the S. E. corner of the same; thence S. 60° E. 890 varas to the S. W. corner of No 3 on Red Gully: thence down said gully with its meanderings to the N. W. corner of no. 5, a large rock in said gully at the mouth of ravine: thence N. 60° W. 1050 varas to E. prong of Cotton wood: thence up the said prong to the place of beginning, containing three hundred and Seventy-eight acres.

Also all the following described lot or parcel of land beginning at a stake on the South Bank of the Colorado River in the County aforesaid from which an Elm tree 8 in. dia. bears N. 60° W. one vara distant and an Ash tree 12 in. dia. bears S. 60° W. 7 varas distant, the same being the upper front corner on the said river of a tract of land titled by John Caldwell to his son Walter H. Caldwell: thence S. 30° W. 3792 varas to a ravine in the prairie: thence S 22° W. 1294 varas to a stake; the same being Walter H. Caldwells most western back corner: thence S. 30° W. 1000 varas to a stake and rock mound, and Elm tree for a bearing on the West Bank of Cottonwood Branch: thence N. 60° W. 1205 varas to the Eastern boundary line of a tract of land heretofore conveyed by the said John Caldwell to his daughter Lucinda N. Hill: thence N. 30° E. alongwith the said Lucinda's Eastern boundary line to her North eastern corner on the Colorado river, which forms the North Western corner of this Survey: thence down the said river following the meanders of the same to the place of beginning, containing 1389 acres of land, and being a part of the seven leagues of land granted to Antonio Navarro-Bock of said tracts of land containing in the aggregate 1767 acres of land more or less- Also, about 75 head of hogs, ten yoke of oxen, with yokes: chains, &c: 3 mules: 5 head of horses: 2 wagons and 1 buggy: 1 set of harness for mule wagon: and 1 set of hames with the buggy: all the ordinary farming utensils, all household and kitchen furniture (with the exception of afew articles): about 1400 bushels of corn the quantity not being warranted: also all cattle in said Caldwells brand, implements, animals, &c. &c. on and belonging to said farm

It is therefore ordered and adjuged that

For value received, I transfer the judgment rendered in this case in favor of Orlando Caldwell vs. W. A. Oatman, for $7,533⅓ & costs, bearing 10 per centum interest, with vendors lien. June 18th 1876.

Orlando Caldwell

Judgment rendered in this case No. 4128 in favor of Orlando Caldwell vs. W. A. Oatman, for $7,533⅓ & costs. June 18th 1876.

W. H. Caldwell, the
Caldwell vs. W. A.
with vendors lien

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said lien be foreclosed upon the property hereinbefore described: that an order of sale do issue requiring the Sheriff of Bastrop County, to levy upon, advertise, and sell, as under execution, the said before described property, and the proceeds thereof he shall apply to the satisfaction of the principal due on this Judgment, the interest to accrue thereon, and the cost of this suit: and the overplus, if any, he shall pay over to the Defendant. But if said property shall not bring a sufficiency, then execution may issue for any balance that may be due.

And Court adjourned till to-morrow at 9 o'clock A.M.

Wednesday, July 21st, 1875.

Court met at 9 o'clock a.m. pursuant to adjournment. Present Hon. J.P. Richardson, Judge 27th Judicial District presiding. Whereupon the following proceedings were had, to wit:

4073 The State of Texas v. Mark Tiner. And now comes the District Attorney and the Defendant by his counsel, when the Defendant submitted his motion for a new trial in said cause. And the same being heard, and considered by the Court, it is ordered that said motion be overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court. And thereupon it is ordered that said Mark Tiner is guilty of Felony, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of five years, as fixed by the jury who tried his case, and because of the notice of appeal it is ordered that Sentence be suspended to await the result thereof.

4048. The State of Texas v. Moses Steiner. And now comes the Defendant in open Court and being asked if he had anything to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason, it is ordered that said Moses Steiner is guilty of Felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of two years, and that he be taken by the Sheriff and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor as aforesaid.

4149. The State of Texas v. G. H. Irwin. And now comes the Defendant in open Court and withdraws the notice of appeal given by him: and being asked if he had anything to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the jury who tried his case, and giving no sufficient reason. It is ordered that said G. H. Irwin is guilty of felony as in the indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of one year, and that he be taken by the Sheriff and safely conveyed to the Superintendant of said Penitentiary there to be confined at hard labor as aforesaid.

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✓ 4165. The State of Texas v. John alias Pat. Brown. And now comes the Defendant in open Court, and being asked if he had anything to say why judgment should not be entered and Sentence pronounced against him in accordance with the verdict of the jury who tried his case, and giving no sufficient reason, it is ordered that said John alias Pat Brown is guilty of felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of five years, and that he be safely conveyed by the Sheriff to the Superintendent of said Penitentiary there to be confined at hard labor for the term aforesaid.

✓ 4167. The State of Texas v August Wilson. And now comes the Defendant in open Court and withdraws the appeal entered: and being asked if he had anything to say why Judgment should not be entered and sentence pronounced against him in accordance with the verdict of the jury who tried his case, and giving no sufficient reason, it is ordered that said August Wilson is guilty of felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of three years and six months, and that he be safely conveyed by the Sheriff to the Superintendent of said Penitentiary there to be confined at hard labor for the term aforesaid.

✓ 4235. The State of Texas v. Jesse N. Eastes. And now comes the Defendant in open Court and being asked if he had anything to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the jury who tried his case: and giving no sufficient reason, it is ordered that said Jesse N. Eastes is guilty of felony as in the indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of two years: and that he be safely conveyed by the Sheriff to the Superintendent of said Penitentiary there to be confined at hard labor for the term aforesaid.

✓ 4301. The State of Texas v Harry Smith. And now comes the Defendant in open Court and being asked if he had anything to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the jury who tried his case, and giving no sufficient reason, it is ordered that said Harry Smith is guilty of felony as in the indictment in this behalf is charged: and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of two years: and that he be safely conveyed by the Sheriff to the Superintendent of said Penitentiary there to be confined at hard labor for the term aforesaid.

✓ 4303. The State of Texas v. Austin Blackwell. And now comes the Defendant in open Court and being asked if he had anything to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the jury who tried his case, and giving no sufficient reason, it is ordered that said Austin Blackwell is guilty

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of Felony as in the indictment in this behalf is charged: and that he be confined at hard labor in the Penitentiary of the State of Texas for a period of five years: and that he be safely conveyed by the Sheriff to the Superintendent of said Penitentiary there to be confined at hard labor for the term aforesaid

And thereupon Court adjourned till to-morrow at 9 o'clk. a.m.

Wednesday, July 21st 1875.

Court met at 9 o'clock a.m. Pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

v 3150 W. A. Shaw et.als. v. E. Norwood et.als. And now come the parties by their attorneys when the Defendants submitted their motion for a new trial which being heard and duly considered by the Court, it is ordered that said motion be overruled. Whereupon the Defendants give notice in open Court of an appeal to the Supreme Court.

1 H 319. W. C. Phillips v. S. M. Wright. And now comes the plaintiff by atty and asks that the writ of inquiry heretofore awarded be now executed. Whereupon came a jury of twelve good and lawful men of Travis County consisting of John H. Wood and eleven others who being tried, elected and sworn according to law, heard the pleadings, the evidence and the charge of the Court, returned the following verdict, to wit: "H 319. Phillips v. Wright. We the Jury find for plaintiff the sum of one hundred and forty two Dollars in gold, and we further find that he has a lien on the property described in his petition to secure the payment of the same. John H. Wood, foreman." Whereupon it is ordered and adjudged that W. C. Phillips do have and recover of S. M. Wright the sum of one hundred and forty-two dollars in gold, with interest thereon from this date until paid at the rate of two & one half per cent. per month, and all the cost of this suit, for which execution may issue And it appearing that the plaintiff has a lien upon the following described property to secure the judgment rendered herein, to wit: one wagon and two horses, one a sorrel and the other a bay= it is ordered that said lien be foreclosed, and that an order of Sale do issue requiring the Sheriff to levy upon, advertise, and sell, as under execution, the above described property and the proceeds thereof he shall apply to the satisfaction of the judgment interest & cost herein - and the overplus if any he shall pay over to Defendant: But if said property shall not bring a sufficiency then execution may issue against Defendant for the remainder.

1 H 413 First National Bank of Austin v. W. C. Clemons et.als. And now comes the plaintiff by atty and asks that a writ of inquiry be executed. And thereupon came a jury of twelve good and lawful men of Travis county consisting of John H. Wood and eleven others who being tried elected & sworn according to law, heard the pleadings, evidence, and the charge of the Court, returned the following verdict, to wit: "We the jury find for the plaintiff debt three hundred dollars coin, interest $18 12/100 & cost of collection

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$31.81, in all $349 93/100 Coin. John. H. Wood, foreman." Whereupon it is ordered and adjudged that the First National Bank of Austin do have and recover of and from the Defendants W. C. Clemons, J. A. Clemons and T. H. Burnes the sum of three hundred, forty nine and 93/100 Coin dollars, so assessed by the Jury, together with ten per centum per annum interest thereon from this date until paid, and all the cost of this suit, for all which execution may issue

3464. R. N. Saner et al. vs Eliza C. Green et als. On motion it is ordered that William Walsh and A. B. McGee be appointed Commissioners of Partition in this case, in connection with Joseph Spence, heretofore appointed.

3157. The State of Texas v. Charles Coney. This cause being called for trial the Defendant Charles Coney failing to appear and answer to the indictment in this case he and his securities Simon Loomis and Charles Walf being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Charles Coney, with the said Simon Loomis and Charles Walf as his securities, did enter into Recognizance in open Court in this case substantially as follows. Dated 3d. day of July, 1874 payable unto The State of Texas in the sum of One thousand dollars, conditioned that the said Defendant Charles Coney make his personal appearance at the District Court of said County of Travis on the 1st Monday of October, 1874, in order to abide the judgment of the Supreme Court of the State of Texas on the charge of making an aggravated assault upon one Louis Breschiani, the said cause being then upon appeal, 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, which said Recognizance is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Defendant Charles Coney as principal and Simon Loomis and Charles Walf as securities the said sum of One thousand dollars and that this judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant Charles Coney did not appear. And further ordered that citations do issue to the said securities.

3620. The State of Texas v. Gus Luckett, alias Gus Evans. This cause being called for trial the Defendant Gus Luckett alias Gus Evans failing to appear and answer to the indictment in this case, he and his security Bristac Gerret being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Gus Luckett alias Gus Evans with the said Bristac Gerret as his security, did execute the Bail Bond on file in this case substantially as follows. Dated 30th day of October 1874, payable unto The State of Texas in the sum of One hundred dollars conditioned that the said Defendant Gus Luckett alias Gus Evans make his personal appearance at the District Court of said County of Travis

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them in reposion to answer an Indictment hefeud against the said Defendant Geo Suckett alias Geo. Evans by the Grand Juors of Travis County at the Octobr Term A D 1874. for Betting at monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is prfeited. And it is considered by the Court that the State of Texas do have and recover of the said Geo. Suckett alias Geo Evans, as Principal and Bristae Gerret security the said Sum of One hundred dollars and that this Judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant Geo. Suckett alias Geo. Evans did not appear. And further ordered that citation do issue to the said security.

1076. The State of Texas v Charles Fergeson. This cause being called for trial the Defendant C. L. Ferguson alias Charles Fergeson failing to appear and answer to the indictment in this case he and his securities I. J. Good and Will Henricks being distinctly called at the door of the Courthouse of Travis County, and the Defendant after a reasonable length of time still failed to appear and it appearing to the Court that the Defendant C. L. Ferguson with the said I. J. Good and Will Henricks as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 4th day of June 1875 payable unto The State of Texas in the Sum of Two hundred and fifty dollars conditioned that the said Defendant C. L Ferguson make his personal appearance at the District Court of said County of Travis on the 1st Monday in June 1875 to answer any Indictment that might be prefered against him the said C. L. Ferguson by the Grand Juors of Travis County at the June Term A D 1875 for making and aggravated assault and Battery on one William Bates, 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said C. L. Ferguson Principal and I. J. Good and Will. Harricks, securities the said Sum of Two hundred and fifty dollars, and that this Judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant C. L. Ferguson did not appear. And further ordered that citations do issue to the said securities

4256. The State of Texas v. Roger Blunt. Dismissed

4270. The State of Texas v. Gustave Hefs. Come the parties by agrt when the Defendant submitted his motion to quash the indictment, which being considered is overruled to which ruling the Defendant excepts.

4296. The State of Texas v. Martin Robese. Come the parties by atty & the Defendant came in person and the parties announced themselves ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon the ordered that the Defendant Stand Committed to the County Jail for one day. & that the cost thereof be adjudged against the Defendant. & that he be committed to jail until the same are paid

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C.C. Johanson

The State of Texas } C.C. Johanson being duly sworn, according to law,
County of Travis } in the District Court of said County, doth declare that he was born in the year A.D. 1842 in the Kingdom of Sweden, whence he emigrated in the year 1868 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 bonafide his intention to become a citizen of the United States and of the 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 Sweden of whom he is a subject. C.C. Johanson.

Sworn to and subscribed before me this 21st day of July 1875, in open Court. Frank Brown, Clerk.

v 4401 R.D. Cude v. W.A. Morris, Adm'r et als And now on this day came the plaintiff and claims a judgment final by default against Deft. S.H. Hudson. And because the Deft. S.H. Hudson has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated it is ordered and adjudged that said R.D. Cude do have and recover of said S.H. Hudson the sum of five thousand, two hundred, forty-eight + 28/100 Dollars, debt and interest due upon the instrument sued on to this date, together with interest thereon from this date until paid at the rate of twelve per centum per annum and all costs of this suit, for which execution may issue

And thereupon come the plaintiff and the Defendant W.A. Morris, by their attorneys and announced ready for trial and waiving a jury submit the case to the Court. And the Court having heard the pleadings, the evidence and the argument of Counsel, and duly considered the same, it is ordered and adjudged that the said R.D. Cude do have and recover of the estate of J.H. Mabry deceased, W.A. Morris, Administrator, the sum of five thousand two hundred, forty-eight + 28/100 Dollars, debt and interest due upon the instrument sued on to this date, together with interest thereon from this date until paid at the rate of twelve per centum per annum, and all the costs of this suit, and the same shall be held and considered as a just and established claim against the estate of said J.H. Mabry, to be paid in due course of administration

And it appearing that said Mabry was surety for the Defendant Hudson, and not a principal debtor, on the instrument sued on, it is ordered and adjudged that said W.A. Morris, Adm'r of said J.H. Mabry, do have and recover judgment over against the said S.H. Hudson for the full sum of $5248. 28/100 Dollars, with interest thereon from date until paid at the rate of 12 per centum per annum and all the costs of this suit: and if said estate should be compelled to pay this judgment, or any portion thereof, then

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execution may ifsue in favor of said estate against said Hudson for the full amount thereof or any portion thereof that said estate may be compelled to pay. And thereupon said Morris gives notice in open Court of an appeal to the Supreme Court

✓4076 Henry Burkhardt v. Mary Burkhardt. now comes the plaintiff by attorney when on motion it is ordered that said Plaintiff have leave to amend.

✓3293 The State of Texas v. John Ivey. Comes on to be heard Defendants motion to be discharged from custody, which being considered the same is overruled, for the reason that the bail was discharged when the Defendant was placed in custody of the Sheriff when he was placed on trial Paschal's Dig 3010-3011 To which ruling the Defendant excepts

✓4285 Orlando Caldwell v. W. A. Oatman. Now comes on to be heard the motion of Defendant for a new trial, which being considered the same is overruled Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

✓4076 Henry Burkhardt v. Mary Burkhardt. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. When came a jury of twelve good and lawful men of Travis county consisting of C. A. Denny and eleven others who being tried, elected and sworn according to law, heard the pleadings, evidence, and the charge of the Court and retired for deliberation. And thereupon said jury returned into Court the following verdict, to wit.

" We the Jury find in the case of Burkhart vs. Burkhart that the
" following allegations set forth in the petition to be true.
" First. That they were married and were man and wife.
" 2nd That the threats against his life were proven. she was an habitual drunkard
" 3d. That the threats against his life were proven.
" 4th. That the cruel treatment was proven.
" 5. That she was interfering with his business and failed to perform the
" duties of a wife. C. A. Denny, foreman."

It is therefore ordered and adjudged by the Court that the Bonds of Matrimony heretofore celebrated and existing between Henry Burkhardt and Mary Burkhardt be and the same are set aside, vacated, held for naught and forever dissolved, and the parties are held to be divorced from said Bonds of Matrimony. And further ordered that the plaintiff recover of the Defendant all the costs of this suit, for which execution may ifsue. And further ordered that execution ifsue in favor of the officers of Court against the plaintiff and the securities on his cost bond for all the cost incurred & unpaid plaintiff

And Court adjourned till to-morrow at 9 am

July 22nd 1875.

Thursday July 22nd 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.P. Richardson Judge 27th Judicial District presiding. Whereupon the following Proceedings were had to wit:

Defaulting Jurors. And thereupon it is ordered by the Court that Lacy McKenzie, David Fields, J. R. Schumake and T. T. Bacchop, be fined in the sum of thirty dollars each for failing to attend on this Court to serve as jurors, they having been duly summoned by the Sheriff for that purpose: and that writs of Scire facias do issue to each of them returnable to the next Term of this Court, commanding them then and there to appear and shew cause if any they can why the fines herein imposed upon them should not be made final.

Clerk & Sheff Compensation Cancelled. Bonds filed. Fees allowed. And thereupon it is ordered by the Court that Frank Brown, Clerk of this Court and Geo. B. Zimpelman Sheriff of Travis County be allowed the sum of one hundred and Twenty dollars each for extra services at this term of the Court, pay able out of the County Treasury of Travis County, upon the certificate of the clerk.

1/2265. The State of Texas v. B. Hadra. This cause being called for trial the Defendant B. Hadra failing to appear and answer to the indictment in this case he and his securities W. A. Morris and W. A. East being distinctly called at the door of the Courthouse of Travis county and the Defendant, after a reasonable length of time stood failed to appear. And it appearing to the Court that the Defendant B. Hadra, with the said W. A. Morris and W. A. East as his securities did execute the Bail Bond on file in this case substantially as follows: Dated day of June 1875, payable unto the State of Texas in the sum of One hundred dollars, conditioned that the said Defendant B. Hadra make his personal appearance at the District Court of said County of Travis then in session to answer the indictment preferred against the said Defendant B. Hadra by the Grand Jurors of Travis county at the June Term A.D. 1875 for Pursuing occupation of physician without obtaining License therefor 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, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said B. Hadra principal and W. A. Morris and W. A. East, sureties the said sum of one hundred dollars and that this judgment will be made final unless good cause be shown at the next Term of the Court why the said Defendant B. Hadra do not appear. And further ordered that citations do issue to the said securities.

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v 3752 Sarah F. Gildart et al vs Alex L. McRae et. als Suit pending in the District Court July Term, 1875. This cause coming on to be heard on Report of Commissioners in Partition appointed at a former term of this Court, there being no objection to said Report by either party and the same appearing to the Court that said Partition has been duly made, the said Report is in all things approved And it is further adjudged and decreed that all the right, title and interest of Richard J. Sloyd, Wm S. Sloyd, Bridget Davis, Robert McRea, and Alex. McRae, heirs of Matilda Sloyd, and the heirs of John H. Sloyd in and to Lot No. 1 of said Partition, which is bounded as follows: Beginning at the N.W. corner of Lot No. 11, also the N.W. corner of the Duty League, thence with the W. boundary of Lot No. 11 also Duty league line S. 30° W. 1894/5 varas to a stake in Mesquite prairie: thence S. 60° E. 152 varas to a stake on E. line of said Lot No. 11, thence N. 30° E. 1894/5 varas to rock pile on the N. line of said league: thence N. 60° W. 152 varas to N.W. corner said league, containing fifty-one acres.

Also in and to twenty-six acres part of original Lot 6 bounded as follows: Beginning at N.W corner of Lot 6 a stake on league line 2240 varas South 30° W. from the base line in Sackett's Survey or report: thence S. 60° E. 336¼ varas to a stake: thence S. 30° W. 436 3/5 varas to a stake: thence N. 60° W. 336¼ to a stake on West line of said league: thence N. 30 E on league line 436 3/5 varas to place of beginning on N.W. corner of Lot 6

Be and the same is hereby divested from them and fully vested in said Sarah F. Gildart, Abbie Hill and Jared W. Hill, heirs of Francis Sloyd, Hill they having drawn said lots in said report and partition described

It is further ordered adjuged and decreed that all the right, title and interest of said named heirs except Biddie Davis in and to Lot No 2 of this partition bounded as follows: twenty-six acres in the N.E. corner of Lot 6- beginning at said N.E. corner of Lot 6: thence S. 30 W. 436 3/5 varas to a stake: thence N. 60° W. 336 1/4 varas to a stake: thence N. 30° E. 436 3/5 varas to a stake on N. line of Lot 6: thence S. 60° E. 336¼ varas to place of beginning

- Also 20 4/10 acres in Block 4 of original partition: beginning at a stake for S.W. corner of Duty League. Beginning N. 30° E. 121 2/3 varas to line of subdivision of Lot 4 a stake from which a cedar tree 8 in. in dia. marked X bears S. 30 W. 4½ vrs. dist. a Pecan 15 in. in dia. marked X bears S. 73 3/4 E. 14½ vrs. dist. thence on the league line N. 30 E. 171 1/4 varas to a stake from which a cedar 7 in in dia. mkd X bears N. 86½ E. another cedar 7 in dia. mkd X bears S. 6 E. 8¼ vrs. dist: thence S. 60° E. 672½ varas to a stake from which a cedar tree 8 in. in dia. mkd X bears S. 73 3/4 W. 6¼ varas dist. a double hackberry mkd X bears S. 46° 10 W. 2 4/5 varas dist. thence S. 30 W. 171¼ varas to a stake from which a hackberry mkd X 14 in in dia. bears S. 62½ E. 3 3/4 vrs. dist. Another hackberry 6 in in dia. mkd X bears N. 28½ W. 10½

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vrs. dist. thence N. 60° W. 672½ varas to place of beginning - he and the same is divested from them the said parties and fully vested in her the said Biddie Davis herheirs and assigns.

It is further ordered adjudged and decreed that all the right, title and interest of all of said named heirs except the children of James H. Sloyd in and to Lot No 3 of this partition to wit: 46 7/10 acres in North division of Lot No 4 described as follows. Beginning at N.W. cor of Survey for Biddie Davis in Lot No 4 a stake from which a cedar 7 in. in dia. mkd X bears N. 86½ E. 9 varas dist and another cedar mkd X bears S. 6° E. 8¼ vrs. dist. thence N. 30° E. 389½ vrs on West league line to stake in prairie spot: thence S. 60° E. 672½ varas to a stake from which a box elder 14. in in dia. mkd X bears N. 59½ W 8 vrs. dist. thence S. 30° W. 389½ vrs to a stake from which a cedar 8 in dia. mkd X bears S. 73¾ W. 6¼ varas dist. a double hackberry IX bears S. 46 1/2 W. 2 4/5 vrs dist. thence N. 60° W. 672½ vrs to place of beginning, he divested from them the said heirs as is hereby fully vested in the heirs of him the said James H. Sloyd.

It is further ordered, adjudged and decreed that the right, title and interest of all of said named heirs except Robert and Alex. McRae, Richard J. Sloyd and Wm S. Sloyd, the said Alex S. McRae owning the interests of said Richard J. and Wm S. Sloyd in and to Shares 4 of this partition being portions of 4. 6 and 11 and Lot 15 not included in the three preceding shares, is hereby divested from them the said heirs and the same is described by the plat of Commissioners therewith returned, is fully vested in the said Alex. McRae heirs and assigns to hold 5/6 thereof and Robert McRae 1/6 thereof: and the costs of this suit including a fee of thirty-five dollars to the Surveyor be borne equally by each of said interests: one-sixth by the heirs of Francis Hill - 1/6 by the heirs of John H. Sloyd - 1/6 by Bridget Davis and 3/6 by Alex. & Robert McRae, for which execution may issue on behalf of the officers of Court.

1431. J. A. Goodhue v. J. S. Stewart et. al. Comes now the plaintiff by atty. when it appearing to the Court that the Defendant J. S. Stewart has been duly cited and has failed to answer within the time prescribed by law and wholly made default, it is ordered that plaintiff have judgment by default as against said Stewart for want of an answer and cause continued for entries as to Defendant Jones.

1471. Wm M. Fless & Co. v. W. D. Wacker. Continued.

1468. J. M. Dittes et. als. vs The City of Austin. And now at this term come the parties plaintiff and defendant, and a jury not being demanded, the Defendant, the City of Austin, by her attorney consented that judgment should be rendered at the present term of this Court And it appearing from the evidence that the true location of the

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South East corner of Block No One hundred and Ten in said city is eleven hundred and forty-eight feet North 19° East from the North East corner of Block No. Fifty Nine, as the same is built up by the Hancock Store building now occupied by Raymond & Whitis, and that the North East corner of Block No 110, is 19° 1424 feet from the North East corner of said Block No 55 as thus ascertained, and that said Block No 110 has thus a front of 276 feet on Congress Avenue in said City, and that the East line of Block No. 110 is one hundred and Seventy feet from the West side of Block No. 111 (one hundred and eleven): that said location of Block No. One hundred and Ten places it two feet North of the improvements in Block No one hundred and eleven, opposite and across the Avenue: that the North East corner of Block No One hundred and Ten as thus determined is seventy eight feet from the South East corner of the improvement or Building made by Krohn on the South East corner of Block No. 124 as the latter is now built up. Wherefore it is considered adjudged and decreed that the true location of said Block No. 110 is as above described: that the North East corner of said Block No. 110 is seventy-eight feet from the South East corner of the Building now situate on the South East corner of Block No. 124 in said City, and that said Block No. 110 has a front on Congress Avenue in said city of 276 feet, and that the Defendant have and recover of and from the Plaintiffs all the costs in this behalf expended.

s 4294 The State of Texas v. C. P. Phillips Ordered that the judgment rendered in this cause be set aside, and a new trial awarded.

Bailiffs And thereupon it is ordered that the following persons be allowed the amounts set opposite their names for services as Bailiffs during the present Term of this Court, to wit:

issued William Thaxton 16 days Riding Bailiff and 26 Days Bailiff — One hundred Dollars
issued. Taylor Stringer 16 " Cancelled " " " 26 " " = One hundred Dollars
issued cancelled Jack Carmichael 16 " " " " 26 " " = One hundred Dollars.

Jury Service And now comes Frank Brown, clerk of the District Court of Travis County, and makes the following report of Jury service at the present term of this Court, which being found correct, is ordered to be recorded; to-wit:

No.	Names	Time	Amt.	No.	Names	Days	amount
	Grand Jury				amount forward		224 00
950	Jno. T. Haynes	16	32 00	957	M. M. Hamsley	16	32 00
951	E. S. Matthews	16	32 00	958	Joseph Blum	16	32 00
952	J. B. Barrow	16	32 00	959	J. L. McInnis	16	32 00
953	Geo. W. Malone	16	32 00	960	W. D. Wallace	16	32 00
954	N. G. Johnson	16	32 00	961	A Trautwine	16	32 00
955	P. Bertrand	16	32 00	962	J. M. Turley	16	32 00
956	C. H. Jeffenbaugh	16	32 00				
			$224 00				$416 00

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No.	Names	Days.	Amount.
	Amount forward	—	416 00
963	J. A. Collier	16	32 00
964	J. D. Doxey	16	32 00

Petit Jurors.

No.	Names	Days.	Amount.
966	John H. Woods	5	10 00
967	E. M. Hall	5	10 00
968	J. C. Hamilton	5	10 00
969	John Sterling	2	4 00
970	Peter Heter	5	10 00
971	E. D. Walker	5	10 00
972	Moses D. Woody	5	10 00
973	B. F. Wroe	5	10 00
974	Green Edwards	5	10 00
975	Brister Jarrett	5	10 00
976	J. H. Fitzhugh	5	10 00
977	James Brader	5	10 00
978	Wm Caldwell	5	10 00
979	Peter Stine	5	10 00
980	Geo. Dye	5	10 00
981	A. Blomeke	5	10 00
982	Geo. W. Turney	5	10 00
983	Wm Patterson	5	10 00
984	Andrew Campbell	5	10 00
985	J. M. Little	5	10 00
986	Ed. Imay	5	10 00
987	Frank Eanes	5	10 00
988	T. J. Routhropp	5	10 00
989	Henry Willis	5	10 00
990	B. C. Stanely	3	6 00
991	H. G. Lee	3	6 00
992	A. J. Catchings	6	12 00
993	Wm Patterson	5	10 00
994	A. C. Peckham	5	10 00
995	G. A. Lundgreen	6	12 00
996	Geo. Dye	6	12 00
997	B. Gilbert	5	10 00
998	R. N. Lane	5	10 00
999	I. Stein	5	10 00
1000	Milton Wallace	6	12 00
1001	John C. Hamilton	6	12 00
			$356 00

No.	Names	Days	Amount
	Grand Jury forward		$480 00
965	T. A. Roby	16	32 00
	Total Grand Jury		$512 00
	Petit Jury forward		$366 00
1002	Geo. Dye	5	10
1003	Jno. Lamont	5	10
1004	Andrew Campbell	5	10
1005	Jno. H. Woods	5	10
1006	G. W. Turney	5	10
1007	W. T. Davis	5	10
1008	J. S. Fitzhugh	3	6
1009	Frank Eanes	5	10
1010	H. G. Lee	5	10
1011	B. F. Wroe	5	10
1012	James Brader	6	12
1013	B. F. Fox	6	12
1014	T. A. Reed	5	10
1015	E. D. Walker	6	12
1016	T. W. Parr	1	2
1017	J. B. Perry	2	4
1018	J. S. Jenkins	3	6
1019	Geo. Hicks	2	4
1020	R. W. Turner	2	4
1021	Wm Fisher	3	6
1022	Charley Marshall	2	4
1023	W. S. Isley	2	4
1024	M. L. Broan	3	6
1025	James Jackson	3	6
1026	Adison Smith	5	10
1027	A. Piper	6	12
1028	Jerry Johnson	5	10
1029	W. T. Patterson	6	12
1030	W. W Bridgers	6	12
1031	Charles Dodge	6	12
1032	Andrew Campbell	5	10
1033	Wm Custard	5	10
1034	Jno. H. Woods	5	10
1035	A. C. Peckham	5	10
1036	G. W. Turney	5	00
			$662 00

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Jury Service Forward

	Amount Forward	days	$662 00
1037	H. G. Lee	6	12 00
1038	Frank Eanes	6	12 00
1039	Milton Wallace	6	12 00
1040	Jno. Kempfer	6	12
1041	W. G. Barron	6	12
1042	H. C. Eanes	5	10
1043	B. F. Wood	5	10
1044	T. A. Reed	5	10
1045	B. Radkey	5	10
1046	B. F. Fox	5	10
1047	E. D. Walker	6	12
1048	J. A. Hancock	3	6
1049	Jos. Junker	5	10
1050	James Brader	3	6 00
1051	James Wall	3	6 00
1052	Nadler	3	6 00
1053	Jno. T. McArthur	3	6 00
1054	Taylor Smith	3	6 00
1055	Bob Musgrave	3	6 00
1056	D. Fullenwider	4	8 00
1057	M. J. Mattein	1	2 00
1058	J. S. Jenkins	6	12 00
1059	Jno. Richardson	5	10 00
1060	L. L. Merill	6	12 00
1061	J. Strickland	5	10 00
1062	F. Schmitz	5	10 00
1063	L. T. Vann	5	10 00
1064	J. E. Reeter	5	10
1065	Jno. Price	5	10
1066	R. Johnson	5	10
1067	Green Headspeth	5	10 00
1068	Jno. Hook	8	16 00
1069	Jno. Holmes	5	10
1070	D. Lockhart	8	16
1071	D. J. Catlin	5	10
1072	H. G. Lee	8	16
1073	T. A. Reed	8	16
1074	John H. Wood	5	10
1075	W. G. Barron	8	16
			$1060 00

	Amount Forward	day	$1060 00
1076	D. Fullenwider	8	16
1077	Wm Risher	5	10
1078	Milton Wallace	5	10
1079	James Brader	8	16
1080	W. C. Hunter	5	10
1081	B. F. Fox	8	16
1082	Jo. Junker	5	10
1083	Jos. Barnhart	8	16
1084	W. G. Turney	5	10
1085	J. G. Hattinger	5	10
1086	A. Campbell	2	4
1087	W. H. Clark	3	6
1088	James Wall	3	6
1089	Page McDaniel	3	6
1090	E. D. Walker	2	4
1091	A. J. Haber	4	8
1092	E. S. Defferbaugh	4	8
1093	C. G. Mailot	4	8
1094	Bob Bard	4	8
1095	W. T. Patterson	5	10
1096	H. Hollingsworth	5	10
1097	Geo. Gilbert	5	10
1098	A. Schutze	5	10
1099	W. S. Biles	5	10
1100	D. Lewinsky	5	10
1101	A. Piper	5	10
1102	C. Hunter	5	10
1103	Wm Hendricks	5	10
1104	Wm Page	5	10
1105	Stewart Hamilton	5	10
1106	J. R. Lee	5	10
1107	S. L. Hopkins	5	10
1108	Jno. Matter	5	10
1109	J. G. Hattinger	5	10
1110	D. J. Coltin	5	10
1111	Oscar Lane	5	10
1112	J. H. Chacy	5	10
1113	James Brader	5	10
1114	G. W. Malone	5	10
			$1442 00

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	Amount forrard			$14442.00		Amount forrard			$1752.00
1115	John Kempfer	5	10	00	1155	Wm Page	6	12	00
1116	Dan Napoleon	5	10		1156	Jno. H. Wood	6	12	00
1117	Joseph Junker	5	10		1157	John Matter	6	12	00
1118	B. F. Wroe	5	10		1158	J. K. Warren	6	12	00
1119	A. J. Catchings	5	10		1159	J. T. Lindley	6	12	
1120	J. Strickland	5	10		1160	R. B. Renick	6	12	
1121	B. F. Wroe	5	10		1161	J. H. Chacy	5	10	
1122	J. G. Sherin	3	6		1162	J. H. Hattinger	5	10	
1123	W. L. Glascock	3	6		1163	F. M. Rundell	6	12	
1124	Wm E. Risher	5	10		1164	O. Lane	5	10	
1125	C. Millatt	1	2	00	1165	David Lavinsky	5	10	
1126	Andrew Campbell	3	6	00	1166	Jack Farrow	6	12	
1127	J. T. Haynes	1	2	00	1167	John Holmes	6	12	
1128	J. B. Barrow	1	2	00	1168	Wade Henry	6	12	
1129	W. D. Wallace	1	2	00	1169	J. E. Martin	6	12	
1130	M. M. Homesby	1	2	00	1170	J. C. Burleson	6	12	
1131	G. W. Malone	1	2	00	1171	J. W. Croft	6	12	
1132	Jo Blum	1	2	00	1172	J. M. Caen	6	12	
1133	J. M. Turley	1	2	00	1173	G. P. Warren	6	12	
1134	R. Bertram	1	2	00	1174	H. C. Irey	6	12	
1135	G. Johnson	1	2	00	1175	Joseph Junker	6	12	
1136	E. S Matthews	1	2	00	1176	R. B. Faulkner	4	8	00
1137	J. D. Dorsey	1	2	00	1177	C. R. Puckett	5	10	00
1138	C. H. Deffenbaugh	1	2	00	1178	F. Jordan	5	10	
1139	W. G. McCormick	6	12	00	1179	E. Miller	4	8	
1140	John Stokes	6	12	00	1180	W. M. Homesby	4	8	
1141	J. S. Myrick	6	12	00	1181	A. J. Henricks	4	8	
1142	A. Scroggins	6	12	00	1182	W. F. Norton	4	8	
1143	Thomas Anderson	6	12	00	1183	David Lavinsky	5	10	
1144	Joseph Spence	6	12	00	1184	Oscar Lane	5	10	
1145	James Harrington	6	12		1185	Dick King	4	8	00
1146	Salem Hancock	6	12		1186	R. L. King	5	10	
1147	V. O. Reed	6	12		1187	Thomas King	4	8	
1148	J. Malenmkey	6	12		1188	D. Lynch	4	8	
1149	Jno. Allen	6	12		1189	Robt Hamilton	4	8	
1150	S. T. Meeks	3	6	00	1190	Frank Eanes	4	8	
1151	Wm Risher	6	12		1191	J. B. Weems	4	8	
1152	G. W. Malone	6	12		1192	R. H. Johnson	4	8	
1153	P. L. Hopkins	6	12		1193	Monroe Smisher	4	8	
1154	John Kempfer	6	12		1194	S. B. Sawyer	4	8	
			$1752	00				$2.158	00

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	Amount forward		$2.138 00			Amount forward			$2.358.00
1195	Jackson Hammett	4	8 00	1225		Anderson	1	2 00	
1196	J. P. Lock	4	8 00	1226		Louis Cook	6	12 00	
1197	D. P. Kinney	1	2 00	1227		M. B. McLaw	3	6 00	
1198	James Beckray	4	8 00	1228		Joshua Wright	3	6 00	
1199	E. C. Bartholomew	1	2 00	1229		Henry Seekatz	3	6	
1200	R. B. Faulkner	4	8 00	1230		John H. Walker	3	6	
1201	L. G. Britton	4	8	1231		C. A. Denny	3	6	
1202	J. M. Townsend	4	8	1232		Julius Radtz	3	6	
1203	Isaac Bayce	4	8	1233		H. H. Seiders	3	6	
1204	J. T. Jackson	4	8	1234		R. T. Garet	3	6	
1205	Jno. C. Hamilton	4	8	1235		Wade Henry	3	6	
1206	Barnes Parker	1	2 00	1236		John H. Wood	3	6	
1207	B. O. Stanely	4	8 00	1237		E. D. Walker	3	6	
1208	L. C. Mehany	4	8	1238		B. F. Fox	3	6	
1209	J. N. Hancock	1	2	1239		John Matter	3	6	
1210	J. H. Barnes	4	8	1240		Wm Page	3	6 00	
1211	H. C. Eanes	4	8	1241		P. L. Hopkins	3	6	
1212	W. A. Young	4	8	1242		J. W. Johnson	3	6	
1213	J. M. Cason	4	8	1243		J. H. Barnes	4	8	
1214	Jno. W. Brown	1	2	1244		R. B. Renick	3	6	
1215	Andrew Watson	4	8	1245		Thomas Watson	3	6	
1216	Luther Washington	4	8	1246		F. M. Randell	3	6	
1217	Mack Horst	4	8	1247		Geo. Millican	3	6	
1218	Lewis Rawson	4	8	1248		Milton Wallace	3	6	
1219	J. Strickland	6	12 00	1249		Robert Barr	3	6	
1220	Geo. Jones	4	8	1250		A. Schutze	1	2	
1221	M. R. Jones	4	8	1251		A. Lewis	3	6	
1222	B. F. Fox	2	4 00	1252		J. Strickland	3	6	
1223	Duke Mitchell	2	4 00	1253		J. Junker	3	6	
1224	Milton Wallace	1	2 00	1254		J. K. Warren	1	2 00	
			$2.358 00			Total Jury Service		$2.534 00	

See pp. 458. 459.

and thereupon Court adjourned till to-morrow at 9 o'clock A.M.

Friday July 23d 1875.

Court met at 9 o'clock AM pursuant to adjournment Present Hon. J. P. Richardson Judge 27th Judicial District presiding Whereupon the following proceedings were had by said Court, to wit:

3501. The State of Texas James P. Newcomb Ordered that alias attachment issue for the Witness Stanley Welch.

3416. The State of Texas v. Matt. Runham. And now comes Matt. Runham as principal, and Milton Wallace, Ed. Wickerson and Booker Gaffith as securities and they acknowledged themselves jointly and severally justly to

July 23d 1875

one and be indebted unto The State of Texas in the sum of Two hundred Dollars to be levied upon their goods and Chattels Lands Tenements and Estate But to be void upon Condition that the said Mat Burnham make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in October 1875, there to remain from day to day and from term to Term thereafter to answer an Indictment preferred against said Mat Burnham by the Grand Jurors of Hays County for Murder and that he do not depart the Court without leave.

✓4469 W W Searcy & Pate. And now comes W W Searcy a minor over the age of seventeen years and presents his application duly sworn to, asking that his Disabilities as a minor, be removed. and it appearing that said relief should be granted, It is ordered and adjudged that the Disabilities of said W W Searcy, as a Minor, be removed: that said W. Searcy be held for all legal purposes of full age, and held responsible as such the same as if he were twenty one years of age, except that he shall not have the right to vote.

✓4270. First National Bank v. John Wilson et al. And now comes the Plaintiff by atty and the Defendants by atty when it is ordered that this cause be dismissed, and that the case hereof be adjudged against the plaintiff for which execution may issue.

✓2803 B R Townsend et al v. McKinney & Payne. Come the parties by atty when on motion it is ordered that this cause be dismissed and that the plaintiffs recover of the Defendants the cost of this suit, for which execution may issue

R. A. Lane &
Mary Wallace Lane.
vs
✓3464. John A. Green Executor of Thomas Green decd
Eliza Chalmers Neill &
husband M. M. Neill
Janet Haydon &
husband S. P. Haydon
Alice Bentley &
husband H. L. Bentley
Laura Duval Green
Thomas Green

On this day 23 July 1875. come the plaintiffs Lane & wife by their attys Terrell & Walker & comes the defendant Jno A. Green in person & come also the defts Eliza Chalmers Neill & husband M. M. Neill, Janet Haydon & husband S. P. Haydon and Alice Bentley & husband H. L. Bentley by their attys the said H. L Bentley and the minors Laura Duval Green and Thomas Green by their special guardian Jas H Raymond duly appointed qual & bonded & qualified. And thereupon the report of Jno B. Costa, Auditor herein came on to be heard, and there being no objections thereto, the Court doth order that said report of the Auditor Jno B Costa be approved & ordered to be recorded.
And that all claims set up in the answer of said Jno A. Green

July 23. 1876

accredits which in said report have been allowed by said Auditor be & they are hereby allowed to said Jno A Green in settlement of his account with the said Estate of Thomas Green in his hands as Executor.

And thereupon came on to be heard the Report of Joseph Spencer, A.B. McGill and Wm Walsh Commissioners appointed to make partition of the lands belonging to the said parties, Mary Wallace Lane, Eliza Chalmers Neill, Janet Hayden, Alice Bentley, Laura Duval Green and Thomas Green children and heirs at Law of Thomas Green and Mary Wallace Green) - and lying in other Counties than Travis, came on to be heard and which report is as follows: x

R A. Lane et als
vs
Eliza Green et als
} In District Court of Travis County June Term 1876.
To the Hon. James P. Richardson Judge of the 27th Judicial District of the State of Texas.

x3464.
Commiss. Report

The undersigned Commissioners appointed at the present term of this Court to partition the lands belonging to the estate of Thomas & Mary W. Green deed lying in the State of Texas between the heirs of said estate, beg leave to submit their report as follows:

We found from the Auditors report on file in this case, that Mary W. Lane has received from Jno A. Green the Executor of the estate of the said Thomas Green deed the sum of $1805.70/100 which was $147.70/100 more than her share & that the other children & heirs had received of the said Jno A Green Executor the following sums to wit:

Eliza Neill	$1891.50	ant over her share	$203.05.	
Janet Hayden	$2411.40.	ant over her share	$722.95.	
Alice Bentley	$1473.20	" less " "	215.25.	
Laura Green	1365.90	" " " "	323.55.	
Thomas Green	1153.53	" " " "	534.92	

We also found that in a former partial partition of property belonging to the estates of the said Thomas Green & Mary W. Green both deceased. The said Alice Bentley & Thomas Green rec'd over & above the ants rec'd by the other children & heirs the sum of $100.00 each.

We further found from depositions on file in the case, that the property belonging to the aforesaid estate of the said Thomas & Mary W. Green deed & remaining still undivided, was valued at & worth in the aggregate the sum of $10804.50/100 & that of this amount the heirs & children aforesaid were entitled to receive proportions in value equal to the following ants to wit:

Mary Lane	$1647.07 1/6.	Thomas Green	$3204. 24 1/6.
Eliza Neil	1586 37 1/6.	We have set apart the proportion &	
Janet Hayden	1866. 39 1/6.	each as follows:	
Alice Bentley	1904 57 1/6.	* Mrs Mary Lane ant due	$1647. 07.
Laura Green	2111 87 1/6.	Tract No. 1. Lamar Co 258 acres @ 2.00	517. 66.

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Tract No 4 in Grayson Co. 160 acres @ 4 50/100 720.00.
" " 1 " Burleson " 160 " @ 2.00 320.00.
Lot 271 Block 10 in La Grange @ 30.00. 30.00. 1587.66
" 91 " 7 " " " 35.00 1612.66
Mrs Eliza Still amt due 1586.27
Tract No 5 in Lamar Co. 243 50/100 ac @ 2.00 487.66.
" " 1 " Dallas " 84 50/100 " " 10.00 846.00
" " 4 " Burleson " 160. " " 1.50 240.00. 1573.66.
Mrs Janet Haydon amt due 1066.37.
Tract No 3. in Lamar Co. 243 53/100 acres @ 2 " 487.66.
" " 2 " Burleson " 160. " " " 2 " 320.00.
" " 3 " " 160. " " 2 " 320.00. 1127.66.
Mrs Alice Bentley amt due 1904 53)
Tract No 1 in Lamar Co. 243 53 @ 2.00 487.66.
" on Galveston Island @ 60 " 600.00.
" No 2 in Duval County 84 49 @ 10 00 846.00.
Lot " 294 in Block 10 in Galveston 300.00 1863.66.
Miss Laura Duval Green amt due 2111.87
Tract No 6. in Lamar County 243 53/100. @ 2 00 487.66.
" " 3 " Grayson " 160 " 5 " 800.00
" " " Fayette " 340. " 66 00 224.60.
" " Lee " 640. " 1.00 640 2142.16
Thomas Green Amt due 2332 25
Tract No 1 in Grayson County 160. @ 5 " 800.00
" " 2 " " " 160 @ 5 800.00
" " 5 " Lamar " 258. 53/100 @ 2 " 517.66.
Undivided Interest in 3500 ac in San Saba Co 100.00 2217.66.

It will be observed that according to this division the said heirs have received or will receive the following amts in value.

Mary A. Lane 1612.66. less her share 329.41.
Eliza G. Still 1572.66. " " " 13.61.
Janet Haydon 1127.66. over " " 60.39.
Alice M Bentley 1862.66. less " " 41.91.
Laura Green 2142.66. over " " 28.33.
Thomas Green 2217.66. less his 7.34.

In order to equalize the shares therefore, we recommend that Janet Haydon shall account to Eliza Still, Alice Bentley & Thomas Green for the amounts due them & that Laura account to Mary A. Lane for the amt due her. A further description of the shares allotted to the several heirs aforesaid is as follows:

The lands allotted to Mrs Mary Lane are more fully described as follows: Lot No 1. Beginning at the S.E. corner

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of the Jno H Fowler league stake where a chinquapin oak mkd I. H.F. brs N. 88° W. 7 vrs Thence North with the E.B. line of the Fowler survey 783 vrs a stake Hickory mkd + and a pine oak mkd + Thence W. 146 9/10 poles to the N E corner of lot No 2 a stake whence a hickory mkd X brs S. 36½ E 19 links. Thence S. with the E.B. line of lot 2. 258 poles to it South East Corner on the Fowler S.B. line, a stake whence a red oak mkd + brs S. 81. W. 12 links and a post oak mkd + brs W. 48 S 4 links. Thence E. with the Fowler S.B. line, 146 9/10 poles to the beginning Containing 258 acres being part of J. H Fowler league & of the 1/3 thereof owned by Est of Thos Green situated in Lamar County. — X
Also Lot 291 in Block 40 in La Grange, Fayette Co. Texas. and lot 91 in Block 9 in La Grange in Fayette Co., also a tract of land in grayson Co, being part of 640 acres granted to mary Wallace Chalmers July 6 1844 and is No 1 of subdivisions of sd tract & beginning at the S.W. corner of Lot No 3. on the South line of the original survey Thence W 475 2/10 vrs to the S.W. corner of original survey No 56. Thence N with the west line of sd survey 1900 8/10 vrs to the N.W. Corner of same. Thence E 475 2/10 vrs to the N.W. corner of Lot No. 3. Thence S. with the W. line of said lot 1900 8/10 vrs to the place of beginning Containing 160 acres of land.
Also 160 acres the N. quarter of 640 acres patented to Thos Green ass. of Geo Givens in Burleson Co. Beginning at the N. corner of sd. survey a stake from which a Post oak brs S. 86 E. 6 vrs another N. 56° W. 5 vrs Thence S. 45° E with boundary of sd 640 acres 1016 vrs to a stake from S. E corner. Thence S. 45° W. at 889 1/4 vrs set a stake for S. or S.W. corner of this lot. Thence N. 45° W. 1016 vrs to a stake in the N. line of sd. Green survey for N.W. corner. Thence N. 45° E. with said line 889 1/4 vrs to the place of beginning
The lands allotted to Mrs Eliza Neil are as follows:
Lot No 2 Beginning at the S.E corner of lot No 3. on the S.B. line of the Howler survey, a stake, whence an oak mkd x brs S 55 W. 11½ links Thence N 287 poles to the N.E. Cor. of Lot No 3. a stake in the old Greenville road, whence a post oak mkd H. brs N. 52½ W. 35 links and a red oak mkd x brs N. 75 E. 30½ links. Thence 139.35/100 poles a stake whence a hickory mkd x brs S. 26½ E 19 (19) links. Thence S. with W. line of survey 1. 282 poles to the S.W. corner of same on the south line of the Fowler survey. Thence W. 139 35/100 poles to the beginning, Containing about 243 acres and is in Lamar County & part of the 1/3 of a league of land owned by the estate of Thos Green, being the 1/3 of the John H. Fowler League. X
Also 82½ acres of land being the east half of a tract of 169 acres taken off the South end of the east half of 640 acres patented in name of George

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L. Leonard. said survey being No. 1. of subdivisions of said tract of land and is described as the East half of 640 acres in rectangular shape taken from the South end of the West half of said 640 acres in name of George L. Leonard.

Also 160 acres of land in Burleson Co. being the east quarter of 640 as patented to Thos Green assignee of Jesse Givens and being No 4 of subdivisions of said 640 acres tract, and beginning at the S.E. corner of lot No 3. a stake in E. line of said 640 acres for S.W. corner of this lot. Thence N. 45° W. with line of lot 3. 1016 vrs. to its N.E. corner & N.W. corner of lot No 1. Thence N. 45° E. with E. line of lot No 1. 889 1/4 vrs to the S.E. corner of same a stake in E. line of said 640 acres.; thence S. 45° W. E 1016 vrs. to the S.E. Corner of said 640 acres Set a post from which a post oak brs N. 14 3/4 W. 5 vrs. another brs N. 83° E. 6 vrs.; thence S. 45° W. with E. line of said 640 acres at 65 vrs. Road from Brenham to Caldwell at 889 1/4 vrs to the place of beginning.

The lands allotted to Mrs Janette Haydon are as follows:

Lot 3. Beginning at the N.E corner of lot 4 a stake whence an Elm mkd 4 brs S. 88 W. 7 1/2 links and another mkd 4 brs N. 43° E 11 1/2 links Thence S. 282 poles to the S.E. corner of lot 4 on the S.B. line of the Bower League a stake an ash mkd 4 brs N. 79 3/4 E. 13 links and another mkd 4 brs S. 1° E. 24 links Thence E. with the Bower S. line 139 35/100 poles to the S.W. corner of Lot 2 Thence North 282 poles to the N.W. corner, direct west 139 35/100 poles to the beginning. Containing 243 acres be the same part of the Jno H Bower League of land in Lamar County

Also 160 acres of land in Burleson County being the west quarter of 640 acres patented to Thos Green assignee of Jesse Givens and being No 2 of the subdivision of said 640 acre tract beginning at the N.W. corner of lot No 1. a stake in the N. line of said Givens 640 acre survey. Thence S. 45° E. with the West line of lot No 1. 1016 vrs to the S.W. cor. of same. Thence S. 45° W. 889 1/4 vrs to a stake in west line of said 640 acres for S.W. corner of this lot. Thence N. 45 W. 1016 vrs to N.W. corner of said 640 acre survey, for N.W. corner of this Lot a stake from which a black jack brs N. 82 1/2 W. 13 vrs. Another N. & E. 62 1/2 E. 5 1/2 vrs. Thence N. 45 E. 889 1/4 vrs to the place of beginning

Also. 160 acres out of said tract being the south quarter and known as subdivision No. 3. beginning at the S.W. corner of Lot No 2. a stake in the west line of said Givens survey. Thence 45 E with the S. line of lot No 2 889 1/4 vrs to the S.E. corner of same a stake for the N.E. corner of this lot Thence S. 45 E. 1016 vrs to a stake in the S. line of said Givens survey for S.E corner of this lot Thence S. 45 W. with said line at 864 vrs a branch at 889 1/4 vrs to S.W. corner of said 640 acre tract a stake from which a black jack brs N. 52 1/2 W. 3 vrs another brs S & E

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yors Thence N 45 W. with W line of said Gwins survey at 72 vrs a branch at 92 vrs cross cane 102 vrs cane at 1016 vrs the place of beginning

The lands allotted to Mrs Alice Bentley are as follows:
Lot No 1. Beginning at a stake on the S Bline of the Fowler league it being the S E. cor of Lot 5. whence a spotted oak mkd Gbrs N 44 W. 6½ links & another mkd T' brs S. 44 E. 6½ links. Thence N. 282 poles to the N E cor of Lot No 5. a stake whence a Blackjack mkd & brs S. 44 W. 17 links and a small hickory mkd + brs N. 6½ E. 13 links Thence S. 139 35/100 poles to the N. W. corner of lot No 3. a stake whence an Elm mkd & brs N. 88 W. 7½ links and another mkd & brs N. 43 E. 10½ links. Thence S. 282 poles with the S. B line of Fowlers league, a stake whence an ash mkd + brs N. 79 3/4 E 13 links & another mkd + brs S. 1E. 24 links. Thence W. with S. B line of the Fowler league 139 35/100 poles to the beginning containing about 243 acres & is a part of the J H Fowler league & 1/3 thereof owned by the estate of Thos Green decd and is in Lamar Co. Texas.

Also ten acres of land in Galveston County Texas and described as follows lot No 380 on Galveston Island in Section No 1. according to the map of said Island by Andrew J Phelan and as Lee No 3 according to the plan of partition or division between Ed Hall and Levi Jones which lot has its South front on Blind Bayou.

Also 84½ acres of land in Dallas County being part of the west half of Lee 29 Township 1. and Range 1 East. Dd. Section patented to Geo. L Leonard and this tract of 84½ acres being the west half of 169 acres taken off the E. West half of E Leonard 640 acre survey and off the South end thereof being No 2 of said division thereof. And also lot 294 in Block No in La Grange Fayette Co Texas.

The lands allotted to Miss Laura Duval Green are as follows:
Lot No 6. Beginning at the S.W. corner of the Fowler League, a stake whence a hickory mkd J H. F brs S. 60 W. 2½ varas; Thence N. with the W. B. line of said League 282 poles to a stake whence an Elm mkd + brs S. 13½ W. 8½ links and a hackberry mkd + brs N. 6½ E. 8 links. Thence E 139 30/100 poles to the N. W. corner of Lot No 5. a stake whence an Elm mkd x brs S. 23 E. 28 links and another mkd x brs N. 32 E. 20¾ links Thence S. 282 poles with the S.W. corner of Lot No 5. on the S. B. line of the Fowler league, a stake, whence a plumb. Tree mkd x brs S. 56½ W 15 links and a small elm mkd x brs S. 56½ E. 5 links; thence W ext 139 31/100 poles to the beginning containing 243 acres of the Jno H. Fowler league, being out of the 1/3 of said league owned by the est. of Thos Green deed and is in Lamar Co

Also 160 acres of land in Grayson County part of 640 acres tract patented to Mary W Adair Chambers Green, July 6. 1841. Being lot No 3. of subdivisions of 2d 640 acres tract. Beginning at the S. W. corner of sur-

vey No 2, on the S. line of original survey; thence west with said line 475 2/10 vrs. Thence N. 1900 5/10 vrs to the North line of original survey; thence east with said line 472 2/10 vrs to the N.W. corner of Lot No 2; thence S. with West line of No 2. to the place of beginning.

Also two $\frac{237310}{1000,000}$ Leagues (390 acres) land in Fayette Co. on Spring Creek a branch of Rabbs Creek, about 12 miles N.W. from La Grange & about 3 miles from the Colorado river, patented on April 5. 1845. to Thos B Huling ass of Wm Tryon.

Also a tract of 640 acres of land patented to Wm K. Pamelroy situate in the County of Lee, about 20 miles north of La Grange, and 6 miles from Ledbetter and 9 miles from Giddings, and beginning at on the N.E. corner of a 1/3 of a League of land surveyed for Wm D. Floyd ass of Joseph W Andrews a stake in prairie from which a post oak brs N. 58° E. 62 vrs & another brs N 45° E. 53 vrs. Thence S. 45 W. with the N.W. boundary line of sd survey 2887 vrs to a stake from which a Post oak brs S. 87 E. 17 vrs another brs S. 25° W. 10 vrs. Thence N. 47° W. with N.E. boundary of a survey made for D. G. Powell 2563. vrs to its N.E. corner, a black jack mkd + brs from which a Post Oak brs S. 8° E. 10 vrs another brs S. 79° E. 9 vrs Thence N. 45° E. 975 vrs to a stake at the S.W. boundary line of a survey made for Wm Winford. Thence S. 45° E. with sd line of sd survey 1360 vrs to its S.W. corner. Thence N. 75 1/2 E. 2240 vrs. with the S. boundary line of said survey to the place of beginning

The lands allotted to Thomas Green are as follows:

Lot No 5. Beginning at the N.E. Cor. of Lot No 6. a stake whence an Elm mkd + brs S 2 3/4° E. 28 links & another mkd + brs N. 72 1/2 E 20 3/4 links. Thence S. 82 poles to the Fowlers S.B. line, a stake whence a Plumb tree mkd + brs S. 48 E 15 links and a small elm mkd + brs S. 56 1/2 E 5 links. Thence E. 146 8/10 poles with the S.B. line of the Fowler league, a stake whence a spotted oak mkd C brs N. 44 W. 4 1/2 links & another mkd 'I' brs S 44 E. 6 1/2 links. Thence N. 82 poles to the N.W. corner of Lot No 4 a stake whence a Beech post mkd T brs S 14 W. 17 links and a small hickory mkd + brs N. 6 1/2 E 18 links Thence W. 146 8/10 poles to the beginning, containing 208 acres being a part of a league of land in Lamar County granted to John H Fowler

also. 160 acres of land in Grayson Co. out of 640 acres patented to Mary Wallace Chalmers being Lot No. 1 of the sub division of said tract. Beginning at the S.E. corner of said 640 acre survey & running thence West 475 3/10 vrs with the S. line of said survey. Thence N. 1900 8/10 vrs to the N. line of said 640 acre survey, thence E with said line 475 3/10 vrs to the N.E. corner of said tract. Thence S. with the E. line of same 1900 vrs to the place of beginning

Also Lot No 2 in said sub division containing 160 acres, beginning, at

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the S.W. corner of Lot No 1. on the south line of the original survey thence W. with said line 475 2/10 vrs. Thence N. 1900 8/10 vrs to the N. line of said original survey, thence E with said line 475 2/10 vrs to the N.W. corner of Lot No 1. Thence S. with the W. line of said Lot No 1. 1900 8/10 vrs to the place of beginning

Also all the interest of the estate of Thos & Mary Wallace Green in the following tracts of land in San Saba County, situated fronting on the left bank of the San Saba river, at and near the mouth of Brady's Creek, being known as follows;

No 580 M K Paulding survey No 72. Div B. 320 acres
No 581. M. K Paulding Survey No 66. Div B. 320 acres
" 582 " " " " 76 " " 320 "
" 583 " " " " 76 " " 320 "
" 584 " " " " 69 " " 320 "
" 585 " " " " 68 " " 320 "

All of which is respectfully submitted & your said Commissioners pray to be now discharged.

Joseph Spence
A.B. McGill
W. C. Walsh - Commrs.

The State of Texas } Before the undersigned personally came Joseph
Travis County } Spence, A.B. McGill & W. C. Walsh who being duly sworn state that the above report of partition made by them as set out is just and fair, to the best of their knowledge and information; That they have no interest in said partition, and are not of Kin to any of the parties to said partition. Sworn to & subscribed before me by the above named parties, this 24th July 1879. Jas R. Johnson Notary Public Travis Co.

Seal

and thereupon said parties presenting no objections thereto, and the plaintiff urging its approval & the defendants assenting thereto, and it appearing to the Court, that said partition was just and equal fairly made in all respects, the Court doth order and decree that said report and the partition as made by said Commissioners as above set forth at large, be and the same is in all things approved and confirmed,

And the Court doth further order and decree that the lands set apart in said report to the said parties Mary Wallace Lane, Eliza Thalmes Neil, Janet Haydon, Alice Bentley, Laura Dural Green and Thomas Green respectively be adjudged to the party to whom such lands were allotted, to be held in severalty by the party to whom allotted as against all the said other parties and that all the right title and interest and claim

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in and to the shares respectively as set forth, be vested in the party to whom allotted, and that all right therein be divested out of all others and that the legal & equitable title is herein adjudged and decreed to each party in the sd. lands so allotted as above to each party. X

And it further appearing to the Court that in order to equalize the interests of the heirs of the said Thexdare Thomas and Mary W. Green it will be necessary to give money judgements, against some of them in favor of others. it is therefore ordered adjudged and decreed by the Court, that the said Janet Hayden shall pay to the said Eliza Neil the sum of $ 13 61/100 to the said Alice Bentley the sum of $ 41 94/100 and to the said Thomas Green, the sum of $ 4xx $ 7 29/100. and that the said Laura Green shall pay to the said Mary W. Lane the sum of $ 29 44/100 & that execution may issue for the same.

And it appearing to the Court that the said Ino. A. Green Executor has made divers sales & conveyances of lands of the estate, all of which sales are set out in the answer of said Executor, and it appearing to the Court that under the will of said Testator the said Executor was authorized to make such sales, and that sales were necessary and were fairly made and that the proceeds have been duly accounted for, thereupon the Court doth order and decree that all the sales made by said Executor & so reported in his answer be and the same are hereby confirmed, and the vendees confirmed and quieted in their title as against the said heirs of Thomas & Mary Wallace Green.

and the Court doth adjudge Costs, one-ninth against each distributee for which execution may issue. XX

And it is further ordered that the Auditors Report be here recorded and the same is as follows:

Auditors Report

R. N. Lane & wife et als
vs
Eliza Thalmes Green et als

In the District Court of Travis County, June Term 1876. now in session.

To the Hon James P. Richardson, Judge of the 27th Judicial District of the State of Texas.

The undersigned Auditor appointed by your Honorable Court, at the present term, to examine the

July 23. 1875.

report and account of Jno A Green, Surviving Executor of the estate of Thomas Green deceased, filed by him, as his answer in the above entitled case, and state the account of said Executor with said estate, and also to state the account of each heir, to said estate, of the amounts received by each of them from said executor out of said estate; Your Auditor states, and report to your Honorable Court, that after having duly examined, all the vouchers produced by said executor, and by other satisfactory evidence, for the items of credits claimed by him, and amounts received by him, Your Auditor finds, that said Executor has received in the course of his said administration, the following amounts to wit:

		Gold	Currency
To amt collected on the fa due said decd as the late clerk of the Supreme Court			3961.03
To amt recd from the sale of Real Estate of said Thomas Green decd		6624.00	
" amt received from the estate of John G and Mary Wade Chalmers		1512.14	
	Total amt rec'd.	8136.14	3961.03
Amt of gold credits in Gold brot over		5195.12	
Bal of gold in Executors hand		2941.02	
Cr By amt transferred to Cy		2941.02 / 0000.00	
Bal of gold on hand reduced to Cy @ 111			3267.80
To Bal. amt rec'd in Currency			7778.83.
" Amt of Credit in Cy brought over			7778.83 / 0000.00.

Your Auditor finds that said Executor has paid out the following amounts to wit:

By Amt paid Jas D. Johnson for his part of the fees as deputy clerk Cy. of the Supreme Court & for other services for said estate			884.68.
" amt paid on claims against said estate			409.00.
" " " as Expenses of Administration embracing taxes, surveyors fees, court fees &c		Gold 317.18.	1323.08
" " " for repairs on Homestead of decd		682.60.	
" " " Atty fee for attending to land matters & other busines for said estate out of the County of Travis		391.71	235.00.
		1786.39.	7851.76.

Amt pd by said Executor to the heirs of the estate of the said Thomas Green decd as per account made out against each of said heirs by your Auditor, hereto attached, to wit:

By amt paid Mary W Lane formerly Mary W. Green		Gold 786.00	201.25.
" " " Eliza Green now Eliza Neil		891.88	900.60.
" " " Janet Green " Janet Haydon		1060.63.	1737.95.

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		Gold	Cy
By amt paid	Alice Green now Alice Bentley	$77.63.	942.50
" " "	Laura Green	436.60	730.90
" " "	Thomas Green	256.09	868.97
Total amt paid out by Executor		$195.12	7578.83
Bal of gold transfered to Cy brought over		941.02	
Total amt paid out in Gold		$136.14	

Note. The sum of $20 in Cy which is embraced in the above account the executor is to pay the Costs of the officer of the Court, Auditor.

Your Auditor states that the amount received by the heirs, as shown by the account of each heir hereto attached marked Exhibit Nos 1. 2. 3. 4. 5 & 6. amounts to the sum of $5178.73 Gold and $376.56. Currency, said amount of gold reduced to Currency @ 111 gives $5754.16 Currency. Total amt in Currency $10,130.70. which amount divided by six gives to each heir $1688.45.

By reference to said exhibit above mentioned it will be seen that Mary H. Land has received $1835.70

amount received over her share				147.25.
Eliza Neel received	$1891.50	amt over her share		203.05.
Janet Haydon "	3411.46	" "	" "	723.98.
Alice Bentley "	1473.20	" less	" "	215.25.
Laura Green "	1365.90	" "	" "	322.55.
Thomas Green "	1153.53	" "	" "	534.92.

And in the partition of the land of said Estate, the following heirs are entitled, and should receive in addition to their share in said land, the amt in land, to make them equal with the other, in the amounts, heretofore received by them as shown above to wit: Alice Bentley $215.25 Laura Green $322.55. Thomas Green $534.92.

Your Auditor is fully satisfied of the correctness of the report and account of said Executor, for all amounts received by him, and amounts paid out, and from the labor shown to have been done by said Executor, in the management of said estate, without claiming even a Commission, that it was not only to discharge his duty as such Executor, but to do all that he could for the interest & benefit of the children of his deceased Brother.

Your Auditor having stated, the account of said Executor, and the accounts of said heirs, submits the same, together with this report for the approval of the Court, all of which is respectfully submitted and your Auditor prays to be discharged. (signed) John B. Costa

Auditor.

July 2 1875.

Exhibit No 1

Mary W. Lane formerly Mary W. Green Good. Currency.

1868. Nov 6. To amt paid said Mary by Draft & Ex. 101.25.
1869 " 5. " " " " " receipt Nov 10. 1869. 100.00.
1870 " 14 " " " " " " " 14. 1870. 200.00.
" Dec 23. " " " " " " Dec 23/70. 200.00.
1871 May 3. " " " " " " May 3/71. 100.00.
1875. Feby 11. " " " " " see Book account 91.00.

To amt due by R. N. Lane her husband for land purchased by him at the sale of the land of the estate of John Grant Mary W. Chalmers 195.00.

Total amt pd by the Executor 786.00. 201.25.

To became due by R. N. Lane her husband for the rent of the homestead for the year 1870. @ $280 00/100. To rent due by said Lane & wife for said Homestead from January 1st 1871 to November 1. 1873 the time of Partition of the estate, two years & nine months @ $30 00/100 per month $990.00.

Sold 206.00. Cy 201.25

Credit by amt of part of said rent charged to Laura Green, who resides with said Lane & wife as one of the family, for three years & 3 months, & for other expenses for said Laura &c 585.00.

Total amt rec'd by her as one of the heirs July 1.00. 201.25

Gold reduced to Currency C III. 1634.45.

Currency brought down 201.25

1835.70.

Eliza Green now Eliza Neil Gold Currency

1868. June 30. Amt pd. Addison Green rec'pt No. 67.50.
" Nov 16. " " " " " " 2 101.02.
1869 June 6 " " " " " " 3 69.00
" May 8 " " " " " " 4 60.50
" Sept 2. " " " " " " 5 60.50
" Nov 6. " " " " " " 6 157.50.
1870 Mar 22. " " " " " " 7 157.10
" Nov 18 " " " " " " 9 135.00
1871 June 7 " " " " " " 10. 100.50.
" Oct 17 " " Eliza rec'pt Oct 25/71. 101.00
1872 Feby 9 " " " " Feby 15/72 100.50
" July 16. " " " " Aug 9/72 152.25.
" Nov 16. " Sent Book M. 692 151.50.
1873 April 21 " " see " N. 113 150.75
" Dec 6. " " " " " 212 259.75

Total 891.88 900.50.

Gold reduced to Currency C III 990.98

Currency brought down 900.52.

1891.50.

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						Gold.	Cy.
Janet Green now Janet Haydon account							
1868	June 30.	amount pd	Nathan Green	receipt	No 1.		67.50
1869	Jany 6!	"	"	"	" 3		69.00
"	Oct 26.	"	"	on Book Dr H. Green			151.50
1870	May 22	"	"	Nathan Green	receipt No. 7	151.13	
"	July 28.	"	"	Do.	" 8		151.50
"	Aug 18.	"	"	J. C. Bordon	per Letter D.	135.00	
1871	June 7	"	"	Letter Book L	584.	100.50	
"	Oct 17	"	"	"	" M	155+56	101.00
1872	Feby 9.	"	"	"	"	390	150.75
"	July 25.	"	"	"	"	583	152.25
"	Dec 17	"	"	"	" N.	30.	135.00
1873	Feby 24.	"	"	"	" N.	87	136.00
"	April 21.	"	"	"	"	114.	150.75
"	August 16.	"	"	Mrs A. A. Brandon	for Board		89.45
1874	Jany 16.	"	"	Book N.	233		150.75
"	Mar 6	"	"	"	"	250.	301.50
	April 7	"	"	"	"	Book	101.00
						Total	1860.63 1232.95
						Currency brought down	1232.95
						Gold reduced to Currency c/11.	1178.45
							$ 2411.40

Exhibit No 6

Alice Green now Alice Bentley							Gold	Currency
1868.	June 30.	Amt	paid	Nathan	Green	receipt No 1.		67.50
1869	Jany 6.	"	"	"	"	" 3		69.00
"	May 8	"	"	"	"	" 4		50.50
"	Sept 2	"	"	"	"	" 5		50.50
"	Nov 6.	"	"	"	"	" 6		151.50
1870	Mar 22	"	"	"	"	" 7	151.13	
"	July 28.	"	"	"	"	" 8		151.50
"	Nov 18	"	"	"	"	" 9	135.00	
1871	June 7	"	"	"	"	" 10	100.00.	
"	Aug 12	"	"	"	"	" 11.		402.00
1876.	Feby 11.	"	"	Alice	----------		91.00	
						Total	$ 427.63	$ 942.50
						Gold reduced to Currency c/11.	630.70	
						Currency brought down	942.50	
							$ 1,473.20.	

Exhibit No 7

Miss Laura Green.						Gold	Currency.
1868.	Apl. 4.	Amt	pd	A. L.	Swancoat	receipt No 1.	3.50.
"	May 26.	"	"	"	"	"	3.00
"	June 24	"	"	"	"	"	4.15

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1868.	Oct 13.	Amt paid R.S. Swancoat	receipt	No			11.25.
"	Nov 6	" "	Annie Masterson	"	E.		50.00.
"	Dec 12.	" "	R.S. Swancoat	tuition			4.50.
1871.	Apl. 8.	" "	J.C. Battle	receipt	D	4.00.	
"	June 15	" "	Do	"	"	12.00	
"	Nov 14	" "	B.D. Smith		C	15.00	
1872	Jany 20	" "	Do	"	"	10.00	
"	June 1.	" "	"	"	"	25.00	
1874	Oct 3.		City Tax	"	Ca.		7.50
1875	Jany 2.	"	State & County tax for 1874		"		13.50.
"	Feby 11.	"	pd Mrs Lane for Laura			364.00.	
"	May 13	"	" for improvement in Block 63.			140.00	
			Total amt paid Laura by Elector			436.50.	230.90.

Exhibit 6.

To amount credited Mary D. Lane in her account of Homestead, rent &c. 585.00.

Total amt 1021.50. 230.90.

Gold reduced to Currency @ 111. 1135.00.

Currency brought down 230.90.

1365.90.

Account of Thomas Green

						gold	Currency.
1868.	May 23.	Amt paid R.S. Swancoat	rec. No. 1.				4.17
"	June 12	" "	S.G. Sneed	tuition			8.33
"	" 29	" "	Do	"			4.15
"	Dec 12	" "	R.S. Swancoat	receipt No 2.			11.02
1869	Feby 13.	" "	" "	Do	"	3	12.70
"	Apl 3	" "	" "	Do	"	4	11.56
"	June 19	" "	" "	Do	"	5	17.41
"	Oct 9	" "	" "	Do	"	6	10.35
"	Dec 4.	" "	" "	Do	"	7	13.00
1870	Jany 18.	" "	" "	Do	"	8	12.00
"	Feby 28.	" "	Clark & Craft		"	B	9.62
"	Apl. 30.	" "	R.S. Swancoat	rec. 9		15.00.	
"	July 1.	" "	" "	Do	"	10.	10.00
"	Dec 19.	" "	John G. James			1	42.60
1871	July 11.	" "	"	Do	"	2	38.97.
"	Dec 21.	" "	"	Do	"	3	59.82
1872.	July 4	" "	"	Do	"	4	46.02
"	Dec 19	" "	"	Do	"	5.	50.00
1873	Mar 4.	" "	McVeigh			A	6.50
"	May 24.	" "	For out to Annapolis				506.77
"	June 13	" "	McVeigh				6.50
"	Nov 18.	" "	Sent to him to Annapolis				5.00

Exhibit 6.

July 23 1875.

				Cy
1874	Jany 11.	Amount paid for Telegram		2.50
"	Feby 16	" Sent to him at Annapolis		25.00
"	Apl 14.	" paid for Telegram		2.50
"	July 22	" Sent to him at Annapolis		5.00
"	Aug 24.	" " " " " "		5.00
1876.	April 7	" paid for return Expenses from Annapolis		58.50.
		" " " said Thomas at different times		134.59.
			Total	256.09. 868.97.
		Gold reduced to Currency 111.		284.54.
		Currency brought down		868.97.
				1153.51.

4441. Joseph Farrell vs Welch & Ruddy — Now come the parties by their attys when the defendants submitted their motion to quash the writs of garnishment issued in this cause which being heard & considered the same is overruled to which ruling the defendant excepts.

4076. Henry Burkhart vs Mary Burkhart — Now comes the defendant by her attorney and submits her motion for a new trial in said cause, which being heard and considered, the same is overruled. And thereupon the defendant gives notice in open Court of an appeal to the Supreme Court.

4468. J. M. Sillen et als v. The City of Austin. And now on this day came the parties to this Cause by their attorneys when M. Goldstein submitted his motion to set aside the judgment rendered herein at a former day of this Term and for a new trial, which being heard and argued by counsel the same is overruled. And thereupon said Goldstein gives notice in open Court of an appeal to the Supreme Court

The foregoing minutes being read in open court & found correct are approved, and it is ordered that this court do now stand adjourned to the next regular term.

J. P. Richardson
Judge.

October 4th, 1875.

The State of Texas } At a term of the Hon. District Court of Travis county begun
County of Travis } and held at the Courthouse thereof, in the City of Austin, on
Monday, the 4th day of October, 1875, the same being the time fixed by law for
the meeting of said Court, Present the Hon. J. P. Richardson, Judge of the 20th
judicial District of the State of Texas, presiding: Geo. B. Zimpelman, Sheriff of Travis
county: by T. T. Pendley, Deputy: and Frank Brown, clerk of the District Court of
said county: Whereupon the following proceedings were had by said Court, to wit:

And thereupon the Sheriff is ordered to call the names of those appearing upon the regular Venire drawn by the County Court, and duly issued, and of those so legally summoned the following were constituted, tried, and sworn, as the Grand Jury of Travis county for and during the present term of the District Court of Travis county, to wit:

J.R. Billingsley[1]: W. H. Brown[2], C. Pfluger[3], W. F. Robinson[4]; John McLewis[5]ton, J.W. Casner[6], L. M. Bradley[7], Joseph Blunn[8], Milton Wallace[9], E. D. Walker[10], Andrew Campbell[11], T. J. Henry[12], Jas. A. Costa[13], W. T. Patterson[14], and A. Dahme[15].

And thereupon said Grand Jurors being sworn and empannelled according to law, J.R. Billingsley was appointed foreman: and said Grand Jury being duly charged by the Court, they were ordered to retire upon a discharge of the same, under charge of Bailiffs duly sworn.

Thos H. Jones, Jr. Comes Thomas H. Jones, Jr., and presents his application to be admitted to practice as an attorney and counsellor at Law in the several District and Inferior Courts of the State of Texas, and thereupon the Court appoints W. M. Walton, Fred. Carleton and H. L. Bentley a committee to examine said applicant in open Court on next Saturday.

4451 F. M. Brown v. J. P. Steele.

4467. M. D. Miller v. H. C. Solomon & Co.

4474. B. L. Mann v. M. W. Townsend

4475. Julia Clarke v. J. W. Lawrence

4476. Amanda West v. G. W. West

4480. S. W. Walton & Co. v. W. B. Walker.

4481. M. D. Matteson v. Geo. B. Zimpelman et. al.

4507. Heirs of Lancaster v. Stewart & Tuells

4508. W. E. Risher et. al. v. G. M. Brasp et al.

4515. Burtis & Smith v. R. du Mesnil

4578 Thos. J. Bigger v. J. Nalle.

4527 J. S. Mills v. G. B. Zimpelman et al.

4537. J. Ringgesky & Co. v. W. C. Cain

4543. J. H. Miller v. R. B. Reinick et al

4546. C. W. White v. G. B. Barron et. als.

4553. Joshua Petty v. J. M. Caldwell

4559. M. Brown v. C. Behnke

4565. M. D. Miller v. James Riley et al.

October 5th 1875.

4566 M.D. Miller v. James Finley et al.
4567. Joseph Mayer v. Sarah Mayer.
4572. J. G. Tracy v. J.P. Bressington
4573. Topham, Wells & Co. v. M. F. de Mattos

And now come the clerk and Sheriff and move the Court to require the plaintiffs in the last preceding twenty-two causes, to enter into bond and give security for the cost in each of said causes. And it is ordered that the said several plaintiffs, in said twenty-two causes be and they are required and ordered to enter into bond and security for the cost thereof on or before the next term of this Court, otherwise the same will be dismissed at their cost, the attorneys for said several plaintiffs being notified

3132. B. O. Staveley v. Helen M. Staveley Continued
3739. G. R. Freeman v. Joshua Fine et. als. Comes the plaintiff, when on motion it is ordered that said plaintiff have leave to amend.
3844. G. R. Freeman v. Robert Lewis et. al. Comes the plaintiff, when on motion it is ordered that said Plaintiff have leave to amend, making new parties.
3906. Geo. W. Glascock v. C. Culmore et. al. Comes the plaintiff, by atty, when on motion it is ordered that said plaintiff have leave to amend
4114. Bronson B. Rose et. al. v. Jane A. Rose, et. al. Upon motion it is ordered that Mr. Downes be appointed Special guardian for Jane A. Rose, Josephine E. Wheelock, Susan B. Wheelock and Son. B. Wheelock

And thereupon it is ordered that the Criminal Docket be set for hearing and trial for the 5th Monday of this term of the Court.

And thereupon Court adjourned till to-morrow at 9 o'clk, a.m.

Tuesday, October 5th 1875.

Court met at 9 o'clock a.m. pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had, to wit:

N.A. Rector. Comes N.A. Rector and makes application for license to practice as an attorney and Counsellor at Law, and it is ordered that W.M. Waeton, Thos. Carleton and H.L. Bentley be appointed a committee to examine said applicant in open Court on next Saturday.

2931. Thos. F. McKinney v. A.M. Cox. Continued
2955. Abby Thompson et al v. A.H. Barnes et al. Continued
2958. Abby Thompson et al v. Geo. Saunders. Continued
2960. Abby Thompson et al v. H.L. Raven. Continued
2973. S.B. Brush v. E. Raven. Continued
3107. A.J. Mitchell v. Risher & Hall. Comes the plff. by atty when on motion it is ordered that said Plaintiff have leave to amend.
3117. J.M. Sitten v. J.R. Worrall. Continued to make parties.
3299. Mary Jane Lee v. R.H. Griffin Comes the plff. by atty when on motion it is ordered that said plff have leave to amend.

October 6th, 1875.

✓ 3299. Mary Jane See v. R.H. Griffin. Continued by Defendant.

✓ 3300. Mary Jane See v. J.W. Sedwick. Comes the plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend.

✓ 3300. Mary Jane See v. J.W. Sedwick. Continued by Defendant.

✓ 3330. J.W. Hannig v. N. Hanson. Continued

✓ 3509. Harris Dudley & Co. v. Henry Klenert. Come the Counsel for the Plaintiffs and suggest that the plff Fox is not dead, but that the Peff. Harris has died, and upon motion it is ordered that the wife of Harris be permitted to become a party plaintiff hereto, which is accordingly done.

✓ 3527. Houston & Texas Central R.R. v. B.M. Odom. Continued

✓ 3538. H & T C R R Co. v. Fred. Carleton. Continued

✓ 3546. J.W. Hannig v. H & T C R R. Continued

✓ 3590. John H. Conner et al. v. C.R. Carter et al. Continued

✓ 3622. E.C. Hinton et al v. Mary M. Bowers et al. Continued

✓ 3623. E.C. Hinton et al v. A.H. Cook et al. Continued

✓ 3624. E.C. Hinton et al v. Y.M.R.C. Ap°. Continued

✓ 3625. E.C. Hinton et al. v. Wm Oliphant

✓ 3642. Bayley & Pond v. L.N. Speer. Continued for service.

✓ 3739. G.R. Freeman v. J. Fine et al. Come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

✓ 3764. Alfred Rooms v. Louis P. Cooke et al. On motion it is ordered that W.A.H. Miller be appointed Guardian ad litem for the minor Defendants herein.

✓ 4007. M.D. Miller v. F.M. Rundell et al. Continued for service on Nolda.

✓ 4040. M.D. Miller v. Stewart & Tullis. Come the parties when on motion it is ordered that this cause be dismissed and that the Defendants recover of the Plaintiff ace the cost of this suit, for which execution may issue.

✓ 4111. S. Fuller et als v. Tom Hill. Come the Peffs. by atty when on motion it is ordered that said plaintiffs have leave to amend.

✓ 4111. S. Fuller et als v. Tom Hill. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

✓ 4115. J.M. Michael et al v. Charles Knopfle. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

✓ 4172. D.B. Wheeler v. Terville Cecil et al. Comes the plaintiff by atty when on motion it is ordered that said plaintiff have leave to amend.

✓ 4194. C.R. Lane v. J.J. Grass et al. Comes the plff. by atty when on motion it is ordered that said Plaintiff have leave to amend.

✓ 4261. J.P. Rodney v. J.P. Hayne. Comes the plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend.

✓ 4313. S.M. Wright v. J.H. Coleman et al. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

✓ 4343. J.R. Allen v. H. Paddock. Comes the plaintiff by atty when on motion it is ordered that said plaintiff have leave to amend.

October 6th, 1875.

/ 4355. Geo. Grimminger v Fried Berger & Bro. on motion it is ordered that the plaintiffs herein be required to give bond and security for the cost of this suit, the atty for the plaintiffs being notified.

/ 4359. Anna P. Durry v. W. C. Durry et als. Comes the plff. by atty when on motion it is ordered that said plaintiff have leave to amend.

/ 4369. W.B. Norris & Co. v. M. S. Allen. Continued for service

/ 4373. T. T. Parr v. R. J. Pace et al. Continued for service.

/ 4381. Miller Dowell et al. v. Alfred Scott. Come the parties by atty when on motion

X it is ordered that this cause be dismissed and that the plffs. herein be adjudged to pay all the cost of this suit for which execution may issue.

/ 4383. L.H. Duckett v. Searcy Shepherd et al. Comes the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

/ 4406. Amanda Bailey v. Daniel Bailey et al. Come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

/ 4442 Rebecca Ann Smith v. John C. Rutledson et al. Comes the counsel for the plff who suggests the death of said plaintiff. Whereupon it is ordered that her administratrix be made a party plaintiff hereto.

/ 4542. Emma Kemphill v. John Kemphill. Comes the plff by atty when on motion it is ordered that said Plaintiff have leave to amend

And Court adjourned till to-morrow at 9 o'clk a. m.

Wednesday, October 6th 1875.

Court met at 9 o'clock a.m. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit:

Salvatore Bailetti

The State of Texas } Salvatore Bailetti being duly sworn according to law in the County of Travis } District Court of said County, doth declare that he was born in the year AD 1849 in the Kingdom of Italy whence he emigrated in the year 1872, 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 renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the King of Italy of whom he is a subject.

Salvatore Bailetti

Sworn to and subscribed before me this 6 day of Oct 1875.

Frank Brown Clerk By S M Lee Deputy

/ 3289 P. Burchard v. Patten Hancock & West. Continued

/ 3627. Louis P. Cooke et al. v. Joseph Lee et al. Come the plffs by atty when on motion it is ordered that said Plaintiffs have leave to amend.

/ 3638. J. L. Baker v. J. E. Mercy. Continued

/ 3646. H & T. C. R. R. Co. v. Jonathan Rogers. Continued

/ 3647. H & T. C. R. R. Co v. J. B. Barron. Continued

/ 3648 H & T. C R R Co. v. A R Morris. Continued

/ 3696. John Ireland v. C. E. West et al. Continued

October 7th, 1875.

/ 3711. P. W. Hall et al v. E. J. Davis, Gov. Come the parties when on motion it is ordered that this cause be dismissed, and that the Defendant recover of the plaintiffs herein and the securities on their appeal bond, all the cost of this suit & that execution issue

/ 3720. Geo. W. Paschal v. H & T C R R Co. Continued

/ 3906. Geo. W. Glasscock v. C. Culmore et al. Comes Fanny Culmore, by atty, when on motion it is ordered that said Defendant have leave to amend.

/ 3927. M. Wear v. Geo. B. Zimpelman. Comes the plaintiff by atty when on motion it is ordered that said Plaintiff have leave to amend.

/ 4250. E. Higby v. C. Conley. Comes Mrs. Higby, showing wife of E. Higby deceased, and upon motion she is made a party plaintiff hereto

/ 4258. Wren & Huling v. John E. Campbell. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

/ 4449. J. Dukey v. C. J. Dukey. Comes the Pffs by atty when on motion it is ordered that said plaintiff have leave to amend.

/ 4454. J. Sheehan v. M. A. Taylor et als. Come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

/ 4463. Sampson & Henricks v. Newman & Fisher. Come the Pffs by atty when on motion it is ordered that said pffs have leave to amend.

And Court adjourned till to-morrow at 9 A.M.

~~Wednesday~~ Thursday, October 7th, 1875.

Court met at 9 o'clock A.M. Pursuant to adjournment. Present Hon J. P. Richardson Judge presiding. Whereupon the following proceedings were had by said Court, to wit:

W. B. Dunn Comes W. B. Dunn and presents his application for license to practice as an attorney and counsellor at law, and it is ordered that said applicant be examined in open Court on next Saturday by the following Committee: W. M. Tracton, Fred. Carleton and K. L. Bentley, Esqrs.

/ 3627. Louis P. Cooke et al. v. Joseph See et al. Continued by Plaintiff

/ 3927. M. Wear v. Geo. B. Zimpelman. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

And Court adjourned till to-morrow at 9 A.M.

Friday, October 8th 1875.

Court met at 9 o'clock a.m. pursuant to adjournment. Present the same as yesterday. Whereupon the following proceedings were had, to wit:

/ 4037. M. L. Scogin et al. v. Alfred Smith. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

/ 4108. Geo. F. Gage v. West Texas Ins. Co. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

/ 4261. J. P. Rodney v. J. P. Hague. And now comes the plaintiff by atty & claims a judgment final by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that J. P. Rodney

October 8th 1875.

do have and recover of J.P. Hague the sum of Seven hundred forty-eight & 88/100 dollars, debt and interest due upon the instrument sued on to this date, together with interest thereon from this date until paid, at the rate of two percent. per month, and all the cost hereof to be taxed, & that execution issue.

/ 4408. B H Davis v. W. F. Wells. And now comes the counsel for the plaintiff and claims a judgment by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law, it is ordered that the plaintiff recover of the Defendant according to the prayer of his petition and that a writ of Inquiry be awarded.

/ 4463 Sampson & Henricks v. Newman & Fisher. And now come the pffs. by atty and
X dismisses this suit as to the Defendant Newman, who has not been served, and claims a judgment by default as to the Defendant Fisher. And because said Fisher has been legally cited and has failed to answer within the time prescribed by law, and the cause of action being liquidated, it is ordered and adjudged that Geo. W. Sampson and Ben. F. Henricks, under their firm name of Sampson & Henricks, do have and recover of said Fisher the sum of two hundred, fifty-seven & 32/100 Gold Dollars, debt and interest due upon the note sued on to this date, with interest thereon from this date until paid at the rate of ten per cent. per annum and all the cost of this suit & that execution issue.

/ 4470. Perry Clements et al v. J. Johnson et als. Comes the pffs. by atty & when on motion it is ordered that said Plaintiffs have leave to amend.

/ 4477. McDonnell & Harris v. Henry Sams, Jr. And now come the plffs by atty and
X claim a judgment final by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law and the account sued on being sworn to, It is ordered and adjudged that Francis McDonnell and Pryor N. Harris, under the style of McDonnell & Harris, who sue for the use of Francis McDonnell, do have and recover of Henry Sams Jr the sum of One hundred forty nine & 20/100 Dollars, debt and interest due to this date together with all costs hereof to be taxed, for which execution may issue.

/ 4480. S. W. Wacton & Co. v. W. D. Wacker. on motion it is ordered that this cause be
X dismissed and that the cost hereof be adjudged against the plaintiffs and that execution issue.

/ 4515. Burtis & Smith v. R. du Menil. And now come the plaintiffs by atty & claim a
X judgment final by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law, and the cause of action being liquidated, it is ordered and adjudged that N. W. Burtis and D. M. Smith, under their firm name and style of Burtis & Smith, do have & recover of R. du Menil the sum of One hundred Sixty-four and 13/100 Dollars, debt and interest due upon the instrument sued on to this date, together with all costs in this behalf incurred, & that execution issue.

/ 4520. O. M. Jackson v. John T. Carter et als The Defendant E. W. Shands having
been only cited and failed to answer within the time prescribed by law,

October 8th 1875.

it is ordered that the plaintiff recover of said Shands according to the prayer of his petition and that the cause be continued for service on the other Defts.

/4524. Wm Brueggerhoff v. E Sutter. On motion it is ordered that this cause be dismissed, and that the cost hereof be adjudged against the said plaintiff for which execution may issue.

/4537. J. Ringelsky & Co v. W C. Cain Continued for service.

/4540. J. E. Bouldin v. J.H. Zwiley. And now comes the plaintiff by atty & claims a judgment final by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that J E. Bouldin do have and recover of J.H. Zwiley the sum of two hundred, ninety-two & 70/100 Dollars in coin, debt and interest due upon the note sued on to this date, with interest thereon from this date until paid, at the rate of one per cent. per month, and all the cost of this suit, for which execution may issue.

See affidavit on file with papers, stating that plaintiff was paid in full by J.H. Shands Jr. Sept 27th 1875. Also Sept 28th 1875. also on file

/4553. J. Capps & Sons v W.B. Walker. And now come the pffs. by atty and claim a judgment final by default. And because the Defendant has been duly cited & has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that J. Capps, A.S. Capps and B. Capps under their firm name of J. Capps & Sons do have and recover of W.B. Walker the sum of two hundred, Sixty-one & 54/100 Dollars debt and interest due upon the instrument sued on to this date, together with the cost hereof to be taxed, for which execution may issue.

/4560. Willie & Cleveland v. B. P. Stacy. Come the pffs by atty and claim a judgment final by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that A.H. Willie and C. L. Cleveland, under their firm name of Willie & Cleveland, do have and recover of B. P. Stacy the sum of one hundred and sixty-five 65 Dollars and debt and interest due upon the instrument sued on to this date, and all the cost of this suit, for which execution may issue

/4564. J. H. Robinson & Son v. J. W. & E. V. Taylor. Come the pffs by atty & claim a judgment final by default. And because the Defendants have been duly served and have failed to answer within the time prescribed by law, and the cause being sworn to, it is ordered and adjudged that J.H. Robinson and A.H. Robinson, under their firm name of J.H. Robinson & Son, do have and recover of the Defendants J.W. Taylor and E.V. Taylor the sum of one hundred, ~~forty-two~~ 78 (/122.78) 100 Coin Dollars, debt and interest due upon the account sued on to this date, and all cost of this suit, for which execution may issue

/4570. W. J. Montgomery v Geo. W. Honey et. al. And now comes the plff by atty and dismisses this suit as to the Defendant Gage, and claims a judgment by default as to the other Defendants. And because said Defendants have accepted service of pff's petition and have failed to answer within the

time prescribed by law, and the cause of action being liquidated, it is ordered & adjudged that W. J. Montgomery do have and recover of the Defendants Geo. W. Honey, James Neill and Wm. W. Wilson the sum of two thousand three hundred and thirty-eight dollars debt and interest due upon the note sued on to this date, with interest thereon from this date until paid at the rate of 2½ per centum per ~~annum~~ month and all cost of suit, for which execution may issue.

/ 3748. John A. Green et al Exrs of John Horan v. Lucinda Raymond et al. And now on this day came the parties to this cause by their attys, when Defendants' general demurrer being submitted the same was overruled, to which Defendants except. And Pltff's special exceptions were also overruled to which the Pltff excepts And Defendants special exceptions to the replication, were sustained, to which Pltff excepts. And Pltff's special exception being submitted, the same is overruled to which Pltff excepts. And then came a Jury of twelve good and lawful men of Travis County consisting of J. B. Galusha and eleven others, who being tried, elected and sworn according to law, heard the pleadings, the evidence, arguments of the counsel and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit. "We the Jury find for the Defendants. J. B. Galusha, Foreman." Whereupon it is ordered and adjudged that the plaintiffs take nothing in this behalf: that the Defendants go hence and recover of P. W. Nowlin, the Estate of John Horan deceased the all the Cost of this suit, and that the same shall be held as an established claim against said estate.

Alois Gaebel — The State of Texas } Alois Gaebel being duly sworn according to law in the District County of Travis } Court of said County doth declare that he was born in the year AD 1846 in the Kingdom of Hungary whence he emigrated in the year 1869 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 renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty what-soever and particularly to the King of Hungary of whom he is a subject.

Alois Gaebel

Sworn to and subscribed before me this 8 day of Oct 1875. in open Court.

Frank Brown clerk By S. M. Lee, deputy.

/ 3764. A. Grooms v. S. P. Cooke et als. Continued by Defendant.

/ 3775. Wm. Walsh v. John W. Glenn. Dismissed

/ 3787. H. J. Richarz v. Raymond & Whitis. Comes the Pltff by atty when on motion it is ordered that said Plaintiff have leave to amend.

/ 4552. James W. Hamilton v. Edward Parker. And now comes the Pltff by atty and claims a judgment final by default. And because the Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that said James W. Hamilton do have and recover of Edw and Parker the sum of two hundred and fifteen dollars, the amount claimed and

October 8th 1875.

due upon the instrument sued on, together with all the costs of this suit, for which execution may issued

4115. J. M. & L. M. Michael v. Charles Knopple. Come the pffs by atty & it appearing to the Court that the deft has been duly cited by publication as required by law, and has failed to appear & answer herein, but makes default, and the cause of action being liquidated, it is ordered that said plaintiffs have leave to amend

3754. Locke & Marshall v. James Davidson, and Mrs. Davidson Garnishee. And now Execution docket No 4 page 538. come the pffs and the Intervenor and announce ready for trial. Whereupon a jury of twelve good and lawful men of Travis County Consisting of John H. Wood and eleven others who being tried, elected and sworn according to law, heard the pleadings, evidence, argument of Counsel and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to-wit: "We of the Jury find for the pffs the sum of three hundred and five Dollars principal and interest and the amount constitutes a lien on the property described in the petition. John H. Wood Foreman." Whereupon it is ordered and adjudged that L. C. Lock and F. Marchal, under their firm name of Locke & Marchal, do have and recover of James Davidson the sum of Three Hundred and Five Dollars, so found to be due and all the cost of this suit, for which execution may issue. And it appearing that pffs. have a mechanic's lien upon the following described property to wit: Lots Nos. 7. 8. 9. in Block No. 2 of the subdivision of Out Lots Nos. 15. 16. 17. in Division D of the City of Austin, it is ordered that said lien on said property be foreclosed and that an order of sale do issue requiring the Sheriff to levy upon, advertise, and sell, as under execution, the above described lots of ground and the improvements thereon, and the proceeds thereof he shall apply to the satisfaction of this judgment, interest and costs, and the overplus if any he shall pay over to the Defendant and Intervenor. But if said property shall not bring a sufficiency then execution may issue for the remainder against said Defendant.

4531. C. R. Johns & Co. v. G. Hoffman et al. And now come the pffs by atty & claim a judgment final by default. And because the Defendants have been legally cited and have failed to answer within the time prescribed by law and the cause of action being liquidated. It is ordered and adjudged that C. R. Johns, F. Evers and W. von Rosenberg under their firm name of C. R. Johns & Co. do have and recover of G. Hoffmann, Principal, and W. von Rosenberg, endorser, the sum of One hundred Eighty Four 75/100 Silver Dollars ($194.75) debt and interest due upon the note sued on to this date, with interest thereon from this date until paid at the rate of 2½ per centum per month, and all costs of this suit, for which execution may issue

4532 C. R. Johns & Co. v. G. Hoffman et al. And now come the pffs by atty & claim a judgment final by default. And because the Defendants have been duly cited, and have failed to answer within the time prescribed by law and the cause of action being liquidated. It is ordered and adjudged that C. R. Johns, F. Evers and W. von Rosenberg, under their firm name of C. R. Johns & Co. do have and recover of the Defendants

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G. Hoffmann and J. J. Gross the sum of Four hundred, twelve & 75/100 Silver Dollars, debt and interest due upon the note sued on to this date, together with interest thereon from this date until paid at the rate of 2½ per centum per ~~annum~~ month, and the further sum of thirty dollars Silver attorneys as per contract, and all costs of this suit, for which execution may issue.

1478 C.R. Johns & Co. v. Sarah Chandler & A.S. Walker. And now come the Pffs. by atty and claim a judgment final by default. And because the Defts. have been legally cited and have failed to answer within the time prescribed by law and the cause of action being liquidated, it is ordered and adjudged that C.R. Johns, W. von Rosenberg and P. Ennell, under their firm name and of C.R. Johns & Co. do have and recover of Sarah Chandler, principal, and A.S. Walker, security the sum of, Three hundred Ninety-Seven & 74/100 Dollars, debt and interest due upon the note sued on to this date, together with interest thereon from this date until paid at the rate of ten per centum per Annum, and all costs of this suit, for which execution may issue.

And it appearing that said Walker is security or endorser upon the note sued on, it is ordered that said A.S. Walker do have and recover of said Sarah Chandler, principal, the said sum of $397.74/100 Dollars, with ten per centum per Annum interest thereon from this date until paid and all the costs of this suit, and if he shall be compelled to pay the amount of this judgment, or any portion thereof, then he shall have execution over against said Sarah Chandler for the same or any portion thereof that he may be compelled to pay.

And now on this day came into open Court the Grand Jury of Travis County empannelled at this term and through their foreman J. R. Billingsley presented to the Court the following Indictments to wit

4319 An Indictment against Tovey Murphy for Exhibiting Monte
4320 An Indictment against Geo. Evans for Betting at Monte
4321 An Indictment against Paul Lewis for Exhibiting Monte
4322 An Indictment against Morris Organ for Exhibiting Monte
4323 An Indictment against Dan Givens for Betting at Monte
4324 An Indictment against Green Penn for Betting at Monte
4325 An Indictment against Jake. Smith for Betting at Monte
4326 An Indictment against Mack Horst for Exhibiting Monte
4327 An Indictment against Green Littleton for Exhibiting Monte
4328 An Indictment against Upson for Betting at Monte
4329 An Indictment against Jim Craft for Playing Cards
4330 An Indictment against Isam Jackson for Playing Cards
4331 An Indictment against Sci Jackson for Playing Cards
4332 An Indictment against Thomas Thompson for Playing Cards
4333 An Indictment against Archy Henry for Playing Cards

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4334 An Indictment against N. Sansberry for Betting at Monte
4335 An Indictment against Henry Ellege for Betting at Monte
4336 An Indictment against Giles Branch for Theft from a house
4337 An Indictment against Giles Branch for Theft from a house
4338 An Indictment against Wm Crayton for Theft of a gelding
4339 An Indictment against Rolando Cesare & Charley Covey for Wilfull Burning
4340 An Indictment against Bob. Jones, Pitman & Jake Cain for Assault
4341 An Indictment against Bob. Jones, Pitman & Jake Cain. for Robbery
4342 An Indictment against John Caulin for Theft of cattle
4343 An Indictment against Mike Smith for Playing Cards
4344 An Indictment against Cal. Bonner for Playing Cards
4345 An Indictment against C. Jo M Kinney for Playing Cards
4346 An Indictment against Calvin Thailkill for Playing Cards
4347 An Indictment against Henry Brown for Playing Cards
4348 An Indictment against George Jones for Assault to Murder
4349 An Indictment against T. Buttmans for Theft of a Gelding

And said Jury suggesting to the Court that there is further business pending before them they where ordered to retire upon a discharge of the same

3787. H. D. Richarz v. Raymond & Whites. And now on this day came the parties to this cause by their Attys and announced themselves ready for trial, and waiving a Jury submit the cause to the Court. And the Court having heard the pleadings & evidence, is of opinion that the law of the case is with the Defendants. Whereupon it is ordered and adjudged that the Pltff take nothing in this behalf that the Defendants go hence and recover of said H. D. Richarz, and the Securities on his cost Bond, Joseph Ney and John Holm all the cost of this suit, for which execution may issue. And thereupon said Plaintiff gives notice in open Court of an appeal to the Supreme Court.

J. S. Pilcher J. S. Pilcher having presented to the Court evidence of his having been heretofore admitted to practice as an Attorney and Counsellor at Law in the Courts of the State of Mississippi. It is ordered that he be admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas, upon taking the oath prescribed by Law & that a License issue.

And Court adjourned till to-morrow at 9 o'clock A.M.

Saturday, October 9th, 1875.

Court met ad 9 o'clock A.M. Pursuant to adjournment. Present Hon. J. P. Richardson Judge presiding. Whereupon the following proceedings were had, to wit:

4328. W. W. Walton v. L. E. Edwards. Comes the Pltff by atty when on motion it is ordered that said Plaintiff have leave to amend.

4589. J. E. Bonedjn v. A. B. Palm et al. Continued for service on Palm.

4636. B. F. Crowther v. Jno. D. Logan & Co. Comes the Pltff by atty and claims a judgment by default. And because said Defendant has been legally cited and has failed to answer within the time prescribed by law & the cause

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of action being extinguished, it is ordered that the Plaintiff recover of said John D. Logan according to the prayer of his petition

✓4361. Susan Brandon et al v. R. W. Turner et al. And now come the Plffs. by atty and dismiss this suit as to the Defendant E. C. Cunningham. And upon motion it is ordered that said Plaintiff have leave to amend

✓4361 Susan Brandon et al v. R. W. Turner et al. Comes the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

Carrie Viebrock. ✓4368 And now comes on to be heard the application of Carrie Viebrock, duly sworn to, asking to be relieved of her disabilities of minorage, duly sworn to, and the same being considered, it is ordered and adjudged that the Disabilities as a Minor of said Carrie Viebrock, be removed, and that she be held for all legal purposes of full age, the same as if she were twenty-one years of age, and held responsible as such.

✓4172. D. B. Wheeler v. Jerville Cecil et al. Come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

✓4179. H. Deichmann v. M. J. Matteson. Comes the Defendant, by atty, when on motion it is ordered that said Defendant have leave to amend

✓4292. Wheeler & Wilson Manufg Co. v. Henry Manor. Comes the Pff. by atty when on motion it is ordered that said Plaintiff have leave to amend.

✓4308. Charles Bohn v. Rudaeph Krause. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

✓4336. G. M. Brass v. J. B. Perry. Comes the Pff. by atty when on motion it is ordered that said Pff. have leave to amend.

✓4358. W H Gaynor v. Wm Halder et al. Comes the Defendant by atty when on motion it is ordered that Defts. have leave to amend.

✓4440. L. Le Giuse & Co. v. J. W. Taylor. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

✓4450. D. A. Deague v. Frank. Brown, clerk. Comes the Defendant by atty when on motion it is ordered that said Defendant have leave to amend.

✓4470. Perry Clemans et als v. Joshua Johnson et als. Come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend.

✓4484. The State of Texas v. W. H. Grow et als. Continued for service

✓4485. The State of Texas v. Stanley Welch. It appearing that the Defendants bond as a witness in the case of the State of Texas v. James P. Newcomb, No. 3551, was forfeited at the last term of this Court, and said Defendant having been cited to appear and show cause why the Judgment nisi should not be made final, which he has wholly failed to do, It is ordered that said Judgment nisi be made final, and that the State of Texas do have and recover of said Stanley Welch the sum of two hundred Dollars, and all the cost of this proceeding, and that execution issue therefor.

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4486. The State of Texas v. C. A. Reed et.als. Comes the counsel for the plff and dismisses this suit as to the defendant Brooks. And it appearing that at the last term of this Court Judgment ni si was rendered against the Defendants Charles Reed, Tics Wamken and J.C. Brooks on a forfeited appearance bond for the sum of One hundred dollars, and writs of scire facias having been issued upon the defendants Wamken, and said Defendants having failed to appear and shew cause why said Judgment should not be made final, It is ordered that said judgment ni si be made final, and that the State of Texas do have and recover of said Charles Reed as principal and Tics Wamken, security, the said sum of one hundred dollars, and all the cost of this proceeding, and that execution issue

4487. The State of Texas v. W. B. Robinson et.als. It appearing that at the last term of this Court Judgment ni si was rendered against the Defendants W. B. Robinson, E. Creary and J. J. Musgrove on a forfeited appearance bond for the sum of one hundred dollars, and writs of scire facias having been served upon the Defendants to appear and shew cause why said Judgment should not be made final, which they have wholly failed to do, it is ordered that said Judgment ni si be made final, and that the State of Texas do have and recover of W. B. Robinson principal, and J. J. Musgrove and E. Creary as securities the said sum of One hundred Dollars and all the cost of this proceeding, and that execution issue

4488. The State of Texas v. Jas. Luckett et.als. On motion it is ordered that the forfeiture in this cause be set aside, and that the cost of this suit be adjudged against the said Jas. Luckett and Bristoe Jewett for which execution may issue

4489. The State of Texas v. R. H. L. Bibb. On motion it is ordered that the fine in this cause be set aside, & that the cost be adjudged against the Defendant.

4490. The State of Texas v. Fritz Holman et.als. Dismissed

4491. The State of Texas v. Jim Whitehead et.als. And now come the parties by their attys, when came on to be heard the answer of the Defendant, which is not sufficient. Whereupon, it appearing that at the last Term of this Court Judgment ni si was rendered against the Defendants herein on a forfeited appearance bond for the sum of One hundred dollars, and the securities having been cited to appear and shew cause why said Judgment ni si should not be made final which they have wholly failed to do, It is ordered that said Judgment ni si be made final, and that the State of Texas do have and recover of Jim Whitehead principal and A.D. Neumann and J.R. Graham securities the said sum of One hundred dollars and all the cost of this suit for which execution may issue

4493. The State of Texas v. C.L. Ferguson et.als. And now come the parties by attorney when the Defendants submitted their answer, which is not sufficient. Whereupon it appearing that at the last term of this Court Judgment ni si was rendered against the Defendants herein on a forfeited appearance bond for the sum of two hundred and fifty Dollars and the Defendants having wholly failed to shew cause why said Judgment ni si should not be made final, It is

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ordered that the aforsaid Judgment ni si be made final, and that the State of Texas do have and recover of C. L. Ferguson, alias Charles Fergeson, principal, and I. J. Good and Will. Henricks, securities the said sum of two hundred and fifty dollars and all the cost of this proceeding & that execution issue.

1194. The State of Texas v. Jo. Wadsworth et als. On motion this cause is dismissed as to the Defendant Ricks and asks for judgment against the other Defendants. And it appearing that Judgment ni si was entered at the last Term of this Court against the Defendants upon a forfeited appearance Bond for the sum of one hundred Dollars and the securities having been cited to appear and shew cause why said Judgment ni si should not be made final, it is ordered and adjudged that said Judgment ni si be and the same is made final, and that the State of Texas do have and recover of Jo. Wadsworth, principal, and Jno. M. Crossley as security the sum of One hundred Dollars and all the cost of this proceeding & that execution issue

1195. The State of Texas v J. J. Sullivan et. als It appearing that at the last Term of this Court Judgment ni si was entered against the Defendants upon a forfeited appearance bond for the sum of two hundred and fifty dollars and the securities having been cited to appear and shew cause why said Judgment should not be made final, it is ordered which they have failed to do, it is ordered and adjudged that said Judgment ni si be made final, and that the State of Texas do have & recover of J. J. Sullivan principal and Geo. W. Sampson and J. P. Blassington securities the said sum of two hundred and Fifty Dollars and all the cost of this proceeding and that execution do issue

4496. The State of Texas v. J. J. Sullivan et als Dismissed

4497. The State of Texas v. B. Madra et als. On motion it is ordered that the forfeiture in this case be set aside, & that the Defendants B. Madra and W. A. Morris security be adjudged to pay all the cost of this suit, & that execution issue.

4509. The State of Texas v. David Fetes. Dismissed

4510. The State of Texas v. J. R. Schumake. Dismissed

4511 The State of Texas v. T. J. Bathrop. Ordered that the fine herein be & is set aside & that the cost be adjudged against the Defendant for which execution may issue

4512. The State of Texas v. L. McKenzie Dismissed

3739 G. R. Freeman vs Joshua Fine, et al. — This day comes the plaintiff in his own proper person, and all the defendants by their attorneys, N. G. Shelby, J. W. Roberts and Fred. Carleton; when defendants plea to the jurisdiction and demurrer coming on to be heard, the same were overruled; to which the defts. except, and then came a jury of twelve good and lawful men, who being duly empanneled and sworn, well and truly to try the issues joined between the parties upon their oaths, and rendered into and before the court the following verdict, to-wit: "We of the jury find for the plaintiff one half of the land contained in the four surveys; viz: One tract of 640 acres; two tracts constituting 1476 acres, and one of 1920 acres as stated

Joshua Fine
Margaret E. Brown her husband
Henry R. Brown,
Margaretta Fine,
Fannie Fine,
Matthew Fine,
Milton Fine of Springfield Mo.
Milton Fine of St. Louis Mo.
Charles L. Fine,
Felix F. Fine,
Harriet Eddy,
James Eddy her husband.

Theodocia Fine, Ellen Hanson & her husband — Hanson, Margaretta S. Fillewell & her husband Frank Fillewell, Mrs. Olive Green, widow of — Green dec'd, Ann Lowrey, William Apperson, Charles Apperson, John P. Apperson, Jane Gray, & her husband — Gray and the unknown heirs of Charles Fine dec'd.

in plaintiff's petition. Signed, John H. Word, foreman". It is therefore considered by the Court that the said Plaintiff, G. R. Freeman do have and recover of the said defendants the one undivided half of each of the tracts of land described in plaintiff's petition, as follows; to-wit: A tract or survey of 1920 acres in Hamilton County of the State of Texas, granted to the heirs of Charles Fine, by letters patent No. 298. Vol 8. on the 17th day of June, A. D. 1857; on the northern waters of Cowhouse creek, about 16 miles S. 40° E. from the junction of the North and South Leon; Known as survey No. 51, by virtue of Bounty Warrant No. 846, issued by H. L. Upshur, acting Adjutant General, on the 18th day of June 1851. Said survey beginning at the N. E. corner of survey No. 48, made for Wm. J. Menefield, for the S. E. corner of this survey. Thence N. 71° W. 3166 varas to the N. W. corner of survey No. 48 and the S. W. corner of this survey. Thence N. 19° E 3423/2 vrs a mound for the N. W. corner. Thence S. 71° E. 3166 varas to a mound for the N. E. corner. Thence S. 19° W. 3423/2 vrs to the beginning.

2. Also, a tract or survey of 640 acres in the county of McLellan and State of Texas, granted to the Heirs of Charles Fine by letters patent No. 613. Vol. 2. of date June 4th, A. D. 1858, lying between South Bosque and middle Bosque, and about 17 miles South 75° W. from Waco; and known as the survey by virtue of Donation Warrant No. 323, issued by H. L. Upshur, acting Adjutant General, on the 12th day of June, 1851. Said survey beginning at the N. E. corner of a survey made for Benj. F. Brewster, a stone mound in the prairie. Thence North 60° E. 305 varas to the S. E. corner of this survey, a mound. Thence North 30° W. 875 varas, passing the S. W. corner of a survey made for Saml. Anderson; continuing 2775 varas to the N. W. corner of said Anderson survey. Thence South, 60° W. 1382 varas to a mound for the N. W. corner of this survey. Thence S. 30° E. 2775 varas to a mound for the S. W. corner of this survey in the North line of said Brewster's survey; and thence with said line N. 60° E 997 varas to the beginning.

3. Also, a tract or survey of 1091 acres, or Six $\frac{161700}{1000,000}$ Labors of land, granted to the heirs of Charles Fine by letters patent, of date April 6th A. D. 1857, and lying on the waters of Miller's Creek, about 50 miles N. 85° W. from Fort Belknap; and known as survey No. 167, by virtue of Headright Certificate No. 59. issued by Ben. F. Hill, Adj't. Genl. on the 10th day of June, 1851. Said survey beginning at the N. E. corner of survey No. 166, a stake from which a Musquite bears S. 38° W. 15 varas; and another bears N. 44° W. 22 varas. Thence East at 1900 varas a stake from which a musquite bears S. 45° W. 30 varas. Thence South at 3243 varas, crossing Creek, a stake from which a Musquite bears S. 39° E. 4 varas; and another bears N. 85° E. 28 varas. Thence west at 1900 varas a stake from which a Musquite bears N. 77 W. 8 varas. And thence North at 1243 varas a branch 3243 varas to the beginning. The bearings marked ✕.

4. And a tract or survey of 385 acres of land in Baylor County, on the waters of the Salt Fork of the Brazos River, about 34 miles N. 46° W. from Fort Belknap. Surveyed by virtue of certificate No. 59; for one-third of a league of

land, issued by Ben. F. Hill, Adjutant General, on the 10th day of June, A. D. 1851, and patented to the heirs of Charles Fine, by letters patent No. 791. Vol. 11; of date Jany 10th, A. D. 1859. Said survey beginning at the N. W. corner of a 640 acre survey in the name of Thos. Brown; a stone mound from which an Elm bears S. 24° W. 50 varas; and another bears. S. 19° W. 53 varas. Thence N. 1097 varas a stake from which a Musquite bears N. 24° E 40 varas; another bears S. 20° W. 31 varas. Thence East 1981 varas, a stake from which a Musquite bears N. 10° E. 8 varas. Thence South, crossing branch at 1097 varas the S. E. corner of this survey; and thence West at 1031 varas pass the N. E. corner of the aforesaid Brown's survey; and at 1981 varas the place of beginning.

It is further considered and ordered by the Court that the plaintiff shall have partition of his half of said lands, from the half belonging to the defendants; and that the same shall be set apart to him by dividing each of said tracts equally and fairly between him and the defendants, according to quality and value; and that W. J. Montgomery and A. B. McGill and J. W. Lawrence are hereby appointed Commissioners to ascertain the character and value of each of said tracts of land, and to make a just and fair partition thereof according to this decree, between plaintiff and said defendants; and, as soon as practicable, to report, under oath, to this Court their action under this appointment, for confirmation or rejection; and that this cause be continued on the docket for action of this Court on the report of the Commissioners, and such further orders in the case as may be right and proper. It is further decreed and ordered that the plaintiff do have and recover from the defendants all his costs in this suit; and that he have execution therefor

4674 Thomas E. Cates et al. vs J. D. McCall, et al.—This cause coming on to be heard, and a jury being waived; and the matters therein, as well of fact as of law, being submitted to the Court; and it appearing to the satisfaction of the Court that Jno. R. McCall, died seized of the following property; to-wit: Five hundred and sixty three and a half acres out of the Santiago del Valle grant, in Travis county, and West of the Colorado River.

One hundred and 1/3 acres of land, out of same grant; and also two hundred and thirty five acres, likewise out of said grant to Santiago del Valle, Also, three hundred and fifty acres, the headright of William Kincaide, situated in Williamson County, on Brushy Creek. Also, the headright of William Duggan, containing six hundred and forty acres, and the bounty claim of said William Duggan, for two hundred and ninety acres of land; both of which tracts are situated in the County of Williamson. Also, the bounty claim of James P. Davis, for six hundred and forty acres, lying on Mineral Creek, in Grayson County, State of Texas. Which said above described lands was community property with his wife, America P. McCall; and that she has sold and conveyed her community interest in said property to John

Monday Morning Oct.r 11th 1875

D. McCall. That the following persons are his heirs and legal representatives; to-wit. John D. McCall, Emma Berryman, formerly Emma McCall; William C. McCall, I. S. W. C. McCall; each entitled to one share; and Eliza Marie Cater, Maggie Cater, Lula V. Cater, Emma Cater and Thomas Cater, children of M. McDougal Cater, formerly M. McDougal McCall; together, to one share. There appearing to have been no administration on the estate of John R. McCall, and no necessity for administration; and all parties at interest desiring Partition; It is ordered, adjudged and decreed that James McKinney, L. D. Carrington and Joseph Spence be and they are hereby appointed Commissioners to Partition said property; Giving to Jno. D. McCall six parts, or shares. To Emma Berryman, one tenth or share; to William C. McCall, one tenth a share; to I. S. W. C. McCall one tenth a share; and to the children of M. McDougal Cater one tenth a share. And the said Commissioners are further ordered to report at this term of the Court their action in this behalf for examination and approval.

Monday Morning October 11th 1875.

Court met at 9 o'clock a. m. pursuant to adjournment; Present Hon. Jas. P. Richardson, Judge, and other legal officers of court: when the following proceedings were had:

And now on this day came into open Court the Grand Jury of Travis County, empaneled at the present term of this Court, and through their foreman, J. R. Billingsly, presented the following bills of indictment to: wit:

4351 An indictment against J. W. Burt. for "Theft from the Person".
4350 An indictment against Jno. Freeman and Joseph Freeman for murder
4352 An indictment against William Gransby. for Ass. to murder
4353 An indictment against Calvin Thrailkill for carrying a pistol.
4354 An indictment against Frederick Ashton. Theft from a house.
4355 An indictment against Mack Hurst, assisting to murder
4356 An indictment against J. W. M. Knight, Georgia McKnight, Chipley Burlage and Francis Burlage for conspiring to commit murder.
4357 An indictment against —— Benitis for betting at Monte
4358 An indictment against Miguel Martinez for betting at Monte
4359 An indictment against Edward Martinez for betting at Monte
4360 An indictment against Edward Martinez for Exhibiting Monte
4361 An indictment against Miguel Martinez for Exhibiting Monte

And thereupon court adjourned till to-morrow morning 9 o'clock

Tuesday Morning. Oct.r 12 th 1875

Court met at 9 o'clock A. M. pursuant to adjournment: present, Hon. Jas. P. Richardson, Judge; whereupon the following proceedings were had; to-wit:

3867 The State of Texas v Isaac M. McKee, et al. Continued for service

Tuesday Morning Octr 12th 1875.

3932 E. L. Whipple vs S. B. Brush, admr. And now on this day came the parties to this cause by their attorneys of record, and the minor defendants by their special guardian, Jno. W. Robertson, Esqr; and thereupon all parties waive a jury, and submit the matters at issue, as well of law as of fact to the Court; which by the same being duly considered, after hearing the testimony and argument of counsel, the premises being well understood; It is thereupon ordered, adjudged and decreed by the Court that said plaintiff take and have nothing by his said suit, and that each and all of said defendants go hence fully discharged from all liability to said plaintiff; and that they and the officers of this Court do have and recover of and from said plaintiff all costs in this behalf incurred; for which execution may issue. To which ruling of the Court Plff excepts, and gives notice in open Court of an appeal to the Supreme Court

3779 J. M. Sitton v. J. C. Minter, et. al. — And now on this day this cause coming on to be heard, and plaintiff appearing, and thereupon the defendants came not; and it appearing to the Court that defendants have been duly cited and failed to appear and answer plaintiff's motion within the time prescribed by law; and it further appearing that on the 5th day of November, 1873, said plaintiff recovered in this cause in this court a judgment against defendant, Evaline A Minter for the sum of $337.65 in gold and silver coin, with ten per cent. interest and costs, and that said judgment remains in full force, and that no execution was awarded for the collection thereof; and it further appearing that on the 29th day of November, 1874, there was paid on said Judgment the sum of $99.50 coin, and that said Judgment remains unsatisfied as to the balance; It is therefore ordered by the Court that said Plaintiff have and recover from said defendant, Evaline A. Minter, wife of defendant, J. C. Minter, the sum of $273.95 in gold and silver coin, with interest at the rate of ten per cent. per annum thereon from this date, with all costs herein. Said sum being the remainder of the principal and interest due at this date after deducting said payment of $99.50. And it is further ordered that execution issue for the sale of the goods, chattels, lands and tenements of defendant, Evaline A. Minter only, for the satisfaction of this judgment

4451 F. M. Brown, vs Jno. P. Isbel. — This cause being called for trial, comes the plaintiff by his attorneys of record, and claims a judgment by default, and because the defendant though cited by personal service has failed to answer within the time prescribed by law, thus wholly making his default; It is ordered that the said Plaintiff do have and recover of the said defendant according to prayer of his petition, and that a writ

Tuesday Morning Oct. 12th 1875

of Inquiry be awarded.

4451 F. M. Brown vs John P. Isbel. — And now on this day came the Pltff by attorneys and announced ready for trial, upon the writ of inquiry heretofore awarded; When came a jury of twelve good and lawful men of Travis County, consisting of Jno. H. Wood, foreman and eleven others, duly tried, empanneled and sworn according to law; heard the evidence and charge of the court, retired for deliberation, and returned the following verdict, to-wit: "We the jury find for the plaintiff for the property described in the plaintiffs petition. John H. Wood, foreman". It is therefore ordered and decreed by the court that the plaintiff F. M. Brown, do have and recover of and from the defendant Jno. P. Isbel, the property set out and described in his petition, with all costs in this behalf incurred; and that he have his execution therefor. And it is further ordered that the officers of court have their execution for enforcement of costs.

Chas. Von Bouckman dec. of Int.

The State of Texas, County of Travis. — Charles von Bouckmann being duly sworn according to law in the District Court of said County, doth declare that he was born in the year A. D. 1820, in the Kingdom of Prussia, whence he emigrated in the year 1867 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 renounces 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. (Signed) Carl Von Bockman

Sworn to and subscribed before me this 12th day of Oct., 1875. in open court.

Frank Brown, Clk by S. M. Lee, deputy.

J. Burnstein dec. of Int.

The State of Texas } J. Burnstein, being duly sworn according to law in
County of Travis } the District Court of said County, doth declare that he was born in the year A. D. 1833, in the Kingdom of Prussia; whence he emigrated in the year 1872 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 renounces 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.

(Signed) J. Birnstein.

Sworn to and subscribed before me this 11th day of Oct. 1875

Frank Brown, clerk by S. M. Lee, deputy

4103 Geo. B. Zimpelman. vs Jacob H. Harrell. — This cause being called on the docket, comes the defendant by attorney; when, on motion, It is ordered that said defendant have leave to amend.

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4114 Bronson B. Rose et al v. Jane A. Rose et als. This cause coming on to be heard, on motion It is ordered that Mr. Ward be appointed special guardian of the minor Jane A. Rose, Josephine E. Wheelock, Susan B. Wheelock and Lou. B. Wheelock, vice Mr. Townes heretofore appointed, whose declination to act is considered and allowed by the Court; and that said Ward qualify as such guardian by giving bond in the sum of $1000.00.

4142 Ann Eliza Davidson v. Raymond & Whitis. This cause being called on the docket, on motion It is ordered that the Plaintiff have leave to amend.

3906 Geo. W. Glasscock vs Chas. and Fannie Culmore. — And now on this day came the parties plaintiff and defendant by their attorneys of record; and thereupon the plaintiff presented to the court his demurrer to the answer of defendants, which was by the court, after due consideration overruled; to which ruling of the Court plaintiff excepts; Whereupon the parties announced ready for trial; and thereupon came a jury of twelve good and lawful men of Travis County, to-wit: F. W. Glenn foreman and eleven others, duly tried, empanneled and sworn according to law, having heard the pleadings, evidence, argument of counsel and charge of the Court, retired for deliberation, and returned into Court the following verdict: "We the jury find that the contract was to be performed in Travis County. F. W. Glenn, foreman." "We the jury find for the plaintiff in the sum of Five Hundred coin dollars, with interest at 8% per annum from Jany 1st. 1874 to date. F. W. Glenn, foreman."

It is thereupon ordered, adjudged and decreed by the Court that the Plff. Geo. W. Glasscock do have and recover of and from the defendants, Chas. Culmore, and Fannie Culmore, his wife, the sum of five hundred coin dollars with interest thereon at 8% per annum from Jany. 1st 1874. It is further ordered and decreed by the Court that the said Plff. for himself and the use of the officers of this court do have and recover of said defendants all costs in this behalf expended, to be levied of the goods, chattels, lands and tenements of said defendants Charels and Fannie Culmore, and of the separate property of said defendant, Fannie Culmore; for all of which execution may issue.

And thereupon court adjourned until to-morrow morning 9 A.M.

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Chas Bolm — Court met at 9 o'clock A.M. pursuant to adjournment; present same as on yesterday: whereupon the following proceedings were had; to-wit:

Declaration — The State of Texas — County of Travis. — Chas. Bolm being duly sworn according to law, in the District Court of said county, doth declare that

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he was born in the year A. D. 1852, in the Kingdom of Prussia; whence he emigrated in the year 1872 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 renounces 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.

Clon^t Bohn

Sworn to and subscribed before me this 13th day of Oct^r, 1875 in open court.

Frank Brown, clerk by M. S Dunn, deputy.

A. Achilles declaration

The State of Texas, County of Travis. — A. Achilles, being duly sworn, according to law, in the District Court of said County, doth declare that he was born in the year A. D. 1834, in the Kingdom of Prussia; whence he emigrated in the year 1872, 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 renounces 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.

A. Achilles

Sworn to and subscribed before me this 13th day of Octr 1875, in open court.

Frank Brown, clerk by M. S Dunn, dep. clerk

4573 Topham, Weldon & Co., vs M. F. de Mattos. — This cause coming on to be heard, on motion It is ordered that same be dismissed upon Plaintiffs payment of cost; and plaintiff paying same in full, the order of dismissal is hereby entered.

(Payed)

4449 Johannes Dukey vs. Charles J. Dukey. — And now on this day came the deft. by atty; when, on motion It is ordered that said Deft. have leave to amend.

4114 Brouson B. Rose, et al vs. Jane A. Rose et. als. — Mat. Steuey, Intervenor. — Comes now on this day the Intervenor by attys; and, on motion, It is ordered that said Intervenor have leave to amend his petition.

3923 B. F. Garrison vs James and Robert Finley. Continued by plaintiff.

3922 B. F. Garrison vs James Finley. Continued by Plaintiff.

4336 The State of Texas vs J. W. McKnight, et. als. — And now on this day come J. W. McKnight as principal, with Geo. W. Glasscock and S. W. Baker as sureties, who being duly sworn in open court, severally and jointly acknowledge themselves to owe and be justly indebted unto the State of Texas in the penal sum of $300, to be levied upon their respective goods, chattels, lands, tenements and estates; to be void nevertheless upon condition that said J. W. McKnight, who has been indicted with others by the Grand Jury of Travis County, at the October Term 1875 of the D. C. Court, of Travis County, for conspiring to commit murder, make his personal appearance before the District Court of said County, now in session, to answer said indictment,

and that he remain from day to day and from term to term thereafter and that he depart not the Court without leave.

4351 The State of Texas v. J. W. McKnight, et. als. — And now on this day came Georgiana McKnight as principal, with S. W. Baker and Wm. Smyth as sureties, who being duly sworn, acknowledge themselves severally to owe and be justly indebted unto the State of Texas in the penal sum of $300.00 to be levied upon their respective goods, chattels, lands, tenements and estates; to be void nevertheless upon condition that said Georgiana McKnight personally appear before the Travis County District Court, at its Oct. term, 1875, now in session, and answer an Indictment preferred against her by the Grand Jurors of Travis County at said Oct. term 1875 for conspiring to commit murder, and that she remain from day to day and from term to term thereafter, and that she do not depart the Court without leave.

4356 The State vs J. W. McKnight et als. — And now on this day came Francis Burlage as principal, with Wm. S. Hotchkiss as security, and being duly sworn acknowledge themselves to justly owe and be indebted unto the State of Texas in the penal sum of Three Hundred Dollars, to be levied of their respective goods, chattels, lands, tenements and estates; but to be void on condition that said Francis Burlage personally appear before the District Court of Travis County, now in session, and answer an indictment preferred against her by the Grand Jurors of Travis Co at October term 1875 of said Court, for conspiring to commit murder, and that she remain from day to day and term to term, and depart not the Court without leave.

And thereupon court adjourned until to-morrow morning 9 A.M.

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Court met at 9 o'clock A. M. pursuant to adjournment; Present same as on yesterday; whereupon the following proceedings were had:

1401? Gen. W. Haney vs. S. A. Posey. — It appearing that a rule for security for costs in this cause had been entered at a previous term, and same not being complied with; It is ordered that this case be dismissed for want of said compliance, and that Plaintiff pay all costs for which execution may issue.

✓ 3993 Wm. C. Cabell v John Hancock. — This cause being called, on motion
X It is ordered that said suit be dismissed for want of plaintiffs compliance with the rule for security for costs, entered at a previous term, and that plff. pay all costs, and that execution issue therefor.

✓ 4015 Jno. A. Webb & Bro v E. M. Fuller. And now on this day came the
X parties by atty, when on motion It is ordered that this cause be dismissed

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upon plaintiffs payment of cost.

3933 E. A. Hicks vs. James S. Gillett. Continued to perfect service

3958 Warren & Nadler v. The Texas Banking & Ins. Co. — And now on this day came
X the defendants by atty. and submit their waiver of appeal to the Supreme Court; and present plaintiffs receipt for full satisfaction of this judgment in this behalf; and defendant paying costs. It is ordered that this cause be dismissed the docket.

And now on this day came the Grand Jury of Travis County, into open court, and present, through their foreman, Jno. R. Billingsly, the following indictments, to wit:

4362 An indictment against John Jackson for Assault to Kill &c.

4363 An indictment against Ed.nd Magic Martinez. for "threatening to take the life of Augustin Martinez."

4364 An indictment against Charles Covey for Perjury

4365 An indictment against John Jackson for Burglary

4366 An indictment against Jack Allen for Carrying Pistol

4367 An indictment against Jake Jones for Betting at Mont

4368 An indictment against Al Rainey for Exhibiting Mont

4369 An indictment against Peter Rose for Betting at Monte

4370 An indictment against John Mack for betting at Monte

4371 An indictment against Cornelius Williams for betting at Monte

4372 An indictment against Sam. Young for betting at Monte

4373 An indictment against Ed. Young for betting at Monte.

4374 An indictment against Ginger Cane, for betting at monte

4375 An indictment against Jerge McNally for betting at Monte.

3952 E. Raven vs. E. J. Davis. et. al. — This day came all the parties by their at-
X torneys, and the plaintiff and defendant agreed in open court that judgment should be entered in favor of the Plff. for the benefit of E. Christian, according to the report of the Auditor filed herein, as upon the verdict of a jury; and the intervenor, P. Delendova, by his attorneys, agreed in open court with the plaintiff that his suit as intervenor should be dismissed at the cost of plaintiff; and thereupon the petition of the intervenors G. R. Freeman and N. G. Shelley was submitted to the Court, and the facts therein alleged, appearing to the Court to be true; and it further appearing to the Court, that the Auditor appointed by the Court in this cause, on the motion of defendants, has reported that there is due to the plaintiff from defendants a balance of ($1150.00) eleven hundred and fifty gold dollars with interest from the first day of June, 1875, at 8 per cent. per annum; and it further appearing to the Court that, by agreement of the parties to this suit, there are, under the control, and in trust of E. J. Davis and G. R. Freeman, two thousand nine dollars, with the interest accumulated thereon, according to the terms of an agreement filed in this cause by the parties;

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which money is, by said agreement, to be held subject to the payment of the judgment of this court in this cause. It is therefore, considered, ordered and decreed by the Court that the plaintiff have and recover of the defendants, for the benefit of E. Christian, the sum of eleven hundred and eighty-four gold dollars and forty-nine cents, principal and interest, with interest at eight per cent. per annum from this date till paid, and all his costs in this behalf expended, except as herein and heretofore expressly excepted; and, that, out of the said sum so adjudged to plaintiff for the benefit of E. Christian, G. R. Freeman as intervenor, Have and recover the sum of five hundred and fifteen gold dollars; and N. G. Shelley, as intervenor, Have and recover the sum of five hundred and fifteen gold dollars; and that the suit of the intervenor, P. Delcordova, be dismissed; and the court costs of his intervention be paid by the plaintiff; and that all the costs adjudged in this suit against the plaintiff be paid out of said sum adjudged to him for the benefit of E. Christian. and that the said sum of eleven hundred and eighty-four gold dollars and forty-nine cents, with interest thereon at 8 per cent. per annum from this date till paid, together with all costs of this suit except the costs of the plaintiff's attachment, heretofore adjudged against the plaintiff; and the costs of P. Delcordova's intervention, be paid by said E. J. Davis and G. R. Freeman, out of the trust funds under their control as aforesaid, as soon as the same can be collected by them

1 4184 J. J. Dyches vs E. W. Talbot. And now at this day came on for trial the cause of John J. Dyches, Lydia C. Bilbo and Sarah Lester, joined by her husband Samuel Lester, against Elias W. Talbot; and said cause being called for trial, the plaintiffs and the defendant appeared by their respective attorneys and announced themselves ready for trial; and thereupon came a jury of twelve good and lawful men of Travis County, to-wit: Jno. H. Wood and eleven others, duly sworn and empanneled in accordance with law, and having heard the pleadings, evidence and argument of counsel, and the charge of the Court, retired to consider of their verdict, and after deliberation returned into the Court the following verdict, to-wit: "We of the jury find for the plaintiff. (Signed) Jno. H. Wood. foreman." Whereupon It is ordered, adjudged and decreed by the court that the plaintiffs, John J. Dyches, Lydia C. Bilbo and Sarah Lester do have and recover of and from the defendant, Elias W. Talbot, the following described tracts and parcels of land, lying and being in the County of Williamson, State of Texas, and described by metes and bounds as follows: The first of said tracts Beginning at the N. W. corner

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of a survey for the heirs of Andrew Roach. Thence S. 71° W. 3730 vrs to a mound. John T. Ferguson's S. W. corner. Thence S. 19° E 5095 vrs to a mound and stake on the N. line of league No 10. Thence S. 60° E. 1015 varas to N. E. of league No 10. Thence S. 10° W. 220 varas to corner. Thence S. 80° E. 428 varas to a stake and mound. Josiah B. Bell's corner. Thence N. 10° E. with Bell's W. line 2155 vrs to his N. W. corner. Thence S. 80° E 1751 varas to corner on said Roach's W. line. Thence N. 19° W. 4949 varas to the place of beginning; containing of eighteen $\frac{531.125}{1000.00}$ labors; about eight miles S. 66° E from Georgetown, Williamson County, Texas, and lying South side of the river San Gabriel", and for the second tract as follows; to wit:

(2) Second tract "Beginning at James P. Warnock's S. E. corner. Thence S. 71° W. 2500 varas to said Warnock's S. W. corner. Thence S. 19° E 1500 varas to a stone mound in prairie. Thence N. 71° E. 2500 varas to a stone mound on the Silas Palmers west line. Thence N. 19° W. 1500 varas to place of beginning; Containing of three $\frac{750.000}{1000.000}$ labors, situat on the South side of the San Gabriel River, about nine miles S. 80° E. from Georgetown, and in Williamson County, Texas."

It is further adjudged and decreed that a writ of possession ijsue to the Sheriff of Williamson County, commanding him to place the above named plaintiffs in full and exclusive possession of the above described tracts of land; and to remove and eject therefrom the said defendant above named, and all those claiming by, through, or under him, since the commencement of this suit. It is further ordered, adjudged and decreed that the plaintiffs recover of the defendant all costs of this suit, for which let execution ijsue: And it is further ordered that executions issue in favor of the officers of court against the plaintiffs and the defendant respectively, for all costs respectively incurred by them.

Whereupon Court adjourned until to-morrow morning 9 o'clock A. M.

Friday Morning October 15th 1875.

Court met at 9 o'clock A. M. pursuant to adjournment: Present. Hon. Jas. P. Richardson, Judge Presiding: whereupon the following proceedings were had:

3927 M. Wear vs Geo. B. Zimpelman. — And now on this day come the parties to this cause by their attorneys, and defendants exception to plaintiff's amended petition coming on to be heard, the same is, after consideration of the Court sustained; And thereupon Plff. submits his exception to defendants answer of estoppel, and the same by the Court, after due consideration, sustained; to which ruling of the court Deft. excepts; and thereupon both the parties announced ready for trial; when came a jury of twelve good and lawful men of Travis County, to wit: F. Glenn and eleven others, duly tried, empannelled and sworn, heard the pleadings, evidence, argument of counsel and

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charge of the court retired to consider of their verdict; and returning into Court announced their inability to agree as to their verdict: It is thereupon ordered that said jury be discharged from a further consideration of this cause: and this suit continued on the docket for further action of this Court.

14294 F. J. Ake et. als vs J. L. Brittain et al. And now on this day comes the defenant by atty. and presents to the court plffs receipt showing full satisfaction and payment of plffs demand; and the further receipt of the clerk of this court for all costs in this behalf incurred; and it appearing from an agreement on file in this cause that the same be dismissed upon payments aforesaid; It is ordered and decreed that this cause be dismissed, and deft go hence without day.

H. Luckinger's Declaration

The State of Texas } Henry Luckinger being duly sworn according to
County of Travis } law, in the District Court of said County doth declare that he was born in the year A.D. 1838 in the Kingdom of Switzerland, whence he emigrated in the year 1872 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 renounces forever all allegiance to every foreign Prince, Potentate, State or Sovereignty whatsoever; and particularly to the President of Switzerland, of whom he is a subject.

(Signed) Henry Luckinger

Sworn to and subscribed before me this 15th day of October 1875.

F. Brown, clerk by S. H. Lee, deputy

14340 J. H. Wilkins vs. David Coulson. And now on this day comes the Plff. by atty. and claims a judgment final by default; and because said deft. has been cited by personal service, as appears from the return of the Sheriff on file in this case, and failed to answer within the time prescribed by law; and it appearing that plffs cause of action is fully liquidated, and the clerk having assessed his damages therein, and it further appearing from said assessment that there is due to Plff. the sum of two hundred and sixty-three and 00/100 dollars in gold coin as his principal debt and interest, with interest thereon from this date at 10% per annum; It is ordered, adjudged and decreed that said plaintiff J. H. Wilkins do have and recover of and from the deft. David Coulson the sum of ($263.00) gold coin dollars with interest at 10% per annum from this date until paid, together with all costs in this behalf incurred; and further ordered that the officers of court have their execution for costs.

14341 Maggie Rowe vs David Coulson. — And now on this day comes the Plff. by attorney, and claims a judgment final by default; and because said deft.

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has been cited by personal service and failed to answer within the time prescribed by law, and Plffs claim being fully liquidated; and it appearing from the assessment of the Clerk, that there is due to Plff from Defts the sum of Two Hundred and ninety three & 37/100 coin dollars as his principal debt and interest, with interest thereon from this date at 10% per annum in ~~G & S~~ coin. It is therefore ordered and decreed that the plff. Maggie Rowe have and recover of and from the defts. A. Coulson the sum of ($293.37/100) dollars coin, with interest at 10% per annum from this date, with all costs of suit, and that execution issue therefor.

4039 G. W. Tumey vs. W. A. Morris. — And now on this day came the parties to this cause by their attorneys, and announced ready for trial; and thereupon came a jury of twelve good and lawful men of Travis County, to wit: T. B. Galusha and eleven others, duly selected, empannelled and sworn according to law, having heard the evidence and argument of counsel, retired under charge of the Court to consider of their verdict; and returned into court the following verdict; to-wit: "We the jury find for the Plff in the sum of one thousand, six hundred and ~~sixty~~ sixty one dollars coin, with interest at 8% per cent. from January 1st. 1874. (Signed) T. B. Galusha. foreman."

It is therefore adjudged and decreed by the Court that the plaintiff G. W. Tumey do have and recover of and from the defendant, W. A. Morris, the sum of one thousand, six hundred and ~~sixty~~ sixty one coin dollars as his principal debt, and the further sum of Two Hundred & Thirty eight dollars coin, as the interest since the first day of January 1874, on said sum of $166.00; making the aggregate sum of One thousand, eight hundred & ~~ninety~~ ninety nine dollars in coin, here adjudged from defts. to Plff. with eight per cent. interest thereon per annum from this date; together with all costs of this suit; for which execution shall issue.

3509 Harris, Dudley & Co. vs. Henry Klenert. And now on this day came the plaintiffs by attorneys, and the defendant in his own proper person; and it appearing that Plffs. and defendant have entered into a written agreement on file, as to the amount of judgment that may be rendered in this case; which is in words and figures; to-wit: "Harris, Dudley & Co. vs Henry Klenert, No. 3509. It is agreed by Henry Klenert, the deft. in this case, and Miller & Donell, attys for Plff. that judgment may be rendered in this case for the sum of One Hundred and Twenty coin dollars, and all costs of suit; and this judgment is a lien on the property described in Plffs petition. "(Signed) Henry Klenert

" Miller & Donell attys for Plff."

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It is thereupon ordered, adjudged and decreed by the court that Mary Harris, F.W. Dudley and A. Fax, plaintiffs, under their firm name and style of Harris, Dudley & Co., do have and recover of and from the defendant, Henry Klenert, the sum of One Hundred and Twenty nine dollars, with eight per cent. interest thereon from date until paid, and all cost of suit, for which execution may issue. And It is further ordered, adjudged and decreed by the Court that this Judgment is a lien on the one-half (½) lot in Block Thirty three (33) in division "E" of the City of Austin, County of Travis State of Texas, as per plan of said City of Austin and adjacent outlots; with all improvements thereon situated; it being the place upon which said Henry Klenert now resides; And that said lot and the improvements thereon be sold to satisfy this Judgment and costs, and that the Clerk of this court issue an order of sale therefor; And further ordered that a writ of possession issue to the purchaser or purchasers under such sale as aforesaid.

And now on this day came the Grand Jury of Travis County, empanneled at this term, into open court, and presented, through their foreman, John R. Billingsly, the following indictments; to-wit:

4376 An indictment against George McAnnelly for theft of a cow
4377 An indictment against George McKelly for theft of a cow.
4378 An indictment against John Freeman for carrying a pistol
4379 An indictment against — Hogan alias Hagan for an aggravated assault.
4380 An indictment against Jose Costaba. for an aggravated assault.
4381 An indictment against L.B. Brittain for theft of a steer
4382 An indictment against Edward Martinez for assault and battery
4383 An indictment against George Milam, assault to kill &c.
4384 An indictment against Bony Timon for theft of money
4385 An indictment against Robt. L. Dean theft from a house.
4386 An indictment against Charles West, for Swindling

And thereupon court adjourned until to-morrow morning 9 o'clock A.M.

Saturday Morning, October 16th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment; Present same as on yesterday; whereupon the following proceedings were had:

4037 M.L. Scogin et al vs Alfred Smith. — And now on this day came the parties by attorneys, and announced ready for trial; and defendants demurred and exceptions to plaintiffs pleadings, coming on to be heard, after argument of counsel, and by the court well understood, It is ordered by the Court that said demurrer be sustained, and that Plffs take nothing by their suit; that the same be dismissed, and that said defendant go hence without day; And further ordered that deft and the officers of court have their execution against

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Plff. and his securities for all costs in this behalf incurred. And thereupon Plff. excepts to this ruling of the Court, and gives notice in open Court of an appeal to the Supreme Court.

4069 F. W. Chandler vs Life Ass. of America. etal. Continued by Plaintiff

4108 Geo. F. Gage vs Western Texas Ins. Co. of San Antonio. This cause being called, comes the defendant by atty; when on motion It is ordered that said defendant have leave to amend.

4246 H. G. Burland vs Carlo Cunio. et. al. E. P. Philips. Intervenor. And now on this day comes defendants by attorney, when on motion It is ordered that they have leave to amend.

4353 M. D. Miller vs M. P. Mitchell et al. — In this cause comes the Plff. by atty, when on motion it is ordered that said Plff. have leave to amend

4061 George A. Race vs John T. Miller. — And now on this day came the parties by attorneys and announced ready for trial; and thereupon came a jury of twelve good and lawful men of Travis County, to-wit: E. W. Edgar, and eleven others; who being duly tried, empanneled and sworn, heard the pleadings, evidence, argument of counsel and charge of the Court, retired to consider of their verdict, and returning rendered the following verdict, to-wit: "We the jury find for the defendant. (Signed) E. W. Edgar, foreman." It is thereupon ordered, adjudged and decreed by the Court that the Plff. George A. Race have nothing by his said writ: that defendant go hence without day, and that he for himself and for the use of the officers of court have execution against said Plff and his securities for all costs in this behalf expended.

4184 John J. Dyches. et al. vs E. W. Talbot. — On this day came on to be heard the motion of the defendant herein for a new trial, which after due consideration of the court the same is overruled; to which ruling of the court defendant by atty excepts, and thereupon gives notice in open court of an appeal to the Supreme Court.

3906 Geo. W. Glasscock v. C. Culmore and Fannie Culmore. — Come now the defendants by attorney and submit their motion for a new trial in this cause, and the same after due consideration of the court, is overruled; to which ruling of the Court deft. excepts, and gives notice of appeal in open court to the Supreme Court.

4039 G. H. Tumey vs W. A. Morris. — On this day came the defendant by atty, and submits his motion for a new trial in this cause, and the same is by the Court overruled; and thereupon defendant excepts, and gives notice in open Court of an appeal to the Supreme Court.

4493 The State of Texas vs C. L. Ferguson, et. als. And now on this day came the Dist. Attorney in behalf of the State, and the defendants by atty; and thereupon defendants present their motion to set aside the final judgment rendered in this cause at the present term of the Court; and the same after

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statement of counsel. and by the court duly considered is allowed: It is thereupon ordered and decreed by the Court that said final judgment be and the same is hereby set aside as to said defendant and his securities; and further ordered that the judgment nisi remain open, and this cause continued till next term for further action.

3754. Locke & Marshall v. Jas. Davidson, deft. A. E. Davidson, Intervenor. — On this day came the defts by atty, and submitted his motion for a new trial herein, which is by the Court overruled; to which ruling of the Court deft excepts, and gives notice in open court of an appeal to the Supreme Court.

Jas. Law declaration

The State of Texas } James Law being duly sworn, according to law in the dis-
County of Travis } trict court of said County, doth declare that he was born in the year A. D. 1842 in the Kingdom of Great Brittain; whence he emigrated in the year 1868 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 renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Queen of Great Brittain of whom he is a subject (Signed) James Law.
Sworn to and subscribed before me this 16th day of October, 1875.
F. Brown, Clk by M. Dunn, deputy

The State vs Roland Cesar and Charley Coney

4339. On this day came Chas Coney, as principal, with Charles Abe^{d} Jacinto Garound as securities, who being duly sworn acknowledge themselves to owe and be justly indebted unto the State of Texas in the penal sum of five hundred dollars, to be levied upon their respective goods, chattels, lands, tenements and estates; but to be void on condition that said Charley Coney make his personal appearance before the October term A. D. 1875 of the Travis county district court, now in session, and answer to an indictment preferred against him by the Grand Jurors of Travis County at the present Oct. term 1875 of said district court, for "wilful burning"; and that he remain from day to day and term to term, and that he do not depart the court without leave.

And court adjourned until Monday morning at 9 o'clock A. M.

Monday Morning. Octr 18th 1875.

Court met at 9 o. clock A. M. pursuant to adjournment; Present. Hon. Jas. P. Richardson, Judge presiding, and other legal officers: whereupon the following proceedings were had, to wit:

4111 Sylvester, Fuller et als vs Tom Hill. This cause being called, comes the defendant by attorney; whereupon on motion it is ordered that said deft have leave to amend.

Monday. October 18th 1875.

4099 Rhoda Robinson vs H. & T. C. R. R. Co. — Continued

4073 R. N. Lane vs Geo. O. Evans. Continued

4059 E. A. Kading vs Louis Pfluger. On this day comes the plaintiff by Attorney, and gives the Court to understand and be informed that since the adjournment of the last term of this court that the pff herein has died, and moves a dismissal of this cause; whereupon it is ordered by the court that said suit be dismissed; that defendant go hence without day, and that he and the officers of court have their execution against pff and his securities for all costs in this behalf expended.

3956 Dake Mitchell vs S. V. Davis, Admr. — This day came the parties by Attorneys and announce ready for trial and waive a jury, and submit the matter in controversy, as well of fact as of law, to the court; and the evidence and argument of counsel having been heard and by the Court fully understood. It is thereupon ordered, adjudged and decreed by the Court that said plaintiff have and take nothing by his said suit; that defendant go hence without day; and further ordered that execution issue against said plaintiff and the securities on his cost bond for all costs in this behalf incurred, in favor of said deft. and the officers of court.

3844 G. R. Freeman vs R. N. Lewis et. al. This 11th day (Oct. 75) came the plaintiffs by G. R. Freeman for himself, and as attorney for W. J. & Isaac N. Penn; and the defendants, John H. Wrenn, Mary J. Stanford, the unknown heirs of E. G. Procter, W. S. Jarbirdle, W. J. Jarbirdle, G. G. Birdsong and W. L. Stanford and R. N. Lewis, Sarah B. Wrenn and Robert A. Cole, all came by their attorneys; and Ella T. Gattis also came by her special guardian A. R. Coleman; and the defendants, Elizabeth J. Herron and Wm Herron, Mary A. Harris and H. W. Harris, W. L. Wren, John A. Wren, James Wren, Martha A. Kerr, John D. Kerr, Edward J. Gattis, Alice Chadwell, A. H. Chadwell, W. J. Harrison, Mary E. McGraugh, James McGraugh, James E. Jarbirdle, and Wm Procter, having failed to appear and answer in this behalf, but wholly made default; wherefore the said plaintiffs ought to have the partition and relief prayed for in their petition as against the defendants so failing to appear and answer. And then came on to be heard the several exceptions to the jurisdiction of the court, and demurrers by the defendants who have answered; and argument of counsel being heard thereon, it is the opinion of the Court that the law is with the plaintiffs, and that said exceptions and demurrers be overruled; and thereupon came a jury of twelve good and lawful men, to wit: John H. Word and eleven others, who being duly empannelled and sworn well and truly to try the issue joined between the parties aforesaid, upon their oaths found and returned into Court the following verdict; to wit: "We the jury find the facts alleged in plaintiffs petition are true; and find for plaintiff G. R. Freeman an undivided half interest in the lands described in Pffs. pe-

Monday, October. 18th 1875.

titiew; and for the plaintiff, M. J. Perrin and her husband, the interest in said land claimed by them in their petition; and further find for deft. Mary J. Stanford a one eighth interest in the whole of the said lands. or a one-fourth interest in same, after allowing claim of G. P. Freeman plaintiff, and for Wm Procter and the unknown heirs of E. G. Procter; also a one eighth interest in whole of said lands; and for defendant Ella S. Gattis 23/3200, twenty-three thirty-two hundredths; and J. H. Wren is entitled to 23/800. twenty three eight hundredths; and R. N. Lewis is entitled to 23/800 twenty three eight hundredths, subject to life estate in one-third thereof. which belongs to deft. Sarah B. Wrenn; and for Robert Cole one-hundreth (1/100) thereof (Signed) John H. Ward, foreman."

And it appearing to the court that the following facts were proved before the jury; to-wit: That Wilkins S. Turbiville, to whose heirs the land described in plaintiffs petition was granted, died unmarried, leaving him surviving, neither father nor mother, but left as his only heirs, his brothers, Wm J. Turbiville, Miles J. Turbiville and Spencer Turbiville; and his sisters, Elizabeth Procter, Martha Wrenn and Jane Harrison. That Spencer Turbiville died unmarried, and before the date of the contract alledged in plaintiffs petition. That Wm J. Turbiville died unmarried in the year A. D. 1871. That Miles J. Turbiville died leaving him surviving, his wife, E. M. A. Turbiville, and three children, to-wit: Mary J. Stanford, Alivia J. Turbiville and James E. Turbiville; all of whom have conveyed to G. P. Freeman for his services in locating the lands described in Plff's petition, one-undivided half of their interests in said lands; and that the said E. M. A. Turbiville and Alivia J. and James E. Turbiville have since sold and conveyed to W. L. Stanford, now dead, and his wife Mary J. Stanford, all their interest in said lands; and that W. L. Stanford is now dead; and, at his death, conveyed by last will and testament all his interest in said lands, to his wife, Mary J. Stanford. That Elizabeth Procter, after the death of her husband, conveyed to D. C. and G. P. Freeman, one-half of her share of said lands for their services in locating said lands, and has since died, leaving her son, Wm Procter, and other children, whose names are unknown, surviving her; that Jane Harrison died leaving surviving her, no husband, but three children, to-wit: the Plff, Martha J. Perrin, (lately the wife of Birdsong, but now of Isaac Perrin,) and the defts. Wm J. Harrison and Mary E. McGraugh, wife of James Mc Graugh. That Wm J. Turbiville and Wm J. Harrison, on the first day of September, 1856, conveyed by deed to D. C. and G. P. Freeman one-half their interest in said lands for their services in locating said lands, &c. That Martha Wrenn and her husband died, leaving only five heirs; to-wit: their children, Charles G. Wrenn, Jno. H. Wrenn, Wm

Monday. Octobes. 18th 1875.

J. Wrenn, Francis J. Wrenn and Martha Gattis. That Charles G. Wrenn is dead, and the defendant, Sarah B. Wrenn, is his widow; and defendant, Robert N. Lewis, his grandson, is his only heir; that Wm. J. Wren died in 1853, leaving a surviving wife, who afterwards married defendant, R. A. Cole, and died without issue, and without father or mother or brother or sister. That Francis G. Wren and his wife are dead, and the defendants Mary A. Harris, E. J. Herron, W. L. Wren, John A. Wrenn and James Wrenn, were his only heirs and his children. That Martha J. Gattis, and her husband are dead, and the defendants Martha A. Kerr, Edward J. Gattis, Ella F. Gattis and Alice Chadwell are her only children and heirs; that Wm. J. Harrison, conveyed by deed of gift, to Martha J. Perrin, plaintiff, about the year 1857 all his share in said lands, remaining after his said conveyance of one-half to D. C. and G. R. Freeman. That the contract for the location of said lands with D. C. Freeman and Jeff. G. R. Freeman, was made as alledged in the petition, by Wm. J. Turbeville for himself, and as the agent of the other heirs of W. S. and Spencer Turbeville; and by it D. C. and G. R. Freeman were to have half of the said lands when located by them. That they located and obtained the Patents for the same, and their services under said contract have been accepted by all the said heirs, and the latter are enjoying the benefit of said services, and have fully ratified said contract. That John F. Wrenn has conveyed to G. R. Freeman one half of his share in said lands; and that D. C. Freman has conveyed to G. R. Freeman all his right, title and interest in said lands; and that said lands are known and described by metes and bounds as follows; to-wit: One third of a league situated in Hamilton county and State of Texas, on the South side of Cowhouse Creek, about 73 miles above the three forks of Little River; surveyed by virtue of Certificat No. 87, issued by the Adjutant General on the 12th day of June, 1851. Beginning the survey at the S.E. corner of Thomas Bonnaire survey No. 1. Thence N. 19° East 2927 varas passed the N.E. corner of said No. 1, 2974 varas to J. Harris line.— Thence S. 71° E. 2802 varas to a mound. Thence S. 19° W 2974 varas to a mound. Thence N. 71° W. 2802 varas to the beginning; as set out by metes and bounds in letter patent No. 277. Vol. 11. to the Heirs of W. S Turbeville Nineteen Hundred and Twenty acres in the same county, on the waters of Cow House Creek, about 31 miles above Fort Gates; surveyed by virtue of Bounty Warrant No. 870, issued by the Adjutant General on the 18th day of June 1851. Beginning the survey at the S.W. corner of a survey in the name of A. G. Moore. Thence North 71° W. with the S. line of survey No. 2, at 1900 varas, the S.W. corner of said survey. Thence North 19° E at 1425 varas the S.E. corner of survey No. 6 in the name of Wm. E Probert. Thence North 71° West 1266 varas the S.W. corner of said Probertis survey. Thence South 19° West at 1375 varas, the S.W. corner from which a Post oak bears

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S. 26° E. 28 varas; and another bears S. 73° E. 24 varas. Thence S. 71° East 448 vrs. Patridge Creek at 316 varas the S.W. corner of A. Testard's survey. Thence N. 19° East with the west line of said Testard's survey at 285 varas the beginning; as described in Patent No. 381. Vol. 6. Bounty; issued to the heirs of W.S. Tiberville. And Six Hundred and Forty acres in the same county on the waters of Cowhouse Creek, about 31 miles above Fort Gates; surveyed by virtue of Donation Warrant No. 334, issued by the Adjutant General on the 17th day of June, 1851, in consideration of W.S. Turberville's having fallen with Fannin at Goliad. Beginning the survey at a mound the South W. corner of the A.G. Moore survey. Thence N. 71° W at 190 varas the S.W. corner from which a Post oak bears N. 58° E. 16 7/10 varas; and another bears S. 8° W. 4 7/10 varas. Thence North 19° East at 1900 varas the N.W. corner from which a Post oak bears S. 20° E. 3 varas; and another bears N. 8° W. 4 2/10 varas. Thence South 71° E. with the S. line of survey No. 1 at 1900 varas the S.E. corner of same, and N.E. corner of this survey. Thence S. 19° W. at 1900 varas the beginning; as described in Patent No. 231. Vol. 2, issued to the heirs of W.S. Tiberville

It is therefore considered by the court, ordered and decreed that plaintiff G.R. Freeman, as against all the other parties to this suit, is the owner of one undivided half of the lands described by metes and bounds as aforesaid, and that he have Partition of the same; and that one certain half, according to quality and value, of each of said tracts of land, be set apart to him by metes and bounds; and all right, title and interest in the parts so set apart to him be divested out of the other parties to this suit, and vested in him. And that the plaintiff, Martha J. Perrin, is entitled to and owns three fortieths of said lands; and that the defendants appearing in this cause, own and are entitled to said lands as follows; to wit: John K. Wrenn twenty three eight hundredths (23/800) thereof; Ella T. Gattis twenty three thirty two hundredths, (23/3200) thereof; Robert A. Ferris, twenty three eight hundredths (23/800) thereof, subject to a life estate of 1/3 of the same, in Sarah B. Wrenn. Robert A. Cole one one hundredth (1/100) thereof. The unknown heirs of Elizabeth Proctor, together with defendant, Wm. Proctor, one eighth thereof; and Mary J. Stanford one eighth thereof. And that to each of these parties as severally mentioned, be set apart out of the other half of said lands, by metes and bounds, the share to which he, she or they are entitled, according to quality and value. That is to say: To Martha J. Perrin, shall be set apart 3/40 of said lands. To Jno. K. Wrenn shall be set apart 23/800 thereof. To Ella T. Gattis shall be set apart 23/3200 thereof. To Robert A. Ferris shall be set apart 23/800 thereof. To the heirs of E. Proctor shall be set apart 1/8 thereof. And to Mary J. Stanford shall be set apart 1/8

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thereof.; and the whole title to each of the shares so set apart, shall be and is hereby vested exclusively in him, her or them to whom it is so set apart. And It is further considered and decreed by the Court that the balance of said lands shall be set apart to the defendants, E. J. Herron, Mary A. Harris, W. L. Wrenn, John A. Wrenn, James Wrenn, Martha A. Kerr, Edward J. Gattis, Alice Chadwell, W. J. Harrison and Mary E. McGraugh, and the title to the same be vested in each of them according to and in proportion to their several rights of heirship; and that the other defendants, not answering, have no interest, right or title in and to said lands. It is further ordered and decreed that D. W. Doom, S. A. Posey and A. B. McGill are appointed Commissioners to ascertain the character and quality and value of each of said tracts of land, and to make Partition of the same according to this decree; and they are required to report their action to this Court as soon as practicable, for approval and confirmation. And It is further ordered that the costs of this suit be paid by each of the parties at interest in said lands, according to and in proportion to his share or interest in the same, and that execution issue therefor.

And thereupon court adjourned until to-morrow morning 9 a.m.

Tuesday. October 19th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment; Present same as on yesterday; whereupon the following proceedings were had; to-wit:

4108 Geo. F. Gage vs West. Texas. Ins. Co.— And now on this day came the parties by attorney, and announced ready for trial; whereupon came a jury of twelve good and lawful men of Travis County, to-wit: John H. Wood and eleven others; duly tried, empanneled and sworn, heard the pleadings, evidence and argument of counsel, and retiring under charge of the Court, returned into Court the following verdict, to-wit: "We of the jury find for the Plaintiff. Fifteen Hundred Dollars, with interest at the rate of eight per cent. per annum from 1st January 1875.

(Signed) John H. Wood, foreman".

It is thereupon ordered, adjudged and decreed by the Court that the Plff. Geo. F. Gage, do have and recover of and from the defendants, the West. Texas Insurance Company, under their corporate name as aforesaid, the sum of Fifteen Hundred Dollars as his principal debt, being the amt. covered by defendants policy to plaintiff; and the further sum of $96.— as his damages by way of interest, from Jany 1st. 1875, aggregating the sum of $1596.—, together with interest thereon at 8% per annum from this date until paid; with all his costs in this behalf incurred, and that execution issue.

And now on this day comes the Grand Jury of Travis County, empannelled at

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the present term, and present, through their fireman, John R. Billingsly, the following indictments, to-wit:

4387 An indictment against Henry Harkins for theft of gelding.
4388 An indictment against Peter Jones. for theft from a house.
4389 An indictment against Randal Shepherd. theft of peaches from orchard.
4390 An indictment against R. R. Hamilton. for swindling
4391 An indictment against R. R. Hamilton for forgery
4392 An indictment against Geroge Johnson. for disturbing religious worship.
4393 An indictment against Joe. Jones and Bob Orange. for theft of a steer.
4394 An indictment against —— Anthony. Assault with intent to rape.
4395 An indictment against John Stockman. Assault to kill &c.
4396 An indictment against John Johnson for Carrying Pistol
4397 An indictment against Bob. Ridley for disturbing religious worship
4398 An indictment against Joseph Van Wee for a theft from a house.
4399 An indictment against Charles Glasscock and Gid. Ronden, Malicious Mischief.

4464 Alfred Smith vs J. K. Warren. — In this cause, on applicatin of the attorneys of both plaintiff and defendant. It is ordered that Dennis Corrin, a surveyor, make a survey of the lines of the tracts of land claimed by both parties to this suit, and of such adjacent issued surveys, as may be necessary, in order to determine the locality of the lines of the tracts claimed by the parties; and that said surveyor report his action to this Court at as early a date as practicable, with diagram thereto attached, showing result of his work; and also showing any conflict that may exist in the surveys claimed by said parties respectively.

4115 J. L. and L. M. Michael vs Chas. Knoepfle. And now on this day came the parties by attorney, and announced ready for trial; and thereupon defendant withdraws his plea of reconvention, and enters his confession of judgment for amount of account set up in plaintiff's petition, to-wit: $262.30, with interest since Jany 1st. 1875. at 8% taxed per annum $16.65, aggregating the sum of $278.95. It is thereupon ordered and decreed by the Court that the plaintiffs under their firm name and style of Michael. Bros. do have and recover of and from the deft. Chas. Knoepfle. the sum of $278.95 as their principal debt and interest, with interest thereon from date at 8% per annum, with all costs of suit, and that they have their execution therefor; and further ordered that the officers of court have their execution against each party respectively, for all costs incurred in this behalf.

4111 Sylvester Fuller et. al vs. Tom Hill. And now on this day came the parties by attorney, and announced themselves ready for trial; whereupon came a jury of twelve good and lawful men of Travis County, to-

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wit; John H. Wood and eleven others, duly tried, empannelled and sworn, heard the pleadings, evidence, argument of counsel and charge of the court, retired to consider of their verdict: and returning, rendered the following verdict, to wit: "We of the jury find for the defendant.

(Signed) John H. Wood, foreman."

It is therefore ordered, adjudged and decreed by the court that the plaintiffs take and have nothing by this suit, that defendant Tom. Hill go hence without day, and that he have his execution for all costs in this behalf incurred; and further ordered that executions issue in favor of the officers of court against each party respectively, for costs incurred by them.

4117 Raymond and Whitis v. S. Mussina et als. — And now on this day came the parties by attorneys, and announced ready for trial; whereupon came a jury of twelve good and lawful men of Travis County, to-wit: G. L. Hopkins and eleven others, having heard the pleadings, evidence, and charge of the Court, without retiring, returned the following verdict: "We the jury find for the plaintiffs the sum of thirty nine hundred and eighty one 55/100 dollars in gold ($3981.$^{55}/_{100}$) gold; and also find that the McArthur tract of land (124) acres, is bound for the Doyle and McArthur note; and the Limestone land 640 acres, is bound for the last dated note, of Nov.r 25th 1872; and find the facts in the petition true as to the amounts for which each tract is bound. G. L. Hopkins, foreman".

And it is ordered and adjudged that the plaintiffs recover of said S. Mussina said sum of thirty nine hundred and eighty one and 55/100 gold dollars, with interest thereon from date at the rate of 10% per cent. per annum, and the costs of suit, for which execution may issue. And it appearing to the court that the notes described in the petition, originally payable to Mary Doyle & J. T. McArthur is and was a lien on the following land in Travis county: 1241 2/10 acres of land, situated on the right margin of the Colorado river, about 2 miles below the city of Austin. Beginning at a stake in the upper bank of a branch at its entrance into the river, and the lower corner of the Stone tract thereon; to the South 30° West 1578 vrs. to a stake in Post-oak timbers from which a black jack 10 in. in dia. marked x bears S. 71° E. 15 varas; another same mark bears N. 79 1/2° E. 18 1/2 varas. Thence S. 60° E. 420 varas to a branch 487 vrs to a stone mound on the North slope of a hill from which the fork of a drain bears N. 80° W. about 100 vrs. Thence N. 30° E. at 108 varas a drain, 1708 varas, a stake in the bank of the river, and upper corner of Mrs. Timms tract. Thence up the river in a direct line N. 75° W. 505 varas to the beginning. And that the deed of the deft. Mussina, and the defeasance offered in proof constituted a mortgage and lien on said lands to secure said note in favor of said plaintiffs; and it appearing that the said tract is bound for $3078.46, it is ordered that the

Received payment in full on the within judgment in favor of Raymond & Whitis this 1st day of Dec. A.D. 1876. Raymond & Whitis by Dec'd Clerk

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lien be foreclosed, and that an order of sale issue out of this court, directing the Sheriff to sell the same for gold, according to the law governing Sheriff's sales; and apply the proceeds of the sale to the payment of one half of the costs of this suit; and the remainder from said sale to the satisfaction of the said debt of the plaintiffs. And it further appearing that the last note, bearing date 25th Nov. 1872, was a lien upon the land in Limestone County, of 640 acres, described as follows: 640 acres in Limestone County, on the waters of McKenzie Creek, a branch of the Navasota River, about 10 miles S. 20° W. from Springfield: being the land surveyed by virtue of land scrip No. 107, issued by W. S. Hotchkiss, Comr. of Claims, to the San Antonio and Mex. Gulf R.R. Co., dated Feby. 6th 1861. beginning at the N.E. line of Danl. Ford's survey, at Austin Pendersons S.E. corner; whence a Mesquite 15 ins. brs. S. 42° E. 45 vrs; a do. 12 ins. brs S. 47° E. 53 vrs. Thence N. 60° E. with the S.E. line of said Pendersons survey, 1900 vrs to his E. corner; being also the S. corner of the W. G. McKenzie's Western 640 acre survey. and the W. corner of Evans Mabry's 640 acre survey; from which an Elm 15 ins. brs. S. 79° W. 8 vrs; a do. 18 ins. bears S. 42° W. 9 varas Thence S. 30° E. with Mabry's S.W. line 1900 vrs. to his S. corner; being also the N. corner of Saml. Romis Jr. a stake; whence a Musquite 14 ins. bears S. 61° W. 20 vrs; and a Pecan 10 ins. brs. N. 61° W. 31 varas. Thence S. 60° W. with Romis N.W. line 1900 varas to his W. corner, a stake in N.E. line of Daniel Ford's survey. Thence N. 30° W. with his line 1900 varas to beginning. And that the amount for which said land was bound is the sum of $903.09 gold; It is ordered that the Sheriff of Limestone County, under the order of this Court, sell said land in accordance with the law governing Sheriffs sales, and apply the proceeds to the payment of one half the costs of this suit; and the remainder to pay the debt of these plaintiffs. And should both tracts of land sell for more than the debt of Plffs, then the surplus is to be paid to the defendant, Mussina. It is further ordered that the defendant, McKinney be required, at the request of plaintiffs, if necessary, to deliver all title deeds and papers relating to said lands to plaintiffs, or their order; and all the parties go hence without day. And if the proceeds of said sales be not sufficient to satisfy plaintiffs debt and costs, It is ordered that said plaintiffs have their execution against defendant for the balance due.

√ 4108 George F. Gage v West. Texas Ins. Co. In this cause It is ordered that the decree ~~entered~~ and entered on a preceding page, be so amended as to add to the same as follows: " And defendant special plea to the jurisdiction of the court coming on to be heard, the same is, after argument of counsel, and by the Court well understood, overruled; to which ruling of the court defendant excepts."

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Ex Parte Pedro Edretta. On this day came the respondent, and with him the body of the child, Ponciana Martinez, in obedience to the writ of Habeas Corpus sued out on a former day of this term; and came also the complainant, Samaca Hernandez; and the Court after hearing the testimony doth order and decree that the custody of the child sued for, is adjudged to the complainant; and that the respondent be enjoined from interfering with either of them: and all parties go hence without day.

4156 Stewart and Mair vs Jas. P. Newcomb. This day came the parties by atty, when on motion it is ordered that plaintiffs have leave to amend.

4269 Sampson & Heinicke vs. S. C. Moore, et. al. Continued as per agreement on file. And thereupon Court adjourned until to-morrow morning 9 o'clock.

Wednesday, October 20th 1875

Court met at 9 o'clock A. M. pursuant to adjournment; Present same as on yesterday; whereupon the following proceedings were had by said Court, to-wit:

4157 Thos. McCormick v M. W. Townsend, et. al. Continued by Plaintiff.

4142 Ann E. Davidson vs Raymond & Whitis. And now on this day came the parties by attorneys, when on motion It is ordered that defts. have leave to amend.

4139 R. S. Rust vs Clement Henson. Continued for service.

4137 R. S. Rust vs Lewis Spell. Continued for service.

4136 R. S. Rust vs. W. A. J. Sparks. On this day came the parties, when on motion, It is ordered that this cause be dismissed at plaintiff's cost; and further ordered that the officers of court have their execution against said plaintiff and the securities on his cost bond. for all costs in this behalf incurred.

4135 R. S. Rust vs R. B. Johns. Continued for service.

4130 P. Delordova vs Maria L. Allen. And now on this day came the deft. by atty, and the plaintiff came not; when, on motion of defendant It is ordered that this cause be dismissed for want of prosecution, and that all costs in this behalf incurred, as well as those from the court below, be adjudged against the plaintiff and the securities on his appeal bond, and that execution issue therefor.

4156 Stewart and Mair vs James P. Newcomb. And now on this day came the parties by attorney ~~and announced themselves ready for trial~~; and defendants motion for a continuance coming on to be heard, the same is by the Court overruled; to which ruling of the Court defendant excepts; and thereupon both parties announced themselves ready for trial; when came a jury of twelve good and lawful men of Travis County, to-wit: John H. Wood and eleven others, duly tried, empanneled and sworn, heard the pleadings, evidence, argument of counsel and charge of the Court, retired

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to consider of their verdict, and returned into Court the following verdict; to: wit: "We of the jury find for the plaintiffs in the sum of $1055.61/100 dollars. (Signed) John H. Wood, Foreman."
It is thereupon, ordered, adjudged and decreed by the Court that the plaintiffs, under their firm name and style of Stuart & Mair, do have and recover of and from the defendant, James P. Newcomb, the sum of $1056.61/100 as his principal debt, and damages by way of interest, including ten per cent. attorneys fees; together with interest thereon at the rate of 25% per annum; and further ordered that the officers of court have their execution against each party respectively for all costs in this behalf incurred.

4157 Thos. McCormick vs. M. W. Townsend, et. als. Come now on this day the defendants by attorney, when on motion It is ordered that the order for continuance in this cause heretofore rendered, be set aside; and further ordered that this cause be dismissed at the cost of the plaintiff; and that the officers of court have their execution against said plaintiff and the sureties on his cost bond for all costs in this behalf expended.

4166 Giles H. Burditt, admr. vs W. C. Jones. And now on this day comes the plaintiff by attorney, and claims a judgment final by default; and because said defendant, though cited by personal service, has failed to appear and answer within the time prescribed by law, and it appearing to the court that Plffs cause of action is liquidated upon a promissory note, It is thereupon ordered, adjudged and decreed that Giles H. Burditt, admr as aforesaid, do have and recover of and from the dft. W. C. Jones, the sum of three hundred and forty-eight and 61/100 dollars coin, together with interest thereon at the rate of 10 p cent. per annum from date until paid, together with his costs in this behalf expended, and that execution issue therefor.

4170 Hugh L. Harrison vs J. Sheehan. — Come now the parties, when on motion It is ordered that this cause be dismissed, and that defendant and the officers of court have their execution against said plaintiff for all costs in this behalf incurred.

4172 J. B. Wheeler v. Terrill Ccc. — And now on this day came the parties when on motion It is ordered that this cause be continued by defendant.

4197 McDaniell Bro. vs T. F. Miller. On this day come the parties by attorney, when, on motion It is ordered that the Plaintiff have leave to amend.

4304 Felix E. Smith Guardian, vs W. C. Lurey, et al. — This cause being called come the parties by attorney, when on motion it is ordered that the defendant have leave to amend.

4382 M. D. Miller vs S. J. & J. E. Hollingsworth. Comes this day the plaintiff by attorney, when on motion It is ordered that said plaintiff have leave to amend.

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4392 Jennie Cook vs John Cook. Continued for service.

4400 J. B. Wheeler vs Ayers & Griffin. And now comes the plaintiff by attorney, and claims a judgment by default: and because the defendant has been legally cited and failed to answer within the time prescribed by law; it is ordered that the plaintiff do recover of the defendant according to the prayer of his petition, and that a writ of inquiry be awarded.

4521 W. R. Davis vs Alfred Scott. Comes on this day the defendant by atty. when on motion it is ordered that said deft have leave to amend.

4522 Miller v Donell and Pendexter et al vs Alfd Scott. Come now the defendants by attorney, when on motion It is ordered that said deft. have leave to amend.

And thereupon Court adjourned until to-morrow morning 9 A. M.

Thursday, October 21st. 1875.

Court met at 9 o'clock A. M. pursuant to adjournment. Present same as on yesterday: whereupon the following proceedings were had; to-wit:

H. Anderson declaration

The State of Texas }
County of Travis } Hugh Anderson being duly sworn according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1840, in the Kingdom of Great Brittain; — whence he emigrated in the year 1861, 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 renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever; and particularly to the Queen of Great Brittain, of whom he is a subject. Hugh Anderson.

Sworn to and subscribed before me this 20th day of October, 1875
Frank Brann, clerk by M. S. Dunn, deputy.

4185 H. Seekatz vs W. Ohmdoff et al. — This cause being called, and it appearing that a rule for security for costs had been entered therein at a former term, and said rule not being complied with, It is ordered that this case be dismissed for want of said compliance at plaintiffs cost, for which execution may issue.

4190 Sheeks and Sneed vs Walker & Hughes. — Come now the plaintiffs in their own proper person, when on motion It is ordered that this cause be dismissed at plaintiffs cost, for which let execution issue.

4210 Annette Moo vs Martin Belger. — This cause being called, on the docket, and it appearing that plaintiff has failed to comply with the rule for security for costs rendered at a former term, on motion It is ordered that this case be dismissed at cost of plaintiff for want of said compliance, and that execution issue.

4245 Henry T. Barnard vs Geo. W. Cozine et. al. And now on this day came the parties by atty. when on motion, It is ordered that this case be dismissed

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in accordance with the following agreement between parties." Defendant to pay all costs incident to summoning defts. witnesses and their attendance; all other costs to be paid by plaintiff; and that execution issue therefor against each party respectively. "

4250 F. E. Higby vs Charles Cuno, alias Coney. — And now on this day came the parties by attorney and announced ready for trial; whereupon came a jury of twelve good and lawful men of Travis County, to-wit: John H. Wood, and eleven others; duly tried, empannelled and sworn, heard the pleadings, evidence, argument of counsel and charge of the court, retired for deliberation, and returned into Court the following verdict; to-wit: "We of the Jury find for the plaintiff in the sum of $200.56/100 principal debt and interest. (Signed) John H. Wood, foreman" It is thereupon, ordered, adjudged and decreed by the Court that the plaintiff, Francis E. Higby, surviving wife of E. Higby, deed, made party in this cause by decree rendered and entered at a former day of this term, do have and recover of and from the deft Coney the sum of Two Hundred & 56/100 dollars as her principal debt and interest, together with interest thereon at 8% cent. per annum from this date, till paid, with all costs in this behalf incurred; and that she have her execution therefor.

4274 Curtis Spalding vs A. H. Cook, et ale. Come now on this day the parties by attorneys, whereon on motion It is ordered that this cause be dismissed at the cost of defendants, and the same being paid, no further orders made.

4346 H. M. Trueheart vs James H. Bell. — Come now on this day the parties by attorney; and thereupon the plaintiff enters his confession of judgment for the amount of $448.39/100, principal debt and interest. It is therefore ordered and decreed by the Court that defendant have and recover of and from the plaintiff the sum of $448.39 dollars as his principal debt and interest, together with interest thereon at ten per cent. per annum from date till paid, with all his costs in this behalf incurred; and that he have his execution therefor; and It is further ordered that there be a stay of execution on this judgment in favor of plaintiff for the period of six months from its rendition, as per agreement of parties.

4259 Thos. J. Maxwell vs Fred K. Strafford. This case being called, on motion, It is ordered that same be dismissed at plaintiffs cost, and that defendant and the officers of court have their execution therefor.

4279 Lottie Gabrilson vs W. C. Cain. — Continued for service

4357 J. S. Stewart vs M. K. Miller. — Continued.

4361 Susan Brandon et al. vs R. W. Turner, et al. — And now on this day came the parties by atty, whereon on motion It is ordered that plffs attorneys, M. C. Moulton and D. W. Doom, have leave to become security for cost.

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4375 Jesse J. Northcritt et al. vs G. R. Johns et. al. — Continued.

4369 John H. Zively vs Selina Glasscock et al. — On this day came the parties by attorney, when on motion It is ordered that this cause be dismissed at the cost of plaintiff and the dept. W. S. Glasscock (each party to pay one-half of same); and that execution issue accordingly

4173 Edward Hipp vs Geo. H. Smith. — And now on this day came the parties by attorney; and plaintiff excepts to the ruling of the court that the order of last term requiring additional security for cost be complied with before going into trial; and thereupon complies with said ruling and enters security for costs; whereupon both parties announced ready for trial; and then came a jury of twelve good and lawful men of Travis County, to-wit: P. L. Hopkins and eleven others, duly tried, empannelled and sworn; heard the pleadings, evidence, argument of counsel, and retiring under charge of the court, returned into court the following verdict, to-wit: "We the jury find for the defendant (Signed) P. L. Hopkins foreman."

It is thereupon ordered, adjudged and decreed by the court, that said Plff. Edward Hipp, have and take nothing by his said suit; that defendant, Geo. H. Smith, go hence without day, and that he for himself and the use of the officers of court have his execution against said plff. and the securities on his cost bond for all costs in this behalf incurred.

4118 Amelia Brass and G. M. Brass vs. D. M. Crosthwaite. — And now on this day came the parties by attorney, and move a dismissal of this cause, in accordance with the terms and conditions of the following agreement filed with the papers in this cause, as follows; to-wit:

"The State of Texas. } This agreement this day made and entered into
"County of Travis } by and between G. M. Brass, and his wife Amelia
"Brass, and D. M. Crosthwaite, witnesseth: "That whereas, there has been
"an arbitration between said parties, with reference to the gin of said
"Crosthwaite, situated near the homestead of said G. M. and Amelia Brass;
"and whereas said arbitration was appealed from by said Crosthwaite
"to the District Court of Travis County, Texas; and the parties to said ar-
"bitration and suit in the District Court as aforesaid, being desirous of
"said cause being dismissed from the docket of said Court, and the
"whole matter amicably settled up between said parties. Now, there-
"fore, it is agreed by and between said parties that said cause is to
"be dismissed from the docket of said Court; and that the costs of
"said suit shall be equally divided between said parties, and each
"party to pay his or their half of the same; except as to witnesses.
"That each party pay his and their half of all the costs of the arbi-
"tration of said matter, except as to witness fees. That each party

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" is to pay their own witnesses, in case there shall be any demand for the
" same by any witnesses. And the said Crosthwait agrees on his part
" that he will not establish a cotton seed oil factory on his lot of
" ground near the homestead of said G.M. and Amelia Brass, where his
" gin house now stands. It is understood and agreed between said
" parties that this agreement, with reference to costs, applies to all
" matters between said parties in said court, both before and after
" the arbitration between them, as well as to the cost of said arbitration.
" Witness our hands this the 24th day of September, A.D. 1875.

Witness A. H. Cullen — G. M. Brass
James W. Smith — p Amalia Brass
D. M. Crosthwait

It is thereupon ordered and decreed that this case be dismissed the docket, and that execution issue against each party respectively for his or their costs in this behalf incurred.

4167 Wm Bruegerhoff vs A. Hanson. — Continued
4179 H. Diechman vs M. J. Matteson. — Continued by plaintiff.
4178 Christian Fisher vs W. W. Archer. — And now come the parties by atty, when on motion it is ordered that the plaintiff herein have leave to amend, and this cause continued.

And now on this day came the grand jury, empannelled at this term, into open Court, and presented through their foreman, John R. Billingsly, the following indictments, to-wit:

4400 An indictment against Henry Smith. for using an estray ox, &c.
4401 An indictment against George Drost for theft of a mare.
4402 An indictment against James Hearne. for assisting to kill &c
4403 An indictment against Jno. Webb and Morgan Hamilton. theft of steer.
4404 An indictment against James West for murder
4405 An indictment against Dolly Glenn for carrying pistol
4406 An indictment against O'Brien alias Lyons for malicious mischief.
4407 An indictment against Marshal Johnson. for disturbing religious worship.
4408 An indictment against Marshal Johnson for carrying six-shooter.
4409 An indictment against Pink Fowler for carrying pistol.
4410 An indictment against Robin Owens for carrying pistol
4411 An indictment against Jim Butler for carrying pistol.

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

Friday. October 22d 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday; whereupon the following proceedings were had by said Court, to-wit:

Jno. Mead Declaration. The State of Texas } John Mead being duly sworn according to law,
County of Travis } in the district Court of said County, doth declare

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that he was born in the year A.D. 1845. in the Kingdom of Great Brittain whence he emigrated in the year 1870. 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 renounces forever all allegiance to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Queen of Great Brittain, of whom he is a subject.

John his X mk Mead

Sworn to and subscribed before me this 22d day of Octobr. 1875

F. Brown, clerk by M. Dunn, deputy

Peter Best — The State of Texas } County of Travis } Peter Best, being duly sworn according to law in the District Court of said County, doth declare that he was born in the year A.D. 1829. in the Kingdom of Prussia, whence he emigrated in the year 1868. 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 renounces forever all allegiance to every foreign Prince, Potentate, State or Sovereignty whatsoever; and particularly to the King of Prussia, of whom he is a subject.

(Signed) Peter Best

Sworn to and subscribed before me this 21st day of October. 1875

Frank Brown, clerk by M. Dunn, deputy

4249 E. L. Compton vs Shadrick Cayce et al. Continued.

4265 M. C. Hamilton vs Martha J. Fahey, et. al. And now on this day came the parties by attorney, and the death of Cornelius Fahey, one of defendants, being suggested, plaintiff thereupon dismisses as to him; and plaintiffs motion to perpetuate the injunction herein, coming on to be heard, the same is by the Court, after argument of counsel, overruled; to which ruling of the Court plaintiff excepts; and thereupon said plaintiff, on motion, has leave to amend his petition, whereupon It is ordered that this cause stand continued.

4273 Sampson & Henricks vs Geo. T. Wicks & Co. defts and Henry Henricks and A. B. Hall, garnishees. — On this day come the parties by attorney, when on motion It is ordered that this cause be dismissed at plaintiffs cost, and that execution issue accordingly.

4276 J. T. Hidden vs W. T. Scaggs. — Comes the plaintiff on this day by atty, and moves a dismisal of this cause at his cost; wherefore It is ordered that same be dismissed the docket at the cost of said plaintiff, and that execution issue against him and the sureties on his cost bond for all costs in this behalf expended.

4292 Wheeler and Wilson Manufacturing Co vs. Henry Manor. — Come now the parties to this cause by attorney, when on motion It is ordered that defendant have leave

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to amend.

4356 J. S. Stewart vs L. F. Miller. Continued.

4361 Susan Brandon et. al. vs R. W. Turner, et. al. Come the parties by attorney, when on motion It is ordered that defendants have leave to amend, and this cause stands continued by agreement.

4358 W. H. Gaynor vs Wm. Holder and S. B. Camp crss dft. On this day came the parties by attorney, when on motion It is ordered that defendant Camp have leave to amend.

4372 M. D. Mather vs E. Hipp et. al. This cause being called, on motion It is ordered that defts have leave to amend.

4416 Theodore Papin vs E. W. Shands. Come now the parties to this cause, and on motion It is ordered that defendant have leave to amend.

4283 Georgetown College vs Catherine A. Horan. — In this case it appearing that the rule for security for costs rendered at a former term, has not been complied with, It is ordered that this cause be dismissed for want of said compliance, and that execution issue against each party respectively for all costs in this behalf incurred.

4280 J. M. Day vs A. B. Palm and S. W. Palm. And now on this day came the parties by attorney, and defendants plea to the jurisdiction of the Court coming on to be heard, the same is by the Court after argument of counsel overruled; to which ruling of the court defendant excepts; and thereupon both parties announced ready for trial; and plaintiff claims a judgment final by default as to S. W. Palm, as upon a writ of inquiry: Whereupon came a jury of twelve good and lawful men of Travis county; to-wit: P. L. Hopkins and eleven others, duly tried, empanelled and sworn, after hearing the pleadings, evidence and charge of the court retired to consider of their verdict, and returning, rendered the following verdict; to-wit: "We the jury find for the plaintiff as to S. W. Palm, two hundred and fifty-five dollars; and for the defendant A. B. Palm." (Signed) P. L. Hopkins, foreman."
And because the said dft, S. W. Palm, though cited by personal service has failed to appear and answer within the time prescribed by law, thus wholly making his default, It is ordered, adjudged and decreed by the Court that the plff. J. M. Day do have and recover of and from the dft. S. W. Palm the sum of $255.00 with interest thereon at 8% per annum from this date till paid, with costs of suit, and that he have his execution therefor; and further ordered that plff as to A. B. Palm have and take nothing by this suit, and that said defendant go hence without day.

Reversed on writ of error to Supreme Court. J. M. Day vs A. B. Palm No. 200. March 6th 1876. Opinion by Gould. Ct. Day for pltff.

4278 Herman Sontag vs Wm. Bessener. Continued for service.

4289 R. S. Caperton vs J. L. Pogue, et. al. Come now on this day the parties by attorneys, and announced themselves ready for trial, upon the writ of in-

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quiry heretofore awarded; and thereupon came a jury of twelve good and lawful men of Travis County, consisting of Giles H. Burditt and eleven others, duly tried, empannelled and sworn, heard the pleadings, evidence and charge of the court, and retiring for deliberation returned into court the following verdict, to wit: "Oct. 22d 1875. We the jury find for the plaintiff the sum of four hundred and forty-nine dollars and fifteen cents coin,

Signed G. H. Burditt Foreman."

It is thereupon ordered, adjudged and decreed by the Court that the plff. R. S. Capeluto do have and recover of and from the defendants John Buntow and J. L. Pogue the sum of $449.15 coin, as his principal debt and interest, with interest thereon at 8% per annum from this date until paid, together with all his costs in this behalf expended, and that he have his execution therefor

42444 John Paul Jones vs. S. T. Scott and F. P. Sawyer. — Come now on this day the parties by attorney, when on motion It is ordered that this cause be dismissed at the cost of defendant Scott, and that execution issue against him in favor of the officers of Court for all costs in this behalf expended.

4177 Cora E. Shepherd and husband vs. John H. Conner, et al. Continued

4176 Julia Hill et. als vs Tom Hill. — In this cause came the parties by their attorneys, and announced themselves ready for trial; and waived a jury, and submitted the matters in issue to the Court; who after hearing the pleadings and evidence finds:

1st: That Betty Johnson is the mother and one of the heirs of the estate of the said John McBride, deceased, and is entitled as such to one half of the estate, both real and personal, of the said estate of the said John McBride, deceased.

2nd. The court further finds Tom. Hill, Fannie King, deceased, Sallie King, deceased, and Martha Bowers, dec'd are brother and sisters of the whole blood, to said John McBride, deceased.

3rd. The court further finds that Julia Hill. Katie Moseley, and Judy Johnson, dec'd. the mother of the said Harriet Battle, are half sisters of said deceased.

4th It is further found by the court that the said Martha Bowers, dec'd is represented by Robert Burditt, Mary Jones, Henry Burditt, a minor, William Bowers a minor, and Gabrielle Bowers, a minor, who are represented by their guardian and next friend, Stephen Jones; and are the children and heirs of Martha Bowers, dec'd.

5th. That Mary Ann Johnson, Julia Ware, Milton King, Catherine Cornelius, Philip King and Martha King, are the children and heirs of said Fannie deceased.

6th. That Sallie Houton, wife of Jo. Houton, is the child and heir of said Sallie King, deceased.

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7th. That Harriet Battle, wife of Wash Battle, is the child and heir of said Judy deceased, and entitled to one-half her interest; and that Judy and said Johnson are grand daughters and heirs of said Judy, and entitled each to one-fourth of her said interest.

8th. It is adjudged by the Court that the said brothers and sisters of the whole blood of said John McBride, are entitled each to one share of the one-half of said estate.

9th. And it is adjudged that the sisters of the half blood each, and the descendants of each deceased half sister, are entitled to one half share of said one-half of said estate.

10th. It is ordered and adjudged by the Court that the said defendant, Tom Hill, be charged with three hundred thirty-three and 49/100ths dollars, already received by him, out of said estate.

11th It is ordered and adjudged by the Court that the said representatives of the said Martha Bowers, be charged with one hundred and seventeen and 83/100 dollars, already received by said Martha Bowers deceased.

12th. It is ordered and adjudged by the Court that Judy Hill be charged with one hundred and fourteen and 83/100 dollars already received by her out of said estate: and that the foregoing amounts be brought into "hotch potch", as advancements to said parties.

13th. And it appearing to the Court that the piece or parcel of land known and designated on the plat of the City of Austin, as the west half of lot number four (4) in Block number forty-four (44), in Travis County, Texas, with the improvements thereon; and the two mules, all the property of said estate, are not capable of Partition. It is ordered, adjudged and decreed by the Court that an order issue to the Sheriff of Travis County to sell the land to the highest bidder for cash, in accordance with the laws regulating sales of real estate, and report his action to the present term of this court, for confirmation or rejection

14th. And it is ordered and adjudged by the Court that said dft. Tom Hill, pay into court all moneys arising from the rents of said property, after this date, until said sale and confirmation. And it is further ordered and adjudged by the Court that dft. Tom Hill, pay into court, for partition and distribution, all moneys in his hands belonging to said estate. And it is further ordered and adjudged that the parties to this suit pay all costs of this proceeding, pro rata according to their respective distributive shares. for which execution may issue.

And thereupon Court adjourned until to-morrow morning 9 a.m.

Saturday, October 23rd. 1875

Court met at 9 o'clock A.M. pursuant to adjournment; present same as on yesterday; when the following proceedings were had; to-wit:

4297 H. H. Wimes vs Phil. Abrahams Bro. And now on this day came the parties by attorney; and the general demurrer of defendant coming on to be heard, the same by the Court, after argument of counsel, is overruled; and thereupon both parties announced ready for trial; when came a jury of twelve good and lawful men of Travis County, to-wit: P. L. Hopkins and eleven others, duly tried, empaneled and sworn, heard the pleadings, evidence, argument of counsel and charge of the Court, retired to consider of their verdict, and returning, rendered the following verdict, to-wit: "We the jury find for the deft. P. L. Hopkins, foreman". It is therefore ordered, adjudged and decreed by the Court that the plaintiff H. H. Wimes, for the use of the North St. Louis Sav. Ass. have and take nothing by his said suit; that defendants, Phil. Abrahams Bro. go hence without day, and that they and the officers of court have execution against said plaintiff and the securities on his cost bond for all costs in this behalf expended.

4117 Raymond & Whitis vs S. Mussina. — And now on this day comes the plaintiffs by their attorney, and enter a remittur of two hundred and eighty-two dollars in gold, on the judgment rendered in their favor at the present term of this court, to-wit: Oct. 19th 1875, against said defendant, S. Mussina; reducing said judgment to the sum of thirty-six hundred and ninety-nine 55/100 dollars in gold, in place of thirty-nine hundred and eighty-one 55/100 dollars, whereupon the court doth order and decree that said remittur be approved and allowed to be made, and the same is made accordingly

4061 Pace vs Miller. And now on this day comes the plff by atty, and submits his motion for a new trial herein, which by the court being heard and duly considered, is overruled; to which ruling of the court plff excepts, and gives notice in open court of an appeal to the Supreme court.

3956 Duke Mitchell vs J. V. Davis, admr. — On this day comes the plaintiff by atty, and presents his motion for a new trial herein, which being considered and heard by the court is overruled.

4117 Raymond & Whitis vs S. Mussina. And now on this day came the deft. by atty, and submits his motion for a new trial in this behalf, and the same, after reading of counsel and due consideration of the court is overruled; and thereupon deft. excepts to this ruling of the court, and gives notice in open court of an appeal to the Supreme Court.

4576 Jno. Buttery vs Siephi Diedenick. — On this day comes defendant by atty and submits his motion to quash the writ of sequestration and service had therein issued in this cause, which by the Court being heard and duly

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considered, is overruled.

No 4277 Morgan C. Hamilton v. Richard Flume et al. — And now on this day came the parties to this cause, the plaintiff by attorneys, and the defendants by their special guardian, Thomas E. Sneed, appointed by the Court to represent them in this suit, and announced ready for trial; and thereupon came a jury of twelve good and lawful men of Travis County, to-wit: John H. Wood and eleven others, who being first duly elected, empanelled and sworn, and after hearing the evidence and argument, retired under the charge of the Court to consider of their verdict, and after deliberation, and in response to the several special issues submitted to them by the Court, returned into Court the following verdict and responses to said issues; to-wit:

1st. "When the deed of Henry Klenert to M. C. Hamilton was executed, on the 6th April, 1874, was there a cotemporaneous agreement between the parties that said deed was to be considered as only a mortgage; i.e. as security for a debt due from Klenert to Hamilton?"

"We of the Jury find the said deed to be a security or mortgage. (Signed) John H. Wood, foreman.

2d. Was the property described in the plaintiff's petition; to-wit: the South-east lot in out-lot 33, division E. of the City of Austin, the separate property of Amelia Klenert; or was any part thereof her separate property? If so, how much was her separate interest; and how much was the interest of Henry Klenert.

"The jury find the separate interest of Amelia Klenert, 17/20, and the interest of H. Klenert, 3/20. J. H. Wood."

3rd. At the time of the execution of the deed of Henry Klenert, 6th April, 1874; did M. C. Hamilton, or his agent, Smith, have notice of any separate interest of said Amelia, in said property?

"We find the plaintiff had notice of the separate interest of Amelia in the property. J. H. Wood."

4th. Was the consideration of the deed, above mentioned, a pre-existing debt of Klenert to Hamilton? "It was. J. H. Wood, foreman."

It is therefore, ordered, adjudged and decreed by the Court that the plaintiff, Morgan C. Hamilton, take nothing by this suit; and it is further adjudged and decreed by the Court that defendants, Richard Flume, Delia Flume, Ada Flume, Emma Flume and Adalia Flume, the children and only heirs-at-law of Amelia Klenert, formerly Amelia Flume, now deceased, is entitled to an interest of Seventeen twentieths, undivided, in and to the land described in plaintiff's petition; to-wit: The South-easterly lot in out-lot Thirty-three (33) in division "E," of the outlots of the City of Austin, and improvements thereon, in right of their deceased mother, the said Amelia

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Klevert, and that they be forever quieted in their right and title thereto, and possession thereof, as against the claim set up by said plaintiff in this suit; and it is further ordered that said defendants recover of and from plff. all the costs of this suit, for which execution shall issue.

4574 Thos. E. Cater, et als Guardians vs. J.D. McCall and Emma Berryman.— This cause coming on to be heard, on report of Commissioners in Partition, and the same being inspected by the Court, and said report appearing to be in all things fair and equitable, the same is, in all things affirmed. And it appearing to the satisfaction of the Court that America P. McCall has sold and conveyed her interest in said estate of John R. McCall to her son John D. McCall. And the following lands having been assigned in said partition to America P. McCall, to wit: 1st. 640 acres of land, situated in Grayson County, Texas, granted to James P. Davis, located by virtue of bounty warrant, No. 1058. issued by the Secretary of War; and which has its beginning corner at the Northeast corner of George Cumberland's survey of 640 acres.

2nd. 640 acres situated in Williamson County, Texas, originally granted to William Duggan, and patented to him, Oct. 9th, 1847. pat No. 356. vol. 4.

3rd. 640 acres of land in Williamson County, Texas, surveyed in two tracts; one of 290 acres, and one of 350 acres; both tracts located by virtue of headright certificate No. 52, Class 2, issued by the Board of land commissioners of Liberty or Polk County, to Wm Kincaid, dated Nov. 15th 1852.

4th. 100 3/3 acres of land, out of the Del Valle grant, west of the Colorado in Travis County, which was deeded to John R. McCall by A.C. Horton, by deed dated 11th Dec. 1855, and recorded in Book K. of Travis County records, pages 90 & 91. And the said A. P. McCall, to pay to John D. McCall four hundred and sixty dollars, to equalize his share with the other heirs. And said John D. McCall, having assigned to him forty acres in Travis, out of about 88 acres, which is the unsold part of 568 1/2 acres of land, deeded by A. C. Horton to John R. McCall, on the 14th of April, 1856, and recorded in Book K. pages 596 & 597, record of deeds of Travis County, according to a plot attached to said Commissioners' report, and signed by them. It is ordered, adjudged and decreed that all the right, title and interest of America P. McCall, Emeretta Berryman, J. S. W. McCall, W. C. McCall, and the children of Margaretta Cater, nee McCall; to wit: Maggie, Lizzie, Lula, Emma, and Thomas Cater, in and to said above described lands, be divested from them, and the same be and hereby is, vested in said John D. McCall, and that said John D. McCall and America P. McCall acknowledging that they have arranged to their satisfaction the $460 allotted by the Commissioners to be paid by A. P. McCall to J.D. McCall, the same is in no manner to affect or prejudice the in-

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terest of the remaining heirs to their respective portions. And it further appearing to the Court that to Emeretta Berryman was assigned the following lands: 1st. 67 acres, more or less, being all of the unsold portion of the 563 acre tract of land out of the Del Valle grant, purchased by John R. McCall of A. G. Horton, except the forty acres awarded to John D. McCall, more fully described in the plat attached to the report of said commissioners, and made part thereof.

2d. 20 acres off the South end of a tract of two hundred and thirty-five (235) acres of land on the Del Valle grant, and more fully shown by said plat, and here referred to. The said 20 acres being 178 varas wide and 635 varas long; the same being more fully described in the said plat, attached to the report of said Commissioners, and made part thereof. It is ordered, adjudged and decreed that all the right, title, and interest of America P. McCall, John D. McCall, J. S. W. C. McCall, W. C. McCall, and the children of Margaretta Cater, nee McCall; to-wit; Lizzie, Maggie, Lula, Emma and Thomas Cater in and to the above described lands, be divested from them, and the same is hereby vested in Emeretta Berryman.

3 And it further appearing to the Court that to J. S. W. C. McCall, child of said John R. McCall, and the said Mrs. A. P. McCall, was assigned the following lands; to-wit: Seventy-five acres on the west line of the two hundred and thirty-five acre tract, out of the del Valle grant, and which will more fully appear by reference to the report of said commissioners and the plat attached thereto. Said tract or piece of land assigned as aforesaid, being nineteen hundred and twelve (1912) varas long, and two hundred and twenty-one 2/3 varas wide. It is therefore ordered, adjudged and decreed that all the right, title, and interest of America P. McCall, John D. McCall, Emeretta Berryman, W. C. McCall, and the children of Margaretta Cater, nee McCall, to-wit: Lizzie Maggie, Lula, Emma & Thomas Cater, in and to the above described land, be divested out of them, and the same be and hereby is vested in the said J. S. W. C. McCall. And it further appearing to the Court

4 that to W. C. McCall was assigned the following land or piece of land; to-wit: Seventy acres, out of the centre of said two hundred and thirty-five acre tract, above described; being nineteen hundred and twelve (1912) varas long, and two hundred and six 2/3 varas wide, as will more fully appear by reference to the report of said Commissioners and the plat thereto attached. It is ordered, adjudged and decreed that all the right, title and interest of America P. McCall, John D. McCall, Emeretta Berryman, J. S. W. C. McCall, and the children of Margaretta Cater, nee McCall; to-wit: Lizzie, Maggie, Lula, Emma and Thomas Cater, in and to the above piece or tract of land be divested from them, and the

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same be and hereby is vested in the said W. C. McCall.

And it further appearing to the Court that to the children of Mrs. Margaretta Cater, decd she being one of the children of the said John R. McCall, and the said Mrs. A. P. McCall, was assigned the following piece of land, out of the above described (235) Two hundred and Thirty five acre tract, and on the East line thereof; being (1913) nineteen hundred and twelve varas long, and two hundred and six 2/3 varas, wide; which will more fully appear by reference to the report of said commissioners, and the plat thereto attached. It is therefore ordered, adjudged and decreed that all the right, title and interest of Amenia P. McCall, John D. McCall, Emeretta Berryman, J. S. W. C. McCall, and W. C. McCall, in and to the above described piece, parcel or tract of land, be divested out of them, and the same be and hereby is vested in the said children of Margaretta Cater, decd nee McCall; to-wit: Lizzie, Maggie, Lula, Emma and Thomas Cater. It is further ordered, adjudged and decreed that the costs of said proceedings be assessed against the parties thereto respectively, in proportion to their respective shares, and that execution may issue to enforce the same.

Commissioner's Report:

In District Court, Travis County. In Probate

To the Hon. J. P. Richardson, Judge of the 27th Judicial District of Texas;

The undersigned Commissioners, appointed by your Honorable Court, at the October Term thereof, A. D. 1875, to make partition of property belonging to the estate of John R. McCall, deceased, between Mrs. A. P. McCall, the surviving wife of the said McCall, and the children and their descendants, of the said John R. McCall, and his wife, the said Mrs. McCall, beg leave to report their action in the premises as follows;

1st: To the said Mrs. McCall, wife as aforesaid, of the said John R. McCall, deceased, we award, partition and set apart, the following lands;

1st. Six hundred and forty acres of land situated in Grayson County, Texas, granted originally to James P. Davis; located by virtue of B. W. No 1058. issued by the Secretary of War, and which has its beginning corner at the N. E. corner of George Cumberland's survey of 640 acres.

2nd. Six Hundred and Forty acres, situated in Williamson County, Texas originally granted to William Duggan, and patented to him Oct. 9th 1847; Patent No. 356, vol. 4.

3rd. Six Hundred and Forty acres of land situated in Williamson County Texas, surveyed in two tracts; one of two hundred and ninety (290) acres, and one of three hundred and fifty acres (350); both tract located by virtue of Headright Certificat No. 52. Class 2nd. issued by the Board of Land commissioners of Liberty (or Polk) County, to William Kincaid, dated November

15th, A. D. 1852.

4th. One Hundred and one: third acres of land, out of the Del Valle grant. West of the Colorado River, which was deeded to John R. McCall, by A. C. Horton, by deed dated 11th of December, 1855, and recorded in Book K of Travis County, records, on pages 90 & 91.

This award as above is made with understanding and the consent of both parties thereto, that the said Mrs. A. R. McCall, shall pay to John D. McCall, one of the heirs herein referred to, the sum of Four Hundred and Sixty dollars, the amount at which the above property was valued, exceeding her one half community interest in said estate, to that amount, which the said John D. McCall accepts as a portion of his inheritance; not holding the other heirs responsible, in anyway, even should the four hundred and sixty dollars never be paid to him by the said Mrs. McCall.

2d. To John D. McCall, one of the children of the said John R. McCall, deceased, and the said Mrs. McCall, we award and set apart as follows: 1st: The Four Hundred and Sixty dollars, which his mother, Mrs. McCall is bound to pay for the property awarded to her in excess of her interest in the estate.

2nd. Forty acres in Travis County, out of about eighty: eight acres, which is an unsold part of a tract of 563/100 acres of land, deeded by A. C. Horton to John R. McCall, on the 14th of April, 1856, and recorded in book K. pages 596 & 597; of which said tract of 563/100 acres, we hereto attach a plat, signing our names thereon; on which we have had the several parts of said tract sold by John R. McCall in his lifetime, platted off; and also so much of the unsold portion as has been herein awarded to some of the heirs, marking or writing the names of the heirs on such part as is allotted to them.

3rd. To Emerett a Berryman, one of the children of the said John R. McCall and Mrs. McCall, we award and set apart the following lands.

1st. Sixty: seven acres more or less, being all of the unsold portion of the 563/100 acre tract of land out of the Del Valle grant, bought by Jno. R. McCall of A. C. Horton, except the forty acres hereinbefore awarded to John D. McCall; which sixty: seven acres will be fully identified by reference to the plat hereto annexed and referred to.

2d. Twenty acres off the South end of a tract of two hundred and thirty: five acres of land, on the Del Valle grant, and which is more fully shown by reference to the plat heretofore mentioned; showing it joined to the 563/100 acre tract on the North line of said 563/100 acres. The said 20 acres to be taken off in a tract of 178 varas wide by 635 long, as will appear by the plat as referred to, hereto attached or annexed.

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4th. To J. S. W. C. McCall, child of the said Jno. R. McCall, and said Mrs. A. P. McCall, we award and set apart the following piece of land. viz: Seventy five acres on the West line of the 235 acre tract, being 1912 varas long, and 221 2/3 varas wide, as will appear by reference to the plat hereto attached.

5. To W. C. McCall, child of said Jno. R. McCall, and the said Mrs. A. P. McCall, we award and set apart the following piece of land; viz: Seventy acres out of the centre of the 235 acre tract, being 1912 varas long, and 206 2/3 varas wide, as shown by the plat hereto attached.

6th. To the children of Mrs. Margaretta Cater, dcd. she being one of the children of the said John R. McCall, and the said Mrs. A. P. McCall, we award and set apart the following piece of land; viz: Seventy acres of land out of the 235 acre tract on the East line thereof; being 1912 varas long, and 206 2/3 varas wide; which will appear by reference to the plat hereto attached. This 70 acres is set apart to said children, undivided among them, as it does not admit of Partition, without greatly damaging the tract. The children are five in number, and are named Lizzie, Maggie, Lula, Emma and Thomas Cater.

Jas. P. McKinney
Joseph Spence
} Commissioners.

State of Texas, County of Travis

Before me, W. P. Gaines, Notary Public for said County and State, commissioned and sworn, personally appeared Jas. P. McKinney and Joseph Spence, to me well known; who being sworn state that the partition made by them as set out in their report above, is just and fair to the best of their knowledge and information; that they have no interest in said partition; that they are not of kin to any of the parties to the partition

Sworn to and subscribed before me Jas. P. McKinney, Joseph Spence.
this the 16th day of Oct. A. D. 1875 W. P. Gaines, Notary Public Travis County, Texas.

Plat

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And now on this day came the grand jury. empaneled at the present term into open court, and presented, through their foreman, Jno. D. Billingsly, the following indictments: to-wit: and further stated to the court that they had no further business requiring their attention; and the court after thanking said jury for their patient and assiduous attention to the duties charged to them, doth order that said jury be discharged without day:

4412 An indictment against George Gort for theft from a house.
4413 An indictment against Hubbard Carrington, for malicious mischief
4414 An indictment against L. G. Britton for theft of mules
4415 An indictment against Sam. Williams for theft of sleeve buttons &c
4416 An indictment against Robert Reece for taking up and using an estray sorrel mare.
4417 An indictment against M. J. Mattison for Perjury
4418 An indictment against M. J. Mattison for forgery
4419 An indictment against Juan Belmontez, pursuing occupation without license.
4420 An indictment against Billy Wilson and A. B. Mitchell, for puruing occupation without license.
4421 An indictment against M. Miller for pursuing occupation without license.
4422 An indictment against Cornelius Lewis, for pursuing occupation without license.
4423 An indictment against H. Hofferintz pursuing occupation without license.
4424 An indictment against L. E. Edwards, pursuing occupation without license.
4425 An indictment against M. D. Mattison, pursuing occupation without license.
4426 An indictment against M. D. Miller, pursuing occupation without license
4427 An indictment against — McGaln pursuing occupation without license
4428 An indictment against Brady Pollock, pursuing occupation without
4429 An indictment against Brady Pollock pursuing occupation without license
4430 An indictment against A. Rubivilla pursuing occupation without license
4431 An indictment against G. W. Sampson pursuing occupation without license
4432 An indictment against Benj. F. Henricks pursuing occupation without license
4433 An indictment against J. A. Webb. pursuing occupation &c.
4434 An indictment against Charles Wolf, pursuing occupation &c
4435 An indictment against A. W. Weyman pursuing occupation &c
4436 An indictment against Joseph Webb pursuing occupation &c
4437 An indictment against Kroeber, pursuing occupation &c.
4438 An indictment against W. E. Carter &c. pursuing occupation &c
4439 An indictment against Morse, pursuing occupation &c
4440 An indictment against Ed. Carrington, (col'd) pursuing occupation &c
4441 An indictment against S. M. Berryman, pursuing occupation &c
4442 An indictment against M. D. Mattison pursuing occupation &c
4443 An indictment against S. M. Berryman pursuing occupation &c
4444 An indictment against Wm Betteino pursuing occupation &c
4445 An indictment against J. Gierson pursuing occupation &c
4446 An indictment against Joe. Nadler pursuing occupation &c

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4447 An indictment against S. R. Fisher for pursuing occupation &c
4448 An indictment against C. Martin " pursuing occupation &c
4449 An indictment against Friedberger & Bro. " pursuing occupation &c
4450 An indictment against M. L. Aldrick " pursuing occupation &c
4451 An indictment against C. Witterman " pursuing occupation &c
4452 An indictment against Jno. F. Jones " pursuing occupation &c
4453 An indictment against C. Lundberg pursuing occupation &c
4454 An indictment against A. R. Clark pursuing occupation &c
4455 An indictment against Phillipson pursuing occupation &c
4456 An indictment against S. A. Mooney pursuing occupation &c
4457 An indictment against Harry Hankins pursuing occupation &c.
4458 An indictment against Tom Hancock pursuing occupation &c
4459 An indictment against Agent Home Sewing Machine Co. pursuing occupation &c
4460 An indictment against C. Olson for pursuing occupation &c
4461 An indictment against J. H. Horan " pursuing occupation &c
4462 An indictment against C. W. Berryman " pursuing occupation &c
4463 An indictment against J. J. Wheadon " pursuing occupation &c
4464 An indictment against C. L. Nevell " pursuing occupation &c
4465 An indictment against M. F. DeMattos " pursuing occupation &c
4466 An indictment against J. S. Myrick " pursuing occupation &c
4467 An indictment against C. Cuneo pursuing occupation &c
4468 An indictment against Benj. F. Henricks pursuing occupation &c
4469 An indictment against S. B. Shutes pursuing occupation &c
4470 An indictment against L. T. Valentine pursuing occupation &c
4471 An indictment against — Levy pursuing occupation &c
4472 An indictment against C. W. Berryman pursuing occupation &c
4473 An indictment against Geo. W. Sampson pursuing occupation &c
4474 An indictment against Wm Stiles pursuing occupation &c

And thereupon Court adjourned until Monday morning 9 A.M.

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Court met at 9 a.m. pursuant to adjournment; present Hon. James P. Richardson. Judge, presiding, and other legal officers of court; whereupon the following proceedings were had; to-wit:

3844 G. R. Freeman vs Robert Lewis, et. al. Comes now on this day, A. R. Coleman Esqr. in his own proper person, and submits his motion for an allowance of services as an attorney, in representing the interest of the minor. Ella T. Gattis, as special guardian, under appointment of the court, in the above entitled cause; whereupon the court doth allow the said Coleman the sum of $25.00. for said service, and order that the same be taxed in the bill of costs in this case.

4073 R. N. Lane vs Geo. O. Evans. On this day come the parties by attorney, and

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on motion. It is ordered that the order for a continuance in this cause granted at a former day of the term. be set aside

4063 Jas. P. Newcomb vs. W. C. Bowen, et al. On this day came the parties by attorneys, and, waiving a jury, submitted the matter in controversy to the Court; and it appearing to the court from the testimony adduced by the plaintiff, that the law is with the defendants. It is ordered, adjudged and decreed that the plea of defendants to the jurisdiction of the Court be sustained; and it further appearing that said defendants do not reside in Travis County, neither did they promise to pay the debt sued for in Travis County. It is further ordered and decreed by the Court that, for want of jurisdiction the said plaintiff, James P. Newcomb, have and take nothing by this suit, and that the defendants go hence fully discharged, and that they recover of plaintiff all costs in this behalf expended, and that execution issue: To which ruling of the court, plaintiff excepts, and gives notice in open court of an appeal to the Supreme Court.

4303 H. Santanar vs L. H. Fitzhugh and Joseph Harrell. — Now come the plaintiff and defendant, and announce ready for trial; and thereupon Plaintiff's counsel moved to strike out the affidavit of the defendant, Joseph Harrell, denying the partnership between himself and the defendant, Fitzhugh, which motion was sustained by the court. And thereupon came a jury of twelve good and lawful men of Travis county, to-wit: J. H. Wood and eleven others, duly empanelled and sworn, heard the pleadings, evidence, argument of counsel and charge of the Court, retired to consider of their verdict, and returned into open court the following verdict: "We the jury find for the plaintiff in the sum of $89.63/100. John H. Wood, foreman." It is therefore ordered, adjudged and decreed by the Court that the pl'ff. H. Santanar, recover of and from the defendants, L. H. Fitzhugh and Joseph Harrell, the sum of $89.63/100 dollars, with interest thereon from date at 8% per annum; and it is further ordered and adjudged by the Court that said plaintiff recover of the defendant, Joseph Harrell, the sum of $8.39/100 being 10% cent. damages on the judgment rendered in this cause in the court below; together with all his costs in this behalf expended, as well as those in the court below on appeal, and that he have his execution therefor.

4305 Wm. Simpson vs Jo. Nadler. Continued.

4308 Charles Bohn v. Rudolph Krause, Continued by deft.

4309 John H. Robinson, Jr. vs J. M. Young. Continued.

4311 Fred. K. Straffin and Peter L. Cruse vs. Thos. C. Maxwell. — Dismissed

4313 Saml. M. Wright v. J. H. Coleman and Jno. M. Young. This cause being called and it appearing that a rule for security for costs had been entered at a

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former term, and plaintiff failing to comply, It is ordered that this cause be dismissed for want of said compliance, and that all costs herein incurred be adjudged against each party respectively, and that execution issue.

4325 Jeremiah Sheehan v. Jno. Brenond. Comes now the defendant by atty, when on motion It is ordered that said deft. have leave to amend.

4328 W. M. Walton vs. L. E. Edwards. Comes now on this day the plff. by atty, and claims a judgment final by default: and because the deft. though cited by personal service has failed to answer within the time prescribed by law. It is ordered that the plff. have and recover of and from the deft. in accordance with the prayer of his petition, and that a writ of inquiry be awarded.

4104 Wm Nelson vs Juliet G. Hicks, et al. This cause being called on the docket came the plaintiff and the intervenor, M. C. Hamilton, by attorney, and announced themselves ready for trial; came also the defendants by attorney, and the said minors, Nina B. and Perl, by their special guardian S. A. Posey, and announced ready for trial; and thereupon all parties came a jury, and file an agreement that the matters and things at issue herein be submitted to the determination of the court; and it appearing to the court after hearing the pleadings and evidence adduced, that said plaintiff, intervenor Hamilton, and defendants respectively, are the owners in common of the following real estate, to-wit: Lots numbers one (1), thirteen (13) and (14) fourteen, in Block No. Two (2) Lots one (1), two (2), three (3), four (4) and five (5) in Block No. Three (3); and Lot No. Eleven (11), in Block No. four (4), according to the sub-division and plat of out lot No. One (1) in Division "A", of the Government tract adjoining the City of Austin; and that said plaintiff, Wm. Nelson, and intervenor M. C. Hamilton are entitled to a partition of the same; and that said plff. Nelson is entitled to one half (1/2) of each and every of said lots of land; and that said intervenor Hamilton is entitled to two fourteenths (2/14) of each and every of said lots; and that said defendants, to-wit: Juliet G. Hicks, Martha J. Fahey, Nina B. Connor, Perl Connor, and Cora E. Shepherd, are entitled to one fourteenth (1/14) of each and every of said lots of land, Now, therefore, It is ordered, adjudged and decreed by the Court that William Von Rosenberg, Joseph Spence and John B. Costa, citizens of Travis County, be and they are hereby appointed Commissioners to partition said land between said plaintiff, intervenor and defendants above named; giving to each their proportionate share as above stated, in quantity and value; and that they report their action in the premises to the present term of this Court for confirmation or rejection.

4124 Jas. P. Newcomb vs Jno. D. Elliott. Now on this day came on to be heard the

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(Court Book N°4 page 580.) above entitled cause; and the parties by attorney having waived a jury and submitted the matter in controversy to the Court; whereupon the Court having heard the pleadings and evidence, and having duly considered the same, doth order, adjudge and decree that said plaintiff, James P. Newcomb have and recover of and from said defendant, John D. Elliott the sum of Seven Hundred and Forty three & 07/100 ($743.07/100) coin, and all his costs in this behalf expended, for which let execution issue.

4417 State vs M. J. Mattison. And now on this day came M. J. Mattison as principal, and Dennis Corrin and Barnard as sureties, and being duly sworn, severally acknowledge themselves to owe and be justly indebted unto the State of Texas in the penal sum of $500.— to be levied of their respective goods, chattels, lands, tenements and estates, but to be void on condition that said M. J. Mattison make his personal appearance before the October term 1875 of the Travis County district court now in session, and answer an indictment preferred against him by the grand jurors of said Travis county, at said October term, for the offence of Perjury, and that he remain from day to day and from term to term thereafter, and that he do not depart the court without leave.

4418 State v. M. J. Mattison. — Come now on this day M. J. Mattison as principal with Dennis Corrin and Barnard as securities, who being duly sworn in open court, severally acknowledge themselves to owe and be justly indebted unto the State of Texas in the penal sum of five hundred dollars, to be levied upon their respective goods, chattels, lands, tenements and estates, to be void nevertheless upon condition that said M. J. Mattison, make his personal appearance before the district court of Travis county, now in session, and answer an indictment preferred against him by the grand jurors of Travis County, at the October term A. D. 1875 of said district court, for the offence of Forgery, and that he remain from day to day and from term to term thereafter, and that he depart not the court without leave.

And thereupon Court adjourned until to-morrow 9 o'clock A.M.

Tuesday, October 26th 1875.

Court met at 9 o'clock A. M. pursuant to adjournment, present same as on yesterday; whereupon the following proceedings were had; to-wit:

4562 E. C. Bartholomew vs. T. E. Cater, et al. And now on this day come the parties by atty, when on motion it is ordered that deft have leave to amend.

4559 M. Brown vs. Chas. Behnke. — Comes now on this day the Plff by atty, whereupon on motion it is ordered that said plff. have leave to amend.

4521 Isaac Stein v. John David. — And now on this day comes the plaintiff

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by attorney, whereon on motion It is ordered that this cause be dismissed. and that said plff be adjudged to pay all costs herein, for which execution may issue.

4517 Isham Antony vs Jos. Lucksinger. Come now the parties by attorney, when on motion It is ordered that defendant have leave to amend.

4516 Isham Antony vs. A. G. Buddington. — This cause being called, comes the defendant by attorney; when on motion it is ordered that deft. have leave to amend.

4513 Chas. M. Booth vs. M. D. Miller. — And now comes the defendant by atty, whereupon on motion It is ordered that said deft. have leave to amend.

4506 Joel. N. Combs v. J. H. Dinkins. — On this day came the plff by attorney, when on motion It is ordered that said plff have leave to amend.

4473 M. C. Hamilton v. Gen. W. Glasscock et al. Comes the defendant by atty. when on motion It is ordered that said defts. have leave to amend.

4472 James H. Raymond v. Gen. W. Glasscock et al. And now on this day come the defts by attorney; when on motion It is ordered that they have leave to amend.

4441 Joseph Harrell v. Welch & Ruddy. On this day come the defendants by attorney, when on motion it is ordered that said defts have leave to amend.

4437 Martha A. Dye et. al v. James Neill. — Comes now the deft. by attorney whereupon on motion It is ordered that said deft have leave to amend.

4389 Wm Esser v. The Howe Machine Co. Comes now the plaintiff by atty when on motion It is ordered that said plff. have leave to amend.

4391 James A. Chandler v. M. P. & W. L. Glasscock. Comes now on this day the plff by atty, when on motion It is ordered that plff have leave to amend.

4361 Susan Brandon, et al v. R. W. Turner et al. On this day comes the defts by atty, when on motion It is ordered that said defts have leave to amend.

4353 Gen. Gemminger v. Friedberger & Bro. And now on this day comes the defts by atty, when on motion It is ordered that said defts. have leave to amend.

3950 M. J. Culver, et. al v. R. N. Lane, et al. On this day comes the defts. by atty, when on motion It is ordered that defts have leave to amend.

4328 W. M. Walton v. L. E. Edwards. And now on this day comes the plaintiff by attorney and on motion It is ordered that the judgment by default with writ of inquiry rendered on yesterday be set aside and held for naught, and that a jury be empannelled to assess the amount due him from deft. whereupon came a jury of twelve good and lawful men of Travis County to-wit: E. W. Edgar and eleven others, duly tried, empannelled and sworn, heard the pleadings, evidence and charge of the Court, and retiring to consider of their verdict returned the following verdict; to-wit: "We the jury find for the plaintiff three hundred and eighty one dollars and fourteen cents gold. E. W. Edgar foreman."

It is therefore, ordered and decreed by the Court that plff. have and recover of and from defendant the sum of ($381.14) gold, with interest thereon from date at 10% per cent. per annum, with all his costs in this behalf incurred, and that he have execution therefor.

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/4322/ Henrietta Siebel v. Henry Manor. This cause coming on to be heard came the parties by attorney and announced themselves ready for trial; and thereupon came a jury of twelve good and lawful men of Travis County, to-wit: E. W. Edgar and eleven others, duly tried, empannelled and sworn, heard the pleadings, evidence and charge of the Court, returned from their seats the following verdict, to-wit: We the jury find for the defendant. E. W. Edgar, Foreman." It is thereupon ordered, adjudged and decreed by the Court, that the plaintiff, Henrietta Siebel have and take nothing by her said suit; that defendant, Henry Manor, go hence without day, and that he pay all costs incurred by him in this behalf, for which execution may issue.

L. Cantoni declaration

The State of Texas } Louis Cantoni being duly sworn, according to law, in
County of Travis } the District Court of said county, doth declare that he was born in the year A. D. 1832, in the Kingdom of Italy, whence he emigrated in the year 1861, 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 renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever; and particularly to the King of Italy, of whom he is a subject.

(Signed) Louis Cantoni

Sworn to and subscribed before me this 25th day of October, 1875.

F. Brown, clerk by M. J. Dunn, deputy.

H. Schmidt declaration

The State of Texas } Herman Schmidt being duly sworn according to
County of Travis } law in the District Court of Travis County, doth declare that he was born in the year A. D. 1854, in the Kingdom of Prussia, whence he emigrated in the year, 1872, 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 renounces forever all allegiance and fidelity to every foreign prince, potentate, State, or Sovereignty whatsoever, and particularly to the Emperor William, King of Prussia, of whom he is a subject. H. Schmidt.

Sworn to and subscribed before me, this 25th day of October, 1875.

Frank Brown, clerk by M. J. Dunn, deputy.

/4320/ A. J. Barrager v. Houston and Tex. Cen. R. Co. And now on this day come the parties by attorney, and announce themselves ready for trial; and thereupon came a jury of twelve good and lawful men of Travis county, to-wit: William Thaxton and eleven others, duly tried, empannelled and sworn, heard the pleadings, evidence and argument of counsel, and retiring under the charge of the Court to consider of their verdict, returned into open Court the following verdict, to-wit: "We the jury find for

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the plaintiff. four thousand dollars. Wm Thaxton, foreman."

It is therefore ordered, adjudged and decreed by the Court, that the plaintiff. A. S. Barrager, do have and recover of and from the defendant, the said Houston and Texas Central Railway Company the sum of Four Thousand ($4000.00) dollars, together with all his costs in this behalf incurred. for which let execution issue.

4382 M. D. Miller v. S. J^no and J. E. Hollingsworth. — And now on this day came the parties by attorney and announced ready for trial, and waive a jury and submit the matters and things at issue to the Court: and it appearing to the court after hearing the pleadings, and evidence adduced whereof it is of the opinion that the law is with the plaintiff and that he ought to recover. It is therefore ordered, adjudged and decreed by the Court that the plaintiff M. D. Miller have and recover of and from the defendants S. J^no and J. E. Hollingsworth the sum of three hundred^no and fifty, two ^dlls 100ths dollars as his principal debt and interest, with interest thereon at at the rate of 10% per annum from this date till paid, together with all his costs in this behalf incurred, and that execution issue therefor.

W. C. Lewis declaration

The State of Texas } W. C. Lewis being duly sworn, according to law, in
County of Travis } the district Court of Travis County, doth declare that he was born in the year A. D. 1853 in the Kingdom of Great Britain whence he emigrated in the year, 1871 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 renounces 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.

W. C. Lewis

Sworn to and subscribed before me this 22^d day of October 1875 in open Court.

Frank Brown, clerk by M. Brown, deputy

4397 R. H. Peck v. A. G. Matthews, et al. And now on this day came the plff by atty, and the defendants came not, save the deft. T. W. Nolan, whose answer herein was read to the jury: and thereupon plff claims a judgment final by default as upon a writ of inquiry, as to the defendants A. G.^nd T. E. Matthews, they having been cited by personal service and failing to answer; when came a jury of twelve good and lawful men of Travis county; to-wit: E. W. Edgar and eleven others, duly tried, empanelled and sworn, heard the pleadings, evidence and charge of the Court, without leaving their seats rendered the following verdict, to-wit: "We the jury find for plaintiff in the sum of two hundred and thirty three ^no/^oo dollars,

(Signed) E. W. Edgar. foreman"

It is thereupon, ordered, adjudged and decreed by the Court that the plaintiff R. H. Peck do have and recover of and from the defts A. G. Matthews T. W. Nolan and T. E.

Tuesday, October 26th 1875.

Matthews the sum of two hundred and thirty three 8/100 dollars, as his principal debt and interest, with interest thereon from date at 8% per annum, together with all his costs in this behalf expended, and that he have his execution therefor.

Butler, Wright & Thomas vs Geo. B. Zimpelman, et. al. Come now on this day the parties by attorney, and waiving a jury, submit the matter in controversy, as well of fact as of law, to the Court, after announcement of ready for trial in due form of law; whereupon, It is the opinion of the Court after hearing the pleadings, evidence and remarks of counsel, that the law is with the plffs and that they ought to recover. It is therupon ordered, adjudged and decreed by the Court that the plffs, under their firm name and style of Butler, Wright & Thomas, have and recover of and from the defendants the sum of two hundred and fifty seven 8/100 dollars, with interest thereon from this date at the rate of 8% per annum, with all their costs in this behalf incurred, for which execution may issue.

4394 4394 Julia Kendall vs. Antonio Kendall. In this cause it appearing that a rule for costs entered at a former term, has not been complied with. It is ordered that this cause be dismissed the docket for want of such compliance, and that plaintiff pay all costs herein for which execution shall issue

4506 Joel S. Combs et als vs J. H. Dinkins. On this day comes the dfdt. herein, when on motion It is ordered that said dfdt. have leave to amend.

4580 Ex Parte Gideon Lineecum, et. als. And now on this day came on to be heard the application of Gideon Lineecum, James S. Lineecum & Jno. H. Lineecum, duly sworn to, praying for a removal of their disabilities of minorage, which by the court being duly considered, It is ordered, adjudged and decreed that the disabilities of nonage of the said minors is removed, and that they be held for all legal purposes of full age, and have and exercise all the legal privileges of manhood, save as to the right of suffrage.

4391 James A. Chandler v. M. P. & W. L. Glasscock. This cause being called, and the plaintiff herein having failed to enter satisfaction of the rule for costs rendered at a former term, It is ordered that this case be dismissed the docket, for want of said compliance, and plaintiff pay all costs incurred, and that execution issue accordingly.

4385 Geo. W. Morris v Jno. W. Roberts and T. J. Pendley. Continued by defendant.

4377 Henry Rordzick v. J. T. Battaile & Jno. S. Myrick. This cause being called on the docket, It is ordered that the same be dismissed the docket, for failure of the plaintiff herein to comply with the rule for security of costs entered at a former term; and that he pay all costs, for which let execution issue.

Tuesday. October 26th 1875.

4374 Chas. E. Hall v. Jno. P. Isbell. In this cause it appearing that a rule for security of costs had been entered at a former term, It is ordered that the same be dismissed the docket for want of said compliance at the cost of Plff. and that execution issue accordingly.

4358 W. H. Gaynor v. Wm. Holder et al. Continued.

4354 M. Gardiner v. Thomas Anderson, et. al. Continued.

4347 Carl. Krohn v. Curtis and Edgar defts. Peter Smith Garnishee. And now on this day come the defendants herein, when on motion It is ordered that this cause be dismissed at the cost of said defendants, and that Plff and the officers of court have their execution accordingly

4321 Jno. H. Conner v. H. and Texas, Cen. R. Co. Continued

And thereupon court adjourned until to-morrow morning 9 o'clock A. M.

Wednesday. October 27th 1875.

Court met pursuant to adjournment; Present same as on yesterday, whereupon the following proceedings were had by said Court, to-wit:

J. Schmidt declaration

The State of Texas }
County of Travis } Jacob Schmidt being duly sworn, according to law in the district court of said county, doth declare that he was born in the year A. D. 1842, in the Kingdom of Prussia, whence he emigrated in the year, 1869, 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 renounces 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

Jacob Schmidt.

Sworn to and subscribed before me this 26th day of October. 1875.

Frank Brown, clerk by M. Dunn, deputy

J. Haig declaration

The State of Texas }
County of Travis } James Haig being duly sworn according to law in the district court of Travis county, doth declare that he was born in the year A. D. 1848, in the Kingdom of Great Britain, whence he emigrated in the year 1869 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 renounces forever all allegiance and fidelity to every foreign prince, potentate, State or sovereignty whatsoever, and particularly to the Queen of Great Brittain, of whom he is a subject.

James Haig

Sworn to and subscribed before me this 22d day of October, 1875.

Frank Brown, clerk by M. Dunn, deputy

Wednesday, October 27th 1875.

G. Phillips declaration

The State of Texas } George Phillips being duly sworn, according to law,
County of Travis } in the district Court of said county, doth declare
that he was born in the year, A.D. 1821. in the Kingdom of Great Brit-
tain, whence he emigrated in the year. 1867. to the United States of Am-
erica, 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
renounces forever all allegiance and fidelity to every foreign Prince
Potentate, State or Sovereignty whatsevered, and particularly to the Queen
of Great Brittain, of whom he is a subject. George Phillips
Sworn to and subscribed before me this 26th October, 1875. in open court.
Frank Brown, clerk by M. Dunn, deputy

P. Canova declaration

The State of Texas } Peter Canova, being duly sworn, according to law, in
County of Travis } the district court of Travis county, doth declare that
he was born in the year A.D. 1853, in the kingdom of Italy, whence he
emigrated in the year 1873 to the United States of America, and has se-
lected 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 announces forever
all allegiance and fidelity to every foreign Prince, potentate, State
or Sovereignty whatsoever, and particularly to the Sovereign of Italy
of whom he is a subject. Peter Canova
Sworn to and subscribed before me, October 26th 1875 in open court
Frank Brown, clerk by M. Dunn, deputy

$4403 X

J. J. McClelland v Jones & Martin. And now on this day comes the plain-
tiff by attorney, and dismisses this suit as to the defendant, Martin; and
claims a judgment final by default as to the defendant, Jones, as upon
a writ of inquiry, he having been cited by personal service and failing
to answer within the time prescribed by law; and plaintiffs cause of
action being liquidated, It is therefupon ordered, adjudged and
decreed by the Court that the pff. J. J. McClelland have and recover
of and from the defendant Jones the sum of one hundred and seventy
and 22/100 dollars as his principal debt and interest, with interest
thereon from date at 8% per annum, with all his costs in this be-
half expended, and that execution issue therefor.

$4404 First Natl Bank of Kansas v W. O. Cain Continued for service

$4402 James R. Ray v. John Dougherty. Dismissed.

$4399 X

G. A. Reed v. R. L. King. And now on this day come the parties by
attorney, when on motion It is ordered that this cause be dismissed at the
cost of the defendant, King, and that execution issue accordingly.

$4407 X

G. H. Booth vs Richard Welsh. And now on this day came the parties
by attorney; and the general demurrer of defendant coming on to be heard

Wednesday, Octr 27th 1875

the same is by the Court, after argument of counsel and due consideration thereof, overruled; to which ruling of the Court deft excepts; and thereupon both parties announced ready for trial, when came a jury of twelve good and lawful men of Travis County, to-wit: E. W. Edgar and eleven others, duly tried, empannelled and sworn, heard the pleadings, evidence, and charge of the court, retired for deliberation, and returned into court the following verdict, to-wit: "We the jury find for the plaintiff the three lots of land described in his petition. E. W. Edgar foreman."

It is therefore ordered, adjudged and decreed by the Court that the pff G. H. Booth, have and recover of and from the defendant Richard Walsh the premises described in plaintiffs petition, to-wit: Lots ten (10) eleven (11) and twelve (12) in Block twenty-three (23) of the sub-division of out-lot numbed thirteen (13) in Division "D" of the outlots adjoining the City of Austin, according to a map of said city now file in the Genrd Land Office of the State of Texas; said lots being situte in the the County of Travis and State of Texas, together with all improvements thereon situated; for which he may have his writ of possession; and that he have his execution for all costs in this behalf incurred.

4348 John O. Ford v. H. & T. Cen. R. R. Continued by consent.

4325 J. Sheehan v. John Brimond. Continued.

4411 H. Hirshfield v. W. C. & A. P. Lurry. Comes now the plaintiff herein by attorney, when on motion It is ordered that this cause be dismissed at pffs cost, and that execution issue accordingly.

4419 E. & S. Cohen v. H. & T. Cen. R. Co. Continued by defendant.

4441 Jos. Harrell v. Welch & Ruddy. Comes the plaintiff by atty, when on motion It is ordered that said pff have leave to amend.

4449 Johannes Dukey v. Chas. J. Dukey. — This day comes the deft. by atty when on motion It is ordered that said defendant have leave to amend.

4473 M. C. Hamilton v. Geo. W. Glasscock, et. al. Continued.

4472 James H. Raymond v. Geo. W. Glasscock, et. al. Continued.

4364 State v. Charles Coney. And now on this day comes the deft. Chas. Coney as principal, with Louis Canton & Jo. Medina as securities, and being duly sworn severally acknowledge themselves to owe and be justly indebted unto the State of Texas in the penal sum of five hundred dollars, to be levied upon their respective goods, chattles, lands, tenements & estates to be void nevertheless on condition that the said Chas. Coney make his personal appearance before the October term, 1875 of the District court of Travis county, now in session, and answer an indictment preferred against him by the grand jury of Travis County at said October term 1875 for the offence of Perjury, and that he remain from day to day and term to term thereafter, and that he depart not the Court without leave.

Wednesday. October. 27th 1875.

44403 State v. Jno. Webb and Morgan Hamilton. And now on this day comes Morgan Hamilton as principal and H. Hirshfeld as surety; and being duly sworn severally acknowledge themselves to owe and be justly indebted unto the State of Texas in the penal sum of five hundred dollars to be levied of their respective goods, chattels, lands, tenements and estates; to be void nevertheless upon condition that the said Morgan Hamilton make his personal appearance before the October term. 1875 of the district court of Travis County, now in session, and answer an indictment preferred against him by the grand jury of Travis County, at said October term. 1875. for the theft of a steer; and that he remain from day to day and from term to term thereafter, and that he do not depart the Court without leave.

A. Maggia Declaration

The State of Texas } Andrew Maggia, being duly sworn, according to law,
County of Travis } in the district court of said county, doth declare that he was born in the year A. D. 1847, in the kingdom of Italy, whence he emigrated in the year 1872, 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 renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State, or Sovereignty whatsoever, and particularly to the King of Italy, of whom he is a subject.

Andrew Maggia

Sworn to and Subscribed before me this 27th day of October. 1875 in open court.

Frank Brown, clerk by M. Dunn, deputy

G. Ruddell Declaration

The State of Texas } G. Ruddell being duly sworn, according to law, in the
County of Travis } district court of Travis County, doth declare that he was born in the year A. D. 1833, in the Kingdom of Great Brittain; whence he emigrated in the year 1871, 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 renounces forever all allegiance and fidelity to every foreign Prince, Potentate State or Sovereignty whatsoever; and particularly to the Queen of Great Brittain of whom he is a subject.

Geo. Ruddell

Sworn to and subscribed before me, this 27th day of October, 1875. in open court.

Frank Brown, clerk by S. M. Lee, deputy.

C. Mattaglio declaration

The State of Texas } Charley Mattaglio, being duly sworn, according to law
County of Travis } in the district court of said county, doth declare that he was born in the year A. D. 1847, in the kingdom of Italy, whence he emigrated in the year 1870, 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

Wednesday. October. 27th. 1875.

L. Paggi. The State of Texas } L. Paggi, being duly sworn according to law in the dist-
County of Travis } rict court of said county, doth declare that he was born in the year A. D. 1842, in the Kingdom of Italy, whence he emigrated in the year 1869. 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 renounces forever all allegiance and fidelity to every foreign Prince, potentate, state or sovereignty whatsoever and particularly to the King of Italy, of whom he is a subject.

L. Paggi.

Sworn to and subscribed before me October 27th 1875 in open court. Frank Brown, clerk by M. Dunn, deputy

L. Cominelli declaration. The State of Texas } Louis Cominelli, being duly sworn according to law
County of Travis } in the district court of said county, doth declare that he was born in the year A. D. 1840 in the Kingdom of Italy, whence he emigrated in the year 1871, 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 United States, and announces forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatsoever and particularly to the King of Italy, of whom he is a subject.

Louis Cominelli.

Sworn to and subscribed before me this 27th day of Oct. 1875 in open court.

F. Brown, by S. M. Lee, deputy

4383 L. H. Luckett v. J. E. Shepherd, I. G. Searcy and Andrew Parker. On this day came on to be heard the above styled and numbered cause; and the plaintiff being now here by attorney, and the defendants, J. E. Shepherd and I. G. Searcy being present in court in person; and the defendant, Andrew Parker, being present by W. S. Billups, Esqr. the following judgment is rendered by the Court with the consent and upon the agreement of all of said parties; to-wit: "It is ordered, adjudged and decreed by the court that the plaintiff, L. H. Luckett, do have and recover of and from the defendants, J. E. Shepherd, I. G. Searcy and Andrew Parker, under their firm name of Shepherd, Searcy and Parker, the sum of eleven hundred and fourteen 40/100 dollars in gold, with interest from this date at the rate of eight per cent. per annum from this date, with all costs of suit, for which execution may issue. And it is further ordered, adjudged and decreed by the court that the plaintiff, L. H. Luckett, do have and recover of and from the defendant, Andrew Parker, individually, the further sum of two hundred and ninety-two 40/100 dollars in gold, with interest from date at the rate of eight per cent. per annum, and that he have his execution therefor, and cost of suit

4448 State v Chas. Martin. — In this cause it appearing that the defendant has paid the occupation tax due the State of Texas, together with all costs due the

officers of court, It is ordered that the same be dismissed.
And thereupon court adjnd _____ until to-morrow 9 A.M.

Thursday, October 28th 1875.

Court met pursuant to adjournment: Present same as on yesterday, whereupon the following proceedings were had; to-wit:

4345 The State v. O. Jo. McKinney. And now on this day comes the defendant
X by his attorney, and enters the plea of guilty, whereupon It is ordered by the Court that the State of Texas do have and recover of and from the deft. O. Jo. McKinney, the sum of ten dollars as a fine, together with all the costs herein incurred, and that a committment shall issue to collect same.

4344 Thos. J. Pilgrim v. A. P. McCall, et. al. — And now on this day come the
X parties by attorney, and thereupon the defendants withdraw their answer to plaintiff's petition, and say they will say nothing in bar of his demand, and enter their confession of judgment as per agreement on file; and plaintiff's cause of action being liquidated, It is ordered, adjudged and decreed by the court that the pltff. Thos. J. Pilgrim have and recover of and from the defendants America P. McCall and E. H. Holman, the sum of five hundred and ~~fifty~~ ~~over~~ 71/100 gold coin dollars, principal and interest due on the note sued upon to this date; together with interest thereon from this date at one per cent. per month until paid; with all his costs in this behalf incurred, and that he have his execution therefor. And It is further ordered and decreed that there be a stay of execution on this judgment from date for the period of 12 months as per agreement of parties.

4359 Anna P. Lurry v. W. C. Lurry. — On this day comes the defendant herein, when on motion It is ordered that said defendant have leave to amend

Jno. Girda declaration

The State of Texas }
County of Travis }

John Girda being duly sworn, according to law, in the district court of said county, doth declare that he was born in the year A. D. 1849, in the kingdom of Italy; whence he emigrated in the year 1871 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 renounces forever all allegiance and fidelity to every foreign prince, potentate, State or Sovereignty whatsoever, and particularly to the King of Italy of whom he is a subject

John Girda

Sworn to and subscribed before me Oct. 27th 1875 in open court.

Frank Brown, clerk by M. J. Dunn, deputy clerk

Thursday, October 28th 1875.

G. Russo — The State of Texas / County of Travis } Giuseppa Russo, being duly sworn, according to law, in the district court of Travis County, doth declare that he was born in the year A. D. 1833, in the Kingdom of Italy, whence he emigrated in the year, 1873, 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 renounces forever all allegiance and fidelity to every foreign prince, potentate, State or Sovereignty whatsoever, and particularly to the King of Italy, of whom he is a subject.

Joe. Russo

Sworn to and subscribed before me this 27th day of October, 1875 in open court.

F. Brown, clerk by S. M. Lee, deputy

4416 Theodore Papin v. Edwd. W. Shands. This day came the parties by atty, and thereupon the defendant entere his confession of judgment for the sum of four hundred and twenty nine 50/100 dollars, as per agreement on file; and it appearing to the court that plaintiff's cause of action is liquidated, It is ordered, adjudged and decreed that the plaintiff Theodore Papin have and recover of and from defendant, Edwd. W. Shands the sum of four hundred and twenty nine 50/100 dollars, debt and interest due upon the note sued on; with interest thereon from date at 10% per annum; together with all his costs in this behalf expended and that he have his execution.

J. Guiseppe — The State of Texas / County of Travis } Joe. Guiseppe, being duly sworn, according to law in the district court of said county, doth declare declaration that he was born in the year A. D. 1839 in the kingdom of Italy, whence he emigrated in the year, 1873 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 renounces forever all allegiance and fidelity to every foreign Prince, potentate, state or sovereignty whatsoever, and particularly to the King of Italy; of whom he is a subject

Guida Guiseppe

Sworn to and subscribed before me this 27th day of October, 1875

F. Brown, clerk by S. M. Lee, deputy

4425 Amelia Gordon vs F. W. Chandler. On this day came the parties by atty and announced themselves ready for trial; whereupon came a jury of twelve good and lawful men of Travis county; to wit: E. W. Edgar and eleven others, duly tried, empanneled and sworn, heard the pleadings, evidence and charge of the Court, returned from their seats the following verdict, to-wit: "We the jury find for the defendant E. W. Edgar, foreman". It is therefore considered and ordered by the court that the plaintiff herein take and have nothing by her said suit; that defendant, F. W. Chandler,

Thursday, October 28th 1875.

go hence without day, and recover of the said plaintiff all his costs in this behalf incurred, as well as those incurred on appeal from the court below, for which execution may issue against plaintiff and the securities on his appeal bond.

14436 Wolston, Wells & Vidor v. Stuart & Mair. This day came the parties by attorney, waive a jury, and submit the matter at issue to the court; and plaintiffs' cause of action being liquidated, it is thereupon ordered adjudged and decreed by the court that the plaintiffs, under their firm name and style of Wolston, Wells & Vidor do have and recover of and from the defendants, under their firm name and style of Stuart & Mair the sum of fifteen hundred and ninety 20/100 gold dollars, principal debt and interest to date, with intedst thereon from this date at twelve per cent. per annum; together with all their costs in this behalf expended, for which they may have their execution.

14427 Grover and Baker Sewing Machine Co. v. Hugh Eaves. And now on this day came the parties by attorneys and announced ready for trial; and thereupon came a jury of twelve good and lawful men of Travis County; to-wit: E. W. Edgar and eleven others, duly tried, empaneled and sworn, heard the pleadings, evidence and charge of the court, and retiring to consider of their verdict, returned the following verdict; to-wit: "We the jury find for the plaintiffs in the sum of twenty two 50/100 dollars coin as

E. W. Edgar, foreman".

It is thereupon ordered, adjudged and decreed by the court that the plaintiffs under their corporate name and style of the Grover & Baker Sewing Machine Co. have and recover of and from the defendant, Hugh Eaves the sum of twenty two 50/100 coin dollars, as their principal debt, without interest to this date; with interest thereon from date at 8% per cent. per annum till paid; together with costs of suit, and that execution issue therefor.

14428 James Martin v. Texas Express Company. Came the parties by attorneys and announced themselves ready for trial; when came a jury of twelve good and lawful men of Travis County; to-wit: J. W. Glenn and eleven others, heard the pleadings, evidence, argument of counsel and charge of the Court, and retiring for deliberation, returned the following verdict, to-wit: "We the jury find for the Plaintiff in the sum of twenty seven ($27.00) dollars.

J. W. Glenn, foreman."

It is therefore ordered, adjudged and decreed by the Court that the Plff Jas. Martin have and recover of the defts, the said Texas Express Co. the sum of twenty seven dollars. And it appearing to the court that this cause was appealed by defendants from the court below, and that the judgment therein rendered is equal in amount to that adjudged to said plaintiff in the Justices court, it is further ordered that ten per

14436 Judgment rec'd. this judgment is transferred to E. B. Pimpelman, Wolston, Wells & Vidor per Jackson & Keeran Attys of Record

For oral order hereby transferred without recognizance Austin Oct. 22nd 1875 March 22nd 1876

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cent. damages be added to said judgment, aggregating the sum of $29.70 dollars; with interest thereon at 8% per annum from date till paid, with costs of suit, inclusive of those on appeal, and that execution issue against said defendants and the sureties on their appeal bond to collect same.

4406 Amanda Bailey v. Daniel Bailey, et. als. Comes now the plaintiff and files her affidavit that she is unable to give security for costs in discharge of the rule heretofore entered: and comes also the defendant Kirkpatrick, and files his disclaimer of title to the property in question. And thereupon the plaintiff announces herself ready for trial, and the defendants move for a continuance of this cause until the next term of the court, which motion is by the court overruled; whereupon defendants except: and now the demurrers of the defendants to plaintiff's petition are by the court overruled; to which ruling of the court defendants further except; and the general and special demurrer of the petitioner to the amended answers of the defendants are by the court sustained so far as the same apply to a former adjudication; to which ruling of the court defendants except; whereupon all parties announced themselves ready for trial; and then came a jury of twelve good and lawful men of Travis County; to-wit: E. W. Edgar and eleven others, who being duly elected, empaneled and sworn according to law, after hearing the evidence and argument of counsel, retired under charge of the court to consider of their verdict, and returning rendered the following verdict; to-wit: "As to the defendant "Caleb Taylor, and lot 8 described in the plaintiff's petition, we the "jury find for the defendant (Signed) E. W. Edgar, foreman".
" " As to the lot 9 described in the plaintiff's petition, we the jury "find for the plaintiff. "E. W. Edgar, foreman."

It is therefore ordered, adjudged and decreed by the Court that as to the defendant, Caleb Taylor, the said plaintiff, Amanda Bailey, take nothing by this suit, and that said Taylor go hence without day; and that plaintiff pay the costs incurred by making Caleb Taylor a party hereto, for which execution may issue. And it is further adjudged and decreed that said Caleb Taylor be forever quieted in his right, title and possession of lot No. 8. in the sub-division of outlot number one in division "B" in the City of Austin, as against the claim of plaintiff set up in this suit. And it is further ordered, adjudged and decreed by the Court, that the plaintiff, Amanda Bailey, do have and recover of and from the defendants, Daniel Bailey, John Kirkpatrick and Isaac Kellum, an undivided one-half of lot number Nine (9) in the sub-division of outlot number one in division "B" in the City of Austin in Travis County, Texas; said lot No. 9 being described by metes and bounds as follows: to-wit: Beginning at the Southeast corner of lot

Thursday. October. 28th 1875.

No. 8. of Caleb Taylor, in said outlot number one in division "B". Thence South 67° East. sixty-four (64) feet, to the Southwest corner of lot No. 10 in said sub-division. Thence North 19° East one hundred and seventy (170) feet to corner. Thence North 67° West sixty-four (64) feet to corner. Thence South 19° West one hundred and seventy (170) feet to the place of beginning. And It is further ordered, adjudged and decreed by the court that said plaintiff is the absolute owner in fee simple, in her own right, to the one-half undivided interest in and to said lot Number 9, and that the title to said one undivided half of said lot No. 9, is hereby divested out of the defendants, and is hereby vested in the said plaintiff. And It is further ordered that E. P. Moore and E. C. Barthelomew be and they are hereby appointed commissioners to partition and make division of said lot No. 9; in which partition they will have due regard to quantity, quality and value; and that they report their action without delay to this court, for confirmation or rejection. And it is further ordered that plaintiff recover from defendants, Daniel Bailey, John Kirkpatrick and Frank Kellum, all the costs of this suit, (except the costs herein before adjudged against said plaintiff.) for which execution may issue.

4417 J. B. Gildart v. H. & T. C. R. Co. Continued.

4420 Haydens & Allen v. Geo. F. Gage. Continued for service.

4431 J. A. Goodhue v. J. S. Stewart, et als. In this cause it is ordered that plaintiff have leave to amend.

4431 J. A. Goodhue v. J. S. Stewart, et al. Comes the deft. by attorney, when on motion It is ordered that said deft. have leave to amend, and this cause continued.

4432 E. Erzkus v. Agnes Zimmerman, et. al. Come the parties by attys, when on motion it is ordered that this cause be consolidated with No. 4398.

4437 Martha A. Dye et. al. v. James Neill. In this cause, on motion It is ordered that both parties have leave to substitute their pleadings.

And court adjourned until to-morrow 9 A. M.

Friday, October 29th 1875.

Court met at 9 o'clock A. M. pursuant to adjournment; Present same as on yesterday; whereupon the following proceedings were had to-wit:

Jno. Meid fees. Citizenship

John Meid, Ex Parte. Comes John Meid, a citizen of the Kingdom of Great Brittain, and presents his petition, duly sworn to, praying to be admitted a citizen of the United States; and it appearing that petitioner has, in all things, complied with the provisions and conditions incident to his naturalization, it is ordered that he be admitted to such citizenship, and that he have his certificate thereof.

Friday. October 29th 1875.

4372 M. D. Mather v. Ed. Hipp, et. als. Come now the parties by attorney, and announce themselves ready for trial; and the general demurrer of deft. coming on to be heard, the same is by the Court after argument of counsel overruled; and then came a jury of twelve good and lawful men of Travis county, to-wit: Jno. H. Wood and eleven others, duly tried, empaneled and sworn according to law; heard the pleadings, evidence, argument of counsel, and retiring under the charge of the Court, for deliberation, returned the following verdict, to-wit: "We the jury find for the plaintiff." John H. Wood, Foreman." It is therefore, ordered adjudged and decreed by the Court that the plaintiff M. D. Mather, recover from the defendants, E. Hipp, A. J. Neill and Charles Peterson, the possession of and title to the property described in his petition, to-wit: "two chromos, and one large bar mirror; and it is ordered that said property be delivered to the plaintiff by defendants herein. And it appearing to the court that said two chromos and said bar mirror, have been seized under a writ of sequestration, and that said chromos are worth twenty five dollars each, and that said bar mirror is worth one hundred and twenty five dollars; and that said defendant, James Neill, replevied said property, under bond, duly executed and delivered according to law, on the 29th day of April, 1875, with Jeremiah Sheehan and L. Seligman as his securities, and these facts being undisputed and admitted; It is therefore further ordered and decreed by the Court that plaintiff recover of and from defendant, Neill and his said sureties Sheehan and Seligman, the sum of one hundred and seventy five dollars as the value of the property aforesaid, for which execution shall issue; Provided, however, that the money part of this judgment may be discharged by the surrender of the property aforesaid by defendant Neill to said plaintiff within ten days after the adjournment of this term of this court; and it is further ordered by the Court that plaintiff recover of defendants all his costs in this behalf incurred, and that he have his execution therefor.

4471 Wm M. Flees & Co v. W. B. Walker. Comes now the plaintiffs by attorney, and claim a judgment final by default; and because said defendant has been cited by legal service and failed to appear and answer within the time prescribed by law; and the claim of plaintiffs being fully liquidated upon an accepted draft or bill of exchange; It is ordered and decreed that said plaintiffs under their firm name and style of Wm M. Flees & Co have and recover of and from the defendant, W. B. Walker the sum of two hundred and thirty two 65/100 dollars as his principal debt and interest to date, with interest thereon from date at 8% per annum until paid; with all their costs in this behalf expended, and that they have their execution.

Friday, October, 29th 1875.

4441 Jos. Harrell v. Welch & Ruddy — Comes the defendant by attorney, when on motion it is ordered that said defendant have leave to amend.

4417 J.B. Gildart v. H. & Tex. C. R. R. Co. Continued

4422 The State v. Cornelius Lewis. In this cause it appearing that the defendant has paid to the Sheriff of Travis County the amount of his occupation tax due the State, with costs of suit, It is ordered that this cause be dismissed

4445 The State v. J. Gerson. — In this cause it appearing that the defendant herein has paid to the Sheriff of Travis County, the amount of his occupation tax due the State, with costs of suit, It is ordered that this cause be dismissed.

4444 The State v. Wm Bettetins. — In this cause it appearing that the defendant herein has paid to the Sheriff of Travis County, the amount of his occupation tax, with costs of suit, It is ordered that this cause be dismissed the docket, and defendant go hence without day.

R. Spence declaration

The State of Texas } Robert Spence being duly sworn, according to law,
County of Travis } in the district court of Travis County, doth declare that he was born in the year, 1849, in the kingdom of Great Brittain, whence he emigrated in the year 1871, 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 renounces forever all allegiance and fidelity to every foreign Prince, potentate, state or sovereignty whatsoever, and particularly to the Queen of Great Brittain, of whom he is a subject. Robert Spence

Sworn to and subscribed before me this 29th day of Oct. 1875, in open court.

Frank Brown, clerk, by M. Dunn, deputy.

J. Gerson declaration

The State of Texas } Joseph Gerson, being duly sworn, according to
County of Travis } law, in the district Court of said county, doth declare that he was born in the year A. D. 1840 in the kingdom of Prussia, whence he emigrated in the year, 1865, 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 renounces forever all allegiance and fidelity to every foreign prince, potentate, State or Sovereignty whatsoever; and particularly to the Emperor of Prussia, of whom he is a subject. J. Gerson,

Sworn to and subscribed before me, this 29th day of October 1875, in open court.

Frank Brown, clerk by M. Dunn, deputy

P. A. Johanson declaration

The State of Texas } Peter Alfred Johanson, being duly sworn, according
County of Travis } to law, in the district court of said County, doth declare that he was born in the year A. D. 1853, in the kingdom of

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Sweden, whence he emigrated in the year, 1873, 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 renounces 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 a subject. Peter Alfred Johanson.

Sworn to and subscribed before me, this 29th day of October, 1875.

Frank Brown, Clerk by M. Dunn, deputy

C. Kluge declaration

The State of Texas } Charley Kluge, being duly sworn in the district court
County of Travis } of Travis county, doth declare that he was born in the year A. D. 1843, in the Kingdom of Germany, whence he emigrated in the year, 1868, 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 renounces forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatsoever, and particularly to the King of Germany, of whom he is a subject.

Sworn to and subscribed before me Chas. Kluge.

this 29th day of October, 1875. in open court. F. Brown, clerk by M. Dunn, deputy

C Bannerman declaration

The State of Texas } Charles Bannerman, being duly sworn according to law
County of Travis } in the district court of said county, doth declare that he was born in the year A. D. 1852, in the kingdom of Great Britain, whence he emigrated in the year, 1873, 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 renounces 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. Charles Bannermann

Sworn to and subscribed before me this 29th day of October, 1875.

Frank Brown, clerk by M. Dunn, deputy

W. J. Matthews

The State of Texas } W. J. Matthews being duly sworn, according to law in
County of Travis } the district court of Travis county, doth declare that he was born in the year, A. D. 1850, in the Kingdom of Great Britain, whence he emigrated in the year, 1870, 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 renounces 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. W. J. Matthews

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Thos. Spence — The State of Texas } Thomas Spence, being duly sworn, according to law,
County of Travis } in the district court of said county, doth declare
that he was born in the year A. D. 1838, in the Kingdom of Great Britain,
whence he emigrated in the year 1872, 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 renounces
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. Thos Spence.
Sworn to and subscribed before me this 29th day of Octob, 1875
Frank Brown, clerk by M. Dunn, dept.

H. Riebeck — The State of Texas } Henry Riebeck being duly sworn according to law in the
County of Travis } district court of said County, doth declare that he
was born in the year, A. D. 1842, in the Kingdom of Germany, whence he
emigrated in the year 1870. to the United States of America, and has se-
lected 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 renounces
forever all allegiance and fidelity to every foreign prince, potentate,
State or Sovereignty whatsoever; and particularly to the Emperor of
Germany, of whom he is a subject. Henry Riebeck
Sworn to and subscribed before me, this 29th day of October, 1875. in
open court.
Frank Brown, clerk by M. Dunn, dept

F. Lange — The State of Texas } Frank Lange, being duly sworn, according to law, in the
County of Travis } District Court of Travis County, doth declare that he
was born in the year A. D. 1830 in the Kingdom of Austria, whence he
emigrated in the year 1872, 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 renounces
forever all allegiance to every foreign prince, potentate, state or sov-
ereignty whatsoever; and particularly to the Emperor of Austria, of whom
he is a subject. Franz Lange
Sworn to and subscribed before me this 28th day of October, 1875, in open
court
Frank Brown, clerk. by M. Dunn, deputy.

No 4437 — Martha A. Dye, et. al. v James Neill. — Come the parties by attorneys,
whereupon on motion the court doth permit the plaintiffs herein to plead
a general denial of matters set up in the answer of defendant; and
now the general demurrer of the defendant coming on to be heard, the
same is by the court overruled; and thereupon both parties announced
themselves ready for trial; when came a jury of twelve good and lawful

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men of Travis County, to-wit: E. W. Edgar and eleven others, duly tried, empannelled and sworn, heard the pleadings, evidence, argument of counsel and retiring under charge of the court, returned the following verdict, to-wit: "We the Jury find for the defendant. (Signed) E. W. Edgar, Foreman." It is thereupon ordered, adjudged and decreed by the court that the plaintiffs herein, Martha A. Dye and George Dye, have and take nothing by this suit; and further ordered that the defendant, James Neill go hence without day, and that he for himself and for the use of the officers of court have and recover from plaintiffs and the securities on their cost bond all costs in this behalf expended, for which execution shall issue.

4321 The State of Texas v. Paul Lewis. And now on this day comes the defendant and enters the plea of guilty; whereupon It is ordered by the court that the State of Texas do have and recover of and from the deft. Paul Lewis the sum of twenty five dollars as a fine, and costs of suit, for which a committment shall issue.

4325 The State v. Jake Smith. Comes now the defendant by atty, and enters the plea of guilty; It is thereupon ordered by the Court that the State of Texas have and recover of and from the defendant, Jake Smith, the sum of ten dollars as a fine and all costs of this prosecution, and that a committment issue.

4332 The State vs. Thomas Thompson. And now on this day came the defendant and enters the plea of guilty; whereupon It is ordered by the court that the State of Texas do have and recover of and from the defendant, Thomas Thompson the sum of ten dollars as a fine and the costs of this prosecution, and that committment issue to enforce payment.

Jas. Spence declaration

The State of Texas } James Spence being duly sworn according to law in the
County of Travis } district court of Travis County, doth declare that he was born in the year A. D. 1842, in the Kingdom of Great Brittain, whence he emigrated in the year, 1871, 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 renounces forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatsoever, and particularly to the Queen of Great Brittain, of whom he is a subject

James Spence

Sworn to and subscribed before me this 30th day of October, 1875 in open court.

Frank Brown, clerk by M. Dunn, dep. clk

4390 Francis Willis v. Henry B. Willis. Come now the parties by attorney and announce themselves ready for trial; and then came a jury of twelve good and lawful men of Travis County, to-wit: E. W. Edgar and eleven others, who being duly tried, elected, empaneled and sworn according to law, after hearing the pleadings, evidence, argument of counsel and charge of the court, returned into court the following verdict: to-wit: "We the jury find the alle-

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gations of the plaintiffs petition to be true, as to cruel treatment.

E. W. Edgar, Foreman."

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the plaintiff, Francis Willis, and the defendant Henry B. Willis, be forever dissolved; and it being admitted that on this trial that the allegations in plaintiff's petition as to the community property owned by the parties at the institution of this suit, are true, it is further ordered, adjudged and decreed that the said Francis Willis, have and recover from the defendant the undivided one half of lots Nos. (2) two: and (3) three, in Block No. 155, in the City of Austin, in the County of Travis and State of Texas, with the improvements thereon: and one horse, one waggon, one cow, and household and kitchen furniture on said premises; that her title to the said undivided one half of all of said property, real and personal, be held as perfect and absolute as against the said Henry B. Willis. And, by agreement of the parties, Ed. Christian and E. C. Bartholomew, are appointed Commissioners to make partition of said property; setting apart to said Francis Willis her portion of said real estate, described by metes and bounds; and designating such articles of the said personal property as shall be set apart to her as her undivided property under this decree; and also setting apart the portion allotted to said Henry B. Willis. And that they make their report of their doings, under this decree, at the present term of this Court.

And thereupon It is ordered that the following persons be allowed the amounts set opposite their names, for services as Bailiffs to the grand jury:

issued	J. Strickland,	Riding Bailiff	18	days	$54.00
issued	Josiah Pogue,	Riding Bailiff	5	days	15.00

And now on this day came on to be heard the application of W. H. Browning, praying his license to practice law in the several district and inferior Courts of this State, as an attorney and counsellor at law, accompanied by a certificate of good moral character, under the signature and seal of the presiding justice of the County Court of Travis county; whereupon It is ordered by the court that Messrs. Shepherd, Oatman and Denton be appointed a committee to examine said applicant and report on his qualifications; and that said examination be had in open court at the hour of 10 A.M. on Monday Nov. 1st. 1875.

W. H. Browning Ex Parte for law license

14581 Henry Steussy, Ex parte. And now on this day came on to be heard the petition of Henry Steussy, praying to have his disabilities of nonage removed, and the facts recited in his petition being verified by the sworn affidavit of August Weilbacher; and the court being satisfied that it would be for the best interests of petitioner to have a removal of his disabilities of minorage, It is therefore ordered and decreed by the court that the dis-

H. Steussy minorage

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abilities of said minor. Henry Stussy, be and they are hereby removed; and that he be deemed and held, for all legal purposes, of full age; and that he have and exercise all the privileges of manhood; save as to the right of suffrage.

And court adjourned until to-morrow morning 9 A.M.

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Court met pursuant to adjournment: present same as on yesterday; whereupon the following proceedings were had by said court; to-wit:

3748 J. A. Green et al. v. Lucinda A. Raymond, et al. Come the Plaintiffs Defendants herein by atty and submit their motion for a new trial; which being heard by the court and duly considered, is overruled; to which ruling of the court de- Plaintiffs fendants except, and give notice in open court of an appeal to the Supreme court.

3739 G. R. Freeman v. Joshua Fine, et. al. And now on this day comes the defendants by attorneys, and submit their motions for a new trial herein, and the same being duly considered by the Court are overruled; whereupon defendants except to such ruling of the Court, and give notice, in open court, of an appeal to the Supreme Court.

4108 Geo. F. Gage v. West. Texas Ins. Co. Come the defendants herein by attorney and present their motion for a new trial, which after consideration and argument of counsel is overruled by the Court, and give notice, in open court, of an appeal to the Supreme Court.

4156 Stuart & Blair v. James P. Newcomb. And now on this day comes the plaintiff by attorney and herewith enters his remittitur of two hundred and forty-two dollars on the judgment rendered in this cause on October 20th, 1875, of the present term; reducing said judgment as originally rendered and entered to the sum of eight hundred and thirteen 60/100 dollars; which by the court after due consideration is allowed, and the order of remittitur accordingly made.

4156 Stuart & Blair v. Jas. P. Newcomb. Comes the defendant by attorney and submits his motion for a new trial; and the same being heard and duly considered by the Court is overruled; to which ruling of the Court defendant excepts, and gives notice in open court of an appeal to the Supreme Court.

4297 H. H. Wenzel vs. Phil. Abrahams & Bro. And now on this day came on to be heard the motion of the plaintiff for a new trial herein; and the same, is after argument of counsel and consideration of the court, allowed; whereupon it is ordered that a new trial be granted, and this cause hold its place on the docket for further action of this court.

4063 J. P. Newcomb vs. W. C. Bowen, et al. — Comes the plaintiff in this cause by atty and submits his motion for a new trial; and the Court after hearing the same and argument of counsel, doth order that the same be overruled; to

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which ruling of the Court plaintiff excepts, and gives his notice in open Court, of an appeal to the Supreme Court.

4320 A. J. Barrager v. H. and T. Cen. R. R. Co., Come the defendants Sewell and submit their motion for a new trial; and the same being heard by the Court and duly considered is overruled; to which ruling of the Court defendants by atty. except, and give their notice in open court of an appeal to the Supreme Court.

4382 M. D. Miller vs. J. E. and S. P. Hollingsworth. — And now on this day come the defendants by atty and present their motion for a new trial; which is by the Court overruled; whereupon the defendants except, and give notice in open Court of an appeal to the Supreme Court.

4407 G. H. Booth v. Richard Walsh. — Comes the defendant Sewell by atty, and submits his motion for a new trial; whereupon the same is by the court after argument of counsel overruled; to which ruling of the court the defendant excepts, and gives notice in open court of an appeal to the Supreme court.

4372 M. D. Mather v. E. Hipp, et als. And now on this day come the defendants by atty and submit their motion for a new trial, which is overruled by the court; to which ruling defendant except, and give notice, in open court, of an appeal to the Supreme court.

4334 The State v. N. Sansberry. Comes the defendant by attorney and enters the plea of guilty, It is thereupon ordered by the court that the State of Texas do have and recover of and from the defendant, N. Sansberry, the sum of ten dollars as a fine, and all costs of this prosecution, and that committment shall issue to collect same.

4372 The State v. Sam Young. — And now on this day comes the defendant and thereupon enters the plea of guilty; and it is ordered by the Court that the State of Texas do have and recover of and from the State of Texas the sum of ten dollars as a fine, and costs of suit, for which let committment issue.

4373 The State v. Ed. Young. This day comes the defendant by attorney, and enters the plea of guilty; whereupon It is ordered by the court that the State of Texas do have and recover of and from the defendant, Ed. Young, the sum of ten dollars as a fine and costs of suit, and that committment issue.

4396 The State v. John Johnson. — On this day came the defendant by attorney, and enters the plea of guilty; whereupon It is ordered by the Court that the State of Texas have and recover of and from the defendant Jno. Johnson the sum of twenty five dollars as a fine, and costs of this prosecution, and that a committment issue

4406 The State v. S. A. Mooney. — In this cause It appearing that the defendant has paid to the Sheriff of Travis County the full amount of his

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occupation tax due the State of Texas, and costs of suit, It is ordered that this cause be dismissed.

4466 The State v. J. S. Myrick — Comes the defendant herein, and produces the receipt of the Sheriff of Travis County for amt. of occupation tax due the State, and paying all costs of this prosecution, It is ordered that the same be dismissed.

4470 The State v. L. T. Valentine. Comes the defendant herein and shows his receipt for amount of occupation tax due the State, and costs due the officers of court, whereupon It is ordered that this cause be dismissed.

4534 First National Bank v. Bethel Copinrod, et als. In this cause on motion. It is ordered that said plaintiffs have leave to amend.

4535 First National Bank v Bethel Copinrod, et al. In this cause, on motion, It is ordered that plaintiffs have leave to amend. &c.

4517 Isham Antony v. Jo. Luckinger. — In this cause, on motion It is ordered that defendant have leave to amend.

4475 Julia Clarke v. Jno. W. Lawrence. — In this cause on motion It is ordered that plaintiff have leave to amend.

A. Larsen declaration

The State of Texas } Alfred Larsen, being duly sworn according to law, in the
County of Travis } district court of said county, doth declare that he was born in the year A. D. 1802, in the Kingdom of Sweden, whence he emigrated in the year 1873 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 renounces forever all allegiance and fidelity to every foreign prince, potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden, of whome he is a subject.

Alfred Larsen

Sworn to and Subscribed before me this 30th day of October, 1875 in open court.

F. Brown, Clerk by M. Dunn, deputy

Geo. Silk.

The State of Texas } George Silk being duly sworn, according to law in
County of Travis } the District Court of said county, doth declare that he was born in the year A. D. 1829, in the kingdome of Great Brittain, whence he emigrated in the year, 1865, 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 renounces forever all allegiance and fidelity to every foreign prince, potentate, State or Sovereignty whatsoever, and particularly to the Queen of Great Brittain of whom he is a subject

George Silk.

Sworn to and subscribed before me, this 30th day of October, 1875.

Frank Brown, clerk by M. Dunn, deputy

M. Erickson declaration

The State of Texas } M. Erickson, being duly sworn according to law in the
County of Travis } district Court of said county, doth declare that he was born

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in the year A. D. 1844, in the Kingdom of Sweden, whence he emigrated in the year 1871, 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 renounces 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 a subject.

M. Erikson

Sworn to and subscribed before me this 30th day of October, 1875, in open court.

Frank Brom, clerk by M. Dunn, deputy

P. E. Olson — The State of Texas } County of Travis } P. E. Olson being duly sworn, according to law in the district court of Travis County, doth declare that he was born in the year A. D. 1825 in the Kingdom of Sweden, whence he emigrated in the year 1869 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 renounces 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 a subject.

P. E. Olson

Sworn to and subscribed before me, this 30th day of October, 1875 in open court.

Frank Brom, clerk by S. M. Lee deputy

N. G. Nilson declaration — The State of Texas } County of Travis } N. G. Nilson, being duly sworn, according to law, in the district court of said county, doth declare that he was born in the year A. D. 1825 in the Kingdom of Sweden, whence he emigrated in the year 1869 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 renounces 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 a subject.

N. G. Nilson

Sworn to and subscribed before me this 30th day of Oct. 1875. in open court.

Frank Brown, clerk by S. M. Lee, deputy.

L. Anderson declaration — The State of Texas } County of Travis } Lewis Anderson, being duly sworn, according to law, in the district court of said county, doth declare that he was born in the year A. D. 1848, in the Kingdom of Sweden, whence he emigrated in the year 1869, 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 renounces forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty what-

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sovereign, and particularly to the King of Sweden, of whom he is a subject.
Lewis Anderson

Sworn to and subscribed before me this 30th day of October. 1875 in open court.
Frank Brown, clerk by S. M. Lee
Deputy.

And court adjourned till Monday morning 9 a. m

Monday Nov. 1st, 1875

Court met at 9 o'clock a m pursuant to adjournment. Present Hon. J. P. Richardson Judge & presiding. Whereupon the following proceedings were had by said Court, to wit:

Thomas Mc Donnell

The State of Texas } Thomas McDonnell being duly sworn according to law,
County of Travis } in the District Court of Travis County doth declare that he was born in the year A D. 1841 in the Kingdom of Great Britain whence he emigrated in the year 1875, to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States, of the State of Texas and to 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.

Thomas Mc Donnell.

Sworn to and subscribed before me this 1 day of Nov. 1875, in open Court.
Frank Brown, Clerk.

4398. Nalle & Co v. C. Timmerman et al. Come Defendants by atty when on motion it is ordered that Defendants have leave to amend.

4577. C. E. Edwards et al. v. Francis Burlage. Comes the Clerk, when on motion it is ordered that the plaintiffs herein be required to enter into bond and security for the cost of this suit, pffs atty being notified.

3658. State v. Bully. Come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said Bully Cal. the sum of Twenty Five Dollars as a fine & the cost of this prosecution & that Commitment issue to collect the same.

3879. The State v. Oliver alias Bully. Comes the parties & announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said Defendant the sum of Ten Dollars as a fine and the cost of the prosecution & that Commitment do issue to collect the same.

3889. State v. Newton Boyce. Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said Defendant the sum of Ten Dollars as a fine and the cost of the prosecution & that Commitment issue to collect the same.

3971. State v. Newton Boyce. Dismissed

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3973 State v. Jim Boyce Come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Defendant the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment do issue to collect the same

4077. The State of Texas v. John Dowell. Dismissed

4142. The State v. Bully Olvin Come the parties by atty and announce ready for trial and waiving a jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Defendant the sum of Ten Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

4208. The State v. Sullivan. Bond quashed.

4466. State v. J. S. Myrick Dismissed.

4329 Loomis & Christian v. J. J. Dyson, J. L. Brooks and B. M. Odom. Now on this day appeared the parties to the above entitled cause, and announced themselves ready for trial; and, waiving a jury, submitted the matters in controversy to the court; who, after hearing the evidence and argument of counsel, doth order, adjudge and decree that the plaintiffs, Semin Loomis and Ed. Christian, under their firm name and style of Loomis & Christian, do have and recover of and from the defendants J. J. Dyson and J. L. Brooks, the sum of eighty-nine & 00/100 coin dollars, with interest thereon from this date at the rate of eight per cent. per annum. And it appearing to the court that said plaintiffs, Loomis & Christian, have a mechanics lien upon the following described property situated in the building belonging to J. H. Robinson, Jr. situated on Lot No. 3. in Block No. 84, in the City of Austin, Travis County, Texas, to wit: one front stair case, and boxing on the same down stairs, or in the lower story; and boxing around stair case, in the upper story; putting three doors, locks and hinges in said boxing; one large platform in billiard room, in the lower story; also, ten inch base around in the billiard room; four lattice doors and also flooring to fill up the hole where the old stairs were taken from. It is therefore further ordered, adjudged and decreed by the Court that said mechanics lien be foreclosed upon the above described property, and that an order of sale issue to the Sheriff of Travis County, commanding him to take charge of the same, and sell it as under execution; except the large platform which defendant, Odom, has removed from said building since the institution of this suit; as appears from an agreement of himself and said plaintiffs on file in said cause; in which it is agreed that the value of said platform is thirty-six 18/100 dollars ($36.18/100). It is therefore, further ordered and adjudged and decreed by the Court that said Plaintiffs, Loomis & Christian, recover of said defendant, B. M. Odom, the said sum of thirty-six 18/100 coin dollars, with interest thereon from date at 8% cent. per

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annum. And it is further ordered and adjudged by the Court that said defendants, Dyson and Brooks and B. M. Odom, be divested of all right, title and interest in and to the above described property, and that said plaintiffs recover of said defendants all the costs in this behalf expended, for which execution may issue. And thereupon the defendant, B. M. Odom, gave notice in open court of an appeal to the Supreme Court of Texas.

4194 Elsbery R. Lane v. J. J. Groos, Comr. Gen'l Land Office. In this case came the parties by their attorneys, and announced themselves ready for trial; and thereupon the demurrer of the defendant being argued and considered, It is adjudged that the said defendants demurrer be overruled; to which ruling the defendant excepted. And thereupon, counsel agreeing thereto, the said cause coming on to be heard upon the merits, before the court, without the intervention of a jury; and it appearing that the plaintiff is entitled to the Patent he seeks; It is adjudged and decreed that the said plaintiff do have and recover of the defendant according to the prayer of his petition; and it is further ordered and adjudged that the defendant, as Commissioner of the General Land Office, do issue to the said plaintiff, as asignee of the Buffalo, Bayou, Brazos and Colorado Railroad company, a patent upon the survey described in his said petition as follows



Variation 9° 45' E. Scale 4000 varas per inch.

The State of Texas
County of Goliad } Field notes of a survey of 602 7/10 acres of land made for E. R. Lane, asignee of the Buffalo, Bayou, Brazos and Colorado Railroad Company; it being part of the quantity to which he is entitled by virtue of certificate No. 419 issued by Joseph Lee, Comr. of claims, to said Buffalo, Bayou, Brazos and Colorado Railroad company for 640 acres of land. Said survey is situated in Goliad county, on the waters of the Blanco, a tributary of the Missim River. about 14 miles S. 34° W. of the town of Goliad. Beginning at the upper corner of a survey for James Byrne, on the Majerera creek; thence N. 78 1/4° W. 32 varas beans a hackberry 6 in. in diameter mk'd. D. Thence west 1899 vs to the Blanco creek, with the Northern boundary of said Byrne, a stake, set East 47 varas from the creek; and from which East 166 varas bears a Live Oak 20 inches mk'd A. Thence with the meanders of the creek, upwards; to wit: North 155 vs; N. 58° W. 119 vs to corner marked by a stake set North 24 vs. from the creek; and from which West 5 varas, bears a Black jack tree 10 in. mk'd X. and S. 30° E. 8 varas, bears a black jack. 6 in. mk'd E. Thence North 1162 varas to the South east boundary of a survey for Wm Savery; a stake whence S. 46° E. 7 vs bears a Black x 4 in. marked L; and N. 79° E. 10 varas. bears a black jack 6 in. mk'd D. Thence N. 45° E. 1893 varas with the S. E. boundary of Wm Savery to the Majera Creek, at the mouth of a gully on the East side; whence N. 18 1/4 W. 317 vs, bears a hackberry 10 in. mk'd B. Thence

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with the meanders of the creek downwards; to-wit: S.10°E. 226 varas; S.28 W.216 varas; S.28°E. 316 varas; S.26½°W. 228 varas; S.24°E. 696 varas; S.43½°E. 696 varas; S42°W. 384 varas; S.31°E.394 varas to the place of begining; and containing 602⅘ acres of land. Surveyed May 21st. 1859.

James Dowdy and J.J. Craft — Chainmen

It is further ordered and adjudged that the plaintiff pay all costs in this behalf expended. for which execution may issue; and thereupon the defendant excepts, and in open court gives his notice of appeal to the Supreme Court. And Court adjourned till to-morrow at 9 a.m.

Tuesday, November 2d, 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had, to wit.

W.H. Browning — Upon hearing the Report of the Committee it is ordered that W.H. Browning be admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas and that a License issue accordingly.

3892 The State of Texas v. Neal Coen. And now on this day came the parties to this cause by their attys and announced ready for trial. And Defendants exceptions to the Indictment coming on to be heard the same are overruled And then came a Jury of twelve good and lawful men of Travis County, consisting of E Gray and eleven others who being tried elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the fine of ($50.00) Fifty Dollars. E. Gray, Foreman." Whereupon It is ordered that the State of Texas do have and recover of and from said Neal Coen the sum of Fifty Dollars and all the cost of this prosecution and that a Commitment issue to collect the same.

2986. The State of Texas v. Thomas Jones. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Defendant the Sum of One Dollar as a fine & the cost of this prosecution & that a Commitment do issue.

2990. The State of Texas v. Tom Jones. Come the parties legally & announce ready for trial & waiving a Jury submit the Case to the Court. And Defts. pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Defendant the Sum of Five Dollars as a fine & the cost of this prosecution & that a Commitment do issue.

3115 State v. Jo. Gill. Dismissed

3120. State v. John Scott. Continued

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3219. The State of Texas v. Jerry Johnson. Dismissed

3727. The State of Texas v. Dick McLaren. Dismissed

3823. The State of Texas v. John Scott. Continued

3844 The State of Texas v. R.B. Faucknen. Dismissed

3845. The State of Texas v. R.B Faucknen. Dismissed

3850. The State of Texas v. Thomas Sneed. Dismissed

3851 The State of Texas v Jim Moore. Come the parties leg adly announce ready for trial and waiving a Jury submit the case to the Court. And defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Jim Moore the sum of Ten Dollars as a fine & the Cost of this prosecution & that Commitment do issue to collect the same.

3858 State of Texas v. Wm Jones. Dismissed

3864. The State of Texas v. David Steele. Come the parties leg adly & announce ready for trial & waiving a Jury submit the case to the Court. And Defe. pleads guilty. Whereupon it is ordered that the State of Texas do have & recover from David Steele the sum of Twenty Five Dollars as a fine & the cost of this prosecution and that a Commitment do issue to collect the same

3865. The State of Texas v. Clay Eanes. Come the parties by adly announce ready for trial & waiving a Jury submit the Case to the Court. And Defe. pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of said Clay Eanes the sum of Ten Dollars as a fine & the cost of this prosecution and that a Commitment do issue

3884. The State of Texas v. Sans Merry. Dismissed

3897. The State of Texas v. Pink Reed. Come the parties by adly & announce ready for trial & waiving a Jury submit the case to the Court. And defe. pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of the said Pink Reed the sum of Twenty Five Dollars as a fine & the cost of this prosecution, & that a Commitment do issue to collect

3934. The State of Texas v. Davis Steele. Continued

3940. The State of Texas v. Frank Paston. Dismissed

3941. The State of Texas v. Frank Paston. Dismissed

3957 The State of Texas v. Blucher Hutchins. Come the parties by adly & announce ready for trial & waiving a Jury submit the case to the Court. And defe. pleads guilty. Whereupon it is ordered that the State of Texas do recover of said Blucher Hutchins the sum of Ten Dollars as a fine & the cost of this prosecution & that Commitment do issue.

3957 The State of Texas v. Dock Thompson. Dismissed

3964. The State of Texas v. Sipes & Patchen. Come the parties by adly and announce ready for trial & waiving a Jury submit the case to the Court. And Defe. pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Defendants the sum of Ten Dollars as a fine & the cost of this prosecution and that Commitment do issue.

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3978. The State of Texas v. Fritz Hohman. Come the parties leg ally & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon its ordered that the State of Texas do have and recover of said Fritz Hohman the sum of Twenty Five Dollars as a fine & the cost of this prosecution & that a Commitment do issue

3988 The State of Texas v. Thomas Dedrick. Dismissed

3992 The State of Texas v. Neil Cain. Dismissed

3994 State of Texas v. Buddy Meeks. Come the parties leg ally & announce ready for trial and waiving a Jury submit the case to the Court. And Defe. pleads guilty Whereupon its ordered that the State of Texas do have & recover of Buddy Meeks the sum of Ten Dollars as a fine & the cost of this prosecution and that Commitment do issue.

4019. The State of Texas v. Ed. Hipsh. Dismissed

4030. The State of Texas v. M. R. Jones Et al. Continued leg the State.

4038. The State of Texas v. Barnes Parker Et als. And now come the parties by ally when Defendants submit their motion to quash the Indictment, which being heard and considered, it is ordered that said motion be sustained that the Indictment be quashed and the cause dismissed, to which ruling the State excepts

4041. The State of Texas v. Lewis White. Continued leg the Defendant.

4046. The State of Texas v. Lewis White. Continued leg the Defendant.

4065. The State of Texas v. Lewis Buchanan. Dismissed

4070. The State of Texas v. Peter Bratton. Come the parties leg ally & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon its ordered that the State of Texas do have & recover of Peter Bratton the sum of Ten Dollars as a fine & the cost of this prosecution & that Commitment issue.

4096 The State of Texas v. George Pierce. Come the parties leg ally and announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon its ordered that the State of Texas do have & recover of said George Pierce the sum of Ten Dollars as a fine and the cost of this prosecution & that Commitment do issue

4099. The State of Texas v. Peter Bratton. Dismissed

4107. The State of Texas v. Pink Reed. Continued

4110 The State of Texas v. Jo. Barrado. Dismissed

4112. The State of Texas v. Dave Steele. Dismissed

4113. The State of Texas v. Dave Steele. Continued leg the Defendant.

4116. The State of Texas v. Buddy Meeks. Dismissed

4126. The State of Texas v. Mexican Joe. Dismissed

4131. The State of Texas v. Al Raney. Come the parties leg ally & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon its ordered that the State of Texas do have &

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recover of Al Rainey the sum of Ten Dollars as a fine and the cost of this prosecution and that a Commitment do issue

4133 The State of Texas v. Clay Eaves Dismissed

4134. The State of Texas v. Hugh Eaves. Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of Hugh Eaves the sum of Ten Dollars as a fine & the cost of this prosecution & that a Commitment do issue

And Court adjourned till to-morrow at 9 A M

Wednesday, Nov. 3d 1875.

Court met at 9 o'clock A M pursuant to adjournment. Present same as on yesterday. Whereupon the following proceedings were had to wit:

4137. The State of Texas v. John Dangerfield. Continued by the State.

4141 The State of Texas v. Paul Lewis. Continued

4145. The State of Texas v. Billy Brennan. Come the parties by atty & announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Billy Brennan the sum of Ten Dollars as a fine & the cost of this prosecution & that Commitment do issue

4155 The State of Texas v. G. Klye. — — — —

4163 The State of Texas v. Hal. Brown. Dismissed

4191 The State of Texas v. Peter Braxton. Dismissed

4222 The State of Texas v. Jim Moore. Continued by the Defendant

4224 The State of Texas v. Frank Paston. Verdict not guilty Deft discharged

4228. The State of Texas v Dick Hart. Continued by the State.

4236 The State of Texas v. Charles Matthews Come the parties by atty when the exceptions of Defendant to the Indictment coming on to be heard and being considered, the same are sustained. the Indictment is quashed and the cause dismissed to which ruling Defendant excepts & gives notice of an appeal to the Supreme Court, in open Court.

4239. The State of Texas v. Jo. Jones. Continued

4250 The State of Texas v. E. L. Travis. Dismissed

4257 The State of Texas v. Dick Blunt. Dismissed

4260 The State of Texas v. Geo. H. Gray. Come the parties by atty when the exceptions to the Indictment coming on to be heard the same are overruled, to which ruling the Defendant excepts

4261 The State of Texas v. C. D. Anderson. Dismissed

4266 The State of Texas v. T. T. Backrop. Dismissed

4270. The State of Texas v. Gustave Hess. And now on this day came the parties by their attys and announced themselves ready for trial. When came a jury of twelve good and lawful men of Travis County, consisting of E. Gray and Eleven others, who being tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence argument of

Counsel and the Charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the fine of (5^{00}) Five Dollars E. Gray Foreman." Whereupon it is ordered that the State of Texas do have and recover of Gustave Hess the sum of Five Dollars so assessed, and all the cost of this suit, for which execution may issue.

4327. The State of Texas v. Green Gilleton. And now on this day came the parties by their Attys and announced ready for trial & waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Green Gilleton the sum of twenty five dollars as a fine and the cost of this prosecution & that Commitment do issue

4437. The State v. Koeler Dismissed

4439. The State v. Morcan. Dismissed

4474. The State v. Wm Stiles Dismissed

3095. The State of Texas v. Geo Cravens And now come the parties by their Attys and announced ready for trial. When came a Jury of 12 good and lawful men of Travis County, consisting of W. G Barron & eleven others, duly tried elected & sworn according to law, heard the Indictment the plea of not guilty the evidence, argument of counsel & the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant not guilty. W. G Barron Foreman." Whereupon it is ordered that the State of said Defendant go hence fully acquitted and discharged.

And thereupon Court adjourned till 9 a. m. to-morrow.

Thursday Nov. 4th, 1875

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

4101 The State of Texas v. Bud Cotton Come the parties by atty & announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Bud. Cotton the sum of Ten Dollars as a fine and the cost of this prosecution And that Commitment do issue

4122 State of Texas v. Steve Maisleff. Continued by the State.

4577. L. E. Edwards et. al v. Frances Burlage et al On motion it is ordered that Jno. B. Costa Esq be appointed Auditor, to whom the matters in this case are referred

4577 L. E. Edwards v. Frances Burlage et al. On motion it is ordered that Sam N. Wilcox be allowed to intervene in this cause & that the petition be filed & the Auditor Jno. B. Costa

3428. The State of Texas v. Ed. Groome. Continued

4258. The State of Texas v. Dick Blunt. Dismissed

4272. The State of Texas v. Saffori. Dismissed

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4289 The State of Texas v. Dr. Goldman. Dismissed

4295 The State of Texas v. J. Junker. Dismissed

4305. The State of Texas v. Rob. Sprout. Continued by Defts

4306 The State of Texas v Dave Steele Continued

4307. The State of Texas v. Andy Dickerson. Come the parties by atty announce ready for trial & waiving a Jury submit the case to the Court. And the Defts. pleads guilty to a simple assault. Whereupon it is ordered that the State of Texas recover of Andy Dickerson the sum of One Dollar as a fine & the cost of this prosecution & that a Commitment do issue

4308. The State of Texas v. Booker Griffith. Continued by the State.

4309. The State of Texas v. Capt. Dodson Come the parties by atty announce ready for trial & waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Capt. Dodson the sum of Twenty Five Dollars as a fine & the cost of this prosecution & that Commitment issue

4311 The State of Texas v. John Davis. Continued for Service.

4320. The State of Texas v. Jno. Evans. Continued by Defendant.

4409. The State of Texas v. Pink Fowler. Dismissed

4410. The State of Texas v. Robin Owens. Dismissed

4411 The State of Texas v. Jim Butler. Come the parties by atty announced ready for trial & waiving a Jury submit the case to the Court. And Defts. pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of said Jim Butler the sum of Twenty Five Dollars as a fine & the cost of this prosecution & that Commitment do issue

4434. The State of Texas v. Charles Wolf. Dismissed

4467. The State of Texas v. C. Cunis. Dismissed

4388. The State of Texas v. Peter Jones. And now on this day came the District atty and the Defendant in person and also by atty and announced ready for trial and waiving a Jury submit the case to the Court. Whereupon came a jury of twelve good and lawful men of Travis County Consisting of Edwin Gray & eleven others, who being Tried, elected and sworn according to Law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel & the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at two years imprisonment in the State Penitentiary. Edwin Gray, Foreman." Whereupon it is ordered that said Defendant Stand Committed to the County Jail to await Judgment & Sentence.

2351 The State of Texas v. J. M. Burt. And now comes the Dist atty & the Defendant in person and also by atty & announce ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County Consisting of John H. Wood & eleven others who being Tried elected & sworn according to

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law, heard the indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We of the Jury find the Defendant guilty as charged in the indictment and assessment the punishment at three years in the State Penitentiary John H. Wood foreman." Whereupon it is ordered that said Defendant stand Committed to the County Jail to await Judgment & Sentence.

4385 State v. R L Dean. Come the parties by atty and announced ready for trial and waiving a Jury submit the case to the Court. And Defd. pleads guilty to simple theft. Whereupon It is ordered that the Defendant be Committed to the County Jail for 1 day and that he be fined five Dollars & the cost of this prosecution & that Commitment issue

4041 X Frank Leason v. Hurd & Honey Defts and Carleton & Robertson Garnishees The matters in the above entitled and numbered cause coming on to be heard on the writ of garnishment issued out in said cause against, and summons Thos Carleton and J. W. Robertson requiring them said Garnishees to answer under oath at this Term of the Court what they said Garnishees are indebted to said Defendants and what effects of said Defendants they had in their possession and what credits & effects of said Defendants they are in the hands of any other person. And it appearing that said Garnishees had already made default and failed to answer as required by law, and that the claim of Plaintiff against said Defendants is liquidated in this that said plaintiff Leason recovered a Judgment in this Cause against said Honey & Hurd for the sum of $240 in Specie with interest thereon from the 15th Feby 1875 at the date of ten per Cent. per annum which at this day amounts to in principal and interest to the sum of $256.80 in Specie and also the costs of suit in that behalf expended. Now therefore it is ordered and adjudged that the plff Frank Leason do have and recover of the Garnishees, Thos Carleton & Jno W. Robertson the sum of two Hundred and fifty six Dollars and 80 cents in Specie, the amount of the indebtedness of said Hurd & Honey to said Leason upon said judgment up to date with ten per Cent. per annum as interest thereon from date until collected, with all costs both in the original cause of Leason v Hurd & Honey and this garnishment proceeding, for all which execution may issue, and when the amounts herein adjudged against said Garnishees shall be paid by them, they shall be entitled to credit therefor as against said Hurd & Honey.

4352 The State of Texas v. Wm Graves Bury. And now comes the District Atty for the Defendant in person and also by atty & announced themselves ready for trial and then came a Jury of twelve good and lawful men of Bexar County existing of Edwin Gray and eleven others who being duly elected & sworn according to law heard the Indictment the plea of not guilty the evidence, argument of counsel & the charge of the Court, retired for deliberation. Whereupon said Jury

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returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at four years' imprisonment in the State Penitentiary. Edwin Gray Foreman." Whereupon it is ordered that said Defendant be committed to the County Jail to await Judgment and Sentence

And Court adjourned till to-morrow at 9 o'clock a.m.

Friday, Nov 5th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge &c presiding. Whereupon the following proceedings were had, viz:

4157. The State of Texas v. Anthony Johns Continued by Defendant.

4394. The State of Texas v. Anthony Continued by Defendant.

4343 The State of Texas v. Miles Smith. Verdict not guilty & Defdt. discharged.

4344 The State of Texas v. Cal. Bonner. Dismissed

4346. The State of Texas v. C. Hranicki Dismissed

4347. The State of Texas v. Henry Brown. Dismissed

4348. The State of Texas v. Geo Jones. Con. for service

4350 The State of Texas v. John Freeman et al Con. for service

4353 The State of Texas v. C. Hranicki. Con. for service

4355. The State of Texas v. Mack Horse. Con. by State.

4356 The State of Texas v. J. W. McKnight et al Cont. by State.

4357 The State of Texas v. Bowles. Con. for service.

4358. State of Texas v. Martinez. Con. for service

4359. State of Texas v. Martinez Con. for service

4360. State of Texas v. Martinez Con. for service

4361. State of Texas v. Martinez Con. for service

4362. State of Texas v. Jno Jackson Con. for service

4363. State of Texas v. Martinez et al. Con. for service

4365. State of Texas v. Jno Jackson. Con. for service

4366. State of Texas v. Jack Allen Con. for service

4367 State of Texas v. Jake Jones Con. for service

4368. State of Texas v. A. Rainy. Continued

4370 State of Texas v. John Mack. Con. for service.

4371 State of Texas v. C. Williams Con. for service

4374 State of Texas v. G. Cane. Con. for service

4375. State of Texas v. Geo. McNady. Dismissed

4376. State of Texas v. Geo. McNady Dismissed

4377. State of Texas v. Geo. McNady. Dismissed

4378. State of Texas v. John Freeman Con. for service.

4379. State of Texas v. Hogan et al ~~Dismissed~~ Continued for service

4380 The State of Texas v. Jose Cordova. Now come the parties by their attorneys and announced themselves ready for trial and waiving a ~~Jury~~ submit then came a Jury of twelve good and lawful men of Travis County, consisting of Ed Gray and Eleven others who being Tried, elected and Sworn according

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to Law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty of simple assault and assess the fine at Five Dollars. Edwin Gray, Foreman." Whereupon It is ordered and adjudged that the State of Texas do have and recover of said Jose Costoba alias Jose Cordova, the said sum of Five Dollars and all the cost of this prosecution, and that Commitment issue.

3561. State of Texas v. Martin Harris. Come the parties by atty announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon It is ordered that the State of Texas do have and recover of said Martin Harris the sum of Twenty Five Dollars as a fine and the cost of this prosecution and that a Commitment issue to collect the same.

4298. The State of Texas v Mack McCallister Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Deft. pleads guilty Whereupon It is ordered that the State of Texas do have and recover of the Defendant the sum of One Dollar as a fine & the cost of this prosecution and that a Commitment do issue to collect the same.

4299. The State of Texas v Sam Tarom. Continued by the State.

4336. The State of Texas v Giles Branch. Come the parties by atty and the Defendant also came in person and announced ready for trial. Whereupon came a Jury of 12 good and lawful men of Travis County, consisting of M G. Barrow and eleven others who being Tried, Elected and Sworn according to Law, heard the Indictment, the plea of not guilty, the evidence, argument and the charge of the Court, returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at Two years Confinement in the State Penitentiary M G Barrow Foreman." Whereupon It is ordered that said Defendant be Committed to the County Jail to await judgment & sentence

4337 The State of Texas v Giles Branch. Dismissed

4381. The State of Texas v L Britton Cir for Service

4382. The State of Texas v E. Martinez Cir for service

4383 The State of Texas v Geo Milam Cir for service

4384. The State of Texas v B. Smith Cir for service

4386. The State of Texas v Charles West. Continued

4390. The State of Texas v R R Hamilton Cir for service

4391 The State of Texas v R R Hamilton Cir for service

4392. The State of Texas v Geo Johnson. Cir for service

4395 The State of Texas v John Stockman Cir for service

4397. The State of Texas v Bob Ridley. Cir for service

4399. The State of Texas v Jim Rowden. Cir for service

4400 The State of Texas v Henry Smith Cir for service

4402. The State of Texas v J. Hoame. Cir for service

4403 The State of Texas v John Webb. Cir for service on Webb

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4405. The State of Texas v. D. Glenn. Con. for service
4406. The State of Texas v. O'Brien Con for service
4407. The State of Texas v. H. Johnson Con for service
4408. The State of Texas v. M. Johnson Con for service
4412. The State of Texas v. Geo Gorst. Con for service
4413 The State of Texas v. H. Carrington. Dismissed
4414. The State of Texas v. S G Brilon Con for service
4416. The State of Texas v. R. Reese. Con for service
4419. The State of Texas v Juan Belmontez. Con for service
4422. The State of Texas v C. Lewis. Dismissed
4423 The State of Texas v. H. Hoffheinz Dismissed
4425. The State of Texas v. W D Matteson Con for service
4427. The State of Texas v. McGahn. Dismissed
4428. The State of Texas v. Brady Pollock. Con for service
4429. The State of Texas v. Brady Pollock. Con for service
4456 The State of Texas v. S A. Murray. Dismissed

And Court adjourned till to-morrow at 9 A.M.

Saturday Nov. 6th 1875.

Court met at 9 o'clock A.M. pursuant to adjournment Hon. J. C. Richardson Judge &c presiding. Whereupon the following proceedings were had, to wit:

4250. The State of Texas E Higby v C. Covey Comes on to be heard the motion of Defendant for a new trial in this Cause, which being considered; it is ordered that the same be overruled. Whereupon said Defendant by atty gives notice in open Court, of an appeal to the Supreme Court.

4355. Geo Gainmininger v. Friedberger & Bro. And now on this day came the parties to this Cause by their attys and announced themselves ready for trial and waiving a Jury submit the case to the Court. And the Court having heard the pleadings and the evidence, and duly considered the same, doth order and adjudge that said Geo Grimminger do have and recover of and from Samuel Friedberger and Gabriel Friedberger, under their firm name of Friedberger & Bro. the sum of Four hundred & Twenty Two Dollars and all the cost of this suit, for which execution may issue.

4293. Charles L. Tennell v. Ira M. Priedlove Et als. Comes the Plaintiff by atty when on motion it is ordered that said Pltff have leave to file a replication.

4293. Charles L. Tennell v. Ira M. Priedlove Et als And now on this day came the parties to this cause by their attys and announced themselves ready for trial. When came on to be heard the demurrer of the Defendants to the petition of the plaintiff, which being duly considered by the Court, It is ordered that the same be sustained that the said plaintiff take nothing in this behalf: that the Defendants go hence

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and recover of said plaintiff and the securities on the cost bond, D.K. Plumb and T. M. Harwood all the cost of this suit, for which execution may issue
And further ordered that the cause be dismissed
Whereupon the said Plaintiff gives notice in open Court of an appeal to the Supreme Court.

1154 James Garrity vs. J. J. Grass, Comr. General Land Office Comes now the Pltff. by atty when on motion it is ordered that said Pltff have leave to amend

1154. James Garrity v. J. J. Grass, Comr General Land Office. And now on this day came the parties to the cause by their attorneys and announced themselves ready for trial, And waiving a Jury submit the cause to the Court. Whereupon the Defendant submitted his demurrer to the petition of plaintiff, which being argued by Counsel and duly considered, It is ordered that the same be sustained, that the Pltff take nothing in this behalf; that the Defendant go hence: that the cause be dismissed and that said Defendant recover of said plaintiff and the security on his cost bond to wit all the cost of this suit, for which execution may issue To which ruling the Plaintiff excepts and gives notice in open Court of an appeal to the Supreme Court.

And thereupon Court adjourned till Monday at 9 A M

Monday, November 8th 1875.

Court met at 9 o'clock A M pursuant to adjournment. Present Hon. J. P. Richardson Judge presiding. Whereupon the following proceedings were had by said Court, to wit

1354 The State of Texas v. Frederick Ashton. And now on this day came the parties by their attys the Defendant also came in person & announced themselves ready for trial. Whereupon came a Jury of twelve good & lawful men of Travis County, consisting of Edwin Gray and eleven others who being Tried, elected and sworn according to law, heard the Indictment, the plea of guilty, and the charge of the Court, returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at two years imprisonment in the State Penitentiary. Edwin Gray Foreman." Whereupon it is ordered that said Defendant stand committed to the County Jail to await Judgment & Sentence.

1304. F. E. Smith, Guardian &c. v. W. C. Lurey Et al. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial and waiving a Jury submit the case to the Court. Whereupon, after hearing the pleadings, evidence, and argument of counsel and duly considered the same, it is ordered and adjudged that Felix E. Smith, Guardian of Cora B., F. A., Alice V. and Lucy A. Slaughter, do have and recover of and from W. C. Lurey and Anna P. Lurey the sum of Four hundred, Seventy and 82/100 Com Dollars the amount found to be due, together with all cost in this behalf laid out and expended, for all which execution may issue

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1398. Joseph Nalle & Co. v. Carl Timmerman, Agnes Timmerman & Ferdinand Dohme.
And now on this day came the parties by their attorneys and announced themselves ready for trial and waiving a jury submitted said cause to be tried by the Court. Thereupon the Defendant Dohme by attorney submitted his general and special exceptions to plaintiffs petition, which being considered by the Court, the same were overruled. Thereupon the plaintiffs by attorney presented their exception to the plea of non est factum made by the said Defendant Dohme, which being considered by the Court was sustained by the Court, and said plea of non est factum stricken out. And the Court having heard the pleadings and evidence and argument of counsel, It is ordered and adjudged by the Court that the plaintiffs do have and recover of the Defendants Carl Timmerman and Agnes Timmerman the sum of Three hundred, two, & 67/100 Coin dollars being the amount of the note sued on, together with the interest thereon, from this date, at the rate of three percent. per month, together with all their costs expended in and about their suit against said defendants.

It is further ordered and adjudged by the Court that the said plaintiffs are not entitled to the lien claimed by them in their said petition and that the said Plaintiffs take nothing by their suit as against the Defendant F. Dohme, and that the said Defendant Dohme go hence with his property discharged from any and all claim by the said Plaintiffs and that said Dohme have and recover of the plaintiffs all his cost in this behalf expended. And that the officers of Court shall have execution against the plaintiffs for all the cost by them incurred in this suit

1432. E. Erskens v. A. Timmerman et als. Upon motion it is ordered that the defendants herein have leave to amend

1432. E. Erskens v. Agnes Timmerman et al. This cause coming on to be heard the parties came by their attys and announced themselves ready for trial and a jury being waived the matters of law as well as of fact being submitted to the Court, after hearing the evidence, the Court is of opinion that the law and facts are with the plaintiff. It is therefore ordered and adjudged by the Court that the plaintiff E. Erskens do have and recover of and from Defendant Agnes Timmerman the sum of three hundred and eighty eight Dollars in coin, being the amount of the two promissory notes and interest sued on, to bear interest from date at the rate of one and one-fourth per cent. per month, and all the costs of this suit, except the costs incurred by making F. Dohme a party hereto. And it appearing to the Court that the plaintiff has a lien on the following improvements situated on Lot No. 15 in Block No. 16 of the subdivision of Out Lot No 1 in Division O adjoining the City of Austin, to wit. One Store house, being 20 by 24 feet large, with 9 feet gallery and one smaller building 12 by 15 feet large, said improvements being the same erected on said lot by one H. Bindrat. It is therefore further

ordered and adjudged by the Court, that the lien of said Plaintiff on said improvements situated on the lot aforesaid be foreclosed, and that an order of sale issue requiring the Sheriff of Travis County to sell said improvements as they now stand on said lot as under execution, and that he apply the proceeds of said sale to the satisfaction of this Judgment, and the remainder, if any, he pay over to defendant F. Dohme: but in case said improvements shall not sell for a sufficient amount to satisfy this Judgment, then plaintiff shall have his execution for any balance remaining unpaid. And it is further ordered that in case sale shall be made of said improvements under this decree, the purchaser at such sale shall have the right to remove said improvements from said Lot: and it is further ordered that said F. Dohme shall in no way interfere with such purchaser in removing said improvements. and it is further ordered that F. Dohme pay the costs incurred by making him a party Defendant, for which execution shall issue

1 1440 6. Amanda Bailey v. Daniel Bailey.

And now on this day the report of the commissioners, E. C. Bartholomew and E. D. Moore, appointed at a former day of this term of this Court to partition Lot No 9 in the Subdivision of out Lot No. 1 in Division B of the City of Austin, in accordance with the order of this Court heretofore made in this Cause between plaintiff and defendants, said report being as follows:

Amanda Bailey
vs.
Daniel Bailey et als.
} District Court, Travis County, Texas.

1440 6

The undersigned Commissioners appointed to partition Lot Number Nine (9) in a subdivision of Out Lot Number One (1) in Division "B" of the City of Austin, between the plaintiff and defendants in the above entitled and numbered cause, respectfully report, that they have visited said Lot and inspected the same, and believe that a fair and equitable division can be made by an equal partition thereof. and in accordance with such belief they have divided the same giving to said Plaintiff the west half thereof, and to the Defendants the east half thereof That is to say, said Plaintiff (Amanda Bailey) is to have that portion of Lot No. 9 in a sub-division of Out Lot No. 1. Division "B" of the City of Austin contained within the following metes and bounds, to-wit: Beginning at the South-west Corner of said Lot No. 9— Thence S. 69° E. with the south line of said Lot 32 feet— Thence N 19° E. parallel with the east and west lines of said Lot to a point in the north line thereof 170 feet— Thence N. 67° W. with the north line of said Lot to the N. W. Corner thereof 32 feet— Thence

S. 19° W. with the west line of said Lot 170 feet to the place of beginning. And said Defendants are to have that portion of said Lot No. 9 contained within the following metes and bounds, to-wit: Beginning at the S.E. corner of said Lot No. 9- Thence N. 19° E. with the East line of said Lot to the N.E. corner thereof 170 feet- Thence N. 69° W. with the North line of said Lot 32 feet- Thence S. 19° W. parallel with the East and West lines of said Lot to a point in the south lines thereof 170 feet- Thence S. 67° E. with the south line of said Lot 32 feet to the place of beginning- It is believed that this division gives to Plaintiff and Defendants the same in quantity, quality and value.- Said Commissioners would ask that each be allowed the sum of $5.00/100 Dollars as compensation for services.

E.C. Bartholomew.

E.J. Moore,

And there being no objections to said report and it appearing to the Court that the partition of said Lot as made by said Commissioners is just, fair and equal, and in accordance with the rights of the parties as heretofore determined: It is therefore ordered that said report be in all things approved, ratified and confirmed and it is further ordered and decreed that the title to the west half of said Lot No. 9 as described in said report be divested out of the said Defendants, Daniel Bailey, John Kirkpatrick and Frank Kellum, and that the title to said half of said Lot be vested in the plaintiff Amanda Bailey, and it is further ordered that she be forever quieted in her title thereto as against said defendants and that she have her writ of possession and that she be placed in possession of the same. And it is further ordered and decreed that plaintiff, Amanda Bailey be divested of the title to the east half of said Lot No. 9 as described in said Commissioners report and that the title thereto be vested in defendant Frank Kellum - And it is further ordered that defendants Daniel Bailey, John Kirkpatrick and Frank Kellum pay all the Costs of this suit, for which execution shall issue, and it is further ordered that said Commissioners be allowed the sum of $5- each for their services to be taxed and collected as part of the Costs of this suit

except they Cost incurred by on taking Caleb Bay for a party which is adjudged against Pltf.

11197 The State of Texas v. Jerry Page. Thereon come the parties to this cause by their attys and the Defendant in person and announced themselves ready for trial. When came a Jury of twelve good and lawful men of Travis County Consisting of R.C. McLaren and eleven others who being tried elected and Sworn according to law heard the Ind: thereto, the plea of not guilty, the evidence and the charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant not guilty. R.C. McLaren

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Freeman." Whereupon it is ordered that the Defendant be hereby fully acquitted and discharged.

4349. The State of Texas v. V. Bittimans. And now comes the District Atty on behalf of the State and came the Defendant in person and by atty and announced themselves ready for trial. Whereupon came a Jury of 12 good and lawful men of Travis County Consisting of Edwin Gray and eleven others who being Tried elected and sworn according to law heard the Indictment, the plea of not guilty the evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at nine years in the Penitentiary. Edwin Gray foreman." Whereupon it is ordered that said Defendant Hand Committed to the County Jail to await judgment & sentence

And Court adjourned till to morrow at 9 o'clock A.M.

Tuesday, Nov. 9th 1875.

Court met at 9 o clock A.M. pursuant to adjournment Present Hon. J. P. Richardson Judge &c presiding. Whereupon the following proceedings were had by said Court, to wit.

3161. The State of Texas v. Fletcher Bennett. Dismissed

3603. The State of Texas v. Billy Robinson. Dismissed

3621. The State of Texas v. Wm Perkins. Dismissed

3760 The State of Texas v. Mrs Miller Dismissed

3788. The State of Texas v. Miller Dismissed

3789. The State of Texas v. Mrs. Miller Dismissed

3803 The State of Texas v. Mrs. Miller. Dismissed

3807. The State of Texas v. Mrs. Miller. Dismissed

3808. The State of Texas v. Miller Dismissed

3809. The State of Texas v. Mrs. Miller Dismissed

3959 The State of Texas v. Rud. Sawyers. Come the parties by atty & announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Rud. Sawyers the sum of Ten Dollars as a fine and the cost of this prosecution and that Commitment do issue

4124. The State of Texas v. Thomas Eames. And now come the parties by atty & announced themselves ready for trial and waiving a Jury submit the case to the Court. The Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Thomas Eames the sum of Ten Dollars as a fine and the cost of this prosecution & that a Commitment issue to collect the same.

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4136 The State of Texas v. Rhonds Johnny. Come the parties by atty announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Rhonds Johnny the Sum of Twenty Five Dollars as a fine & the cost of Prosecution & that a Commitment do issue

4154. The State of Texas v. Charles Cannon. Continued by the State.

4369. The State of Texas v. Peter Ross. Dismissed

4387. The State of Texas v. Henry Hawkins It is ordered that the exceptions to the Indictment in this case be overruled, to which ruling the Defendant excepts and cause continued by the Defendant

4430 The State of Texas v. A. Rubiallo. Dismissed

2668. The State of Texas v. J Bennett. Dismissed

3416 The State of Texas v. Matt. Burnham. Cont'd by the State

3820 The State of Texas v. A Jourdan Dismissed

4014 The State of Texas v. Jim Whitehead. Continued by Defendant.

4064 The State of Texas v. Wm Isbell. Continued by Defendant.

4067. The State of Texas v. Reuben Murphy & C. Dunkins Dismissed as to Dunkin and verdict of not guilty as to Murphy and Defendant discharged.

4111 The State of Texas v. Bill Ochiltree. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Bill Ochiltree the sum of Ten Dollars as a fine & the cost of this prosecution & that a Commitment issue to collect the same

4129. The State of Texas v. Jo. Wadsworth. Come the parties by atty and announce ready for trial waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas recover of said Defendant the sum of Twenty Five Dollars as a fine & the cost of this prosecution & that a Commitment issue to collect the same

4166. The State of Texas v. Reuben Murphy. Continued by Defendant

4319 The State of Texas v. Doney Murphy. Cont'd for term

4322. The State of Texas v. M. Organ. Cont'd for term

4323. The State of Texas v. Dan Jarvis Cont'd for term

4334. The State of Texas v. Green Penn Cont'd for term

4326. The State of Texas v. Mack Horst Come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have & recover of Mack Horst the sum of Twenty Five Dollars as a fine & the cost of this prosecution & that Commitment do issue

4328. The State of Texas v. Upson. Continued for term

4329 The State of Texas v. Jim Croft. Dismissed

4330. The State of Texas v. Isaac Jackson Dismissed

4331 The State of Texas v. Sci. Jackson Dismissed

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1333. The State of Texas v. Archy Henry. Dismissed
1335. The State of Texas v. Henry Ellege. Cont'd for service
1338. The State of Texas v. Wm Creighton. Cont'd by Defendant.
1415. The State of Texas v. Sam. Williams. Cont'd by Defendant.
1417. The State of Texas v. M. J. Matteson. Cont'd by the State.
1418 The State of Texas v. M. J. Matteson. Indictment quashed.
1440. The State of Texas v. Ed. Carrington. Dismissed
1444. The State of Texas v. Wm Pettiling. Dismissed
1445. The State of Texas v. J. Gurson. Dismissed
1447. The State of Texas v. S. R. Fisher. Dismissed
1450 The State of Texas v. W. C. Olmick. Dismissed
1451. The State of Texas v. C. Wellman. Dismissed
1453. The State of Texas v. C. Lundberg. Dismissed
1457. The State of Texas v. Henry Hawkins. Dismissed
1458. The State of Texas v. Dow Hancock. Dismissed
1460. The State of Texas v. C. Olson. Dismissed
1464. The State of Texas v. C. C. Neville. Dismissed
1470. The State of Texas v. L. T. Valentine. Dismissed
1477. City of Austin v. John Creagin. Continued

And Court adjourned till to-morrow at 9 A.M.

Wednesday Nov. 10th, 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge presiding. Whereupon the following proceedings were had by said Court, to wit:

1354. The State of Texas v. Frederick Ashton. It appearing that W. B. Walker, J. J. Walker, Robert Williams and ~~Charles Ralfe~~ have been summoned as witnesses in this case, on behalf of the plaintiff, and said witnesses having failed to appear to give evidence in said cause, as required by law, It is ordered that each of them be fined the sum of Twenty Dollars each as defaulting Witnesses, 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 shew cause, if any they can, why this Judgment should not be made final

1356. The State of Texas v. J. W. McKnight et. als It appearing that L. E. Edwards, Mrs E. Innes, Miss J. Innes, James Evans, Rebecca Evans & Mr. Sanchez Kim have been summoned as witnesses in this case on behalf of the plaintiff, and said witnesses having failed to appear to give evidence in said cause, as required by law, It is ordered that each of them be fined in the sum of Twenty Dollars each as defaulting witnesses, 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 shew cause, if any they can, why this Judgment should not be made final

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4165. The State of Texas vs. M. K. & Hallas Dismissed
4114 B. B. Rose, et al vs. Jane A. Rose et al. This day came the plaintiffs by their attorneys; and also came the defendants, Jane A. Rose, and Josephine E. Sue. B. and Lou. B. Wheelock, by their special guardian, Robert H. Ward; and the defendants, Henry Rose, Saml. J. Rose and Harvey Wheelock having failed to appear and answer in this behalf, but wholly made default: Whereupon the plaintiffs ought as to the said Henry and Saml. J. Rose and Harvey Wheelock, to have and obtain the partition and relief prayed for in their partition, by occasion of the premises; and thereupon came the Intervenor, Matt. Stevens, by his attorneys, and presented his petition of Intervention; and then came on to be heard the demurrers of the plaintiffs and the defendants, Jane A. Rose, Josephine E. Sue. B.nd Lou. B. Wheelock to the said petition of the Intervenor, and the argument of counsel being heard thereon. It is the opinion of the Court that the law is with the plaintiffs and defendants demurring; It is therefore considered by the Court that the demurrer be sustained, and the petition and suit of the Intervenor be dismissed; and that he pay all costs of his intervention, and that execution issue therefor; to which ruling and order of the court the intervenor, by his attorneys excepted. And thereupon came a jury of twelve good and lawful men; to wit: P. L. Hopkins and eleven others, who being duly empannelled and sworn, on their oaths returned into Court the following verdict: "We the Jury find for the plaintiffs the facts as stated in their petition. (Signed) P. L. Hopkins. foreman." And it appearing to the court that the following facts were fully proved before the jury; to wit: That James M. Rose, deceased, was killed at the fall of the Alamo, in Texas; was a single man and never married; that he was the son of Robert H. Rose, who died over thirty years ago; and of Francis Rose, who died over fifty years ago; that, at the institution of this suit, James M. Rose had two living brothers, Erasmus T. Rose and Robert Rose; that the names of his deceased brothers and sisters who had married, or left bodily heirs, were Ambrose Rose, Hugh F. Rose, Samuel J. Rose, Henry Rose 2nd Mrs. Ellen C. Kerman; that said Samuel J. Rose, deceased, left a widow who has since died; and plaintiffs, Bronson B. Rose and Pattie R. Hall are the children and only children, of said Samuel J. Rose, dec'd; and John J. Hall is the husband of said Pattie; that plaintiffs, Ellen C. Jones, Anne F. Bell, Eliza Rogers, Hugh F. Rose, Fannie M. Rose, Emma N. Rose and Sam. P. Rose are the children, and only children, of said Hugh F. Rose deceased; that plaintiff Richard J. Jones is the husband of said Ellen C. Jones; plaintiff William T. Bell, is the husband of said Anne F. Bell; plaintiff Henry Rogers is the husband of said Eliza Rogers; and plaintiff Emma T. Rose is the widow of said Hugh F. Rose, deceased, and mother of his said children; that plaintiffs, Joseph A. Green and Malcom F. Green, are the grand children of said Ellen C. Kerman, deceased, and the only children of their mother, Elizabeth Green

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and her husband, who were both dead before the institution of this suit; that plaintiffs, Edward W. Newman and Mary F. Rose, H. F. Newman, Elizabeth Green and Nelly Wheelock, were the only children of Mrs. Ellen C. Newman, and that the husband of said Ellen C. Newman is dead; that H. F. Newman has sold and conveyed all his interest in the lands of which partition is sought in this suit, to said Mary F. Rose; that said Mary F. Rose is a widow, her husband having died before the institution of this suit; that Mrs. Nelly Wheelock died before the commencement of this suit, and left surviving, her husband, the dept. Harvey Wheelock, and three only children, the defendants. Josephine H. Susan B. and Lou. B. Wheelock; that said Erasmus F. Rose, has died since the institution of this suit, leaving his two only children surviving; to wit: plaintiffs, Mary Rose and Robert Rose, and leaving no surviving wife; that said Ambrose Rose, dec'd. left surviving him, his widow, the plaintiff, Elizabeth Rose, and his two only children, the plff. Fanny Weiston, and the defendant, Jane A. Rose; that said Henry Rose, dec'd. left no surviving wife, but left surviving him, his only children, plaintiffs, Nannie Rose and Maggie Rose (who is the wife of plff. Hugh F. Rose;) and defendants, Henry Rose, and Sam. J. Rose; that the lands whose partition is sought in this suit, were granted to the heirs of said James M. Rose, dec'd, and the property of the plaintiffs and defendants by heirship from said James M. Rose, dec'd., and are situated and described as follows: to wit: The tract of 1476 acres is described in Patent No. 452. Vol. 17, as recorded in the General Land Office, and is situated in Wharton county, State of Texas, on West Benard Creek 13½ miles N. 18 W. from the town of Wharton; and its survey begins at the N.E. corner of the 640 acre tract on said creek, whence a water oak 20 inches in diameter, bears N. 77° W. 5 vrs: an ash 8 inches in diameter bears S. 11° E. 10 vrs. and an Elm 8 inches in diameter bears N. 15° W. 5 varas. marked 11 X 11. Thence S. 50° W. 2850 vrs. a corner, whence a L.O. bears N. 38° W. Thence N. 40° W. 3100 varas a corner; whence a live oak brs. N. 35° W. and the railroad station on said creek bears N. 43° W. Thence N. 50° E. 3015 varas a corner on the creek, whence a forked Ash bears S. 56° E. 24 varas; and a Cottonwood 15 inches in diameter bears S. 51° E. 29 varas, marked 11 X 11. Thence with the meanderings of the said creek to the beginning.

The tract of 640 acres is situated adjoining the 1476 acre tract in said county, on said creek; and begins its survey on the N.E. corner of league No. 2. on said creek, at a forked water oak 6 & 8 inches in diameter, marked 11 X 11; whence a water oak 8 inches in diameter bears S. 4 W. 7 varas, and a Pecan 10 inches in diameter brs. N. 42° E. 3 vrs, mkd 11 11. Thence S. 50° W. 912 varas a corner; whence a large live oak brs. N. 38° W. and a mott of timber on Lone Tree Creek bears South. Thence N. 40° W. 2550 varas a corner, whence a live oak bears N. 38° W. and a mot of timber on Lone

Tree creek bears S. 11° E. Thence N. 50° E. 2850 varas to West Benard creek a corner whence a water oak 20 in. in diameter brs. S. 77° W. 5 varas; and an Ash 8 in. in dia. bears S. 11° E. 10 vrs. and an Elm 8 inches bears N. 15° W. 5 varas, all mkd 11 X 11. Thence with the meandrings of the creek to the beginning; as described in Patent No 283 Volume 3rd, as of record in the General Land Office.

The tract of 711 1/3 acres is situated in Montgomery county, East of Caney creek, or middle fork of the Saw Jacinto River, about 24 miles S. 65° E. from the town of Montgomery; and begins its survey on the west line of M. Hinch's league and labor, at S. E. corner of H. S. Williams survey of 1920 acres, at a stake whence a Black Oak, 18 inches in diameter, mkd H. bears N. 26° W. 14 vrs, and a White oak 20 in. in dia. brs. N. 58° E. 21 varas. Thence South with M. Hinch's survey 1808 vrs. to its S. W. corner; whence a Red Oak 12 inches in dia. brs. N. 8° W. 2 varas; and a White Oak 6 inches in dia. brs. S. 45° E. 9 varas mark'd M. H. Thence west with North line of C. Beach's survey 2221 vrs to S. E. corner of H. B. Littlefield; whence a maple 9 in. in dia. mk'd JES brs. N. 78° E. 2 1/10 varas; and a Sweet Gum, 15 in. in dia. mk'd X brs. S. 6° E. 10 varas. Thence North with Littlefield's survey 1808 varas to its corner on South line of Williamson's survey; whence a P. O. 19 inches bears N. 4° W. 10 varas, mark'd X. Thence East with Williamson's South line 2221 varas to the beginning; as described in Patent No 27. Vol. 4. as recorded in the General Land Office.

The tract of 2485/ acres, is situated in the Pan Handle region of Texas, on the North Fork of Red River, in Clay Land District, about 69 miles N. 41° W. from the "Initial Mound"; and was surveyed by virtue of Unlocated Balance Certificate, No 17/105; being the balance of Bounty Certificate No 1438 issued to the heirs of James M. Rose, dec'd; and begins its survey at the N. W. corner of Section No 9. Block No 26; and S. W. corner of Section No 50 in Block No 9, made for the H. & G. N. R. R. Co. Thence N. 1200 vrs. a cor. in West line of said survey No 50. Thence west 1170 varas a corner. Thence South 1200 varas a corner. Thence E. 1170 varas to the beginning, as described in the field notes of the same on file in the General Land Office; the same being unpatented

It is therefore, considered, ordered and decreed that the said lands shall be fairly partitioned between the parties, plaintiff and defendant, and a share allotted to each according to his or her several rights, as they appear from the foregoing facts; if, after investigation, the Commissioners hereby appointed, shall find that a fair and just partition of the land is practicable, at a reasonable expense; and may be made according to the rights of the parties, without material injury to the rights and interests involved. And W. P. Gaines, D. W. Doom and J. W. Lawrence are hereby appointed Commissioners to investigate the character, value and situation of said lands; and, if they find the same to be such as that, the said lands

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may, in their opinin, be partitioned among the parties to this suit justly and
fairly, and without material injury or damage and loss to the parties at
interest, they shall proceed to partition the same accordingly; and set apart
to each party at interest, the share to which he is entitled; that is to say:
R. Rose To Robert Rose shall be set apart one seventh in value of the whole of said
B. Rose & P. R. Hall lands. To Bronson B. Rose and Pattie R. Hall shall be set apart, to each, one
fourteenth in value of said lands. To Ellen C. Jones, Anne F. Bell, Elija
E.C. Jones & Rogers, Hugh F. Rose, Fannie M. Rose, Emma F. Rose and Sam. P. Rose, to each
shall be set apart 2/147, two one hundred and forty sevenths, in value of said
lands, to be increased at the death of their mother, Emma F. Rose, by one
seventh of the 1/21 in value of said land set apart for life to said Emma
E. F. Rose F. Rose. And to the said Emma F. Rose shall be set apart for her
natural life, 1/21 in value of said lands, with remainder to her said
J. A. Greene & children. To Joseph A. and Malcom F. Greene, each shall be set apart
E. W. Newman one seventieth in value of said lands. To Edward W. Newman shall be
set apart one thirty fifth 1/35 of said lands. To Mary F. Rose shall
M. A. Rose be set apart two thirty fifths 2/35 of the said lands. To Josephine E.
Lou. B. and Susan B. Wheelock each 2/315 in value of said lands, to be in-
creased after the death of Harvey Wheelock, by 1/3 of the 1/105 of said lands
set apart to said Harvey Wheelock for life; and to said Harvey Wheelock
shall be set apart for his natural life 1/105 in value of said lands, with
remainder to said Josephine E. Lou. B. and Susan B. Wheelock. To Mary
Rose and Robert Rose, the children of Erasmus F. Rose, shall be set apart
to each 1/14 of said lands. To Fannie Winston and Jane A. Rose, each shall
be set apart the one twenty first part 1/21 in value of said lands, to be
increased at the death of their mother, Elizabeth Rose, by 1/20 of the 1/21 of
said lands set apart to her for life; and to said Elizabeth, their mother, there
shall be set apart, during her natural life, 1/21 in value of said lands, with
remainder to her children, the said Fannie Winston and Jane A. Rose. And to
Fannie Rose, Maggie Rose, Henry Rose and Sam. J. Rose, the children of Henry
Rose, deceased, shall be set apart to each 1/28 in value of said lands. And
that said Commissioners shall return to this Court, for approval, a report of how
they have Partitioned said lands; under their oath that the partition they have
made, is a just and fair partition of said lands, according to this decree.
And It is further considered, ordered and decreed that if, after investigation,
said Commissioners are of opinion that a just and fair partition as aforesaid,
can not be made of said lands among the parties as aforesaid, without
material injury or damage to the interests of the several parties, they
shall, on oath report the fact to this court; and shall further proceed
after sixty days notice, in a newspaper published in the City of Austin,
to sell said lands to the highest bidder in such parcels as, in their opinion
will be most conducive to the interest of the parties at interest; and report

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their action to this Court for approval and confirmation. And It is further ordered and decreed that the costs of this suit, and of the partition herein decreed, shall be borne by the several parties to this suit, in proportion to their several shares in the said lands; and that executive issue against each of them accordingly.

And thereupon Court adjourned till to-morrow at 9 o'clock a.m.

Thursday, November 11th 1875.

Court met at 9 o'clock a m pursuant to adjournment Present same as yesterday. Whereupon the following proceedings were had, to wit:

3867. The State of Texas v. Geo Crawford Moved that the Bond of Sophia Ackerman, witness in this case, be quashed, and cause continued by the State.

4323. The State of Texas v. Dan Jones. Continued & set aside. Come the parties by atty and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of Dan Jones the sum of Ten Dollars as a fine and the Costs of this prosecution and that a Commitment issue.

4389. The State of Texas v. Randall Shepherd. Dismissed

4404. The State of Texas v. James West. And now comes the State by the District Atty and the Defendant by atty and also in person, and announced ready for trial. Whereupon the Defendant was came a Jury of twelve good and lawful men of Travis County, consisting of A. H. Whitten and eleven others, who were tried, elected and sworn according to law. And the Defendant thereupon was arraigned and plead not guilty. And the Jury having heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the Deft. guilty of Murder in the first degree and assess the punishment at imprisonment in the Penitentiary for the term of his natural life. A. H. Whitten, foreman." Whereupon it is ordered that said Defendant be committed to the County Jail to await Judgment and Sentence.

4426. The State of Texas v. W. D Miller. Dismissed.

4462. The State of Texas v. C. W. Berryman. Dismissed

4472. The State of Texas v. C. W. Berryman. Dismissed

4341. The State of Texas v. Bob Jones et al. Come the parties by atty when Defendants exceptions to the Indictment coming on to be heard, and the same being considered, are overruled. And cause continued by the State.

4340. The State of Texas v. Pillman. And now on this day came the parties to this cause by their atty and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of Joseph Barnhart and eleven others, who being tried, elected & sworn according to law heard the Indictment, the plea of not guilty, the evidence, argument of Counsel, and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit:

" We the Jury find the Defendant guilty and assess the fine at Forty

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Dallas, and all the cost of this prosecution, and that he be committed to the County jail until the same are paid.

3737. The State of Texas v. Dick McLaren Dismissed

4366. The State of Texas v. J. R. Norris et.als. Come the parties when on motion it is ordered that the forfeiture in this cause be set aside, and that the Defendants, principal and securities, be adjudged to pay all the cost of this prosecution, and that ex-action issue therefor.

3151 The State of Texas vs Charles Coney. Come the parties by their attorneys, when the defendant submitted his motion to change the venue in this cause; and the same being heard and considered, It is ordered that the venue be changed to the county of Williamson, and that the clerk of this court do certify to the clerk of said court all the original entries in this cause, and forward all the original papers therein to the clerk of the district court of Williamson county, on or before the next term thereof, to be held at Georgetown: And thereupon came into court Charles Coney as principal, with Charles Wolf and Louis Canton as his securities, and they acknowledged themselves, jointly and severally, justly to owe and be indebted unto the state of Texas in the penal sum of one hundred dollars, to be levied upon their goods and chattels, lands, tenements and estates; but to be void upon condition that said Charles Coney make his personal appearance before the district court of Williamson county at the next term thereof, to be held at the Courthouse thereof in Georgetown, then to remain from term to term, and from day to day of each term until discharged by due course of law, to answer the charge of: "Permitting a gaming bank, called monte, to be exhibited in a house under his control" and that he do not depart the said court without leave.

3153 The State of Texas vs Charles Coney. Come the parties by their attorneys, when the defendant submitted his motion to change the venue in this cause; and the same being heard and considered; It is ordered that the venue be changed to the county of Williamson, and that the clerk of this court do certify to the clerk of said court all the original entries in this cause, and forward all the original papers therein to the clerk of the district court of Williamson county and or before the next term thereof, to be held at Georgetown. And thereupon came into court Charles Coney as principal, with Charles Wolf and Louis Canton as his securities, and they acknowledged themselves jointly and severally justly to owe and be indebted unto the state of Texas in the penal sum of five hundred dollars, to be levied upon their goods and chattels, lands, tenements and estates; but to be void upon condition that said Charles Coney make his personal appearance before the district court of Williamson county, at the next term thereof, to be held at the courthouse thereof in Georgetown, then to remain from term to term, and from day to day of each term, until discharged by due course of law; to answer the charge of an "Aggravated Assault" and that he do not depart the said court without leave.

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3481 The State of Texas vs Charles Coney. Come the parties by their attorneys, when the defendant submitted his motion to change the venue in this cause; and the same being heard and considered. It is ordered that the Venue be changed to the county of Williamson, and that the clerk of this court do certify to the clerk of said court all the original entries in this cause, and forward all the original papers therein to the Clerk of the District Court of Williamson County, on or before the next term thereof, to be held at Georgetown.
And thereupon came into court Charles Coney as principal, with Charles Wolf and Louis Cantow as his securities, and they acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the penal sum of one hundred dollars, to be levied upon their good and chattels, lands, tenements and estates, but to be void upon condition that said Charles Coney make his personal appearance before the district court of Williamson county at the next term thereof, to be held at the Court House thereof in Georgetown; there to remain from term to term, and from day to day of each term, until discharged by due course of law, to answer the charge of "Permitting a gaming bank called monte, to be exhibited in a house under his control"; and that he do not depart the said court without leave.

3755 The State of Texas vs Charles Coney. Come the parties by their attorneys, when the defendant submitted his motion to change the venue in this cause; and the same being heard and considered; It is ordered that the venue be changed to the County of Williamson; and that the clerk of this court do certify to the clerk of said court all the original entries in this cause and forward all the original papers therein to the clerk of the District Court of Williamson county, on or before the next term thereof to be held at Georgetown.
And thereupon came into court Charles Coney as principal, with Charles Wolf and Louis Cantow as his securities, and they acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the penal sum of one hundred dollars, to be levied upon their goods and chattels, lands, tenements and estates; but to be void upon condition that said Charles Coney make his personal appearance before the District Court of Williamson County, at the next term thereof, to be held at the Courthouse thereof in Georgetown; there to remain from term to term, and from day to day of each term, until discharged by due course of law; to answer the charge of "Permitting a game with cards to be played in a house under his control", and that he do not depart the said court without leave.

3991 The State of Texas vs, Charles Coney. Come the parties by their attorneys; when the defendant submitted his motion to change the venue in this cause: and the same being heard and considered; It is ordered that the venue be changed to the county of Williamson; and that the clerk of this court do certify to the clerk of said court all the original entries in this cause, and forward all the original papers therein to the clerk of the District Court of Williamson

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county on or before the next term thereof, to be held at Georgetown.
And thereupon came into court Charles Coney as principal, with Charles Wolf and Louis Cantow as his securities; and they acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the penal sum of one hundred dollars, to be levied upon their goods and chattels, lands, tenements and estates; but to be void upon condition that said Charles Coney make his personal appearance before the District Court of Williamson county, at the next term thereof, to be held at the Court House thereof in Georgetown; there to remain from term to term, and from day to day of each term, until discharged by due course of law, to answer the charge of: "Permitting a gaming bank, called Monte, to be exhibited in a house under his control;" and that he do not depart the said court without leave.

4021 The State of Texas vs Charles Coney. Come the parties by their attorneys; when the defendant submitted his motion to change the venue in this cause; and the same being heard and considered; It is ordered that the venue be changed to the County of Williamson; and that the clerk of this court do certify to the clerk of said court all the original entries in this cause, and forward all the original papers therein to the Clerk of the District Court of Williamson county, on or before the next term thereof, to be held at Georgetown.
And thereupon came into court Charles Coney as principal, with Charles Wolf and Louis Cantow as his securities; and they acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the penal sum of one hundred dollars, to be levied upon their goods and chattels, lands, tenements and estates; but to be void upon condition that said Charles Coney make his personal appearance before the district court of Williamson county, at the next term thereof, to be held at the Court house thereof, in Georgetown; there to remain from term to term, and from day to day of each term, until discharged by due course of law, to answer the charge of: "Permitting a game with cards to be played in a house under his control;" and that he do not depart the said court without leave.

4081 The State of Texas v. Charles Coney. Come the parties by their attorneys, when the defendant submitted his motion to change the venue in this cause; and the same being heard and considered; It is ordered that the venue be changed to the County of Williamson; and that the clerk of this court do certify to the clerk of said court all the original entries in this cause, and forward all the original papers therein to the clerk of the district court of Williamson county, on or before the next term thereof, to be held at Georgetown.
And thereupon came into court Charles Coney as principal, with Charles Wolf and Louis Cantow as his securities, and they acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in

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the penal sum of five hundred dollars, to be levied upon their goods and chattels, lands, tenements and estates; but to be void upon condition that said Charles Coney make his personal appearance before the district court of Williamson County, at the next term thereof, to be held at the court house thereof in Georgetown; there to remain from term to term, and from day to day of each term, until discharged by due course of law, to answer the charge of "An assault with intent to kill and murder;" and that he do not depart the said court without leave.

4364. The State of Texas v. Charles Coney. -- Come the parties by their attorneys; when the defendant submitted his motion to change the venue in this cause; and the same being heard and considered; It is ordered that the same be changed to the County of Williamson; and that the clerk of this court do certify to the clerk of said court all the original entries in this cause, and forward all the original papers therein to the clerk of the district court of Williamson county, on or before the next term thereof, to be held at Georgetown. And thereupon came into court Charles Coney as principal, with Charles Wolf and Louis Cantoon as his securities, and they acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the penal sum of five hundred dollars, to be levied upon their goods and chattels, lands, tenements and estates; but to be void upon condition that said Charles Coney make his personal appearance before the district court of Williamson county, at the next term thereof, to be held at the court-house thereof, in Georgetown; there to remain from term to term, and from day to day of each term, until discharged by due course of law, to answer the charge of "Perjury;" and that he do not depart the said court without leave.

4339 The State of Texas v. Charles Coney. Come the parties by their attorneys, when the defendant submitted his motion to change the venue in this cause; and the same being heard and considered; It is ordered that the venue be changed to the county of Williamson; and that the clerk of this court do certify to the clerk of said court all the original entries in this cause, and forward all the original papers therein to the clerk of the district court of Williamson County on or before the next term thereof, to be held at Georgetown. And thereupon came into court Charles Coney as principal, with Charles Wolf and Louis Cantoon as his securities; and they acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the penal sum of five hundred dollars, to be levied upon their goods and chattels, lands, tenements and estates; but to be void upon condition that the said Charles Coney make his personal appearance before the district court of Williamson County, at the next term thereof, to be held at the court house thereof, in Georgetown; there to remain from term to term, and from day to day of each term, until discharged by due course of law, to answer the charge of ~~"Perjury"~~ wilfully swearing falsely to and obtaining a stack of fodder, the property of John Z. Kapp; and that he do not depart the said court without leave.

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3790 The State of Texas v. W. M. Walton Dismissed
4147 The State of Texas v. Dock Stone. Continued by consent.
4398 The State of Texas v Joseph Van Nee. Cont'd by the State.
4401 The State of Texas v Geo. Droste. Continued by the Defendant

And Thereupon Court adjourned till to morrow at 9 o'clock A.M.

Friday, November 12th, 1875

Court met at 9 o'clock A.M. Pursuant to adjournment. Present Hon. J. P. Richardson Judge &c presiding. Whereupon the following proceedings were had by said Court, To wit:

4444 J. M. Swisher v. Jno. M. Swisher et. als. Comes the Defendant John Swisher, when on motion it is ordered that said Defendant have leave to amend.

4336 The State of Texas v. Giles Branch. And now come the parties by their attys and the Defendant in person. When came on to be heard the question as to the sanity or insanity of said Defendant. When came a Jury of 12 good and lawful men of Travis County, tried, elected and sworn according to law, who having heard the evidence, argument of counsel and the charge of the Court, retired for deliberation. and Thereupon said Jury returned into Court the following verdict, to wit: "We of the Jury find the Defd. Sane" Signed. John H. Wood, Foreman." And it is ordered that said Defendant be Committed to jail

And Court adjourned till Monday at 9 o'clock a.m.

Monday, November 15th, 1875.

Court met at 9 o'clock AM pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had, To wit:

4505. J. N. Combs et al v. D. W. Nowlin et als. Come the Defendants by atty when on motion it is ordered that said Defendants have leave to amend

3815. The State of Texas v. Giles Burdill Jr. Come now the parties by atty announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty to a simple assault. Whereupon it is ordered that the State of Texas do have and recover of Giles Burdill, Jr. the sum of One Dollar as a fine in the case of this prosecution and that Comm Issue upon

4042 The State of Texas v. Ed. McMillan. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and also by atty and announced themselves ready for trial. Whereupon came a Jury of Twelve good and lawful men of Travis County Consisting of Edwin Gray and eleven others, who being tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel, and the charge of the Court. And ~~When~~ retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit. "We the Jury find the Defendant not guilty. Edwin Gray Foreman." Whereupon it is ordered that said Defendant go hence acquitted & discharged

November 16th 1875.

4104. Wm Nelson v. Juliet G. Hicks Et al. In this cause, on the 23d October 1875, John B Costa having been appointed one of the Commissioners to partition certain property described in the decree rendered on said day, and having refused to serve in said capacity now therefore it is ordered that J. F. Pickmore be and he is hereby appointed a Commissioner with Joseph Spence and Wm Von Rosenberg to divide said property in obedience to the said decree.

J. D. Cummings. It is ordered that W. M. Walton, Thos E. Sneed, J. B. Morris & G. R. Freeman be appointed a Committee to examine James A. Cummings in open Court touching his application to be admitted to practice as an Attorney and Counsellor at Law.

And Court adjourned till to-morrow at 9 o'clock AM

Tuesday Nov. 16th 1875.

Court met at 9 o'clock a.m. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Jud. Dist. presiding. Whereupon the following proceedings were had by said Court to wit:

Alfred E. Jones. It is ordered that W. M. Walton, Thos E. Sneed, J. B. Morris & G. R. Freeman be appointed a Committee to examine Alfred E Jones touching his application to be admitted to practice as an Atty and Counsellor at Law.

4344. Barker & Barton v. W. A. Milton. And now come the parties by atty and claim Judgment final by default. And it appears the Defendant has been legally cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered and adjudged that said W. E. Barker, and R. E. Barton, under their firm name of Barker & Barton, do have and recover of W. A. Milton, the Sum of Three Hundred Seventy 90/100 Dollars, debt and interest due upon the instrument sued on to this date, together with all cost of this suit, and that execution issue.

3430. The State of Texas v. Maj. Van de Graaf. Ordered that the forfeiture be set aside as to the sureties, and that Capias issue for the Defendant.

3407. The State of Texas v. Rufe Jones. And now come the parties legally and announce themselves ready for trial waiving a Jury Submit the case to the Court. And the Defendant pleads guilty to an aggravated assault. Whereupon it is ordered that the State of Texas do have and recover of said Rufe Jones the Sum of One Hundred Dollars as a fine and the cost of this prosecution and that a Commitment do issue

3608 The State of Texas v. Rufe Jones. Dismissed

3698. The State of Texas v. Rufe Jones. Dismissed

4339 The State of Texas v. Rolando Cesare Et al. Comes now the Defendant Rolando Cesare and upon motion it is ordered that the venue of this cause be changed to the County of Williamson, and that the Clerk of this Court do certify to the District Court of Williamson County at Georgetown on or before the next Term thereof all the entries of record herein together

with all the orignal papers in this cause. And thereupon appeared in open Court Rolando Cesare, as principal, and Charles Corey, Louis Cantoon and Jacinto Verona, as his securities, and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the penal sum of five hundred dollars, to be levied upon their goods & chattels, lands, tenements and estate, But to be void upon condition that the said Rolando Cesare do make his personal appearance before the District Court of Williamson, at the next term thereof, to be held at Georgetown, the County Site of said County, there to remain from day to day and from term to term of said Court, to answer the charge of Wilfully setting fire to and burning a stack of Fodder the property of John A. Raggio, and that he do not depart the Court without leave.

4342. The State of Texas v. John Camlin. Continued by the State.

4178. The State of Texas v. Johanson. Dismissed.

4352. The State of Texas v Wm Grausbury. Come the parties by atty when the Defendant submitted his motion for a new trial in this cause when the same being considered, it is ordered that said motion be overruled.

And Court adjourned till to-morrow at 9 A.M.

Wednesday, November 17th, 1875.

Court met at 9 o'clock A.M pursuant to adjournment. Present Hon. J. P. Richardson Judge &c presiding. Whereupon the following proceedings were had, to wit.

✓ 4324. E. L. Compton v. S. Cayce, et. als. Come the Defendants by atty when on motion it is ordered that the Defendants herein have leave to amend as of date October 21st, 1875.

✓ 4344. H. Samuels v. F. W. Sulor. Come the parties by atty when on motion it is ordered that this cause be dismissed and that the Pefft recover of the Defendant all the cost of this suit, for which execution may issue.

✓ 4345. C. Hofsom v. F. W. Sulor. Come the parties by atty when on motion it is ordered that this cause be dismissed and that the Pefft recover of the Defendant all the cost of this suit for which execution may issue.

✓ 4356. C. S. West, Ex. v. F. M. Hanks et al. Comes the Pefft by atty when on motion it is ordered that said Plaintiff have leave to amend.

✓ 4357. C. S. West Ex. v. F. M. Hanks et al. Comes the Pefft by atty when on motion it is ordered that said Pefft have leave to amend.

✓ 4358. C. S. West Ex. v. F. M. Hanks et al. Comes the Pefft by atty when on motion it is ordered that said Pefft have leave to amend.

Upon hearing the Report of the Committee It is ordered that licenses do issue to J. R. Cummings, Alfred E. Jones and J. H. Traynham, admitting them to practice as Attorneys and Counsellors at Law in the several District and Inferior Courts of the State of Texas.

November 17th, 1875.

3551. The State of Texas v. James P. Newcomb It appearing that on the 17th July, 1874, in the above entitled cause, Wm Voss had entered into recognizance in open Court as a witness on behalf of the plaintiff in the sum of One hundred Dollars whereby he bound himself to appear before said Court to be held at the Court-house in Austin on the first Monday in October 1874, and there remain from day to day and from term to Term of said Court, until discharged by due course of law, to give evidence on behalf of the plaintiff in said cause of the State of Texas v. J. P. Newcomb, and said Cause being called for trial, and said Witness Wm Voss being duly & timely called three times at the Courthouse door of Travis County, and after a reasonable time waiting said witness still failed to appear and make default, it is ordered that said Recognizance be forfeited, and that the State of Texas do have and recover of said Wm Voss said sum of ~~One~~ hundred Dollars, 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 can, why this Judgment should not be made final. and cause continued in affidavit of defendant.

4011. The State of Texas v A. H. Hutchins It appearing that on the 8th March 1875 in the above entitled cause, A. J. Lloyd had entered into Recognizance in open Court as a witness on behalf of the Defendant in the sum of Fifty Dollars & duly to bound himself to appear before the District Court of Travis County then in session, and there remain from day to day and from term to Term of said Court, until discharged by due course of law, to give evidence on behalf of the Defendant in said Cause of the State of Texas v. A. H. Hutchins, and said Cause being called for trial and said witness A. J. Lloyd being distinctly called three times at the Courthouse door of Travis County and after a reasonable length of time waiting, said witness still failed to appear, and made default It is ordered that said Recognizance be forfeited and that the State of Texas do have and recover of said A. J. Lloyd the sum of Fifty Dollars and that Scire Facias issue to him returnable to the next Term of said Court, Commanding him then and there to appear and shew cause if any he can why this Judgment should not be made final and cause continued by the Defendant

4339 The State of Texas v. Rolando Cesare. Come Jo. Maggey, Col. Caldwell, John Georgia, and J. Berrie, and each of them acknowledge himself justly to owe and be indebted unto the State of Texas in the sum of One hundred Dollars each to be levied upon their goods and Chattels lands Tenements and Estate But to be void upon condition that each of them make their personal appearance before the District Court of Williamson County to be held at the Courthouse thereof in Georgetown, at the next Term thereof, then and there to give evidence on behalf of the Defendants in the above entitled cause of the State of Texas v. Rolando Cesare and Charles Coney, and that they then remain from day to day and from term to Term thereafter, until discharged by due course of law and that they do not depart the Court without leave

November 18th, 1875.

And Court adjourned till to-morrow at 9 o'clock A.M.

Thursday, November 18th, 1875.

Court met at 9 o'clock A.M pursuant to adjournment. Present Hon J.P. Richardson Judge &c presiding. Whereupon the following proceedings were had to wit:

11339 The State of Texas v. Rolando Cesaro et al. And now come P. F. Steen, Lena de la Garcia, Wm Long, Louis Cantoon and R. Robledo, and each of them acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars each, to be levied upon their Goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that said persons do appear in person before the District Court of Williamson county, at the next Term thereof, to be held at Georgetown in said county, there to remain from day to day, and from term to term, and from day to day of each term, to give evidence on behalf of the Defendant in the above cause of the State of Texas v. Rolando Cesaro and Charles Coney and that they do not depart the Court without leave.

1 4585. X J.A. Blaffer & Co v. W.J. & F.W. Suter. And now come the pltffs by atty and upon motion it is ordered that judgment be here rendered in accordance with the agreement on file. Whereupon it is ordered & adjudged that John Aynes Blaffer and Julius Bondovsky under their firm name of J.A. Blaffer & Co do have and recover of Wm J. Suter and F.W. Suter the sum of Two Hundred, Seventy Two and 71/100 dollars, debt and interest due upon the instrument sued on to this date, together with interest thereon from this date until paid at the rate of Seven percent per annum and all the costs of this suit for which execution may issue

1 4528 John Fisher v. J. M. Brass et al. In this case it appearing that the Defendant Arthur Theodore Brass has filed his petition and Bond for the removal of this Cause to the Circuit Court of the United States for the Western District of Texas, which petition and Bond are in due form, and the Bond approved, It is ordered that the Clerk of this Court do make out a certified copy of the Record herein, consisting of all Minutes, entries, writs, pleadings, exhibits, papers, &c to be filed in said Circuit Court. And it is ordered that the costs herein await the final action of the Court, the costs however of said Record to be paid to the clerk before receiving the same but said costs also to await the final action of the Court in the said cause: said transcript and copy of record to be filed in said U.S. Court on or before the first day of the ensuing term to be holden on the Monday in January, 1876

And thereupon Court adjourned till to-morrow at 9 A.M.

Friday, November 19th 1875.

Court met at 9 o'clock A.M pursuant to adjournment. Present Hon. J.P. Richardson Judge &c presiding. Whereupon the following proceedings were had to wit:

November 19th, 1875.

4341. S. M. Swenson v. Jas. Nicholson et al. On motion it is ordered that this cause be dismissed from the docket and that the cost hereof be adjudged against the Plaintiff, for which execution may issue

4344. S. M. Swenson v. J. H. Herndon Et al. On motion it is ordered that this cause be dismissed from the docket, and that the cost hereof be adjudged against the Plaintiff, for which execution may issue

4356. J. S. Stewart v. L. K. Miller. Upon motion it is ordered that the heirs of Samuel Whiting be allowed to intervene in this cause.

4357. J. S. Stewart v. M. K. Miller. Upon motion it is ordered that the heirs of Samuel Whiting have leave to intervene in this cause.

4419. J. Dukey v. C. J. Dukey. Comes the Pff by atty. When on motion it is ordered that said Plaintiff have leave to amend, as of date Oct. 27. 1875.

4513. C. M. Booth v. M. D. Miller. Comes the Defendant by atty whereon motion it is ordered that said Defendant have leave to amend

4525. C. R. Johns & Co. v. Geo. W. Paschal Et al. And now on this day came the parties to this cause by their attys and announce themselves ready for trial and waiving a Jury submit the case to the Court. And it appearing that the cause of action herein is liquidated, It is ordered and adjudged that C. R. Johns, Plaintiffs Everett and Wm Rosenberg under their firm name of C. R. Johns & Co do have and recover of Geo. W. Paschal J. Rice Paschal and C. T. Randle the sum of Six Hundred and Seventy Two Dollars, debt and interest due upon the instrument sued on to this date, with interest thereon from this date until paid at the rate of 12 per cent. per annum, and the further sum of Sixty Dollars attorney's fees and all the costs of this suit, for which execution may issue

Whereas on May 6/1876 J. C. Walker, Sheriff of Fayette Co. This judgment was transferred to C. R. Johns & Co. This judgment is paid in full & on said day was assigned to me. Whereby I became the owner & holder of said judgment & having given bond as required by law I took charge of said judgment & collected the same & paid it over to the Plaintiffs Attorneys this the 17th day of May 1876 J. C. Walker Sheriff

4533. F. Zwicky v. S. P. & J. C. Hollingsworth and now comes the Pff by atty and he claims a Judgment finally by default. And the Defendants having been duly cited and has failed to answer within the time prescribed by law and the cause of action being liquidated It is ordered and adjudged that F. Zwicky do have and recover of said S. P. Hollingsworth and J. C. Hollingsworth the sum of Six Hundred, Four & 48/100 Gold Dollars debt and interest due upon the note sued on to this date, with interest thereon from this date until paid at the rate of 12 per centum per annum and all the cost of this suit for which execution may issue

4388. The State of Texas v. Peter Jones. On this day the Defendant came into open Court and being asked if he had anything to say why Judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his case, and giving no sufficient reason. It is ordered that said Peter Jones is guilty of Felony as in the Indictment in this behalf is charged, and that he be confined at hard labor in the Penitentiary of the State of Texas for the term of two years and that he be safely conveyed to the Superintendent of said Penitentiary to be confined as aforesaid.

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1351. The State of Texas v. W. J. Punt. On this day the Defendant came into open Court and being asked if he had anything to say why judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his cause, and giving no sufficient reason, It is ordered that said W. J. Punt is guilty of Felony as in the Indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of three years, and that he be safely conveyed to the Superintendent thereof to be confined as aforesaid.

1352 The State of Texas v. Wm Grimsley. On this day the Defendant came into open Court and being asked if he had anything to say why Judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his cause, and giving no sufficient reason, It is ordered that said Wm Grimsby is guilty of Felony as in the Indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of four years, and that he be safely conveyed to the Superintendent thereof to be confined as aforesaid.

1354. The State of Texas v. Frederick Ashton. On this day the Defendant came into open Court and being asked if he had anything to say why Judgment should not be entered and sentence pronounced against him in accordance with the verdict of the Jury who tried his cause, and giving no sufficient reason It is ordered that said Frederick Ashton is guilty of Felony as in the Indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of two years, and that he be safely conveyed to the Superintendent thereof to be confined as aforesaid

3839. The State of Texas v. A. S. Mair. Upon a regular trial of this cause by a Jury duly sworn and empannelled the following verdict was rendered: "We the Jury find the Defendant not guilty. Edwin Gray Foreman." Whereupon it is ordered that said Defendant go hence fully acquitted and discharged.

1 1415. James M. Swisher v. Jno. M. Swisher et al. In this cause coming on to be heard the exceptions and motions against the Auditor's Report, It is ordered that said Report be set aside with respect to all matters except the account of the Estate of Elizabeth Swisher with other persons than the parties to this suit. And it is further ordered, with respect to the parties to this suit, that the matters and things in Controversy be re-referred to the said Auditor James P. McKinney who is directed to give reasonable notice to all the parties to this suit of the time and place at which he will sit to hear the evidence and accounts of said parties, and that he will then and there proceed to make and state an account containing all the items of account between the said parties and the Estate of Elizabeth Swisher and showing which items he allows and which items he disallows in favor or against each of said parties. And that he make his report at the next Term of this Court.

3302. The State of Texas v. Rev. Thompson. Dismissed

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3798. The State of Texas v. John Raney. Continued by the State.

3799. The State of Texas v. John Raney et al Continued by the State.

4007 The State of Texas v. Sprague. Come the parties by atty and announce themselves ready for trial and waiving a Jury submit the cause to the Court. And Defendant pleads guilty. Whereupon it is ordered that said the State of Texas do have and recover of said Sprague the sum of Twenty Five Dollars. as a fine and the cost of this prosecution and that Commitment do issue. And Judgment set aside

4110 The State of Texas v. John McKinney. Come the parties by atty and announce and announce themselves ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon it is ordered that the State of Texas do have and recover of John McKinney the sum of Ten Dollars as a fine and the cost of this prosecution & that Commitment issue and judgment set aside

4230. The State of Texas v. Charles Freeman. Judgment set aside and cause dismissed

4232. The State of Texas v. W. S. Phillips. Dismissed

4281. The State of Texas v. J. W. Taylor. Dismissed

4294. The State of Texas v. C. P. Phillips. Dismissed

4420. The State of Texas v. Wilson et al. Continued per Defendants Motion.

4469. The State of Texas v. S. P. Stutes. Judgment set aside and dismissed

4406. Amanda Bailey v. David Bailey et al. On this day came into Court the Counsel for the Defendants, and presented the motion for a new trial which being heard and Considered, it is ordered that said motion be overruled. Whereupon said Defendants give notice in open Court of an appeal to the Supreme Court.

3551. The State of Texas v. James P. Newcomb. It appearing that heretofore an attachment was sued out in this case for the witness Stanley Welch, directed to the Sheriff of Nueces County, John McClane, and which said attachment the said McClane did neglect to execute, as he was required to do. It is ordered that said John McClane be fined in the sum of one hundred Dollars for failing to execute said attachment, and that Scire facias issue to him returnable to the next Term of this Court Commanding him to appear and show cause if any he can, why he should not be held in Contempt of Court and why this Judgment should not be made final

4388. The State of Texas v. Peter Jones. Comes on to be heard the motion of Defendant for a new trial in this cause. Which is ordered to be overruled

4380 The State of Texas v. Jose Cordova. Comes on to be heard Defendants motion for a new trial, which is ordered to be overruled.

4011. Frank Leason v. J. B. Hurd et al. By consent of parties it is ordered that the motion to set aside the judgment rendered in this cause against the Garnishee at this Term of the Court be set aside

3892. The State of Texas v. Neil Cain. Upon hearing the motion for a new trial in this cause, it is ordered that the same be overruled. Whereupon the Defendant by atty gives notice in open Court of an appeal to the Supreme Court.

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4355 G. Gimmson v. Friedleger & Bro. Upon motion it is ordered that the Judgement rendered in this cause at aforemes day of this term be set aside and vacated and that a new trial be granted.

4398 Nalle & Co. v. Trimmerman et als. Comes on to be heard the motion of plaintiffs for a new trial which being heard and considered, it is ordered that said motion be overruled. Whereupon said Plaintiffs give notice in open Court of an appeal to the Supreme Court.

4349 The State of Texas v. V. Bellmard. On motion it is ordered that a new trial be granted in this cause.

4336 The State of Texas v. Giles Branch. Comes on to be heard the motion of Defendant for a new trial in this cause, which being heard and considered It is ordered that said motion be overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court. And thereupon it is ordered that said Giles Branch is guilty of Felony as in the Indictment in this behalf is charged and that he be confined at hard labor in the Penitentiary of the State of Texas for a term of two years. And because of the notice of appeal it is ordered that Sentence be suspended to await the result of said appeal.

4377. M. C. Hamilton v. Richard Plume et als Comes the Plff by atty whereupon motion it is ordered that said Plaintiff have leave to amend his motion

4377. M. C. Hamilton v. Richard Plume et als Comes on to be heard the motions of Plaintiff herein for a new trial which being argued by Counsel and considered by the Court It is ordered that said motion be overruled. Whereupon said Plaintiff gives notice in open Court of an appeal to the Supreme Court.

4306 B. J. Collins v. Charles D. Evans. On this day came on to be heard the above styled and numbered cause, and the Plaintiff being now here by attorneys and the Defendant ~~being~~ now here in person a jury is waived by both parties, and with the consent of both parties evidenced by written agreement on file in this Cause, It is ordered adjudged and decreed by the Court that the plaintiff B. J. Collins do have and recover of and from Defendant Charles D. Evans the sum of Six Hundred and Three 75/100 Dollars in United States Currency, with interest thereon from this date at the rate of two and one half per cent per month and all costs of this suit for which execution may issue and it further appearing to the Court that the Plff. B. J. Collins has a lien upon a Headright Land Certificate No. 16 (Sixteen) for Fourteen Hundred and Seventy Six acres of land issued by the Board of Land Commissioners of Harris County Texas on or about the first day of February 1838 to Arthur Robertson and upon all the land upon which said land certificate has been located, to secure the payment of the above mentioned sum of $603 75 principal and interest now accrued and to accrue It is hereby ordered & adjudged by the Court that said lien is hereby foreclosed and that the Sheriff of Travis County Texas be and he is hereby authorized and required to sell said above described land certificate together with all the title to land

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that has been acquired thereunder in the mode and manner provided by law and to apply the proceeds of said sale &c to the payment of the amount of money due on this judgment, principal, interest and Costs: and, 2d The residue if any he shall pay over to the Defendant, Charles S. Evans.

1277. M. C. Hamilton & Richard Blume et. als. It is ordered that Thomas C. Sneed Esq. Special guardian appointed to represent the minor Defendants in this suit, be allowed the sum of One Hundred Dollars for his services as such special guardian, to be paid by said minor Defendants.

4018 Eliza J. Tumy et al vs. A C. Tumy et al, And now comes the parties to this cause by Attys and announce themselves ready for trial and a jury being waived the cause is submitted to the Court and the Court after hearing the evidence and admissions of the parties finds the following as the result of the evidence— 1st That on the day of 1870 Thomas H. Tumy departed this life intestate leaving the Plaintiff Eliza Tumy as his surviving wife and Charles H. Tumy, Thomas L. Tumy, G. W. Tumy, A C. Tumy, Kate E. Tumy, John E. Tumy, David E. Tumy, Annie M. Tumy and Lillie Tumy as his children and only heirs at Law and that the said Kate E. Tumy pending this suit has intermarried to one Z. T. Tibbett— 2nd That on the 22nd day of October 1870 said Eliza J. Tumy filed an inventory and appraisement of the community estate owned by her and her said deceased husband Thomas H. Tumy in the District Court of Travis County in accordance with law and that on the 29th day of October 1870 the said Eliza J. Tumy as such surviving wife entered into bond as required by law for the faithful management and administration of the community estate owned by herself and her said deceased husband and that she took upon herself the administration of said community estate as surviving widow— 3rd That the date of the death of said Thomas H. Tumy the homestead of himself and the said Eliza J. consisted of Out Lots 53. 54 & 59 in Division A. and Out Lot 14 in Division B. adjoining the City of Austin in Travis County worth $4000 Cy upon which property there was an encumbrance of about $500. at the date of the death of the said Thomas H. Tumy— 4th That on the 31st day of October 1870 the said Eliza J. as surviving wife as aforesaid exchanged said Homestead with the encumbrance upon it to one Jacob Hornberger for the following real estate and for which property she took a deed or title from said Hornberger to herself and in her own name and which property she has ever since occupied and now occupies as her homestead to wit: Lots Nos 5 & 6 in Block No 17 in the City of Austin in Travis County Texas with improvements thereon worth at the time $3500 Cy— 5th That said Eliza J. Tumy has received and is chargeable with the following money in her said capacity of surviving wife under said administration to wit: Value of personal property inventoried and used by her in the payment of debts the other personal property inventoried being lost and proving worthless. $315. Cy— Rent of Lots 10. 11 & 12 in

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Block No 99 in the city of Austin and improvements thereon from the date of the death of Thomas H. Tumey to date hereof $3081.50 - Total amount of money with which she is chargeable $3396.50 - That she has paid off debts against the Community estate and presented proper vouchers to the amount of $807.71 - Leaving in the hands of said Eliza J. Tumey community money to the amount of $2588.79 - 6th That there is now in the hands of said Eliza J. Tumey the following property and money belonging to the community estate of herself and her said deceased husband to wit: Lots Nos 5, 6 in Block No 17 in the City of Austin Texas and improvements now occupied by the said Eliza as a homestead valued at $3500.00 - Lots Nos 10. 11 & 12 in Block No 99 in said City of Austin valued at about $5000.00 - Money on hand with which the said Eliza J. is chargeable as above stated and shown $2588.79 - Making in money and property now on hand for partition and distribution $11088.79 - And it appearing to the Court that for the purpose of making a just fair and equal partition and distribution of the property and money aforesaid the said Eliza J. Tumey as the surviving wife and the said Children and heirs of the said Thomas H. Tumey, that it is necessary to sell said Lots No 10. 11 and 12 in Block No 99 in said City of Austin and convert the same into money and all the parties consenting and joining in the request for such sale to be made for the purposes of partition and distribution: It is therefore ordered adjudged and decreed by the Court that an order of sale do issue by the Clerk of this Court to the Sheriff of Travis County commanding and requiring said Sheriff to sell said Lots Nos 10. 11 & 12 in Block No 99 in said City of Austin as under execution, the sale to be made for cash and at as early a day as practicable, the proceeds of which sale the said Sheriff shall hold subject to the further order of this Court in this cause and that said Sheriff shall report said sale under oath to this Court at its next Term

4104. Wm Nelson plff. vs. Juliet G. Hicks et al defts. and W. C. Hamilton Intervenor In this cause the report of the Commissioners appointed by the Court to partition the lands described in the decree rendered on the 23rd day of October A.D. 1875, being presented to the Court and inspected and considered, and the same being in the following words and figures viz:- The undersigned who were appointed on the 23rd day of October 1875 Commissioners, to partition certain property hereinafter mentioned by your Honor, between Wm Nelson plff. W. C. Hamilton Intervenor and Juliet G. Hicks; Martha J. Fahy, Nina B. Conner, Perl Conner and Cora E. Shepherd Defendants, submit the following report, to wit; The value of the Lots are as follows: Lot No One in Block Two $400- Lot No Thirteen (13) in Block Two $550- Lot No Fourteen (14) in Block Two $450- Lot No Eleven (11) in Block Four $550- The above property has been set aside to Wm Nelson, who by decree of said Court is entitled to one half of the whole - Lots One (1) two (2) three (3) four (4) and five (5) in Block Three (3), are of the aggregate value of Nineteen Hundred and fifty ($1950) Dollars, and to enable the parties entitled to their

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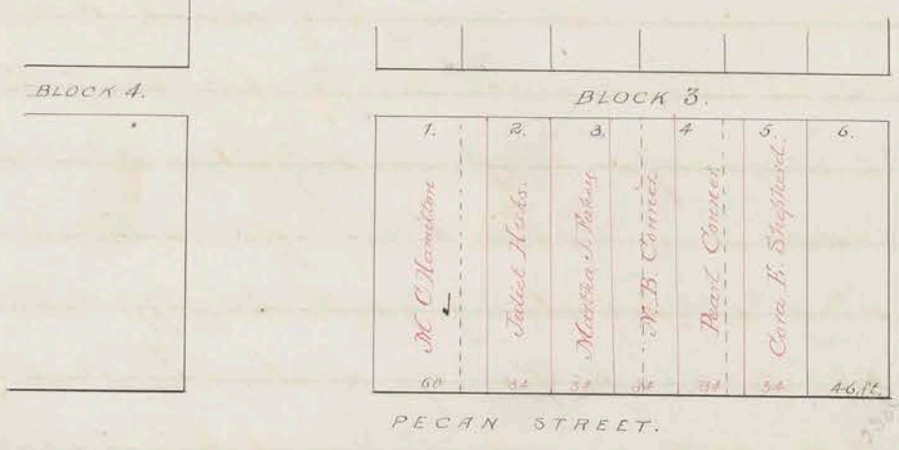
respective portions, to get such shares as they were entitled to. Said Lots One, two, three, four and five in Block Three were aggregated and found to contain Two hundred and thirty feet front, which was apportioned as follows: To M. C. Hamilton, Sixty (60) feet, the western portion of the Block, being the South West corner of same; To Juliet Hicks, thirty four (34) feet adjoining M. C. Hamilton - To M. J. Fahey 34 ft adjoining the lot of Juliet Hicks - To N. B. Conner, 34 feet adjoining the lot of M. J. Fahey. To Perl Conner 34 feet adjoining the lot of N. B. Conner. And to Cora E. Shepherd 34 feet adjoining the lot of Perl Conner - The respective values of the last named property, set apart to M. C. Hamilton and others being as follows. Share of M C. Hamilton $ 557/7 Share of Juliet Hicks $ 278 4/7 Share of Martha J. Fahey $ 278 4/7 Share of N. B. Conner $ 278 4/7 Share of Perl Conner $ 278 4/7 Share of Cora E. Shepherd $ 278 4/7



The above plat represents the positions of the shares to which the parties are entitled. Respectfully submitted - H. Von Rosenberg - Joseph Spence - Z. T. Fulmore - And the Court being of opinion that the same is just to the respective parties - it is therefore considered, ordered and adjudged by the Court that said Report be and the same is hereby in all things confirmed; that said Plff Wm Nelson do have and recover from said Hamilton Intervenor, and said Defendants Juliet G. Hicks, Martha J. Fahey, Cora E. Shepherd, Perl Conner, and Nina B. Conner, said Lots One (1) Thirteen (13) and Fourteen (14) in Block No Two (2) and Lot No Eleven (11) in Block No Four (4) of Out Lot No One (1) in Division A. to hold the same in severalty to himself his heirs and assigns free from the claims of said Intervenor and said Defendants; That said M. C.

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Hamilton do have and recover of and from said Plaintiff Wm Nelson and said Defendants Juliet G. Hicks, Martha J. Fahy, Cora E. Shepherd, Perl Conner and Nina B. Conner, said Lot No One (1) and fourteen (14) feet front (on the extension of Pecan Street) out of Lot No Two (2) in Block No Three (3) in said Out Lot No One in Division A. as per the plat of said Block in the Report of the Commissioners above recited, the whole constituting a lot Sixty feet front by 128 feet long. to hold the same to himself his heirs and assigns in severalty, free from the claims of said plff Nelson and said Defendants: That said Defendant Juliet X G. Hicks do have and recover from said plaintiff Nelson, said Intervenor Hamilton and said Defts M.J. Fahy, Cora E. Shepherd, Nina B. and Perl Conner. Thirty four (34) feet front (on said Extension of Pecan Street) out of Lot No Two (2) in Block No (3) Three of said Out Lot One in Division A. to hold the same in severalty to hirself her heirs and assigns, free from all claim of said Plff. Intervenor and Defendants: That said Deft. Martha X J. Fahy do have and recover of and from said plff. Wm Nelson, said Intervenor Hamilton and said Defts Juliet G. Hicks, Cora E. Shepherd, Nina B. and Perl Conner thirty four (34) feet front next to and adjoining the lot set apart to Juliet G. Hicks, being a part of Lot No Three (3) in Block No 3 of said Out Lot No One in Division A. to have and to hold the same to hirself her heirs and assigns in severalty free from all claim of said plff said Intervenor and said Co Defendants; That said Defendant Nina X B. Conner do have and recover of and from said Plaintiff Nelson and said Intervenor Hamilton and her said Co-Defendants thirty four (34) feet front - a part of lots Three and four in Block No Three (3) in said Out Lot No One in Division A. being the lot next to and adjoining that above described and set apart to Martha J. Fahy - to have and to hold the same in severalty to hirself her heirs and assigns free from all claim of said plff. Intervenor and Defendants; That said Perl X Conner Defendant, do have and recover of and from said Plff Nelson, said Intervenor Hamilton and her said Co-defendants thirty four (34) feet front, a part of Lots four and five (4 & 5) in Block No Three (3) in Out Lot No One (1) in Division A. being the Lot next to and adjoining that above set apart to Nina B. Conner - to have and to hold the same in severalty to hirself her heirs and assigns free from the claim of said Nelson said Hamilton and said Defendants Shpherd, Nina B. Conner, Fahy and Hicks; That said Defendant Cora X E. Shpherd do have and recover of and from said plff Nelson said Intervenor Hamilton and her said Co-defendants Thirty four (34) feet front a part of Lot No (5) five in Block No Three (3) in Out Lot No One in Division A., the Lot next to and adjoining on the East, that above discribed and set apart to Perl Conner, to have and to hold the same in severalty to hirself her heirs and assigns free from the claims of said plff. Intervenor and Defendants - It is further ordered, adjudged and decreed by the Court, that the costs of this suit, including Thirty Dollars

to said Commissioners for the partition of said property and making Report of the same, One Dollar and fifty Cents Notary fee, Six Dollars and fifty Cents Surveyors fee, be paid by all the said parties in the following proportions that is to say: said Jeff Nelson shall pay one half; said Hamilton shall pay two fourteenths (2/14) and each of said Defendants shall pay one fourteenth (1/14) for which execution shall issue against the said parties respectively -

A S. Posey Esqr. Special Guardian of Tina B. Conner and Perl Conner Minors and Defendants. shall have and recover of and from said Tina and Perl the Sum of Dollars as his fee for representing them in this suit, for which execution shall issue against them -

And Court adjourned until to-morrow at 9 o'clock A.M.

Saturday, November 20th, 1875.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. P. Richardson Judge &c Presiding. Whereupon the following proceedings were had to wit.

4111 04 The State of Texas v. Jim. West. And now on this day came the Defendant by his counsel, and submitted his motion for a new trial in this cause, which being heard and considered by the Court, It is ordered that said motion be overruled. Whereupon said Defendant, by atty gives notice in open Court of an appeal to the Supreme Court. And thereupon it is ordered that said Jim West is guilty of Felony as in the Indictment in this behalf is charged: and that he be confined in the Penitentiary of the State of Texas for and during the period of his natural life: and because of said appeal it is ordered that Sentence be suspended to await the result of said appeal

4073. The State of Texas v Mark Tiner. And now comes Mark Tiner as principal, and Frank Tiner and Jesse Tiner as securities, and they acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Six Hundred Dollars, to be levied upon their goods and chattels, lands, tenements and Estate, But to be void upon condition that said Mark Tiner make his personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February 1876, there to remain from day to day and from term to term, and from day to day of each term to answer the Indictment preferred against the said Mark Tiner by the Grand Jury of Travis County for Murder, and that he do not depart the Court without leave.

Jury Service And now comes Frank Brown, Clerk of the District Court of Travis County and makes the following report of Jury service at the present term of this Court; which being found correct, is ordered to be recorded: to-wit;

November Term 1875

No	Names	Days	Amt.		No	Names	Days	Amt.	
	Grand Jury								
1255	J. R. Billingsly	16	32	00	1263	W. F. Robinson	16	32	00
1256	C. Pfenger	16	32	00	1264	John McCuiston	16	32	00
1257	E. D. Walker	16	32	00	1265	L. M. Bradley	16	32	00
1258	Jos A. Costa	16	32	00	1266	Joseph Blum	16	32	00
1259	Milton Wallace	16	32	00	1267	P. J. Henry	16	32	00
1260	Andrew Campbell	16	32	00	1268	W. F. Patterson	16	32	00
1261	J. W. Casner	16	32	00	1269	A. Dohme	16	32	00
1262	W. H. Brown	16	32	00	----	--- Total Grand Jury		$480	00
	Petit Jurors.								
1270	Ed Raymond	5	10	00		Petit Jury forward		$284	00
1271	H. N. Jungson	5	10	00	1302	P. W. Weir	5	10	00
1272	F. A. Flack	5	10	00	1303	J. B. Galushia	5	10	00
1273	Geo Funck	5	10	00	1304	P. L. Hopkins	5	10	00
1274	L. Blumenthist	5	10	00	1305	N. B. Gossett	5	10	00
1275	Wm Gibbons	5	10	00	1306	E. W. Edgar	5	10	00
1276	R. B. Gmith	5	10	00	1307	Robert Barr	5	10	00
1277	J. J. Balthrop	5	10	00	1308	Jerry Washington	5	10	00
1278	G. W. Tunny	5	10	00	1309	James O' Riley	5	10	00
1279	J. D. Shepherd	5	10	00	1310	G. W. Tunney	5	10	00
1280	Jo Hallam	5	10	00	1311	J. P. Kennedy	5	10	00
1281	A. H. Whitten	5	10	00	1312	R. Henry	5	10	00
1282	J. B. Galushia	5	10	00	1313	Bill Holder	5	10	00
1283	J. H. Wood	5	10	00	1314	Jerry Johnson	5	10	00
1284	P. W. Weir	5	10	00	1315	H. T. Barnard	2	4	00
1285	Robt Barr	5	10	00	1316	John James	3	6	00
1286	P. L. Hopkins	5	10	00	1317	A. J. Barrager	2	4	00
1287	A. Blomike	5	10	00	1318	Ed Raymond	5	10	00
1288	J. J. Dunlap	5	10	00	1319	J. C. Stringer jr.	5	10	00
1289	Jerry Johnson	5	10	00	1320	John Kempfer	5	10	00
1290	J. E. Harber	5	10	00	1321	Jo Hallam	5	10	00
1291	N. B. Gossett	5	10	00	1322	A. H. Whitten	5	10	00
1292	E. W. Edgar	5	10	00	1323	J. A. Flack	5	10	00
1293	J. M. Blackwell	2	4	00	1324	J. E. Harber	5	10	00
1294	Wm Hamilton	2	4	00	1325	J. R. Short	5	10	00
1295	Hugh Anderson	1	2	00	1326	John Matter	5	10	00
1296	John Oliver	2	4	00	1327	Frank Glenn	5	10	00
1297	J. P. Kenardy	5	10	00	1328	Tom Eans	5	10	00
1298	L. Henkel	5	10	00	1329	C. H. Freeman	5	10	00
1299	David Lynch	5	10	00	1330	H. Hellman	5	10	00
1300	John H. Wood	5	10	00	1331	John T. Miller	2	4	00
		$284	00						

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Jury Service Forfeited

1332	John H. Brown	2	4	00	1372	Jim Talley	5	10	00
1333	H. G. Bruland	2	4	00	1373	J. H Yett	1	2	00
1334	J. B. Perry	2	4	00	1374	J. H. Yates	1	2	00
1335	Clabe Goodrich	2	4	00	1375	J. H. Woolery	1	2	00
1336	J. C. Camp	2	4	00	1376	Jim Evans	1	2	00
1337	G. W. Cozine	3	6	00					
1338	R. W. Riley	5	10	00	1377	Henry Johnson	1	2	00
1339	Henry Dickerson	5	10	00	1378	Giles H. Burditt	1	2	00
1340	R. B. Smith	5	10	00	1379	John H. Walker	1	2	00
1341	Ed Raymond	5	10	00	1380	Henry Klenert	1	2	00
1342	Ed Gray	5	10	00	1381	R. Krouse	1	2	00
1343	J. C. Stringer jr.	5	10	00	1382	Jos M. Harrell	1	2	00
1344	P L. Hopkins	5	10	00	1383	J. Shehan	1	2	00
1345	Geo Metz	5	10	00	1384	Henry Pfluger	1	2	00
1346	J. J. Balthrop	5	10	00	1385	Jo Walker	5	10	00
1347	J. P. Kennedy	5	10	00	1386	J. Strickland	5	10	00
1348	A. P. Daniel	5	10	00	1387	J. M. Eason	5	10	00
1349	J. H. McKnight	5	10	00	1388	J. P. Kennedy	5	10	00
1350	W. G. Barron	5	10	00	1389	Ed Gray	5	10	00
1351	E. H. Edgar	5	10	00	1390	J H. O'Neal	5	10	00
1352	John H. Wood	5	10	00	1391	J. J. Balthrop	5	10	00
1353	John Matlis	5	10	00	1392	J. D. Shepherd	5	10	00
1354	J. J. Fitzhugh	5	10	00	1393	P. H. Weir	5	10	00
1355	Henry M. Ryan	5	10	00	1394	G. R. Shook	5	10	00
1356	A H. Whitten	5	10	00	1395	Frank Glenn	5	10	00
1357	J. B. Galushia	5	10	00	1396	W. G. Barron	5	10	00
1358	G. R. Shook	5	10	00	1397	E. H. Edgar	5	10	00
1359	P H. Weir	5	10	00	1398	A. H. Whitten	4	8	00
1360	R. C. Pendley	5	10	00	1399	Bill Holder	4	8	00
1361	J. J. Davis	5	10	00	1400	J. K. Warren	2	4	00
1362	Robert Barr	5	10	00	1401	Jim Evans	3	6	00
1363	Louis Blumentritt	1	2	00	1402	T. J. Wooley	2	4	00
1364	J. T. Lindley	2	4	00	1403	J. H. Yates	4	8	00
1365	J. K Warren	2	4	00	1404	J. S. Fitzhugh	2	4	00
1366	Bill Holder	3	6	00	1405	Peter Gregg	3	6	00
1367	Henry Dickerson	5	10	00	1406	Andrew Campbell	5	10	00
1368	Louis Shiki	4	8	00	1407	John H. Wood	5	10	00
1369	Willis Lanning	3	6	00	1408	J. J. Dunlap	5	10	00
1370	R Henry	5	10	00	1409	J. B. Galushia	5	10	00
1371	J. H. Burkett	5	10	00	1410	John Kempfer	5	10	00
					1411	John Stringer	5	10	00

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Jury Service Forward

1412	John Matlin	5	10	00	1452	A. H. Yett	5	10	00
1413	Wm Thaxton	5	10	00	1453	J. L. Fitzhugh	5	10	00
1414	Robert Barr	5	10	00	1454	John Kempfer	5	10	00
1415	Milton Wallace	5	10	00	1455	A H. Whitten	5	10	00
1416	Ned Shephard	2	4	00	1456	J. A. Yates	5	10	00
1417	Mack Wilson	2	4	00	1457	G. R. Short	5	10	00
1418	Ed Wilkerson	5	10	00	1458	J. Warren	5	10	00
1419	J. W. McKnight	5	10	00	1459	J. W. O'Neal	5	10	00
1420	E. W. Edgar	5	10	00	1460	H. M. Ryan	5	10	00
1421	L. A. Yates	5	10	00	1461	E. W. Edgar	5	10	00
1422	Geo Junck	5	10	00	1462	Joseph Barnhart	5	10	00
1423	B. F. Douglas	5	10	00	1463	John H. Wood	5	10	00
1424	J. L. Fitzhugh	5	10	00	1464	J. D. Shepherd	5	10	00
1425	John Matlin	5	10	00	1465	J. A. Flack	5	10	00
1426	Ed Gray	5	10	00	1466	Geo Junck	5	10	00
1427	Oscar Bassy	5	10	00	1467	J. P Kennedy	5	10	00
1428	J. W. O'Neal	5	10	00	1468	Geo Metz	5	10	00
1429	G. R. Short	5	10	00	1469	Robert Barr	5	10	00
1430	J. P Kennedy	5	10	00	1470	Jack Tannehill	5	10	00
1431	A H. Whitten	5	10	00	1471	B. F. Douglass	5	10	00
1432	J. T. Lindley	5	10	00	1472	Bill Holder	5	10	00
1433	J. K. Warren	5	10	00	1473	Henry Brown	5	10	00
1434	M. G. Barron	5	10	00	1474	Morris Mitchell	3	6	00
1435	J. H. Yett	5	10	00	1475	M. C. Reeves	3	6	00
1436	J. H. Wood	5	10	00	1476	Tom Haden	2	4	00
1437	J. D. Shepherd	5	10	00	1477	S. C. Kerr	2	4	00
1438	J. A. Flack	5	10	00	1478	L. Cook	5	10	00
1439	W. L. Harris	5	10	00	1479	R. C. Robins	4	8	00
1440	Joseph Barnhart	5	10	00	1480	Geo Dye	3	6	00
1441	T T. Balthrop	5	10	00	1481	N. H. Watrous	2	4	00
1442	J. M. Cason	5	10	00	1482	W. W. Bridges	2	4	00
1443	Geo Sneed	5	10	00	1483	Sim Russell	3	6	00
1444	Ed Wilkerson	5	10	00	1484	Geo Dockery	3	6	00
1445	R. Murphy	1	2	00	1485	Jo Jones	3	6	00
1446	J. Strickland	5	10	00	1486	Bud Cotton	2	4	00
1447	John C. Stringer	6	12	00	1487	Jack Talbot	2	4	00
1448	J. Walker	5	10	00	1488	Geo B. Robinson	2	4	00
1449	Ed Gray	5	10	00	1489	John Benford	3	6	00
1450	W Brown	5	10	00	1490	J. Strickland	5	10	00
1451	J. M. Cason	5	10	00	1491	J. Walker	5	10	00

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Jury Service Forward

1492	Paul Lewis	3.	6.	00	1524	B. F. Douglass	3	6	00
1493	J. Smith	3	6	00	1525	E. H. Edgar	3	6	00
1494	Mack Harris	3	6	00	1526	J. H. Woods	3	6	00
1495	Milton Wallace	3	6	00	1527	Bill Long	2	4	00
1496	Frank Applewhite	3.	6	00	1528	J. M. Harrell	2	4	00
1497	B F. Gault	2	4	00	1529	Oscar Lane	2	4	00
1498	J. H. Hall	2	4	00	1530	John Raggio	2	4	00
1499	A E. Moore	2	4	00	1531	F. Welch	2	4	00
1500	Wm Davis	2	4	00	1532	Jack Tannihill	3	6	00
1501	Wm Piper	2	4	00	1533	J. P. Kennedy	3	6	00
1502	Morris Moore	2	4	00	1534	H M. Ryan	3	6	00
1503	Payton Hancock	2	4	00	1535	T A. Yates	5	10	00
1504	Felix Smith	2	4	00	1536	Geo Junck	3	6	00
1505	David Pierce	2	4	00	1537	J W. McKnight	3	6	00
1506	J. S. Wilkins	5	10	00	1538	W. W. Bridges	5	10	00
1507	J. W. McKnight	5	10	00	1539	J A. Flack	3	6	00
1508	T. T. Balthrop	5	10	00	1540	Bill Achilture	3	6	00
1509	W. Illingsworth	3	6	00	1541	S. T. Stone	3	6	00
1510	Geo Jones	3	6	00	1542	Bud Cotton	3	6	00
1511	Jim Evans	3	6	00	1543	John Haggerland	4	8	00
1512	Rufe Jones	3	6	00	1544	W. G. Barrow	4	8	00
1513	Richard Hamilton	3	6	00	1545	Geo. Cannon	4	8	00
1514	W. R. Dood	3	6	00	1546	Bob Herndon	5	10	00
1515									
1516	R. S. Bacon G R. Short	5 3	10 6	00 00	1547	David Williams	4	8	00
1517	J M. Eason	5	10	00	1548	Jack Farrow	4.	8	00
1518	J. E. Harber	3	6	00	1549	J. Strickland	5	10	00
1519	Ed Gray	5	10	00	1550	Do Hacker	5	10	00
1520	J. S. Fitzhugh	5	10	00	1551	L. Cook	5	10	00
1521	John Kempfer	3	6	00	1552	G. W. Tunny	1	2	00
1522	A H. Whitten	3	6	00					
1523	T. T. Balthrop	3	6	00					

4582 The Texas and Pacific Railway Company vs. J. D. Groos. Commissioner General Land Office
And now on this day came the parties by their attorneys, and said cause being called for trial, the defendant submitted his demurrer and exceptions, which being considered by the Court it is ordered that the same be overruled - to which ruling the defendant excepted - And thereupon the said cause was submitted to the Court upon the merits, and a jury being waived, the Court after hearing the several matters of law and fact in said cause does adjudge and decree that the plaintiff do have and recover according to the prayer of his petition - And it is ordered adjudged and decreed that a peremptory mandamus do issue to the defendant as Commissioner of the Gen=

November 20th 1875

-eral Land Office, Commanding him that he patent the survey of the plaintiff on the fieldnotes he presents which are as follows: The State of Texas. Jack District Survey No 37. Block No 2. Fieldnotes of a survey of 640 acres of land made for the Texas and Pacific Railway Company by virtue of Certificate No 2819 issued by the Commissioner of the General Land Office on the 22nd day of April 1874 under an Act to adjust and define the rights of the Texas and Pacific Railway Company within the State of Texas in order to encourage the speedy construction of a railway through the State to the Pacific Ocean. — Situated in Clay District on the waters of Banks Creek a tributary of Red River about 47 miles West from I M 100 M and known as survey No 37. in Block 2. Beginning at a stake the S. E. corner of survey No 36. Thence N. crossing Banks Creek 1900 varas to stake - Thence E. 1900 varas to stake from which a Chinaberry tree 10 in diam bears S. 37 E. 87 varas - Thence S. 1900 varas to stake - Thence W. crossing Banks Creek 1900 varas to the point of beginning - Bearings marked X Surveyed Dec 11th 1874 - F. B. McBrayer. W H. Buckner. Chain carriers - I. Geo Spiller Deputy Surveyor Jack District do hereby certify that the foregoing survey has been made according to law and that the limits boundaries and corners with the marks natural and artificial are truly described in the foregoing plat and fieldnotes - George Spiller Deputy Surveyor Jack District - I. W. A. Benson District Surveyor Jack District do hereby certify that I have examined the foregoing plat and fieldnotes and find them correct and that they are recorded in my office in book. vol 2 page 37. W A Benson District Surveyor Jack District by W S. Mabry Special Deputy - It is further ordered that the plaintiff pay all cost in this behalf expended for which execution may issue - And thereupon comes the defendant into open Court and by his Counsel gives notice of appeal to the next term of the Supreme Court -

3107. A. G. Mitchell vs. B A. Risher et al. And now on this day came the parties to this cause by their attorneys and agree in open court that Judgment may be rendered for the sum of Two thousand dollars, against the Defendant Risher the cause being dismissed as to the succession of the Defendant Hall - Whereupon it is ordered and adjudged that A G. Mitchell do have and recover of said B A. Risher the sum of two thousand dollars and all the cost of this suit, for which execution may issue -

4355. Geo. Grimminger vs. Friedberger & Bro. — And now on this day came the parties to this cause by their Attorneys and announced themselves ready for trial and waiving a jury submit the case to the Court - And the Court having heard the pleadings and the evidence and duly considered the same, it is ordered and adjudged that Geo. Grimminger do have and recover of and from Samuel Friedberger and Gabriel Friedberger the sum of Four hundred and Twenty two Dollars and all the cost of this suit, for which execution may issue -

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4494 The State of Texas vs. Jo Wadsworth et al- On motion it is ordered that the forfeiture in this case be set aside and that the Defendants Jo. Wadsworth and Jno M. Costley be adjudged to pay all the cost of this proceeding for which execution may issue-

4576 Buttery vs. Diederick- And now comes the Defendant by attorney whereon motion it is ordered that said Defendant have leave to amend - - - -

And thereupon it is ordered that the following named persons be allowed the sums set opposite their names for services as Bailiffs during the present term of this Court, payable out of the County Treasury of Travis County to wit:

issued Fred Peck, Forty two days One hundred Dollars-
issued J. M. Johnson, Forty two days One hundred Dollars- Cancelled
issued Jo Walker. Eighteen days Thirty Six Dollars- Cancelled
issued Wm Thaxton, Thirty days Sixty Dollars-
issued E. Martin, Twelve days Thirty Six Dollars- Cancelled
issued Taylor J. Ginger Twenty Seven days Fifty four Dollars

Brown issued Brown cancelled And thereupon it is ordered that Frank Brown, Clerk of the District Court of Travis County, and Geo B. Zimpelman, Sheriff of Travis County, be each allowed the Sum of One hundred and Twenty Dollars, payable out of the County Treasury of Travis County, upon the Certificate of the Clerk of this Court, for extra services at this term of the Court -

The foregoing Minutes having been read and examined in Open Court, and found Correct, It is ordered that the same be approved as a part of the Minutes of the District Court of Travis County at the October Term thereof 1875

A. P. Richardson
Judge 27th Judicial District-


BANK
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AUSTIN
TECK
TEXAS
COUNTY
OFFICE SUPPLIES

CIVIL MINUTES

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