THE STATE OF TEXAS

TRAVIS COUNTY

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District Court. For

District Court Ltt May Term 1840 Commenced its session in the Senate Chamber Monday 4th " Present His Honor I J Mills, Judge of the third Judicial District " Presiding B D Basford Clerk & Wayne Barton Sheriff " The Venire previously drawn according to Law, being Called, the following Jurors Answered to their Names

Jarvis Smith	Thos I Payton	Daniel Browning
N I Byers	Geo McDolson	Francis Mahin
Logan Sandavin	P I Hunter	M H. Nicholson
H P Savery	Wm Spencer	Nathaniel Moore
Thos J Smith	Benj. C Robinson	Rubin Hornsby
Noah Smithwick	H. Malhauson	Richard Bullock
L C Bennett	Lewis Hancock	Wm B Swinney

On Motion Logan Vandiver, Nathal Moore and Charles Walker, were excused from serving as Jurors by order of the Court,

As sufficient number of Jurors not being in attendance the Court Orders the Sheriff to Summon Eleven of the By-standers, to supply the original Panel, Whereupon W. I. Tharpe, L I Margaret Wm B Billingsby, J P Brown, Alexander Russel, W H. H. Johnson B D Grayson, A Savery, Nathaniel Townsend, B F Johnson and James Cranwell, were summoned by the Sheriff, James Cranwell not appearing, Was by order of Court fined in the sum of Forty Dollars, the Court also ordered an attachment to bring the said Cranwell into Court, forth with —

From the number of the aforesaid Jurors the following Names were drawn, to Wit to constitute the grand Jury

Nathaniel Townsend	N I Byers	Thos J Smith
Francis Mahin	Wm J Tharpe	B D Grayson
A Savery	Alexander Russell	Lewis Hancock
James Smith	M H Nicholson	Rubin Hornsby
L I Margaret	W B Billingsby	J P Brown and
B F Johnson —		W H. H Johnston

Nathaniel Townsend was appointed Foreman by the Court and being duly Sworn the other Jurors were then sworn accordingly, and Charged (at length) by the Court —

The Grand Jury then retired under charge of the proper officer to Consider of their presentments —

James Cranwell having been brought into Court brought into Court by the Sheriff, was excused by the Court from serving as a Juror, The Court also ordered the aforesaid fine —

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fine of Forty Dollars imposed on the said Cranwile to be remitted —
The following persons were then Sworn in Chief as Petit Jurors, To Wit,

H. Molhauson H P Savory Richard Bullock
David Browning S C Bennet Wm Spencer
Wm B Swinney Francis Liddick Noah Smithwick
George M Dolson P. I. Hunter Benj. C Robinson
A Mc Duckett & Thos. I Payton —

The appearance Docket being then called the Court adjourned untile to morrow morning (Tuesday) Nine O Clock A.M. —

Tuesday May 5th, 1840

The Court met pursuant to adjournment, the List of the petit Jury being called the following persons answered to their names H. Molhauson, Daniel Browning, H P Savory, Noah Smithwick, Richard Bullock, S.C. Bennet, P I Hunter, Wm Spencer, Benjamin C Robinson, Wm B Swiney, A Mc Duckett, Francis Liddick, Thomas I Payton, The Court then appointed Benj C Robinson foreman When the following cases were called.

Norman Woods
vs
Nicholas McArthur — Motion for Consolidation with No 3

Norman Woods
vs
Nicholas McArthur — Consolidated with No 7 "

J. V. Cannon for
the use of Asa Hill
vs
John Darman — the defendant filed a plea in abatement upon which issue was joined, — In this case, Judgement for the plaintiff for three hundred dollars with interest from the 1st of January 1837 and Costs of suit. Exception was filed by the defendant to the decision of the Court & ordered to be filed & Made a part of the Record.

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✓ Sam[l] Fuller Curator &c
V.S.
Sam[l] R Miller & Bartlett Sims, Continued with Leave to amend
so far as to change the Venue—

✓ " Edward Feiders
V.S. ⅓
John Newlan " Plaintiff ruled to give security for costs—

✓ Wm J Sims
V.S. ⅓
Geo W Bourne " Continued

✓ Alfred C. Cannon for the use of Geo. M. Smith
V.S. ⅓⅓ The defendant filed a plea in abatement, upon which issue was taken
John Jarmon " Judgment for the plaintiff for one hundred dollars with interest ~~expt. Pence~~ from the first of January 1837 " and Cost of suit " The defendant files exceptions to the decision of the court on the issue which the court orders to be made a part of the record—

Nathaniel Jourmans
4 ✓ V.S.
James Smith " Continued with payment of costs up to this day by the plaintiff " and with leave to amend the petition by erasing 1839 & inserting 1838 "

✓ Elisha Castle
V.S.
Wm B Sweny " Death of plaintiff suggested & Scire facias ordered ~~to be issued to Administrator~~ " continued
Bartholomew Manlove Administrator &c
✓ V.S.
Noah Smithwick " Settled at Defendants costs.

✓ Sam[l] Highsmith
V.S.
Robt. Mitchel " Continued with leave to Amend

✓ John Whitehead
V.S.
Sam[l] Whiting " Continued

✓ Sam[l] Whiting
V.S.
L B Hunt Judgment by default for debt & interest

Spring Term 1840

For One hundred and forty three Dollars and eighty four cents.

Jacob Burnet
vs
David G Burnet, Judgement by Default - for Debt & Interest Seven thousand five hundred and eighty five Dollars and forty two cents and Costs. —

David G Burnet
vs
Martin Clark - Samuel R Miller & A G Johnson the Garnishees appeared & answered interrogatories on oath, denying their indebtedness to the Defendant, upon which issue was joined, and Jury empanneled to try the Issue. After hearing the parties with their witnesses the Jury retired (having been Charged by the Court) to consider of their Verdict. —

A sufficient Number of Jurors of the original panne not being in attendance the Court ordered the Sheriff to Summon ten of the bystanders to supply the deficiency, whereupon the following persons were Summoned by the Sheriff, and took their seats, , To Wit, Alfred Smith, Jos. M Robinson, Jesse G Fannchild, Nedam Soles Saml R Miller, F P Whiting, I S Anderson, John Bratton John W Hayden, Henry Jones,

Samuel Whiting
vs
James M Swinney, Settled at Defendants Costs —

Felix M Goff
25 vs
Thos H Duggan - In this case the Court orders that the plaintiff recover of the Defendant the Sum of Seventy One Dollars, and forty Cents, which may be satisfied by the Payment of two hundred and fifty Dollars in the Treasury Notes of the Government of Texas and Interest thereon from the Sixth day of December 1839 —

Wm S Wallace
vs
Jesse G Fannchild, Continued with leave to make James Smith a Co Defendant —

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Spring Term 1840

James McPherson
V.S.
John Nowlan &
Owen O'Brian The Defendants Demurr, Whereupon issue was
Joined- by and the Cause Submitted to the Court

Jeremiah A Doe
V.S.
Edward Seider Continued by defendant paying all Costs

Frederick P Whiting
V.S.
Nathaniel Bournsand Continued with an alias

The Court then adjourned until tomorrow Morning
at Nine O Clock

Wednesday Morning May the sixth 1840
The Court met pursuant to adjournment adjournment
the Records of previous day were read and amended
Samuel Whiting
Vs
L B Hunt In this case the parties again appeared
whereupon it was ordered by the Court that the Plaintiff
recover of the Defendant the sum of One hundred and forty three
Dollars and eighty four cents Debt and Interest and Costs
in this behalf expended
Jacob Burnett
Vs
David S Burnett In this case the parties again appeared
whereupon it was ordered by the Court that the Plaintiff
recover of the Defendant the sum of Seven thousand five hundred
and eighty five Dollars and eighy four cents Debt and Interest
and Costs in this behalf expended
The Petty Jury were then called and answered to their
names. the Court further charged them in the case of
David S Burnett
Vs
Martin Clark
and they again retired to consider of their Verdict after
which they returned with the following Verdict to wit

Spring Term 1840

We the Jury find the answers of the Garnishees to be untrue and say that they are indebted to the Defendant in the Attachment in the Sum of Twenty three thousand Dollars
Garnishee's file a motion for new trial Signed B C Robertson
Foreman

The Grand Jury then came into Court and presented the following Bills to Wit

Republic of Texas
Vs
John Bratton a true Bill signed Nath.l Townsend
Foreman

Republic of Texas
Vs
David Harvy A true Bill signed Nath.l Townsend
Foreman

Republic of Texas
Vs
David Harvy a true Bill signed Nath.l Townsend
Foreman

Republic of Texas
Vs
Abner Frost A true Bill signed Nath.l Townsend
Foreman

Republic of Texas
Vs
William A Smith A true Bill signed Nath.l Townsend
Foreman

Republic of Texas
Vs
George W Bonnell
&
A. P. Johnson A true Bill signed Nath.l Townsend
Foreman

Republic of Texas
Vs
Jacob Eberly A true Bill signed Nath.l Townsend
Foreman

Republic of Texas
Vs
Francis Prentiss A true Bill signed Nath.l Townsend
Foreman

Republic of Texas
Vs
Wm D Bynum A true Bill signed Nath.l Town
Foreman

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Republic of Texas
Vs
Robert C Todd — Murder a true Bill signed Nathl. Townsend Forman

Republic of Texas
Vs
Martin Rumpff
&
John Nowlan — a true Bill signed Nathl. Townsend Foreman

Republic of Texas
Vs
Thomas W Smith — a true Bill signed Nathaniel Townsend Forman

Republic of Texas
Vs
Joseph Prichard — a true Bill signed Nathl. Townsend Forman

~~Republic of Texas~~
~~Vs~~
James Knight — To the Hon. John T Mills Judge of the third Judicial District, Certificate of Wayne Barton Sheriff of the County of Travis, Filed May 6th 1840 — R D Basford. Clerk of S. Court

4
Vs
John P Black — Judgment by ~~Default~~ confession of Defendant and it is hereby ordered by the Court that the Plaintiff recover of the Defendant the sum of Five hundred Dollars with Interest from the twentieth of August A.D. one thousand eight hundred and thirty nine together with all Costs in this behalf expended

Charles B Howard
Vs
Wm. L Cazeneau — Continued by consent of parties

A B Fleury
Vs
Wm. L Cazeneau — Continued by consent of parties

Norman Woods
Vs
Nicholas McArthur — Jefm C Tannahill appeared and

Spring Term 1840

acknowledged himself bound as surety for all Costs on behalf of the Plaintiff. whereupon a Jury were empaneled and the cause submitted Defendant claimed a Nonsuit on the ground that there was no evidence of the loss of the Notes which was not granted the Defendant excepted to the opinion of the Court the Jury were then charged by the Court & retired to consider of their Verdict after which the following Verdict was rendered to wit. We the Jury find a Verdict for the Plaintiff in the sum of three hundred and thirty three Dollars and thirty three cents with legal interest and costs of suit from time due until paid Signed B. C. Robertson Foreman

It is hereby ordered by the court that the Verdict of the Jury be made the judgment of the court

Charles K Reese
Vs
James Smith Jury empaneled and cause submitted after which the Jury rendered the following Verdict to wit
We the Jury find a Verdict of One thousand Dollars in Texas Money $1000.- in favor of the Plaintiff with interest from the 1st Dec. 1839 & We believe that it was the intention of the parties that Texas Promisary Notes were to be received in payment & at that time they were 33⅓ cents on the Dollar
(Signed) J W Robertson
Foreman

The Plaintiff by his Att'y. moved the Court to render him a Judgment for One thousand Dollars and Interest in the legal currency of the Country upon the finding of the Jury in this case. The Court Orders the motion overruled and that the Plaintiff recover of the Defendant the sum of three hundred and thirty three Dollars and thirty three & a third cents and all Costs by him about his suit in this behalf expended as well as Interest

× Robert C Todd was arraigned and on hearing the indictment read pleaded Not Guilty and for his trial put himself upon his Country. Motion was filed for a change of Venue and to admit the Prisoner to Bail

William D Byrum was arraigned and on hearing the indictment read pleaded Not Guilty and for his trial put himself upon his Country

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Spring Term 1840

11 Wm B Wainscoat
v. s.
Jos W Robertson — Jury empanelled and the Cause submitted
Plaintiff asked a Non Est which was ordered by the Court

Thomas H Duggan came into Court and was excused
for non attendance as a Juror on the Original panne

Wm A Smith was arraigned and on hearing the Indictment
had pleaded not guilty and for his trial put himself upon
his Country —

John Bratton was arraigned and on hearing the Indictment
had pleaded not guilty and for his trial put himself upon
his Country —

Samuel Whiting
23 v. s.
Kimble & Johnson — Wm B McClellan appeared in Court and
acknowledged himself bound as surety for all Cost in this
suit on behalf of the plaintiff — A Jury was impanelled to
try the Cause. Case submitted — The following verdict was
afterwards rendered by the Jury — We the Jury find for
the plaintiff the Amount of Eighty Nine Dollars & Twenty
Nine Cents —

Hunt for the use of Whiting
v. s.
Thos Whitehead — Plea of abatement filed & Case continued

Marcus Wilbur
v. s.
David G Burnet " Plea of the Statute of Limitation filed, and
Cause continued until tomorrow morning — on plaintiffs giving
security for Costs

Court adjourned until tomorrow Morning at
Nine O Clock —

Spring Term, 1840

Thursday morning May 7th 1840
Court met pursuant to adjournment

William Winan
Vs
John Jarman — Assumpsit

This day came the plaintiff by his Attorney and defendant by his Att'y and files his demurrer to Plaintiff's petition which being considered and fully understood by the Court it is the opinion of the Court that the Demurrer be overruled & that the plaintiff recover of the Defendant the sum of One hundred and thirty six Dollars with Interest thereon from the first day of January eighteen hundred and thirty nine until paid together with his costs by him about his suit in this behalf expended

Samuel Whiting
Vs
Kimball & Johnson — May term 1840

It is hereby ordered by the Court that the Plaintiff recover of the Defendant the sum of Eighty nine Dollars and twenty nine cents and that the Defendant recover his Cost by him about his suit in this behalf expended

Be it remembered that on the trial of this case the defendants Kimball & Johnson proved payment to plaintiff amounting to the sum of Eight hundred and fifty Dollars reducing the demand of said plaintiff to the sum of three hundred and fifty dollars in the promissary note of the Govern^t of Texas. It was also proved that the promissary note of the Government of Texas were so depreciated that the said three hundred and fifty dollars in the promissary Note were only equal in value to Eighty nine Dollars in Gold or Silver under this testimony the Jury found a Verdict for the plaintiff for the sum of eighty nine dollars the defendant then moved the Court that judgment be rendered for him and against said plaintiffs for the costs

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of said suit which motion was decided by the Court in favor of the said Defendants and to which decision the plaintiff by his council excepts and asks that his exceptions be signed and made a part of the Record in said case

The Grand Jury ~~now came into~~ Court presented the following bills of Indictment (to wit)

The Republic of Texas }
vs }
K Holladay } signed Nathaniel Townsend
Foreman

Do "
James Eaton } signed Nathaniel Townsend
Foreman

Do "
J. McHarrell } signed Nathaniel Townsend
Foreman

Do "
Alfred Finnigan } signed N Townsend
Foreman

Ditto
Isaac Allen } signed Nathaniel Townsend
Foreman

Do
G. W. Sharpe } signed Nath. Townsend
Foreman

Do "
F. Gusten } signed Nath. Townsend
Foreman

Ditto
David Kerry } signed Nathaniel Townsend
Foreman

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Republic of Texas
vs
Francis Vendretch } Signed Nathaniel Townsend
Foreman

Do—
vs
George M Dolston
& Charles B. Berry } Signed Nathaniel Townsend
Foreman

Do
vs
Richard Bullock } Signed Nathaniel Townsend
Foreman

Do
vs
James B. Coalter } Signed Nathaniel Townsend
Foreman

Do
vs
R. F Burnham } Signed Nathaniel Townsend
Foreman

Do
vs
John Nowlan
& Daniel Dickenson } Signed Nathaniel Townsend
Foreman

Do—
vs
Samuel R Miller
& A G Johnson } Signed Nathaniel Townsend
Foreman

Marcus Wilbur
Vs
David G Burnet In this case Anson Jones appeared & acknowledged himself bound as surety for the Plaintiff for all costs

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Spring Term 1840

Dr. G. Burnet
Vs
Martin Clark } Attachment

And now at this time comes the plaintiff by his Attorney James Webb. and the said Martin Clark being called came not. but made default. Whereupon it is considered and adjudged by the Court that the said plaintiff have judgment by default and that he recover from the said Martin Clark the aforesaid sum of five hundred Dollars in the plaintiffs petition mentioned and all costs about his suit in his behalf expended

David P Burnet
Vs
Martin Clark Defendant in Attachment
Miller & Johnson Garnishees. And now at this day came the plaintiff again by his Attorney James Webb and the said Garnishees by their Att'ys Ogden & Coats & it appears to the Court that upon the issue joined between said plaintiff and said Garnishees that the Jury found the said Garnishees to be indebted to the said Martin Clark in the sum of Twenty three thousand Dollars at the time of the service of said notice of Garnishment. Whereupon it is considered and adjudged by the Court that the said plaintiff have judgment and execution against the said Garnishees for the amount of five hundred Dollars being the amount of the said judgment recovered by said plaintiff in said suit against the said Martin Clark and all costs about his suit in this behalf expended

Republic of Texas } Murder
Vs
Robert C Todd In this Case upon the oath of the prisoner it is ordered by the Court that that the Venue be changed to the County of Fayette and that the Prisoner be discharged from the Custody of the Sheriff on his giving Bail himself for the sum of Ten thousand Dollars and three Sureties in the sum of Twenty thousand Dollars jointly and severally for his appearance at the next term of the District Court in and for the County of Fayette to answer to the Indictment whereby he stands charged and which is now on file in this Court

Spring Term 1840

The following persons came before the Court & took the Oath of Allegiance to Wit—
A A Anderson, Berry Gillaspie, James M Ogden Esqr Wm H. Murrah, ~~Williams~~ Thomas Ward, Richard Bullock & Thomas Pucket

John G Chalmers appeared and ~~entered his~~ Oath ~~of~~ declared his intention of becoming a Citizen of the Republic of Texas

The Court then adjourned til tomorrow morning at nine of the clock

Friday Morning May 8th 1840

Court met pursuant to adjournment, when the criminal docket was called.

Republic of Texas
County of Travis

Spring term began & holden on the second Monday after the fourth Monday in March In the year of our Lord one thousand Eight hundred and Forty, and of the Independance the Fifth Year—

Be it Remembered, That on the Eighth day of May, in the year of our Lord one thousand eight hundred and forty, and of the Independance the fifth Year, That Robert C Todd gentleman and Alfred W Puckett, Roland M Puckett, and George W Bonnell gentlemen, personally appeared before me John J Mills, Judge of the third Judicial District, and severally acknoledged themselves to be indebted to the President of the Republic or his Successor in Office, in the following sums, To Wit, The said Robert C Todd in the sum of Ten Thousand Dollars, and the said Alfred W Puckett & Rowland M Puckett and George W Bonnell jointly and severally in the sum of Twenty thousand Dollars good and Lawful Money of the Republic, to be respectfully Made and levied, of their Goods, and Chattels, Lands and tenements to the use of the said Republic, If the said Robt C Todd should fail in performing the Condition underwritten—

The condition of the above Recognisance is such, that if the said Robert C Todd, shall personally appear at the next session of the District Court to be holden in and for the County of Fayette, on the Third Monday, after the Fourth Monday in, October, In the Year of our Lord—

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Spring Term 1840

One thousand eight hundred and forty. & of the Independance of the Republic the fifth Year, To answer to an Indictment Found against him by the Grand Juror of the County of Travis, Wherein he is Charged with the Murder of One I A Creary, and to do and Receive and Suffer, What shall by the Court then and there enjoined upon him, and Shall not depart the Court, without Leave, then this Recognisance to Void Otherwise to Remain in full force and effect—

R Cassady Todd
A W Luckett
A Mc Luckett
Geo W Bonnell

Subscribed and acknolledged before me on the day and date above Written—

9th line from the Bottom interlined with the word October before signing—

Jno G Mills
Dist Judge

Marcus Wilbur
vs.
David G Burnet } In this Case the parties appeared by their Attorneys, Whereupon a Jury was empanelled to try the Issue Joined, after hearing the parties by their Attorneys aforesaid. the Jury Endorsed the following Verdict. We the Jury find a verdict in favour of the plaintiff for Eleven hundred and ninety eight Dollars and thirty two Cents with interest from the four th of March ~~of~~ 1834 at seven per cent per Annum, together with Costs of Suit. Signed Richard Bullock, Foreman—

And it is hereby ordered that the Verdict of the Jury be made the Judgment of the Court—

Republic of Texas
vs.
John Bratton— } In this Cause a Jury was impanelled and Sworn to try the issue joined on the plea of Not guilty, after hearing the parties, and having been Charged by the Court, the following Verdict was Endered by the Jury—

Spring Term 1840

We the Jury find the Prisoner Guilty as charged in the Indictment and find the neat Cattle stolen to be the property of Robert Mitchel and assess his value at ten dollars Richard Bullock Foreman

The Grand Jury returned the following Bills - To Wit.

Republic of Texas
vs
Davis Harman
A true Bill
For Keeping a Faro Bank
Signed Nathaniel Townsend Foreman

Republic of Texas
vs
Fielding Secrets
For Keeping a Faro Bank
A True Bill, Signed Nathl Townsend Foreman

Republic of Texas
vs
Alexander McKimble
For Keeping a Faro Bank
A true bill Signed Nathl Townsend Foreman

Republic of Texas
vs
James Cranwell
For Selling Goods without License
A True Bill Nathl Townsend Foreman

Republic of Texas
vs
John Green &
the School fund
For an Affray
A true Bill Nathl Townsend Foreman

Republic of Texas
vs
Raceby Autry
For Gambling
A true Bill Signed Nathl Townsend Foreman

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Republic of Texas
vs.
Noland Poole

For Surgery
Atrue bill Signed Nath[l] Townsend, Foreman

Republic of Texas
vs
Thomas D Smith

For Keeping a Faro Bank
Atrue Bill Nath[l] Townsend Foreman

Republic of Texas
vs.
H L. Clayton

For Gambling
Atrue bill Signed Nath[l] Townsend Foreman

Republic of Texas
vs.
I W Puckett

For Gambling
Atrue bill Signed Nath[l] Townsend. Foreman

Republic of Texas
vs.
I B Ransom

For Gambling
Atrue bill Signed Nath[l] Townsend. Foreman

Republic of Texas
vs.
Wm B Billingsly

For Gambling
Atrue bill Signed Nath[l] Townsend Foreman

Republic of Texas
vs.
Rawly Autry

For Keeping a Faro Bank
Atrue Bill Signed Nath[l] Townsend Foreman

Spring Term 1840

Republic of Texas
vs.
Francis Prentiss
} For Gambling
} Atrue bill signed Nath[l] Townsend Foreman

Republic of Texas
vs.
G. G. Blackwell
} For selling Goods & Merchandize without licence
} Atrue bill signed Nath[l] Townsend Foreman

Republic of Texas
vs.
C. C. Cushman
} For selling Spirituous Liquors
} Atrue bill signed Nath[l] Townsend Foreman

Republic of Texas
vs.
Wm. L. C. Pierce
} For Gambling
} Atrue bill signed Nath[l] Townsend Foreman

Republic of Texas
vs.
Washington M. Sicets
} For Gambling
} Atrue bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
Townsend & Sloates
} For Keeping a Public boarding house Without Licence
} Atrue bill signed Nath[l] Townsend Foreman

Republic of Texas
vs.
William Gibson
} For Retailing Spirituous Liquors without Licence. Atrue bill signed Nath[l] Townsend Foreman

Spring Term 1840

Republic of Texas
vs
James Cannell
For Gambling
Atrue bill Signed Nath[l] Townsend. Foreman

Republic of Texas
vs
Kundsa
For Retailing Goods & Merchandize without licence
Atrue bill Signed Nath[l] Townsend Foreman

Republic of Texas
vs
William Kinchburgh
For selling Merchandize without licence
Atrue bill Signed Nath[l] Townsend. Foreman

Republic of Texas
vs
James Patterson
For Keeping a Faro Bank
Atrue bill Signed Nath[l] Townsend. Foreman

Republic of Texas
vs
Robt H. Grimes
For Gambling
Atrue bill Signed Nath[l] Townsend. Foreman

Republic of Texas
vs
Owen O'Bryan &
John Nolan
For selling Merchandize without licence
Atrue bill Signed Nath[l] Townsend Foreman

Republic of Texas
vs
Thos I. Smith
For Keeping a Faro Bank
Atrue bill Signed Nath[l] Townsend. Foreman

Republic of Texas
vs
John H. Harris
For Retailing goods & Merchandize without licence
Atrue bill Signed Nath[l] Townsend Foreman

Spring Term 1840

Republic of Texas
vs.
Edwin Waller } For an Affray
Albert C Horton } A true bill signed Nath[l]. Townsend Foreman

Republic of Texas
vs.
William P Allen } For Faro Keeping a Faro Bank
} A true bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
William W Bow } For Keeping a Faro Bank
} A true bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
Parmus Gray } For Keeping a Faro Bank
} A true bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
George Martin } For Keeping a Faro Bank
} A true bill Nath[l] Townsend Foreman

Republic of Texas
vs
James Hambleton } For Keeping a Faro Bank
} A true bill signed Nathaniel Townsend Foreman

Republic of Texas
vs
George W Parks } For selling goods & Merchandize without license
} A true bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
D G Burney } For Gambling
} A true bill signed Nath[l] Townsend Foreman

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Republic of Texas
vs.
John C Harrison

For Keeping a Faro Bank
A true bill Signed Nath[l] Townsend foreman

Republic of Texas
vs.
J Edmondson

For Keeping a Faro Bank
A true bill signed Nath[l] Townsend foreman

Republic of Texas
vs.
Kindrea

For Retailing Spirituous Liquors
without Licence —
A true bill Signed Nath[l] Townsend foreman

Republic of Texas
vs.
Underhill

For Gambling
A true bill Signed Nath[l] Townsend foreman

Republic of Texas
vs.
Francis A White

For Gambling
A true bill Signed Nath[l] Townsend foreman

Republic of Texas
vs.
Lewis Goodwin

For Keeping a Faro Bank
A true bill Signed Nath[l] Townsend Foreman

Republic of Texas
vs.
William Lane

For selling Goods without Licence
A true bill Signed Nath[l] Townsend Foreman

Republic of Texas
vs
James R Cook

For Keeping a Faro Bank
A true bill Signed Nath[l] Townsend Foreman

Spring Term 1840

Republic of Texas
vs.
John Garner &
William Maddox
} For an Affray
Atron bill Signd Nathl Townsend Foreman

Republic of Texas
vs.
Milton Shropshire
} For Keeping a Faro Bank
Atron bill Signd Nathl Townsend Foreman

It is hereby ordered by the Court that the following Rules established for the government of the District Courts, By the Judges of the Supreme Court, at the January term 1840— of the said Supreme Court held at the City of Austin — be entered upon the Records of this Court, To wit,

Rule 1st Concerning Counsel

Absence of Counsel will not be considered cause for postponing a case, unless such absence shall be unavoidable. attendance upon another Court is not unavoidable absence —

Rule 2d

Counsel Must submit in writing, in every cause not argued, a Sketch of the facts stated, and the points relied on And in all cases, the Counsel in favor of whose Client, an opinion has been expressed, will, without delay prepare a decree, and submit it to the Court—

Rule 3d

In all cases the Counsel for the party who holds the affirmative of the issue, will open and conclude —

Rule 4th

In Jury trials, the Counsel will first state the circumstances of his Case as he may conceive them to be, and the points and fact and law on which he means to insist— After the Case has been thus stated, on both sides, the Testimony will be — introduced in due order. The Counsel for the party intitled to open will then make his argument— The Counsel for the other party will answer— And the Counsel for the party intitled to open will Reply. This will Close the Arguments—

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Rule 5th

After the Court has pronounced its opinion, no further argument will be heard, But if Counsel think the Court has fallen into error as to Law or fact, they may submit a Statement in writing, which the Court will receive

Rule 6

Any interruption of Counsel in argument, except upon leave granted, will be a Contempt of Court—

Rule 7th

It shall be the duty of every Attorney, to address the Court, or in the examination of Witnesses, Counsel shall rise to their feet, upon pain of being held in Contempt.

Rule 8th

If the Counsel for the plaintiff, have the right of opening the argument, they shall not have the right of Concluding

Rule 9th

No Attorney or Counsellor or other officer the Court shall be bail or security in any Cause pending in Court, under pain of being stricken from the Rolls; and any Clerk or Sheriff, who shall accept an attorney as bail in any Cause shall be considered in Contempt of the Court—

Rule 10th

When several Counsel are employed on the same side the examination or cross examination of Witnesses of Witnesses shall be conducted by one of the Counsel only—

Rule 11th

On all Rules to show Cause, the party called on shall begin and end his Cause; And on all Special Matter, either springing out of Cause at issue, or otherwise, the actor or party submitting a point to the Court—, shall in like manner begin and close; And so shall a defendant who admits a plaintiffs Case and takes upon himself the burthen of proof, have the like privilage, And in no Case shall more than one Counsel be heard in Conclusion—

Rule 12th

The Clerk shall keep a trial Docket in a well bound book Kept for that purpose, Ruled into Columns: first Column, No of Case and Names of Attornies, Second Names of parties: Third Nature of the action: Fourth the pleas: Fifth, Rules of the former Term, Sixth, Motions & Rules of the present Term

The Cases shall be placed on the docket, as they are filed, The Clerk shall at each term, Make out two Copies of the Docket, One for the use of the Court, the other for the use of the Bar—

Spring Term 1840

Rule 13th

All Causes on the appearance docket, Shall be intered in the Order in which they were Issued by the Clerk—

Rule 14th

On the first day of each term, the appearance Docket Shall be Called, when all appearances either in person or by attorney; And all defaults, Shall be Noted by the Judge on the Docket.; and any Cause marked in default, Shall proceed Exparte, under the direction of the Judge, unless the default be opened by the payment into Court of all Costs that have accrued by the party in Default

Rule 15

It Shall be the duty of the Clerks of the district Courts to issue alias writs, on petitions, in all Cases where they Shall be returned "Not executed", unless the plaintiff or their attorneis Shall otherwise direct—

Rule 16th

— of Interrogatories —

In all Cases where either plaintiff or defendant desires to propound interrogatories to the opposite party, He Shall annex the Same in writing to his petition or plea, and serve the opposite party or his counsel with a Copy, And no party Shall be bound to answer them unless the party filing the Same or his attorney, Shall swear that he believes the answer Meterial to the Case —

Rule 17th

Motions —

The Court will Set apart a particular day in each term for the hearing of Motions —; but they may be sooner heard by leave of the Court —

Rule 18th

The Clerk Shall Keep a Seperate Docket, in which Shall be entered all Motions Made during the term (except Motions incidental to the Cause) in the order of time in which they were Made; which Shall be called in the order in which they are entered —

— Rule 19th

Reasons in arrest of Judgement, And Reasons for new trials, and the affidavit in support thereof, if any Relied upon, Shall be filed with the Clerk, and Notice be given thereof, to the adverse party, one day before the argument And if the Cause is tried on the last day of the Term, the Notice Shall be given when the Motion is Made —

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When any Counsel shall wish to make any motion, the same shall be reduced to writing, and submitted to the Court, If approved of by the Judge; It shall be entred by the Clerk, On his motion Docket, and be brought up for disposition

Rule 21

Continuances

A Continuance shall Not be granted in any cause, unless duly supported by Affidavit, except by Consent of parties, which Consent may be given, ore tenus, and not in writing

On the second application for a Continuance of a cause, the party moving for the same, shall set forth his affidavit in support thereof (if for the want of testimony of an absent witness) That he cannot safely go to trial for the want of a Material witness, naming him his place of residence, the means he has used to procure his attendance, And what he expects to prove by the absent witness, And that the application is not made for delay, but that Justice may be done, And that he expects to be able to procure his attendance, or testimony, by the next term of the Court

Rule 22d

No Cause shall be continued More than twice in Succession by the Consent of parties

Rule 23d

New Trial

In Cases in which a party shall Receive Notice of a Motion for a new trial, in arrest of Judgment, he shall have leave, Notwithstanding, to enter up Judgement, and lodge his execution to bind property, with a Notice of such New trial, or arrest of Judgments, endorsed on said execution; but if the Motion be sustained, the Judgement And execution shall be wholly set aside

Rule 24th

All Motions in arrest of Judgment, And for new trials, not acted upon, Shall be discharged, of Course, on the last day of the term, unless Continued by order of the Court

Spring Term 1840

Rule 25th

On all motions for non suit, in arrest of Judgment or for new trial, all the points intended to be taken on Shall be taken at Once

Rule 26

A motion for a New trial shall not operate as a supersedeas, unless the same shall be made during the term at which the Case is tried, the Court Shall pass an order to that effect

Rule 27th

No motion for an arrest of Judgment will be heard, after the overruling of a motion, for a New trial.

Rule 28th

No Consent between attorneys or parties. touching any suit pending, will be enforced by the Court, unless such Consent be in writing and signed by the parties or Attorneys

Rule 29

When either party has given notice in Court of his intention to appeal, the Counsel for the appellant shall furnish to the leading Counsel, on the other side, a statement of the material facts, which are sworn to, or proven by written documents, and if admitted to be Correct the Counsel on both sides shall sign the same but if not agreed on, the Counsel for the appellee, shall make out his statement, and the two shall be handed to the Judge, who shall proceed to make out and certify a true statement.

Should the appellee neglect to furnish his statement after refusing to sign that made by the appellant, The Judge shall then make & certify the same according to the evidence introduced on the trial

Rule 30

Of Remedial Writs-

No Judge shall hear any petition for Remedial writs in Chambers, where the party defendants reside without the District. In the absence of the Judge beyond the limits of this Republic, any Judge may proceed to hear and grant such Remedial writs-

The petitioner must set forth the absence of such Judge in his petition or bill of injunction

Rule 31-

Mandamus

The party petitioning for a mandamus shall make oath to the truth of the facts alledged in his petition

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Spring Term 1840

Where a preremptory Mandamus is prayed for an order for the same may issue, the defendant therein having the right of appearing before the Judge either in Chambers or at the next term, and showing cause to set aside the same upon giving the adverse party ten days Notice in writing

Rule 32

Where a Mandamus Not peremptory, is prayed for the order will be a Scire facias against the Defendant therein to appear at the next term and Show Cause why such writ shall Not issue —

Rule 33

Scire facias —

To every Scire facias which may have ban issued the defendant shall plead within the two first days of the term to which the same is returned, the plaintiff shall on the next day thereafter, and so on from day to day Until issue in fact or in law be joined, but either party may demand a trial at the return term although the Court may Not Continue in Session three days

The Court adjourned untill to morrow Morning at Nine O'clock

Saturday Morning May the 9th 1840

The Court met pursuant to adjournment

Republic of Texas
Vs
Kelly Holliday } The Defendant appear and pleaded guilty. In this case it is ordered by the Court that the Defendant pay a fine of One dollar and Costs —

Wm Pettus
Vs
M B Lamar } In this case by agreement of parties the following Verdict was rendered by the jury, to wit:

We the jury find for the Plaintiff. Five hundred and twenty eight dollars, with interest thereon at eight per cent per annum from the sixth of Febuary 1840 untill paid.

Richard Bullock
Foreman

Spring Term 1840

and it is hereby ordered that the Verdict of the Jury be made the Judgment of the Court.

It is hereby ordered by the Court that Richard Loyd. Silas Jessup and Willian R Smith pay a fine of twenty dollars each for obstructing the Windows of the Court House. It was afterwards remitted so far as concerns Silas Jessup. and Richard Loyd.

Republic of Texas County of Travis Grand Jury room City of Austin May 9th 1840

To the Hone John T Mills Judge of the third Judicial Distrct, The undersigned would most respectfully represent to your honor that after due diligence and mature deliberation we have acquitted our selves of the onerous duties imposed upon us by Law to the best of our knowledge & ability

Your honor will discover that although there are a great Number of Presentments and true bills presented thereon that there are but very few of any considerable Magnitude, a great Majority being for gambling, breaches of the Revenue Law, and other minor offences.

We cannot forbear on the present occasion the expression of our gratification, at the Sparcenss of high offences, which have come before us for our action, And trust that the rebuke And punishment under the Laws, of this small number may prove a salutary warning to evil doers in all time to come.

Herewith you will receive the Report of the Hon W W Smith showing the measures that have been taken for the erection of Public buildings which we deem quite Satisfactory, All of which is Most respectfully submitted to your honor by the Grand Jurors of Travis County—

Spring Term 1840

Walter Townsend Fournier, Alx Russell Wm Henry H Johnston
M H Nicholson, I Porter Brown, Hon I Smith James Smith
Benjamin F Grayson, Wm D Thorp, F Mayhew, Reuben
Hornsby, D F Margart, A J Byers, Wm B Billingsly
A Parsley, L J Hancock Jr. —

Accompanying the above
report is the following Resolution —

Republic of Texas } Commissioners Court }
Travis County } Apr 13th 1840 — }

Be it —

Resolved that the Chief Justice be and he is hereby empowered to let out the building of a jail house for this County to the lowest bidder the Contractor giving bond and approved security in double the amt of the Contract And that the Contract be paid by the first day of January 1841 —

Be it further Resolved that the Magistrates in Beat No 1 & 2 meet here on tomorrow at 10 Oclock and draft a plan for said Jail and that the Chief justice let it out as soon as possible —

A true Copy from the minutes
Signed M H Bealy Clerk

Annexed to the above Resolution is the report of the Hone I W Smith Chief Justice of the County of Travis Shewing the measures taken to carry into effect the above Resolution — This day filed

Republic of Texas }
V.S. } No 1
John Bratton }

In this cause this day came again the parties the Republic by its District Attorny and the defendant in his own proper person, Whereupon the Court proceed to pass sentance upon Defendant which was as follows. That he be taken by the Sheriff of the County from his place of Confinement, On Wednesday the 15th inst between the hours of 12 A M & four P M. to some public place within the limits of the City of Austin, and then and there receive at the hand of the Sheriff or some other individual acting under his authority, Thirty nine lashes on the bare back, After which punishment upon payment of the costs of this prosecution the prisoner may be discharged —

Spring Term 1840

Republic of Texas
vs. No 2
Davis Harry — Continued on Alias ordered

Republic of Texas
vs. No 3
Davis Harry — Continued and Alias ordered

Republic of Texas
vs. No 4
Abner Frost — Continued and Alias ordered

Republic of Texas
vs. No 5
Wm A Smith — Continued

Republic of Texas
vs. No 6
Jacob Eberly — Continued and Alias ordered

Republic of Texas
vs. No 10
Robt C Good
is filed. — In this Cause the following Recognizance

Republic of Texas
vs. No 11
Martin Rumpff &
John Nolan — Discontinued as to Rumpff and Alias ordered against John Nolan — with Continuance

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Spring Term 1840

Republic of Texas
vs. No 15
John Nolon &
Dand D Dickinson

priviledge of presenting exceptions

In this Cause Dand D Dickinson appears and pleaded guilty, Case submitted to the Court, the Defendant having the to his honor affidants in defence or

Republic of Texas
vs. No 16
R H Buchan

into Court and pleads, clemency of the Court.

In this cause the Defendant came Nolo Contendere, and submits to the

Republic of Texas
vs. No 17
James B Crabtree

Continued and Alias ordered

Republic of Texas
vs. No 21
Francis Dedrick

and pleads not guilty unpannelled and sworn, of evidence

In this Cause the Defendant appeared upon which issue was joined, Jury afterwards Cause dismissed for want

Republic of Texas
vs. No 28
James Eaden
of Washington

Continued and alias ordered to the Court

Spring Term 1840

Republic of Texas
vs
Kelly Holladay

Republic of Texas
vs
A B Ransom

In this Cause Wm B Billingsly appeared in Court and made an affedavit against the Dft Ransom, for a Contempt of this Court, whereupon a Capias was issued and the said Ransom brought fourthwith before the Court. After hearing the Defence of the said Ransom, he is ordered to be discharged

The Grand Jury came into Court and presented the following bills of Inditements to wit

Republic of Texas
vs
H C Davis

For permitting the game of Faro to be played at his house
A true bill Signed Nath Townsend Foreman

Republic of Texas
vs
George Martin

A Assault & Battery —
A true bill Signed Nath Townsend Foreman

Republic of Texas
vs
Alonzo Mansharo

For Keeping a Faro Bank
A true bill Signed Nath Townsend Foreman

Republic of Texas
vs
Jos Desendau

For permitting a Faro Bank to be kept at his house. A true bill Signed Nath Townsend Foreman —

Spring Term 1840.

Republic of Texas
vs
Augustus M Somervell

Assault & Battery
A true bill sign'd Nath[l] Townsend Foreman

Republic of Texas
vs
Washington H Secrett

For Keeping a Faro Bank

Republic of Texas
vs
John McNeil

For Keeping a Faro Bank
A true bill sign'd Nath[l] Townsend Foreman

Republic of Texas
vs
A E Brown

Betting on Faro
A true bill sign'd Nath[l] Townsend
Foreman

Republic of Texas
vs
Alexander Coleman

For Keeping a Faro Bank
A true bill sign'd Nath[l] Townsend
Foreman

Republic of Texas
vs
R L Woods

Betting at a Faro Bank
A true bill sign'd Nath[l] Townsend
Foreman

Republic of Texas
vs
Nolan & O'Brian

For permitting Faro to be dealt in their
house. A true bill sign'd Nath[l] Townsend
Foreman

Spring Term 1840

Republic of Texas
vs
Edward Sides

For permitting the Game of Faro to be Kept in his house. A true bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
A M Weathers

Larceny
A true bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
Francis A White

Assn & Affray
A true bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
P H Winn

Gambling.
A true bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
Sam[l] Gibbs

Keeping a Faro Bank
A true bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
Thos Lockhart

Keeping a Faro Bank
A true bill signed Nath[l] Townsend Foreman

Republic of Texas
vs
Ephram Tally

Keeping a Faro Bank
A true bill signed Nath[l] Townsend Foreman

Spring Term 1840

Republic of Texas vs James Crabtree — Keeping a Faro Bank

A true bill signed Nath[l] Townsend Foreman

The Court then adjourned until Monday Morning 9 O'Clock M.

Monday Morning May 11th 1840

The Court met pursuant to adjournment —

Republic of Texas vs Rich[d] Bullock — Information filed by the District Attorney against the said Rich[d] Bullock for Keeping a public House without Licence — And ordered to be dismissed by the Court.

Republic of Texas vs Wm D Bynum — In this cause the parties appeared in Court the Republic of Texas by its attorney H C Hudson and the Defendant in his own proper person.

The Defendant by his attorney Move the Court to strike out the second account in the enditement — the Court sustains the Motion, and orders a Nole Prosequi to be entered as to the second account.

A jury was then empannelled and sworn to try the issue joined on the first account. After hearing the case the Jury rendered the following verdict,

We the Jury find the Defendant guilty of Feloniously Stealing and Carrying away the articles alluded to, in the indictment. But being of no Pecuniare value of them alone are compelled to find him not guilty as charged in the indictment —

Signed Rich[d] Bullock, foreman.

The Court then ordered the prisoner to be discharged from the Custody of the Sheriff —

Spring Term 1840

Republic of Texas
vs
Francis Prentiss
Not containing sufficient indictable Matter.

Dismissed on account of the indictment

Republic of Texas
vs
Geo W Bonnell &
A G Johnson
Pleaded Nolle Contendere
of the Court,
they be fined in the
Thereof And Costs,

The Defendants come in to Court and
And submitted to the clemency
Whereupon it is ordered by the Court that
Sum of One Dollar each & upon payment
that they be discharged.

Republic of Texas
vs
Thos W Smith
on account of the
indictable Matter.

For Keeping a public boarding
house without Licence, dismissed
Indictment — not containing sufficient

Republic of Texas
vs
Sam'l R Miller &
A G Johnson
Indictment —
Matter.

Dismissed on account of the
Not containing sufficient indictable

Republic of Texas
vs.
John Soulan &
Dan'l L Dickinson

This Case is submitted to the Court.
Whereupon it is ordered by the Court that the said Dickinson
be fined in the Sum of One Dollar and Costs & upon
Payment thereof he is Discharged

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Spring Term 1840

Republic of Texas
vs
Richd F Brenham } The Defendant Came into Court and pleaded Nolle Contendere, And submits to the Clemency of the Court. Whereupon it is Considered by the Court, that he be fined the Sum of One Dollar and Costs. And upon payment thereof he be discharged —

Republic of Texas
vs
James B Cattren } Continued and Alias ordered

Republic of Texas
vs No 19
Richard Bullock } Dismissed ~~On account of indictment not Containing sufficient in debeabte Matter~~

Republic of Texas
vs 22
Davis Harry } Continued

Republic of Texas
vs
J Curtis — } Continued

Republic of Texas
vs No 24
G W Sharp } Nolle Prosequi Entered.

Republic of Texas
vs
Isaac Allen } Continued

Spring Term 1840

Republic of Texas
vs
Alfred Dungan } Continued

Republic of Texas
vs
Jacob Harrald } Dismissed on account of the indictment
not containing sufficient matter—

Republic of Texas
vs
Wm D Bynum }

Republic of Texas
vs
David Harmon } Continued

Republic of Texas
vs
Fulden Sierts } Continued and alias ordered to the
County of Harris— }

Republic of Texas
vs
Alexander McKimble } Continued and alias ordered to the
County of Harris— }

3K

Spring Term 1840

Republic of Texas
vs
John Green &
Chl Schoolfield — Continued

Republic of Texas
vs
Rawley Autry — Continued

Republic of Texas
vs
J & Pierce — Continued

Republic of Texas
vs
John H Derby — Continued

Republic of Texas
vs
John C Harrison — Continued

Republic of Texas
vs
Underhill — Continued

Republic of Texas
vs
Wm W Belo
County of Milam — Continued and alias ordered to the

Spring Term 1840

Republic of Texas
vs
I Y Burney } Continued

Republic of Texas
vs
Francis A White } Continued

Republic of Texas
vs
James Gray } Continued

Republic of Texas
vs
F A Clayton } Continued

Republic of Texas
vs
I B Ranson } Continued

Republic of Texas
vs
Francis Pendleton } No. 48 Continued

Republic of Texas
vs
Thos J Smith } No. 49 Continued

Republic of Texas
vs
Jam Eastin } Continued and alias ordered to the County of Washington

Spring Term 1840.

Republic of Texas
vs
Ephrim Talley
County of San Augustine } Continued And alias ordered to

Republic of Texas
vs
Thos Lockhart } Continued & alias ordered to San
Augustine.

Republic of Texas
vs
Saml Gibbs } Continued

Republic of Texas
vs
R H Winn } The Defendant in this cause
pleads guilty under the fourth section of the
act &c. Whereupon it is ordered by the Court that
he be fined in the Sum of twenty Dollars & Costs &
upon payment thereof that he be discharged.

Republic of Texas
vs
Francis A White } Continued

Republic of Texas
vs
William McWeathers } Continued

Spring Term 1840

Republic of Texas
vs
Edward Sanders } Continued

Republic of Texas
vs
Owen O'Brian &
John Rowlan } Continued

Republic of Texas
vs
R D Wood } Continued

Republic of Texas
vs
Alexander Coleman } Continued and Alias ordered to
San Augustine

Republic of Texas
vs
A E Brown } Continued

Republic of Texas
vs
John McNeil } Continued

Republic of Texas
vs No 63
Washington Lucas } Continued

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Spring Term 1840

Republic of Texas
vs
Augustus McCompbell } Continued and alias ordered to the County of Harris

Republic of Texas
vs
Jos Fesenden &
Alden Denman } Continued

Republic of Texas
vs
Antonio Manchaca } Continued & Alias ordered to Bexar County

Republic of Texas
vs No 67
George Martin } Continued

Republic of Texas
vs No 68
James Cranwell } Continued

Republic of Texas
vs
Lewis Goodwin } Continued & Alias ordered to the County of Bastrop

Republic of Texas
vs
John Gaines &
Wm Maddox } Continued

Spring Term 1840

Republic of Texas
vs
I Edmondson } Continued and alias ordered

Republic of Texas
vs
Edwin Waller &
A C Horton } Continued and alias ordered to Matagorda County as to A C Horton and to Brazoria County as to E Waller

Republic of Texas
vs
A W Puckett } Continued

Republic of Texas
vs
W B Billingsley } Continued

Republic of Texas
vs
P I Hunter } Continued

Republic of Texas
vs
Wm R Alsop } Continued

Republic of Texas
vs
Hilton Thompson } Continued

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Spring Term 1840

Republic of Texas
vs
Jamis Hamblton } Continued

Republic of Texas
vs
Rowly Autry } Continued and alias ordered to the County of Bastrop

Republic of Texas
vs
Robt. H. Grimes } Continued

Republic of Texas
vs No 82
George Martin } Continued

Republic of Texas
vs
Thos J Smith } Continued

Republic of Texas
vs
Washington H Sterritt } Continued

Republic of Texas
vs
H F Wardhouse } Continued

Spring Term 1840

Republic of Texas
vs
James R Cook } Continued and alias ordered to the County of Washington—

Republick of Texas
vs
H C Davis } Continued

Republic of Texas
vs
William Kinchburg } Continued

Republic of Texas
vs
George W Sinks } Dismissed, on account of the indictment not containing sufficient matter—

Republic of Texas
vs
John H Harry } Continued

Republic of Texas
vs
Journa & Stoots } Dismissed on account of the indictment Not Containing sufficient Matter—

Republic of Texas
vs
Friday } For Retailing Liquors without License Continued

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Spring Term 1840

Republic of Texas
vs
Sundry

For selling Goods without Licence
~~Dismissed on account of the indictment~~
~~Not Containing sufficient matter~~

Continued

Republic of Texas
vs
James Cranwell

For selling Goods without licence
~~Dismissed on account of the~~
~~indictment Not Containing sufficient matter~~

Republic of Texas
vs
G G Blackwell

Continued

Republic of Texas
vs
James Moreland

Continued

Republic of Texas
vs
C C. Cushman

Continued

Republic of Texas
vs
Will Gibson

Continued—

Republic of Texas
vs
Owen O'Brian &
John Nolan

Selling Goods without Licence
Continued

Spring Term 1840

Republic of Texas
vs
William Lane } Continued

The Court then adjourned until tomorrow Morning at 8 Oclock —

Tuesday Morning May 12th 1840
The Court pursuant to adjournment —

Republic of Texas
vs
F B Clayton } The defendant came into Court & Pleaded Nolle Contendere, and Submits to the Clemency of the Court
F A Morris Attorney for Defendt

Whereupon it is ordered by the Court that he be fined in sum of Twenty Dollars and all Costs & upon payment thereof that he be Discharged

Republic of Texas
vs.
Wm D Byrum } Nolle Prosequi Entered by order of the Court

Republic of Texas
vs
Wm A Smith } In this cause the Defendant appears in Court, and files an affidavit for a change of Venue, whereupon it is ordered by the Court that the Clerk transmit to the Clerk at Bastrop a full & correct copy of all the proceedings in this Case —

It is further ordered that the prisoner upon giving bond and security in the sum of five thousand Dollars to be approved of by the clerk of Travis, Conditional for his appearance at the next term of the District court in and for the County of Bastrop to answer as charged & there await & abide the Judgment of the Court, may be discharged from the hands of the Sheriff of Bastrop

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Spring Term 1840

This day S. McLucket and L. L. Johnson appeared in Court, and acknowledged themselves indebted in the sum of one hundred dollars each to the Republic of Texas on condition that the said Lucket shall be and appear at the next term of District Court for the County of Travis to answer to an Indictment for Gambling for which he stands charged

Francis Bointich and Wm. A. Woode this day appeared in Court and acknowledged themselves bound in a recognizance in the sume of one hundred Dollars each condition for the appearance of the said Bointich at the next term of the District Court for the County of Travis to answer to an Indictement for Gambling for which he stands chargeds

M. D. Woodhouse and Johnson appeared in Court and acknowledged themselves bound in a recognizance of the sum of One Hundred Dollars each conditioned for their appearance of the said Woodhouse at the next term of the District Court for the County of Travis to answer in Indictement for Gambling for which he stands charged

A. C. Brown and Owen Bocan appeared in Court and acknowledged themselves bound in a recognizance of the sum of One Hundred Dollars each conditioned for the appearance of the said Brown at the next term of the District Court for the County of Travis to answer an Indictment for Gambling for by which he stands charged

P. I. Hunter and Daniel Borueing appeared in Court and acknolaged themselves bound in a recognizance of the sum of One Hundred Dollar each conditioned for the appearance of the said Hunter at the next term of the Districts Courts for the County of Travis to answer an Indictment for Gambling by which he stands charged

Spring Term 1840

Owen Owen & Wm. Goode appeared this day in Court, and acnolaged themselves bound in a recognizance in the Sum of Five Hundred Dollars each conditioned for the appearance of the said Owen at the next term of the District Courts for the County of Travis then and there to answer to Two Indictments one of which is for permitting the game of Faro to be played at his House for a breach of the Revenue Law by which he stands charged

I H Brown and J D Mc Leod this day appeared in Court and acnolaged themselves bound in a recognizance in the Sum of One Hundred Dollars each for the appearance of the said J H Brown at the next District Court for the County of Travis then and there to answer to an Indictment for gambling by which he stands charged

James Crandell and Owen Owen appeared this day in Court and acnolaged themselves bound in a recognizance in the sum of One Hundred Dollars each for the appearance of the said Crandell at the next District Court for the County of Travis then and there to answer to an Indictment for gambling by which he stands charged

Edward Scidders and John D. McLeod appeared this day in Court and acnolaged themselves bound in a recognizance in the Sum of One Hundred Dollars each for the appearance of the said Scidders at the next District Court for the County of Travis then and there to answer and Indictment for permitting the game of Faro to be played in his House by which he stands charged

Wm. Gibson and Owen Owen and A J Allen appeared this day in Court and acnolaged themselves bound in a recognizance in the sum of One Hundred Dollars each for the appearance of the said Gibson at the next District Court for the County of Travis then and there to answer an Indictment for selling liquor without a License for which he stands charged

Spring Term 1840

Edwards Seeders
vs
John R Nowlands

Plea Assumpsit
Came the parties by their attorneys and a jury of twelve men, to wit, Thomas Anderson, Dimmore Simpson, Benjamin M Clopton, James R Baker, Jesse Benson, Chas Cummins, John P Black, Moses Johnson, Wm Hamerick, Joseph Stephenson, Wm W Kennesby, Washington Stephenson, Henry Blessing, Alexander Ferguson, Wm Cook, John Davis, Jesse Harrell, Wm Robinson, good and lawful men of this county, duly elected, tried, empannelled, sworn and charged to try the issue joined between the parties, upon their oaths do say that the defendant did assume upon himself in manner and form as the plaintiff hath complained against him, and they assess the plaintiffs damages by reason of the premises to the sum of Two hundred and fifty dollars besides his costs by him about his suit in this behalf expended. It is therefore considered by the court that the plaintiff recover against the defendant the sum of Two hundred and fifty dollars damages aforesaid assessed by the jury aforesaid in manner and form aforesaid, and also his costs by him about his suit in this behalf expended, and that he have execution therefor.

Republic of Texas
vs
T King and
E McDotson

For selling without a license
This day dismissed
This day ——

The following names were drawn from the Box to constitute the Jurors for the next term of the District Court for the County of Travis (to wit)

No 1 Martin Moore
2 John Hamilton
3 Richd I Loyd
4 Wm Hamilton
5 Matthew Moore
6 Thos Simpson
7 John T Webber
8 Isaac Cabeen
9 Joseph Duty
10 Robt Billingsley
11 James Boyce
12 Joseph Richards
13 Elijah Dorham
14 Henery Johes
15 Wm Attwood
16 Ferdenand Haw
17 James Manor
18 Wm Love
19 Thomas Anderson
20 Dimmore Simpson
21 Benjn M Clopton
22 James R Baker
23 Jesse Benson
24 Chas Cummins
25 John P Black
26 Moses Johnson
27 Wm Hamerick
28 Joseph Stephenson
29 Wm W Kennesby
30 Washington Stephenson
31 Henery Blessing
32 Alexandra Ferguson
33 Wm Cook
34 John Davis
35 Jesse Harrell
36 Wm Robinson

Spring Term 1840

Republic of Texas } Ordered by the court that the prosecution
vs } for Forcible Entry and Detainer be Dismissed and that the Defendant
Reuben Searles } recover of the plaintiff his costs

This day appeared in Court Joseph Sizenden and John H. Ussery and acknowledged themselves bound in a recognizance of the sum of One Hundred Dollars each conditioned for the appearance of said Ussery at the next term of the District Court for the County of Travis to answer an Indictment for gambling by which he stands charged

Thomas S. Smith and Joseph Sizenden this day appeared in Court and acknowledged themselves bound in recognizance of the sum of Two hundred Dollars each conditioned for the appearance of the said Smith at the next term of the District Court for the County of Travis to answer an Indictment for keeping a Faro Bank by which he stands charged and the said Sizenden and Smith acknowledged themselves bound in the further sum of Two thousand Dollars each conditioned for the appearance of the said Sizenden at the next term of the District Court for the County of Travis to answer to any Indictment for recognizing a Faro Bank to be kept in his house by which he stand charged

Ordered by the Court that Scire Facias Issue against all defaulting Jurors returnable to the next term of the Court

Court adjourned

R. R. Mills
Dis Judge

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District Court December

District Court December Term 1840 Commenced its session in the City of Austin Monday the seventh day of December. Present his Honor John T. Mills Judge of the Third Judicial District Presiding B.D. Bassford Clerk & Wayne Barton Sheriff –

The Venire having been previously drawn according to Law being called the following persons answered to their names. Abner H. Cooke. Joseph Fessenden William Atwood Richard J. Loyd and Jacob M. Harrell. Henry Jones. Washington Anderson. & Elijah Durham & Moses Johnson

The following names were drawn to constitute the Grand Jury. Simmore Simpson Abner H. Cooke Joseph Fessenden Aaron Burleson William Atwood Richard J. Loyd Thomas Simpson Ferdinand Ham Isaac Casner Benjamin M Clopton William Love William Hancock James Manor John Hamilton Jacob M Harrell Martin M Moore

The following persons were excused from serving as Jurors, to wit, Matthew Moss Elijah Durham Henry Jones

The Court then called the Docket & adjourned to Tuesday morning at 9 Oclock

Tuesday Dec 8th

Court met pursuant to adjournment

Anderson Hutchinson came into Court & took the Oath prescribed for Attorneys at Law

The following persons were constituted a Grand Jury for this Term & sworn accordingly, to wit, Joseph Fessenden A. H. Cooke Aaron Burleson Richard J. Loyd, James Crawill J. M. Harrell John Brothers D. R. Webb John M. Shreve Heman Ward Thomas Puckett A. J. Fayle John Lee Wesly Hunt. Joseph Fessenden was appointed Foreman by the Court

The following persons were sworn as Petit Jurymen for the term. John F Webber Joseph Duty. Washington Anderson Edward Seiders L. N Tucker Nathan Mitchell Wm. S. Beaty. H. P. Hill Wm. Hornsby J. W. Ham Alex. Hutchison & John W Harrison

Term 1840

The Court then adjourned untill Wednesday morning at 10 Oclock.

Wednesday morning 9th, December.

Court met pursuant to adjournment and proceeded to the trial of the causes on the Criminal Docket. The Court ordered an attachment against J. W. Winkle to appear and give evidence in a cause in which the Republic of Texas complains against Stanley Autrey. for gambling

No. 49. Republic of Texas vs Thos J Smith for keeping faro bank

In this cause the parties appeared in Court, the Republic by its attorney H. C. Hudson, and the deft. in his own proper person. On hearing the indictment read pleaded not guilty; and thereupon a jury was empannelled and sworn to try the issue joined in said cause. After hearing the parties with their witnesses, the jury rendered a verdict of not guilty. Signed Nathan Mitchell foreman.

The court ordered a Scire facias against J B Ransom & securities

Republic of Texas vs Edward Hedrick for permitting the game of faro to be played in his house

In this Cause the parties appeared in Court, the Republic by its Atty, H. C. Hudson and the Defendant in his own proper person. The indictment being read, the Defendant pleaded not guilty. Whereupon a jury was empanneled and sworn to try the issue joined in said Cause. On hearing the parties with their witnesses the jury rendered a verdict of guilty. Signed Nathan Mitchell foreman.

The Court orders the clerk to pay a fine of twenty five dollars on account of certain causes not being ready for trial some of the papers being mislaid

55

Fall Term 1840

Republic of Texas
vs
A E Brown
For betting at a faro bank
in a public house

Quashed

In this cause the parties appeared in court. The Republic by its attorney N. C. Hudson and the defendant in his own proper person. On reading the indictment the defendant pleaded not guilty whereupon a Jury was empannelled and sworn to try the issue joined in said cause. after hearing the parties with their witnesses the jury rendered the following verdict. Guilty of having betted at farro in the County of Travis. But not proven to have betted in a public house as charged in this bill of indictment. Signed Nathan Mitchell foreman.

The Court adjourned untill to morrow nine oclock.

Fall Term 1840

Thursday Dece 10th Court met pursuant to adjournment and adjourned to 7 oClock P.M. Met at 7 & adjourned to Friday at nine oClock.

Friday morning December 11th 1840

Court met pursuant to adjournment

Republic of Texas
vs
Washington Scotts
No 63 of May Term 1840

For keeping a Faro Bank

In this cause the parties appeared in court the Republic by its attorney Henry Jewett and the defendant in his own proper person The indictment beine read the defendant pleaded not guilty whereupon a Jury was empaneled to try the issue joined in said cause after hearing the parties with their witnesses the Jury rendered the following verdict Guilty of having dealt Faro in the city of Austin between the 1st of May 1839 and the first Feby 1840 in Travis county of Bastrop Signed L. H. Marquerat Foreman

The Republic of Texas
vs
John Nowlan & Owen O'Brien
No 888

For permitting the game of Faro in their House

In this case the party appeared in court the Republic by its attorney Henry J. Jewett and the defendants in their own proper person the Indictment being read the defendants pleaded not guilty whereupon a Jury was empanelled to try the issue joined who after hearing the parties returned the following verdict viz "Not Guilty signed L. H. Marquerat forman

O'Brian

Republic of Texas
vs
Joseph Fessenden &
Colden Denman
No 889
by the District Attorney

For permitting Faro in their House

In this case Nolle Prosqui entered

57

Fall Term 1840

Republic of Texas
Vs
George Martin
No 67 } For Assault & Battery

In this case the parties appeared the Republic by its Attorney Henry J. Jewett and the defendant by his own proper person the Indictment being read the Defen.t pleded not guilty whereupon a Jury was empaneled & the cause submitted to them who returned the following Verdict viz "Not Guilty" signed "L, F, Marguerat foreman"

No 1 ✓ Republic of Texas
Vs
Mathew Moss } For Murder

Nolle Prosequi

Court adjourned til tomorrow morning at ten o Clock

Saturday December 12th Court met pursuant to adjournment

No 68 ✓ Republic of Texas
Vs
James Cranvill } For Gambling
Dismissed

" 73 ✓ Republic of Texas
Vs
A. W. Lucket } For Gambling
Dismissed

" 43 ✓ Republic of Texas
Vs
Wm Q. Billingsly } For Gambling
Dismissed

" 75 ✓ Republic of Texas
Vs
P. J. Hunter } For Playing Cards in a Public House
Dismissed

" 80 ✓ Republic of Texas
Vs
Rawley Autry } For Gambling
Dismissed

" 81 ✓ Republic of Texas
Vs
Robert H Grimsley } For Playing cards
Dismissed

Fall Term 1840

No 82 — Republic of Texas vs George Martin — For Keeping a Faro Bank — Quashed

" 85 — Republic of Texas vs M. P. Woodhouse — For Gambling — Dismissed

" 74 — Republic of Texas vs Wm B. Billingsley — For playing cards in a public House

In this case the parties appeared in Court the Republic by its Attys H. J. Jewett & the defendant in his own proper person & pled not Guilty & a Jury was empanelled to try the facts & returned the following Verdict viz Not Guilty signed L F Marguerat Foreman

" 83 — Republic of Texas vs Thomas J. Smith — For Keeping a Faro Bank

In this case the parties appeared in Court the Republic by its Attys H. J. Jewett & the defendant in his own proper person & pled not Guilty a Jury was empanelled to try the facts who returned the following verdict viz "Guilty of dealing Faro in the City of Austin previous to 1840 & after the 1st May 1839 signed L. F. Marguerat foreman

" 47 — Republic of Texas vs J. B. Ransom — For Gambling

In this case the parties appeared in Court the plaintiff by its Attys H. J. Jewett & the defendant in his own proper person & pled Not Guilty a Jury was empanelled to try the facts who returned the following Verdict viz Not Guilty signed L. F. Marguerat foreman

" 66 — Republic of Texas vs Antonio Manchacha — For dealing Faro — Nolle Prosequi

59 Fall Term 1840

Matthew Moss in open Court acknowledges himself indebted to Mirabeau B. Lamar president of the Republic of Texas & his successors in Office in the sum of Ten thousand dollars good & lawfull money of this Republic and Alexander Murchison and Lewis Goodwin his sureties in the sum of ten thousand dollars good and lawful money as aforesaid to be levied of their respective Goods & chattels lands & tenements but to be void on condition the said Moss appear on the first day of the next term of this Court to answer to an Indictment against him for the murder of Wm B. Sweeny & not depart the Court without leave thereof

Moses Wood in open Court acknowledges himself indebted to Mirabeau B. Lamar president of the Republic of Texas & his successors in Office in the sum of Two thousand dollars good and lawfull money of this Republic and James W Smith and Samuel R. Miller his sureties in the sum of Two thousand dollars good and lawful money as aforesaid to be levied of their respective Goods & chattels lands & tenements but to be void on condition the said Wood appear on the first day of the next term of this Court to answer to an Indictment against him for an Assault and not depart the Court without leave thereof

David Harman in open Court acknowledges himself indebted to M. B. Lamar president of the Republic of Texas & his successors in Office in the sum of $2000 good & lawful money of this Republic and Wm C. McKinstry & David Harry his sureties in the like sum of $2000 as aforesaid to be levied of their respective goods chattels lands & tenements, but to be void on condition the said Harman appear on the first day of the next term of this Court to answer to an Indictment against him for Keeping a Faro Bank and not depart the Court without leave thereof

Thomas J Smith in open court acknowledges himself indebted to Mirabeau B Lamar President of the Republic of Texas and his successors in office in the sum of one thousand dollars good and lawful money of this republic and Joseph Fessenden his surety in the sum of one thousand dollars in like money to be levied of their respective goods and chattels lands and tenements but to be void on condition the said Thos- J Smith appear on the first day of the next Term of this court to answer to an indictment against him for keeping a faro bank found at the May Term of this court for 1840 and No 83 of said Term and that he do not depart the court without leave thereof

Fall Term 1840

Monday 14th Dec Court met at 9 Oclock A. M.

Civil Docket

No 1 Samuel Fuller Curator
Vs
Samuel R. Miller &
Bartlett Simons

In this case it is ordered by the Court that the Plaintiff recover of the Defendants the sum of One hundred and six dollars with interest thereon from the 14th day of Sept 1838 untill paid as also Costs of suit

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No 2 Edward Deiden
Vs
John Nowlan

Continued & ordered by Court that Plaintiff pay the Costs

No 3 William J Jones
Vs
George W Bonnell

In this cause the parties appeared in Court & the cause was submitted to a Jury who returned the following Verdict viz" Verdict for Plaintiff for three hundred and ten dollars with interest from 8th August 1839 signed D. F. Morgan Foreman. The Court hereby orders the Verdict of the Jury to become the Judgment of the Court

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No 4 Nathaniel Townsend
Vs
James Smith

Continued on affadavit of Plaintiff

No 5 Elijah Caple
Vs
Wm B. Sweeny

Dismissed at Plaintiffs cost

No 6 Samuel Highsmith
Vs
Robert Mitchell

Continued on Affidavit of Plaintiff.

No 7 John Whitehead
Vs
Samuel Whiting

In this cause the parties appeared in Court & the cause was submitted to a Jury who rendered the following Verdict viz" Verdict for Plaintiff fourteen hundred & ninety eight 79/100 Dollars & lawfull interest from 21st of May 1839 with Cost of suit & it is hereby ordered that the Verdict of the Jury be made the Judgment of the Court

Fall Term 1840

No 8 ✓	L. B. Hunt for use of Samuel Whiting vs Thomas Whitehead	In this cause the parties appeared by Court & submitted their cause to a Jury who returned the following verdict viz "We the Jury find for the Plaintiff one hundred and sixty six dollars with interest from the first of may last & costs of suit signed Marguerat Foreman and it is hereby made the order of the Court that the Verdict of the Jury become the Judgment of the Court
No 9 ✓	~~Richard~~ B. Howard vs William L Cazeneau	In this cause the parties appeared and submitted their cause to a Jury who rendered the following Verdict viz Verdict for Plaintiff two hundred and four dollars with interest from 26 of July 1837 signed Marguerat Foreman. And it is hereby ordered that the Verdict of the Jury become the Judgment of the Court
No 10 ✓	Wm S. Wallace vs Jesse C Jaunahill & James Smith	Continued at plaintiff cost to this date & Silas Simmons is hereby made a Co Defendant
No 11 ✓	A. B. Fleury for use of C. Howard vs William L Cazeneau	In this cause the parties appeared and submitted the cause to a Jury who rendered the following Verdict viz " Verdict for Plaintiff for two hundred and seventy four dollars with interest from 31 Jan 1839 signed L. F. Marguebat Foreman And it is hereby ordered that the Verdict of the Jury become the judgment of the Court
No 12 ✓	James McPherson vs John Nowlan & Owen O Brien	Dismissed at Plaintiff Cost
No 13 ✓	Jeremiah A. Coe vs Edward Seiders	In this cause the Defendant appeared in Court & confessed Judgment in the amount of one hundred and twenty six 62/100 dollars with interest from 16th day of May 1839
No 14 ✓	F. P. Whiting vs Nathaniel Townsend	Continued by consent of Party

Fall Term 1840

No 17 William D Austin
vs
John P. Blair

In this cause the parties appeared and submitted their cause to a Jury who rendered a the following Verdict viz "Verdict for Plaintiff for two hundred and sixty five dollars and seventy five cents in par funds or its equivelant in Texas Promissory noty with interest signed Marguerat Foreman & it is hereby ordered that the Verdict of the Jury become the judgment of the Court

No 19 James P. Henderson
vs
John H. Harvy

In this cause the parties appeared and submitted their cause to a Jury who rendered the following Verdict viz The Jury return a Verdict of $318 40/100 with interest thereon in Gold or Silver from 4th Febuary 1840 signed Geo J. Glasscock

And it is hereby ordered that the Verdict of the Jury become the Judgment of the Court

No 21 Gideon Bowditch
vs
Joseph Fessenden

In this cause the parties appeared and submitted their cause to a Jury who rendered the following Verdict viz " Verdict for Plaintiff for two hundred and thirteen dollars and nine cents with interest from 19th April 1840 signed Marguerat Foreman And it is hereby ordered that the Verdict of the Jury become the judgment of the Court

It is further ordered that the judgment be credited in the amount of $65.

John Scott appeared in Court and acknowledged himself bound as surety for all costs in behalf of Plaintiff in the case of Edward Seiders vs John Nowlan et al No 57

Fall Term 1840

The Grand Jury Came in to Court and presented the following Indictments, to Wit:

No. 1. Republic of Texas v Mathew Morse } Murder

No. 2. Republic of Texas v Alexander Neffler } Larceny

No. 3. Republic of Texas v D. Laughlin } Demanding Extortionary Fees.

No. 4. Republic of Texas v Mathew Mofs. } Murder

No. 5. Republic of Texas v William G. Cooke } Sending a Challenge to fight a duel

No 6. Republic of Texas v M. B. Sherret } Being a Second in a duel.

No. 7. Republic of Texas v Edward Burleson } Being a Second in a duel

No 8. Republic of Texas v Felix Huston } Accepting a Challenge to fight a duel

No 9. Republic of Texas v Moses Wood } Assault

No. 10. Republic of Texas v William G. Wood } Assault

No. 11. Republic of Texas v. Owen O'Brian } Retailing liquors without License

No. 12. Republic of Texas v De Mott. } Keeping a Faro Bank

No. 13. Republic of Texas v Allen } Keeping a Faro Bank

No. 14. Republic of Texas v. Bank of } Keeping a Faro Bank

No. 15. Republic of Texas v W. W. Massey } Retailing liquors without License

No. 16. Republic of Texas v. Washington H. Secrest } Keeping a Faro Bank

No. 17. Republic of Texas vs. James Underhill } Keeping a Faro Bank

No. 18. Republic of Texas vs. Richard Ross. } Keeping a Faro Bank

No. 19. Republic of Texas vs David Harmans } Keeping a Faro Bank

No. 20. Republic of Texas vs Rawley Autry } Keeping a Faro Bank

Fall Term. A.D. 1840.

No. 21 ✓ Republic of Texas vs Greer } Betting at Faro

No. 22. ✓ Republic of Texas vs Wm. N. Porter } Betting at Faro

No. 23. ✓ Republic of Texas vs K. H. Muse } Betting at Faro

No. 24 ✓ Republic of Texas vs Thomas J. Smith } Keeping a Faro Bank

No. 25. ✓ Republic of Texas vs Lockhart } Carrying on a Faro Bank

The Grand Jury were discharged and the Court then adjourned until tomorrow Morning at Nine O'clock

Wednesday December 15th The Court met pursuant to Adjournment.

No. 15. ✓ W. H. H. Johnson vs Holland & Slocomb } Continued

No. 16 ✓ Anson Jones vs Kruger & Bonnell } In this Cause the parties appeared & Submitted their case to a Jury who rendered the following Verdict: "Verdict for Plaintiff against Kruger & Bonnell for two Hundred & fifty four dollars & fifty five Cents with interest from 21st July 1840. in good & lawful Money" (Signed) L. H. Marguerat Foreman

And it is Hereby ordered that the Verdict of the Jury become the judgment of the Court.

No. 22. ✓ James A. Worland & Co vs Gabriel Cagan } It is Hereby ordered that the Plaintiffs recover of the defendant the Sum of three Hundred ~~Fifteen~~ 1/100 dollars with interest at the rate of ten per Cent per annum from 19th May 1839. & all Cost in their behalf in this suit expended

Trial Term 1840

No 23.	Wm M Cooke vs John Woodruff	It is Hereby ordered that the Plaintiff recover of the defendant the Sum of two Sum with interest at the rate of ten per Cent per annum & all cost in their behalf in this suit expended
No 24.	James Turley vs John R. Slocomb & Sam Whiting	In this Case the parties appeared & submitted the cause to the jury who rendered the following Verdict: "Verdict for Plaintiff for two Hundred four & 183/100 dollars in Par Funds we the jury are of opinion that no Copartnership existed at the time the Contract sued for was made between Slocomb & Whiting & that said Whiting is justly bound for the above Sum. we have no evidence that Mr. Slocomb induced Mr. Turley to believe that he was acting as agent at the time the Contract was made but that he Slocomb made the Contract (Signed) L F. Marguerat Forman
No 26	Lockhart & Irwin vs W. B Sweney	Abated on account of death of defendant
No 27.	Thomas H Duggan vs. Matthew Mosk	Continued by the Consent of the Parties
No 29.	Declan Soles vs Nathl Townsend	Continued with leave to take the testimony of John Wood & A. C. Hyde and L F. Marguerat were appointed Commissioners
No 30.	Waller & Masterson for the use of Jas Fessenden vs Charles Schoolfield	Continued and an order of Scire Facias against the legal representatives of defendant
No 31	Saml Hilsburn vs John H Avery	It is Hereby ordered that the Plaintiff recover of the defendant the Sum of Seven hundred & thirty-nine 48/100 dollars with interest at the rate of 6 per cent per annum from the 27th September 1836 & all Cost in their behalf in this suit expended.

Fall Term A.D. 1840.

No. 32. ✓	James Fisher Adm'r. for the use of William Cannon vs. Jacob Eberly and Gabriel Cagan	Continued
No 33. ✓	A. O. Hudson vs Massillon Farley	Submitted to arbitration A. A. Anderson and A. M Ogden Esqrs. were appointed arbitrators.
No 35. ✓	Benj. S Grayson vs P. S Cocke	Dismissed
No 36. ✓	A. & N. Boyce vs John Jarman & John Jordan	In this cause the parties appeared and Submitted their Case to the jury who rendered the following Verdict: "Verdict for Plaintiffs for Five Hundred & eighty one dollars with interest from 11th December 1839 in good & lawful Money (Signed) S. F. Marguerat Foreman
		And it is thereby ordered that the Verdict of the jury become the judgement of the Court.
No 38. ✓	Asa Mitchell for the use of J. J. Crosby vs Branch T. Archer	It is thereby ordered that the plaintiff recover of the defendant the Sum of Nine Hundred & eighteen 40/100 dollars with interest at the rate of six pr. cent per annum & all Cost of Suit in his behalf expended.
No. 39. ✓	Josiah J. Crosby vs John Rice Jones	Continued
No. 40. ✓	Matthew Moss vs Thomas Duggan	Continued by Consent
No 41 ✓	Allen J Holderman vs James A Haynie	Continued with leave to plead on or before the first day of the next term.
No 42. ✓	Wm A Patton & Co vs John F Webber	Continued

Hale Term A.D. 1840

No. 43.	James Cole vs Thomas H Duggan & Henry Ferrell	Continued & plaintiff ruled for cost
No. 44.	John W. Ladd vs R A Wynns	Continued on affidavit of defendt

The Court Adjourned untill to morrow Morning at Nine O'clock

Thursday morning December 16th 1840
Court met pursuant to adjournment

No. 45	Francis Turner vs Joseph Fesenden	Continued and defendant ordered to give security for cost
46	James W Smith & Angeline D Smith vs Thomas B Winston	In this cause the parties appeared in court and the cause was submitted to a Jury who rendered the following verdict (to wit) We find for the plaintiff for damages in the sum of ten dollars Signed L. F. Thayer Foreman And it is hereby ordered that the verdict of the Jury be made the Judgment of the court
No. 47.	Charles K Reese Admr &c vs Silas Jessup and Reuben Hornsby and Bowles	Judgment by default against Hornsby and Bowles and demurrer of Jessup continued over for argument
Misentry No. 48	J. J. Bellinger & William L Maynor vs Ada Savery	Judgment is rendered for Plaintiffs on the confession of the Defendant
No. 50.	Hannah Alexander vs A. C. Gilmer & Cornelius Van	Judgment by default & rule for sale of land

Hall Term A.D. 1840

No. 51. George Graham vs Edward Swidel — Judgment by default and rule for sale of Land —

No. 52. John L. Stern assignee vs Milton B. Atkinson — Judgment by default & rule for sale of Land

No. 53. Geo. A. Glascock vs John F. Webber — Continued by the Deft.

No. 54 Charles Nisler & James A. Mason vs Louis & Cook — In this case the parties appeared and the cause was submitted to a Jury who rendered the following Verdict, "Verdict for Plaintiff for three Hundred & thirty five Dollars with interest from the 1st of September 1839." (Signed) C. F. Marquess Foreman. And it is hereby ordered that the verdict of the Jury become the Judgment of the Court. — — —

And now December 28th 1840 The court orders the verdict & Judgment set aside and awards a new trial & the cause continued to the next term

No. 55 Daby B. Capell vs Samuel Whiting — Continued

No. 56. Seth Marvin vs Lewis Haas admr &c. — Dismissed at Defendants costs

No. 57. S. Sowden vs Samuel Whiting — Settled

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Fall Term A.D. 1840

No 59. James Wilson Surviving Partner
vs
Colden Denman

In this case the Defendant filed a Plea in abatement to which the Plaintiff demurred. The Court sustains the demurrer and orders that the Plaintiff recover of the Defendant the sum of two hundred Eighty dollars with ten per cent interest from the first of January 1840. together with all costs of suit, in this behalf expended

Continued

John Binns
No 60 vs
Wiley Hunt

James Campbell
No 61. vs
Philip B. Rawson
& Maurice Samuel

Judgment by default & Ruled for Sale

William M. Cooke
vs
No 23 John Woodruff

In this cause Judgment was ordered by default & the Jury impannelled to assess the damages who rendered the following Verdict "Amount due Five hundred & sixty four cents, with interest from the and thirty dollars and costs. Record November 1838. Signed L. F. Marguerat Foreman It is hereby ordered that the verdict of the Jury become the Judgment of the Court.

2 James Campbell
vs
No 61 Philo B Rawson & Maurice Samuels

In this case Judgment was rendered by default and a Jury empannelled to assess the damages who rendered the following verdict to wit "We find for Plaintiff for four hundred and ten dollars twenty eight cents with interest from the first of June 1840 Signed L. F. Marguerat foreman And it is ordered that the verdict of the Jury become the Judgment of the Court The fine of twenty five dollars imposed upon the Clerk on the 9th December inst is this day remitted

1st Tuesday Term A D 1840

Thursday December 17th The Court met persuant to adjournment. Hon P. W. Ferrell presiding

No 20 ✓ Wm Neiveard vs John A. Webber } Continued

John D Anderson appeared in this case and acknowledged himself bound as surety for all cost on behalf of the Plaintiff

No 25 ✓ Jams A. Hammond vs Jam Whiting } Continued on affidavit of defendant

No 50 ✓ Hannah Alexander vs D. C. Gilmore & Cornelius Lane } In this case upon the hearing before his Honor A. J. Mills Judge presiding it appearing by the exhibits filed in this case that defendants had made their joint notes to plaintiff dated on the 1st January 1839. for three hundred & seventy four 74/100 dollars due twelve months after date the other dated 1st Febry 1839. and due three months after date for the same amount with several credits upon which there is now due One hundred & thirty three 50/100 dollars and it also appears to the Court that said defendants on 1st January 1839. Mortgazed for the payment of said notes to said plaintiff a certain tract of land then in Bastrop now in Travis County being one fourth of a league of land known on the Map of Bastrop County as the North east quarter of league No. 22 situated on Wilbargers Creek and known as part of the head right of Amos Alexander as appears by reference to the records of the Land Office in this city and it further appears that said Mortgaze has been duly registered and also that the whole of the first mentioned note of $133.50/100 on the second is unpaid and that the defendants have been duly notified of this proceeding it is therefore ordered & decreed that the aforementioned land be sold &c & according to law to satisfy the full amount of said debt interest & costs &c

No 57. George Gresham vs Edward Seiders } In this case it appearing that the defendant was indebted to the plaintiff in the sum of Six hundred dollars of the promissory notes of the Government of Texas and that the same became due on 11th July 1840 and it further appearing that the said sum was secured by a Mortgaze upon a lot of land in the City of Austin County of Travis known and described as lot No. 4. in block No. 42. in said City and it appearing by the inquest of the jury the sum of $120. with interest from 11th July 1840 in par money it is therefore ordered and decreed that the land described in said Mortgaze be sold according to law to satisfy the said sum of 120$. and interest from the said 11th July together with the cost of suit.

Fall Term. A.D. 1840.

No 84	Republic of Texas vs Washington H. Secrest	Dismissed
No. 90	Republic of Texas vs John D. Harry	Quashed
No. 95.	Republic of Texas vs G. G. Blackwell	Quashed
No 97	Republic of Texas vs C. C. Cushman	Quashed
No 98.	Republic of Texas vs William Gibson	Judgement for defendant on demurrer
No. 2	Republic of Texas vs David Harry	Judgement for defendant on demurrer
No. 3.	Republic of Texas vs David Harry	Quashed
No. 60	Republic of Texas vs Alex. Coleman	In this cause the parties appeared and the Republic by its attorney A. L. Jewett and the defendant in his own proper person and pleaded not guilty whereupon the cause was submitted to a jury who rendered a Verdict of Guilty. & (Signed) L. F. Marguerat Forman The Court hereby orders that the defendant pay a fine of Five Hundred dollars and Costs of Suit and remain in Custody of the Sheriff until the sentence of the Court be complied with.

Fall Term A.D. 1840.

No 57 ✓ — Republic of Texas vs Edward Seiders — The Court hereby orders that the defendant pay a Fine of five hundred dollars and remain in the Custody of the Sheriff untill the Sentence of the Court be Complied with.

No 24 ✓ — Republic of Texas vs Thomas A Smith — December Term 1840. In this Cause the parties appeared in court the Republic by its attorney A. J. Jewett and the defendant in his own proper person and pleaded not guilty whereupon the cause was submitted to a jury who rendered a verdict of Guilty.

(Signed) L. F. Marguerat
Foreman

And the Court hereby orders that the defendant pay a Fine of one thousand dollars and remain in the Custody of the Sheriff untill the Sentence of the Court be Complied with. It is further ordered that the Defendant be released upon his paying Costs of suit

No. 69 ✓ — Republic of Texas vs Lewis Godin — Dismissed

No 63 (Spring Term) ✓ — Republic of Texas vs Washington A. Secrest — Motion in arrest of judgement overruled

No. 10. Dec Term. ✓ — Republic of Texas vs Wm G Wood — In this cause the parties appeared in Court the Republic by its attorney A. J. Jewett and the defendant in his own proper person and Submited their cause to a jury and rendered a Verdict of not guilty. (Signed) L. F. Marguerat
Foreman

No. 3. ✓ — Republic of Texas vs D Laughlin — In this Case the parties appeared and in the Court the Republic by its attorney A. J. Jewett and the defendant in his own proper person who plead not guilty whereupon the Case was Submited to a jury who rendered a Verdict of Guilty as Charged in the indictment

(Signed) L. F. Marguerat
Foreman

Pursuant to a Proclamation of the President of the Republic directed to the Clerk of the District Court for Travis County and filed in his Office the Fine of $500 imposed upon Edward Seiders for permitting the game of Faro to be played in his House is hereby remitted upon his pay the Costs of suit

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Fall Term A.D. 1840.

No. 11. Republic of Texas vs Owen O'Brian } Sole Prosequi defendant assumes the Costs

No. 21. Republic of Texas vs Greer } Dismissed

No 52 John L. Osborn ass^e. vs Milton B. Atkinson

In this case it appears to the satisfaction of the Court that Milton B. Atkinson is indebted to the said John L Osborn as set forth in the petition of said Osborn in the sum of $376 87/100 & that the same is secured by a Mortgage on one third of a League of land belonging to said Atkinson in said County more particularly described in the mortgage itself which accompanies this Decree and is made a part of the record in this cause

And whereas the said John L. Osborn in his petition has prayed that the same Mortgage be forclosed and that he have judgment for his debt, interest & cost. And the said Atkinson failing to appear and show cause to the contrary, it is therefore ordered and decreed by the court. that the said Mortgage be forclosed and that sale be made of the said Mortgage property according to law to satisfy said debt, with interest and costs, and that the said Osborn have judgment for the said sum of $376 37/100 with costs of suit

Court aggjourned until Friday Dec 18th at 9 Clock A.M.

Friday Dec 18th Court met pursuant to adjournment his Honor P. W. Terrell Presiding

No 9 Fall Term Republic of Texas vs Moses Wood } Continued

No 48 Spring Term Republic of Texas vs Francis Prentiss } In this cause the parties appeared in Court and the Defendant moved to Quash the Indictment on the ground that no prosecutor was marked in it whereupon the Court reserved the decision to be submitted to the Supreme Court considering the question novel and difficult

No 83 S.T. 1840 Republic of Texas vs Thomas J Smith } The Court hereby orders that the Defendant pay a fine of $500.— & Costs and that he remain in the custody of the Sheriff until paid

The Defendant moves the Court for an Appeal which is granted upon his giving security according to Law.

It is further ordered that the Defendant be released from the custody of the Sheriff upon his paying the Costs

Fall Term A.D. 1840.

No 63 — Republic of Texas vs Washington H. Scords — The Court hereby orders that the defendant pay a fine of $500.00 & Costs and that he remain in the custody of the Sheriff untill paid

The Defendant moves the Court for an appeal which is granted upon his giving security according to law

No 57 — Edward Seiders vs Nowlan O'Brien & C. — Continued and an Alias ordered for Nowlan

The Court hereby orders the Sheriff of this County to take all prisoners in his Custody to the jail in the County of Fayette untill they shall pay or secure the payments of the several Fines imposed upon them together with all costs

Court adjourned untill Monday Dec 21st at 9 Ol. A.M.

Monday Dec 21st Court met pursuant to adjournment & adjourned untill Dec 22 Tuesday morning nine Oclock

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Fall Term A.D. 1840.

Saturday Decr. 19th Court met pursuant to adjournment
his Honor J. W. Terrell presiding

No 18 McKinney & Welch
vs
Black & Sharpe

Discontinued as to Sharpe
It is hereby ordered that the Plaintiffs recover of the defendant John P. Black the sum of $348 with interest from the 6th day of March 1840 at the rate of eight percent per annum and all costs in this suit in his behalf expended

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Tuesday December 22 1840
Court met pursuant to adjournment
His Honour G. W. Terrell presiding

No 24 James Turley
vs
John R Slocum &
Samuel Whiting

The court allows a Nolle Prosequi as to Slocum to be entered and hereby orders that the plaintiff recover of the Defendant Whiting the sum of two hundred and four dollars and eighteen cents it being the verdict of the Jury together with all cost of suit in this behalf expended. The parties file an agreement that on appeal no objection will be taken to the jurisdiction of the Supreme Court on account of the amount in controversy

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No 16 Anson Jones
vs
Conyers & Bonell

In this case the court orders the verdict of the jury set aside and awards a new trial on the ground that one partner cannot bind his co partner in a contract for the purchase of real estate without the consent of such co partner and that in this case there was no evidence of Conyers consent to be bound in the note (upon which the suit was brought) given by Bonell alone in the name of the firm for a lot of ground in the city of Austin

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3 Charles Cammings
vs
Newton Obrien & Craig

Certiorari to the County Court of the County of Travis In this cause the court orders that the plaintiff recover of the defendants the sum of thirty eight dollars and fifty cents together with all cost about his suit in this behalf expended

Fall Term A.D. 1840.

To the Hon— the Judge of the District Court of the Third Judicial District

The undersigned to whom was referred the cause of J.P. Cocke vs. J.P. Black & co with the papers and documents belonging to the same for the purpose of liquidating the accounts between said parties, and report the same to your Hon Court beg leave to submit the following as the result of a careful ~~examination~~ investigation of the matters in controversy

The transactions between the above parties out of which this controversy has arisen are entirely of a merchantile character; and the matters in controversy consist of accounts between them

The method which I pursued in adjusting their accounts was to require vouchers for all the different items charged in their mutual accounts and whenever I found an item charged unsupported by proof, which the opposite party would not admit, I rejected it

Proof was made to me that in the return of sales ~~made by~~ to Mr Russel, for the month of May that there was error in the charge of flour. The proof was that one bill of flour had been sold to Mr Townsend at one hundred and twenty dollars when it was charged in the return at ninety, only. I made the proper allowance for this error giving Mr Cocke credit for the difference

The counsel for Mr Cocke filed exceptions to the whole of that report in the item of flour on the ground that as they had falsified the return as to the sale of one bill of flour, that the return is false as to all of that article sold by them They claim a credit therefor for all of the flour This position I should have regarded and allowed a credit for all the flour sold that, during month, but there was proof of but a single erroneous charge and abundant proof brought before me to establish the fact that it was charged higher than the ordinary selling price of flour in this city during the same month so I considered the general presumption rebutted and did not allow the credit asked. Besides evidence came before me from both sides that the items as charged in the returns were generally correct

Another exception was also taken to the returns of said Black & co on the ground that the Treasury notes were estimated at seventeen cents to the dollar when their correct rate at the time was higher. When this exception was filed I immediately gave notice to both parties that I wished them to furnish me with written proof supported by affidavit as to the value of said notes during the time specified in the returns The weight of proof furnished induced me

December Term 1840

To alter the rate as to one month from sixteen cents to twenty cents on the dollar The other rates were supported by the proof

One item of two hundred and fifty five dollars charged in the account of said Black & Co I felt cosiderable delicacy in acting on This item was stricken out of the account by the order of the court on the petition of the opposite party The facts with regard to it are these— that during the last spring said Cooke consigned to said Blacke & Co a consiederable quantity of merchandise

Wednesday morning December 23d 1840

Court met at nine of the clock

His honour G W Terrell presiding and adjourned til Saturday morning at nine of the clock

No 3

Republic of Texas vs David Laughlin — December Term 1840

The Republic of Texas County of Travis

In the name and by the authority of the republic of Texas the Grand Jurors for said Republic and county upon their oaths present That one David Laughlin of the said county of Travis on the fifteenth day of October in the year of our Lord one thousand eight hundred and forty then being one of the Justices of the peace for said county duly and legally appointed and qualified to perform the duties of said office but not regarding the duties of said office and intending to oppress one N. C. Tannehill on the aforesaid fifteenth day of October in the year aforesaid at the City of Austin in the county aforesaid by color of his said office did wilfully ~~and~~ corruptly and extorsively demand take and receive of him the said N. C. Tannehill a greater fee than is allowed and provided by law for the Judgment rendered by the said Laughlin as Justice of the peace of said county in a certain civil action in which one Wm Y Wood was plaintiff and said N. C. Tannehill Defendant and which was commenced and tried before the said David Laughlin as a Justice of the peace duly appointed (to wit) the sum of twenty dollars in the promissory notes of the Government which sum is more than the fee allowed and provided by law for costs in such case Contrary to the duty of him the said D Laughlin in his office aforesaid against the laws and statutes in such cas made and provided and against the peace and dignity of the republic

A true bill signed Joseph Fessenden Foreman

In this cause on the 17th December 1840 the parties appeared in court The Republic by its attorney H W Fowle and the Defendant in his own propo

Fall Sess A.D. 1840.

person who pleaded not guilty whereupon the cause was submitted to a Jury who rendered a verdict of guilty as charged in the endictment (signed) L. F. Margraat foreman

Motion was made in arrest of Judgment J. M. Ogden Counsel for defendant contended that Judgment should be arrested 1st Because the charge in the Indictment was too Genral and should have specified what sum was due the the Justice and what sum he demanded and received

2 Because the Statute passed January 23 1839 requiring all Government officers to recive promissory notes of the government for all dues accruing them in discharge of the duties of their offices was unconstitutional, and that Defendant did not demand an receive a greater fee than was allowed by law

3 That the Indictment should show upon its face under what Statute it was found so that the Defendant may know what offence he is to answer and what penalty is sought to be recovered against him 4th That Judgment if any can be rendered must be removal from office which this court has no power to render

H. J. Scott District Attorney on behalf of the Republic contended that Defendant by taking Texas promissory notes at the rate of five for one as it was admitted Defendant received them (to wit) twenty dollars in promissory notes for four dollars par funds being the costs in the action Defendant had exacted an illegal fee

2 That the statute regulating fees of Justices of the peace &c being a public statute the court was bound to take notice of it ex officio, and that the charge in the indictment was sufficiently specific and left bound to justify and show that he was entitled by law to the fee which he received

The Judge considering the foregoing questions novel and difficult directed the same to be reserved for the consideration and discretion of the supreme court

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Charles K. Reese
Vs
Silas Jessop Reuben Hornsby & Nelan Doley

It is hereby ordered that the Plaintiff recover of the Defendants the sum of $298 40/100 with interest thereon from the 10th Day of August 1840 & all costs in his behalf on his behalf expended

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Fall Term A D 1840.

The Republic of Texas
vs
Thomas I Smith

No 53 of
Spring Term 1840. in
This cause the following Bill of Indictment
was returned by the Grand Jury to wit

The Republic of Texas
County of Travis
of the Republic of Texas

In the name and by the authority

The Grand Juros for the Republic and county aforesaid upon their oath present That Thomas I Smith late of the county aforesaid on the first day of February in the year of our Lord one thousand eight hundred and forty in the county aforesaid Did hold a faro bank for the purpose of playing at the game of faro and then and there invited and received bettes to the aforesaid faro bank against the form of the Statute in such case made and provided and against the peace and dignity of the republic Signed H. C. Hudson District Attorney and endorsed A true bill Nathan Townsend Foreman Grand Jury Travis county. December 12th 1840 the parties appeared in Court the Republic by its attorney H. I Ewell and the Deft in his own proper person and pleaded not Guilty whereupon the cause was submitted to a Jury who rendered the following verdict (to wit) Guilty of dealing faro in the city of Austin previous to 1840 and after the first of may 1839 Signed L. H. Marywral Foreman

Motion was made in arrest of judgment

Cooke & Anderson for the Deft contended that Judgment should be arrested first because the indictment charging the offence says it to have been committed in Travis County when in fact from the face of the indictment and the proof advanced on trial the offence was shown to have been committed in the county of Bastrop The court overruled the motion and ordered the Deft Thomas I. Smith to pay a fine of five hundred dollars together with the costs of prosecution and that he remain in the custody of the Sheriff until the sentence of the court be complied with From this sentence the Defendant asks an appeal which the Court allows on the Defendants giving bond and security in the sum of one thousand dollars conditioned for the appearance of the said Smith at the next Term of this court and not depart without leave thereof

Fall Term A.D. 1840.

Saturday morning December 26th Court met pursuant to adjournment
J. T. Mills presiding

No 19 James P. Henderson vs John H Harry } Motion in arrest of judgment overruled

Nathaniel Townsend vs The Sheriff of Travis County } Rule nisi to refund money collected for costs
The sheriff of Travis having made his return to the rule sued out in this case & it appearing thereby that the executions upon which the money was made were for costs alone and the sheriff having collected the same in Texas Treasury notes charging four dollars in said notes for each dollar of the amount specified in said Executions, against the provisions of an act approved January 19th 1839 entitled an act to compel all Government Officers to receive the promissory notes of the government for all dues that may accrue to them in the discharge of their duties of their office
The following points are reserved and ordered to be certified to the supreme Court of this Republic for its opinion and Judyment
1. Is the said act of congress constitutional on itself
2 are Officers who have been appointed to office previous to its passage subject to its provisions if constitutional
Respectfully submitted to the supreme court
J. T. Mills Dist. Judge

The following is a copy of the record of James M Long Deputy Sheriff filed in this cause and ordered to be put upon the record (to wit)
Rec. Austin December 1st 1840 from Nathaniel Townsend one hundred and ninety three dollars in Texas promissory notes in full of two executions in my hands issued by the Clerk of the District Court for the County of Austin for costs in that Court in suit of James Irwin & Horace Eggleston the amount of said Executions being for forty eight dollars and twenty five cents which was claimed in specie funds or four dollars for one
James M Long
D. S. T. C.

Republic of Texas vs P. J. Hunter } Attachment for contempt of Court
The affidavit of the Deft held sufficient and he is hereby ordered to be discharged

Court adjourned until Monday Morning at 9 Oclock

Fall Term A D 1840

Monday Dec 28th Court met pursuant to adjournment

P. B. Cockes
vs
J. P. Black & Co

In this case it is ordered that the Papers documents & evidence be referd to the Clerk & Master for an Account current between parties & that the same be returned into Court on or before the next term thereof

Thomas Puckett
vs
Thos. A. Moore

In this case it is ordered by the Court that the Plaintiff give further security & a new bond signed by Plaintiff or his Agent under power of Attorney or that on his failure so to do the case be dismissed with costs

The following names were drawn from the Box to constitute the Jury for the next Term of this Court, To Wit:

1.	George S. Gasscock	13	William Austin	25	H. W. Raglin
2	M. H. Nicholson	14	John W Hayden	26	Samuel R. Miller
3	Thomas C. Collins	15	B. F. Johnston	27	Joseph Harrell
4.	William B Billingsley	16	Colden Denman	28	Alexander Russell
5.	Thomas H Hood	17	N. W. Puckett	29	A. C. Macfarlane
6.	John Woodruff	18	Alford Smith	30	Thos. L. Jones
7	Samuel Crannill	19	Thos H. Duggan	31	Alfred W. Puckett
8	Larry W. Humphrey	20	Chas. F. King	32	Francis Prentice
9	George W. Bonnell	21	James F. Johnson	33	Benjamin S. Grayson
10	Nicholas W. Arthur	22	C. C. Cashman	34	Harvey P. Sarey
11	Alexander F. Gayle	23	William Hamilton	35	David P. Darby
12	Asa Bingham	24	James Smith	36	N. F. Byers.

Examined and approved

Wm. L. Mills

Dis. Judge

District Court 1848

Spring Term 1841

Be it remembered that on the third day of May One thousand Eight Hundred & forty one; There was begun and holden in the County of Travis, at the Court House thereof a District Court for said County, present the Honorable R E B Baylor Judge A C Macfarlane Sheriff and M H Beaty Deputy Clerk; When the following Causes came on to be heard, and the following proceedings were had = The Venires previously drawn according to Law being called, the following jurors answered to their Names = M H Nicholson Thomas C Collins John Woodruff A J Gayle B F Johnson N McLuckett Alfred Smith Charles F King James F Johnson James Smith Samuel R Miller Alexander Russell Thomas L Jones

On Motion James F Johnson and Thomas L Jones were excused from serving as Jurors = a Sufficient number of jurors of the original panel not being in attendance on the Court; it is ordered that six bye Standers be Summoned to make up the panel of the Grand jury = Whereupon, A B Hill Abner Matheus George W Bonnel S L Johnson A G Johnson John M Shockley William Cockburn A J Byers and J R Marston were Summoned from the byestanders for said

The following names were drawn to serve as Grand jurors from the original panel by Jordan Deputy Clerk A Russell J R Marston Charles F King A G Johnson N J Byers John M Shockley M H Nicholson S L Johnson Thomas C Collins A J Gayle B F Johnson James Smith William Cockburn John Woodruff G W Bonnel & N McLuckett = Whereupon A Russell was appointed foreman by the Court, and having been duly Sworn, together with the other Grand jurors according to Law And after receiving the Several matters & things given them in charge by the Court, retired to consider of their presentments. = A C Brown was appointed and duly Sworn as Baitiff to attend the Grand Jury. =

On Motion of B Gillespie the following petitions were entered on the Docket, Joseph C Plummer Vs Commissioner General Land office = Petition for Mandamus. = Joseph F Smith Vs Commissioner General Land office = Petition for mandamus. =

Thomas A Willard Vs Commissioner General Land office; Petition for mandamus. =

On the foregoing applications a rule was granted, against the Commissioner of the General Land office, requiring him to appear on Friday next & Show Cause why a mandamus peremptory Should not issue against him as prayed for, in the Several petitions. =

Court adjourned until 3 o'clock P. M.

Spring Term 1841

Court met pursuant to Adjournment.

Thursday next it was set apart by order of the Court for the trial of the Criminal Cases. = The Civil Docket was then called; and the following proceedings had

√ 2 — Edward Seiders vs John Nowlan } This day came the parties by their Attorneys, and on motion of the Plaintiff, it was ordered that this Suit be dismissed; and that the defendant go hence without day & recover of the Plaintiff his costs about this Suit, in his behalf had and expended. = & for which execution may issue

— / + 30 √ — Waller & Masterson for the use of I Fessenden vs Charles Schoolfield } This day came the parties by their Attorneys, and on motion of the Plaintiff it was ordered, that this Suit be dismissed and that the defendant go hence without day, and recover of the Plaintiff, his Costs, about this suit, in his behalf had and expended. which execution may issue

— / √ 32 — James Fisher Admin^r For the use of Wm Cannon vs Jacob Eberly & Gabriel Eagan } This day came the parties by their Attorneys, and on motion of the Plaintiff it was ordered that this Suit be dismissed, and that the defendant go hence without day, and recover of the Plaintiff, his costs, about this suit in his behalf had and expended. for which execution may issue

— / √ 39 — Josiah Crosby vs John Rice Jones } This day came the parties by their Attorney's and on motion of defendant by affidavit it was ordered that this Suit be continued until the next term of this Court & the rule to arbitrate this case set aside & cost to be

— / √ 45 7 — Frances Arthur vs Joseph Fessenden } This day came the parties by their Attorney's, and on motion of the Plaintiff this Suit was dismissed, for want of Security for costs, requiring at a former Court It is therefore considered by the Court that the defendant go hence without day & recover of the Plaintiff all cost in this Suit in his behalf had & expended & for which execution may issue

— / + 60 √ — John Banes vs Wiley Hunt } This day came the parties by their Attorneys and on motion of the Plaintiff, it was ordered by the Court that this Suit be dismissed, and that the defendant go hence without day and recover of the Plaintiff his costs about this Suit in his behalf had & expended & for which execution may issue

— / √ 1 — P B Locke vs Benj S Grayson } This day came the parties by their Attorney's and on motion of Plaintiff on motion it was ordered that A C Hyde be appointed

Spring Term 1871

Master in chancery who reported, report set aside, & the case continued over the next term
Court adjourned until tomorrow Morning 9 O'clock.

Tuesday Morning 9 Oclock, Court met pursuant to adjournment

6 Sam Highsmith vs Robert Mitchell } This day came the parties by their Attorneys; and on Motion, the Plaintiff take a Non Suit It is therefore considered by the Court that the defendant go hence without day & recover of the Plaintiff & all cost in this suit herein expended & for which execution may issue

53 George T Glasscock vs John F Webber } In this Case the Plaintiff has leave to amend on payment of the costs of amendment, and defendant has leave to plead over

92 William Everson vs Samuel Watkins } Security for costs to be given within Sixty days, or the suit to be dismissed, and that the ~~Clerk~~ Prosecutor be appointed Master in Chancery to take an account between the parties & report to the next term

15 W H H Johnson vs Bird Holland & H H Slocomb } Dismissed by order of the Plaintiff and each party assumes to pay one half the Cost, the Executions may issue

The Court hereby orders a fine of twenty dollars each against J W Hayden Owen O'Brien, W. S. B. Anderson & James Haynie for not appearing as jurors in Court when summoned

The following persons were then Sworn in Chief as petit jurors Samuel R Miller John R Slocomb W J M Smithson Augustus Bowles W A Force H B Hill Abner Mathews H Espchuck Neri Chamberlin Joseph Farmer F P Whiting & H Cooke

10 William S Wallace vs Jesse C Sammahill & James Smith & Silas Simmons } In this case the parties appeared with their witnesses, an submitted their Cause to the jury who rendered the following Verdict We the jury find for the Plaintiff the sum of Two hundred and twenty four 87/100 Dollars (Signed) W A Force foreman and it is hereby ordered that the Verdict of the jury become the judgement of the Court and that the Plaintiff recover of the Defendant all Costs in this suit in his behalf, had & expended & for which execution may issue discontinue this suit as to Simmons the Plaintiff having previously discontinued this suit as to Simmons

Spring Term A.D. 1841.

William Austin was excused as juryman upon the affidabit of Henry Terrill

G P Whiting
Vs.
Nathaniel Townsend } In this case plaintiff takes a non suit, whereupon it was ordered by the court that the defendant recover of the plaintiff his costs in this behalf expended & for which execution may issue

Nathaniel Townsend
Vs
James Smith } In this case the parties appeared with their witnesses, and submitted their cause to a jury who rendered the following Verdict We the jury find a verdict in favor of plaintiff One hundred dollars damages (Signed) W A Force foreman. And it is hereby Ordered that the Verdict of the jury become the judgment of the Court, and that the plaintiff recover of the defendant all costs in this suit in his behalf expended & for which execution may issue. The Court hereby remits the fine of Twenty dollars against James A Haynie

Court adjourned until 9 Oclock tomorrow morning

May 5th 9 Oclock A M

Court met pursuant to adjournment

Prewett & Browning
Vs
H W Hamner } In this Case it is ordered by the Court that the Plaintiff give Security for the Court, within Sixty days, or else the suit stands dismissed & that the suit be continued until the next term

John R Jones
Vs
A G Kimble } In this Case, it is ordered by the Court, that a judicial attachment be issued against the goods & chattles of the defendant & the case stand continued until the next term

Daniel Kinchelow
Vs
Kindred A Mouse Admr of the estate of B D Noble Decd } In this Case it is ordered by the Court that this Cause be Continued, and that an alias writ issue to defendant

Joseph Tanner was excused by the Court from serving as a juror

P M Hubbart
Vs
Nathan Townsend } Court & defendant enters appearance

Judgment by default in favor of Plaintiff for one hundred & sixty dollars with 8 per cent interest from 12th October 1840

87

Spring Term A.D. 1841.

85 Kipsman & Co vs Browning & Potter } This day came the parties by their attorneys and on motion of the defent. it was ordered that an alias Writ be issued for Potter & to the defendants and Potter to give security for cost to be given in sixty days or this suit to be dismissed and that this Case be continued

89 Goodman & Miller vs E L Stickney to be dissmissed } In this Case, it was ordered by the Court that the Plaintiff give Security within Sixty days, Or else this Suit to be dismissed & suit to be continued until the next

85 James Craft vs Joseph Hamner } This day came the parties by their Attorneys; and on motion of the Defendant, it was ordered by the Court that the Plaintiff give Security for Cost, or the Suit be dismissed within sixty days thereupon came in Thos H Mays and acknowledged himself Security for costs of this Suit. Cont and Defendant have leave to amend his pleas

void Prewett & Browning vs J W Hamner } In this Case, it was ordered by the Court that J W Hamner give Security within Sixty days or this Suit to be dismissed In Chancery

Henry Koontz vs J. P. Savery } Judgement by Default for Debt and interest & writ of enquiry to the present term

20 William Necomb vs John F Webber } In this Case the Plaintiff takes a non Suit whereupon it is ordered by the Court, that the defendant go hence without a day & that he recover of the Plaintiff all costs in this behalf expended & for which execution may issue

27 Thomas Duggan vs Mathew Moss } In this Case Plaintiff takes a non Suit whereupon it is ordered by the court that the defendant go hence without a day & recover of the Plaff all costs in this behalf expended & for which execution may issue

40 Mathew Moss vs Thomas Duggan } In this Case the Plaintiff takes a non Suit whereupon it is ordered by the Court that the defendant go hence without a day & recover of the Plaintiff all costs in his Suit in this behalf expended & for which execution may issue

The Court hereby orders a fine of fifty dollars against J Gayle, for failing to attend as a grand juror when summoned

Calvin Jones was duly Sworn as an assistant Bailiff to wait upon the Grand jury

Spring Term A.D. 1841.

The Grand Jury, their being a full pannel returned the following Bills of Indictment

The Republic of Texas
Vs.
60 K St Holliday } Murder
A true Bill Signed A Russell foreman

Republic of Texas
Vs
63 Thomas A Duggan } An assault with intent to murder
A true Bill Signed Alex Russell foreman

Republic of Texas
Vs
66 Samuel Cranwell } An assault with intent to murder
A true Bill Signed A Russell foreman

Republic of Texas
Vs
67 Louis P. Cooke } Assault & Battery
A true Bill Alex Russell foreman

Republic of Texas
Vs
James Fisher } Larceny
A true Bill Alex Russell foreman

Republic of Texas
Vs
62 Thomas A Duggan } Resisting an officer &c
A true bill Alex Russell foreman

Republic of Texas
Vs
61 Ira Munson } Assault & Battery
A true bill signed Alex Russell foreman

Republic of Texas
Vs
Solomon L Johnson } Assault & Battery
A true bill found & signed Alexander Russell foreman

Court adjourned until 2 oclock P.M

2 oclock P.M

Court met pursuant to adjournment

Nelson Souls
Vs
29 Nathaniel Sowell } Continued by Defendants paying Costs of ~~this~~ suit ~~term of the Court~~ or his ~~affidavit~~ Cost of the present term & the order reserved as to the taking the testimony of John Wood & Security for cost to be given within sixty days or the suit to be dismissed.

89

Spring Term A.D. 1844

41 Allen S Holderman vs James A Haynie } Continued on affidavit of Plaintiff

42 William H Patton & Co vs John F Webber } Continued on affidavit of Plaintiff: he paying all costs of this term

44 John W Ladd vs R H Wynne } Settled as per agreement filed

48 I J Belknap & W J Maynor vs Asa Savery } Continued & Plearies writ ordered

A J Gayle a grand juror came forward and rendered his excuse, and his fine was remitted by the Court for non attendance as a grand juror

46 Anson Jones vs Kruger & G W Bonnell } This day came the parties by their Attorneys, & Witnesses, and Submitted their cause to a jury, who rendered the following Verdict We the jury find a Verdict in favor of the Plaintiff against defendant George W Bonnell for the Sum of Two hundred & thirty dollars with legal interest, And find issue in favor of the other defendant Kruger - (Signed) William H Force foreman

It is hereby ordered by the Court, that the defendant Kruger go hence without day - And that the Plaintiff recover of the defendant George W Bonnell the damages by the jury assessed & all Costs in this suit in his behalf expended for which Execution may issue

Court Adjourned Until tomorrow Morning 9 O'clock

Thursday Morning 9 O'clock A.M. Court met pursuant to adjournment

53 George J Glascock vs John F Webber } This day came the parties by their Attorneys - And thereupon came a Jury of good and lawful men to wit W B Force, A B Hill Samuel R Miller John R S Co-

Spring Term A.D. 1841.

=Comb Ner Chamberlin A A Cooke Nathaniel A Watrous Augustus Bowles F. P. Whiting Alfred Smith W. T. M. Smithson H. Upchurch who were elected and duly Sworn to try the Matters in dispute, retired to Consider of their Verdict the jury not being able to agree, they were discharged, by consent of parties and this Case be Continued until the next term—

The Grand jury, there being a full pannel, returned the following bills of Indictment

Republic of Texas
vs
68 John D McAlister } Dealing Faro
foreman } A true bill found. Signed. Alex Russell

Republic of Texas
vs
69 George M Martin } Dealing Faro
foreman } A true bill found Signed. Alex Russell

Republic of Texas
vs
70 W R Smith } Dealing Faro
foreman } A true Bill found Signed Alex Russell

Republic of Texas
vs
71 A A Farley & } An affray
A W Luckett } A true bill found Signed Alex Russell
foreman

Republic of Texas
vs
72 Lyon by A Harrison } Betting at Faro = A true bill found
Signed Alex Russell foreman

Republic of Texas
vs
73 Lyon by A Harrison } Permitting a faro Bank to be Kept in his
House = A true bill found Signed
Alex Russell foreman

Republic of Texas
vs
74 Richard Bullock } An Assault & On the Servant of
a Public minister
Russell foreman } A true bill found Signed Alex

Spring Term A.D. 1844.

75 Republic vs Richard Bullock } An Assault upon a Public Minister
A true bill found Signed Alex Russell foreman

76 Republic vs Ros Gorman } Dealing Faro
A true Bill found Signed Alex Russell foreman

77 Republic vs George M Martin } Betting at Faro
A true bill found Signed Alex Russell foreman

78 Republic vs M P. Woodhouse } Betting at Faro
A true bill found Signed Alex Russell foreman

79 Republic vs Samuel Whiting } Betting at Faro
A true bill found Signed Alex Russell foreman

80 Republic vs Alexander Coleman } Betting at Faro
A true bill found Signed Alex Russell foreman

81 Republic vs John D McAlister } Betting at Faro.
A true bill found Signed Alex Russell foreman

82 Republic vs Samuel Cranwell } Betting at Faro
A true bill found Signed Alex Russell foreman

83 Republic vs Mark B Lewis } An Assault & Battery
A true bill found Signed Alex Russell foreman

84 Republic vs Shadreck Pipkin } An Assault
A true bill found Signed Alex Russell foreman

85 Motion vs Henry Jones } Overseer of road = A true bill found Signed Alex Russell foreman

Spring Term AD 1841.

Samuel Cromwell came forward and rendered his excuse & his fine was remitted by order of the Court

In the matter of J A & L S Wilkins
for a writ of habeas corpus. } On Motion of Petitioners it was ordered by the Court that a Commission issue to take the deposition of His Excellency Mirabeau B Lamar, at the Executive office on this day at 2 Oclock P.M. to be read as evidence in said Matter

It is hereby ordered by the Court that the Criminal Docket be now taken up & the following cases were called

No 10 Republic vs John Gainer & William Maddux } In this case William Maddux pleads guilty, & it is ordered by the Court that he be fined one dollar in par funds & stand committed until fine & cost are paid, & this suit be continued as to the other defendant

Republic vs Edwin Waller & Alb Horton } On suggestion of the District Attorney

12 In this case it is ordered by the Court that a Nolli Prosequi be entered

Republic vs James R Cooke } In this case it is ordered by the Court that it be continued, and an alias Capias sent to Washington County

16

Republic vs James Crabtree } In this case it is ordered by the Court that it be continued, and an alias Capias sent to Washington County

23

Republic vs I. B. Crabtree } In this case it is ordered by the Court that it be continued, and an alias Capias sent to Washington County

30

Republic vs Washington & Secrest } In this case it is ordered by the Court that it be continued, and that an alias capias be sent to Fort Bend County

48

Republic vs Richard Ross } In this case it is ordered by the Court & his Securities that a Scire facias be issued against the defendant & the recognizance bond having been forfeited

50

93

Spring Term A D 1841.

57 Republic vs David Harmon } In this Case it is ordered by the Court that a Scire facies be issued to the defendant this sureties the recognizance bond having been forfeited

54 Republic vs Kindred H. Morse } In this case it is ordered by the Court that it be continued and an alias Capias issue to Nacogdoches County

56 Republic vs A W Hamner } on the suggestion of the Attorney for the Republic In this Case it is ordered by the Court that a Noli Prosequi be entered

57 Republic vs W T M Smithson } on the suggestion of the Attorney for the Republic In this Case it is ordered by the Court that a Noli prosequi be entered

Court Adjourned until 2 O'clock P M

Court met pursuant to adjournment

Court adjourned until tomorrow Morning 9 O'clock

Friday Morning 9 O'clock A M

Court met pursuant to adjournment

Owen O'Brian came forward and rendered his excuse for non attendance as a petit juror, thereupon it was ordered by the Court, that he be released from his fine

New entry made

In the Matter of John A Wilkins & Lavender S Wilkins } on motion of the Application for a writ of Habeas Corpus against M H Beaty & Josiah G Beaty & Daniel Browning. It was ordered adjudged and decreed by the Court That the Motion be sustained against M H Beaty & Josiah G Beaty, and it is further ordered and adjudged by the Court that the Motion be overruled in the Case of Daniel Browning

X 54 Wesley et al vs Louis P Cooke } This day came the parties by their attorneys and Submitted their Cause to a Jury; who of good and lawful men duly elected tried & sworn the issue & try rendered the following Verdict We the jury find for the Plaintiff the Sum of three hundred & thirty five dollars together with five per cent interest from 1st September 1839 Signed William A Force foreman - And it is ~~hereby ordered~~ therefore considered by the Court that the Plaintiffs recover of the defendant the said Sum of three hundred & thirty five dollars ~~hence without a day~~ ~~Recover of the defendant~~ all costs with interest at five per cent per annum thousand together ~~all~~ with

Spring Term A.D. 1846.

~~vindicated~~ about this suit had & expended in his behalf & for which execution may issue

57 Edward Seiders vs John Nowlan, Owen O'Brian & John B Craig } This day came the parties by there Attorneys, and on Motion of the Plaintiff it was ordered by the Court that an alias writ ~~Capias~~ be issued to Matagorda County against the defendant John Nowlan

67 Jacob Black vs James A Baldwell } This day came the parties by their Attorneys, and on motion of the Plaintiff it was ordered by the Court that an alias writ ~~Capias~~ be issued against the defendant Jas A Baldwell, & the case be continued to the next term of this court

66 Shaw & Co vs Nolan & O'Brian } This day came the parties by their attorneys and Plaintiff & Counsel for defendant who being duly elected tried & sworn the Guilt to speak upon the issue joined submitted their cause to a jury ~~Jury~~ rendered the following Verdict We the jury find for the Plaintiff the sum of thirty four 50/100 Dollars Signed William A Force foreman = Aug it is hereby ~~ordered~~ considered by the Court, that the Plaintiff recover of the defendant ~~go hence without a day~~ the sum found by the jury aforesaid & all costs in this suit in his behalf had & expended It is further ordered by the court that the motion in arrest of the above judgment be continued over to the next term

69 Conrad Hentze & A Wernlander vs Henry Bartleman } This day came the parties by their attorneys, and on Motion of the Plaintiff - It was ordered by the Court, that judgement be rendered final by default for one thousand dollars and the plaintiffs costs in this behalf expended

70 Peter McGreal vs W A Hunt } This day came the parties by their Attorneys, and on motion of the Plaintiff it was ordered by the Court that an alias ~~Capias~~ writ be issued against defendant & this case be continued to the next term

73 Thomas D Fisher vs Thomas L Jones } This day came the parties by their Attorneys and on motion of defendant ~~affidavit~~ it was ordered by the Court that this case be continued until next term

74 Silas Goodwin vs R H Wyme } This day came the parties by their attorneys on motion of Plff it was ordered by the Court that an alias writ ~~Capias~~ issue to defendant

75 Spring Term AD 1841

+ this case be continued to the next term

John R Jones vs A G Kimball } This day came the parties by their Attorneys and on motion of the Plaintiff = It was ordered by the Court that the case be continued and a judicial attachment issue

76 Alexander Russell vs A Murchison } This day came the parties by their attorneys and on motion of the defendant, It was ordered by the Court that this case be continued, and the defendant enter his appearance be entered

Collinsworth & Brigham Executors &c vs R A Wynne } This day came the parties by their Attorneys, and on motion of the Plaintiff It was Ordered by the Court that this case be continued and security for cost to be given within sixty days, or this suit be dismissed

77

78 ~~Same order in Security suits~~

I Fessenden vs A T Gayle } This day came the parties by their Attorneys and ~~on Motion of the parties~~ + but plff. dismisses his suit ~~= It was ordered by the Court that this suit be continued~~ and the defendant assuming the costs for which execution may issue

79 +

Collinsworth & Brigham Executors &c vs R H Wynne } This day came the parties by their Attorneys, and on motion of the Plaintiff It was ordered by the Court that this case be continued and security for cost given within sixty days or this suit to be dismissed

78

P W Herbert vs Nath Townsend } This day came the parties by their Attorneys and on motion of defendant = It was ordered by the Court, that this suit be continued and the def. enter his appearance ~~entered~~

81

Daniel Kinchelow vs K H Muse Admr } This day came the ~~p~~ Plff by ~~their~~ his Attorneys and on motion of the Plaintiff It was ordered by the Court that an alias ~~Capias~~ Writ be issued to defendant Nacogdoches county

80 + Writ

Cunningham & Crockerow vs P I Allen } This day came the ~~p~~ Plffs by their Attorneys and on motion of the Plaintiffs It was ordered by the Court, that an alias writ and petition be issued to Bastrop County

83

In the matter of G I Glasscock John F Webber } In this case the jury came into Court, and Reported that they could not agree and it was therefore considered by the Court, that they be dismissed by consent of parties

Spring Term A D 1841.

84 James Courtis & Elijah Courtis vs Robert Mitchell be continued } This day came the parties by their Attorneys and on affidavit of Plaintiff It was ordered by the Court that this suit

85 Kissam & Co vs Browning & Potter } This day came the ~~pl~~ ~~Potter~~ by their Attorney, and on motion of the Plaintiff - It was ordered by the Court that an alias ~~Capias~~ Writ be issued to the defendants - & security for costs given within sixty days, or suit to be dismissed.

86 James Knight Surviving Partner of Wm White & Co vs A B Eberly } In this case it was ordered by the Court that it be continued by consent

87 Francis L Mayes vs A McLuckett } This day came the parties by their attorneys and on motion ~~of the defendant~~ It was ordered by the Court that this suit be continued, and security for cost to be given within sixty days or this suit to be dismissed

Mayes & Mayes vs A McLuckett } This day came the parties by their Attorney's and on motion ~~of defendant~~ It was ordered by the Court that this suit be continued, and security for cost to be given within sixty days or this suit to be dismissed.

89 Goodman & Miller vs E L Stickney } This day came the parties by their Attorneys, and on motion of the Plaintiff It was ordered by the Court that this suit be continued, and security for cost to be given within sixty days - Whereupon Alexander Russell came forward and tendered his Name as Security for costs of this Suit ~~execution issued~~

A writ can be continued

James Craft vs Joseph Farmer } In this case it was ordered by the Court that this suit be continued, and security for costs given within sixty days or this suit will be dismissed. this case was entered through mistake having previously been entered

97

Spring Term A D 1841

William Evison
vs
Samuel Watkins

This day came the parties by their Attorneys and on motion of the Plaintiff it was ordered by the Court that this suit be continued & security for costs to be given within sixty days or be dismissed & that the Clerk be appointed Master

void

Court Adjourned until tomorrow morning 9 Oclock a.m.

Saturday Morning 9 Oclock A.m. Court Met pursuant to adjournment

Nelson Soules
vs
Nathe Townsend

This day came the parties by their Attorneys & now appeared affidavit of defendant It was ordered by the Court that this suit be continued that Security for costs be given within sixty days, or this suit to be dismissed for want of the same

29

This day personally appeared in Open Court Parry W Humphreys, who was duly Sworn in accordance with Law as deputy Sheriff of Travis County

It is ordered by the Court that a fine of Twenty dollars be entered against George M. Nichols W. C. Bevins Silas Scipsp ang F. P. Whiting for their non attendance as Petit Jurors

It is ordered by the Court that John Woodruff Thomas C Collins & M H Nicholson be excused from serving as grand jurors during the present Term of the Court

Court adjourned until 2 Oclock P.m

2 Oclock P.m Court met pursuant to adjournment

It is ordered by the Court that a fine of One hundred dollars be entered against Joshua Booth for failing to attend as a witness when Summoned in the case of the Republic against M. Mc. in behalf of the Republic that a true form since and shown Copies by the Judge that should not be more objects W. C. Bevins appeared in Open Court and tendered his excuse for non attendance as a Petit Juror = Whereupon it was ordered by the Court that his fine be remitted

Timothy McLean
vs
C & A Osborne

In this Case it was ordered by the Court That A Adams Anderson be appointed Master in Chancery to take an account between the parties and report to this term of the Court It is further ordered that he have leave to report at the next term

Spring Term AD 1846

The Grand jury there being a full pannel returned the following Bills of Indictment

86 Republic vs John Scott & James Cox — Retailing Liquors without License. A true bill found Signed Alexander Russell foreman

87 Republic vs Joseph I Anderson — Assault & Battery. A true bill found Signed Alexander Russell foreman

88 Republic vs Michael Zeller — Retailing Liquors without License. A true bill Signed Alex Russell foreman

89 Republic vs Noah Cheek & Sylvester Cheek Bawdish — An Affray. A true bill found Alex Russell foreman

90 Republic vs Charles Cushman — Permitting a Faro Bank in House. A true bill Signed Alex Russell foreman

91 Republic vs Thomas Myers — Retailing Liquors without a Licence. A true bill found Signed A Russell Foreman

92 Republic vs William Raney — Keeping Restaurat without Licence. A true bill found Signed A Russell Foreman

93 Republic vs Joseph Fenenden & Golden Denman — Retailing Liquors without Licence. A true bill found Signed A Russell Foreman

94 Republic vs Richard Bullock — Speaking Slanderous words concerning a Public Minister, not a true bill found Signed A Russell Foreman

99

Spring Term A D 1841

95 Respublica vs S S & J H Wilkins } Permitting Faro bank to be kept in their House
A true bill Found Signed A Russell Foreman

96 Respublica vs S S & J H Wilkins } Retailing Liquors without Licence
A true bill Found Signed A Russell Foreman

97 Respublica vs Benj^m F Grayson } Retailing Goods without Licence
A true bill Found Signed A Russell Foreman

98 Respublica vs Chas Cheek } Retailing Liquors without Licence
A true bill Found Signed A Russell Foreman

99 Respublica vs William Cockburn } Assault
A true bill Found Signed A Russell Foreman

100 Respublica vs Thomas Prentiss } Keeping Public Boarding House without Licence
A true bill Found Signed A Russell Foreman

101 Respublica vs Ann T Woolbridge } Keeping a boarding House without Licence
A true bill Found Signed A Russell Foreman

102 Respublica vs Joseph Fessenden & Golden Denman } Keeping Billiard Table without Licence
A true bill found Signed A Russell Foreman

103 Respublica vs Thomas L Jones } Retailing Goods without Licence
A true bill found Signed A Russell Foreman

Spring Term A.D. 1841.

104 The Republic vs Wm H Harrison } Retailing Liquors without License
A true bill found Signed A Russell Foreman

105 The Republic vs Wm H Harrison } Keeping Tavern without License
A true bill found Signed A Russell Foreman

106 The Republic vs Wm F Edrington } Retailing Liquors without License
A true bill found Signed A Russell Foreman

107 The Republic vs Edward Seeders } Retailing Liquors without License
A true bill found Signed A Russell Foreman

108 The Republic vs James O Clark } Keeping Restaurat without License
A true bill found Signed A Russell Foreman

109 The Republic vs W P Thompson } Keeping Boarding House without License
A true bill found Signed A Russell Foreman

58 The Republic vs Mathew Moss } Thursday came the Republic by Henry I. Jewett District Attorney, and the prisoner in his own proper person; and having been duly arraigned and heard the bill of Indictment read for plea sayeth, that he is not guilty; and that he will be tried by his Country- Whereupon came a jury of twelve good & Lawfull men to wit George M Nichols Reuben Hornsby William Hornsby A W Leech Saml Browning Lewis Hoofs James Huckabee William Bell Nathaniel Townsend Charles Daniels William S Orr & Samuel Cranwill = who having been duly Elected tried & Sworn Well and truly to try and true deliverance make between the Republic of Texas and the prisoner at the bar. and a true Verdict give according to the Law and evidence; do say that he is not guilty of the felony whereof he stands indicted = Whereupon it is ordered by the Court, that said Mathew Moss be discharged from further Custody and go hence without day.

Court adjourned Until Monday Morning 9 Oclock A.M

Spring Term A.D. 1841.

The Republic of Texas, }
vs } Murder.
Kelley H. Holliday }

This day came the Republic by the District Attorney Henry J Jewett and the prisoner in his own proper person, and having been duly arraigned for his plea saith that he is not guilty of the Charge contained in the Indictment, and thereupon applied to the Court for a change of the Venue for his trial, and upon the affidavit of three disinterested persons according to the Law in such case provided, it was considered by the Court that said Kelly H. Holliday do have the venue as laid in the Indictment changed, and thereupon it is ordered that the venue in this case be changed to the County of Fayette, that being the nearest county free from legal objections, and that a transcript of all the proceedings had in the Case together with the original papers be made and certified by the Clerk of this County, to the District Clerk for said County of Fayette

95 John Hall vs George McNichol } This day came the parties by their attorneys and by consent of parties on Motion of Pltf John Hall the appeal was dismissed, and that the plaintiff assumes the payment of all costs in this suit had and expended It is therefore considered by the Court that the defendant recover of the said John W Hall the cost in this suit paid & expended about this behalf for which execution may issue

96 ~~Thomas Whitehead~~ vs John Chenoworth vs Thos Whitehead } This day came the parties by their Attorneys and on the affidavit of Plaintiff ~~Defendant~~ it was ordered by the Court that this Case be continued until the next term & security for costs be given in sixty Day or suit to be dismissed

98x Solomon L. Johnson vs Lewis P. Cook } This day came the parties by their Attorneys and on motion of the Plaintiff the suit was dismissed he paying all cost of said suit. for which execution may issue

79 Travis & Brown vs Human Ward Issued and } This day came the parties by their Attorneys and on motion of the plaintiff it was ordered that this suit be con alias writ be issued to Brown.

Spring Term AD 1846

100 N. T. Byers
vs
James Manor

This day came the parties by their attorneys and on motion of the plaintiff T. T. Byers cousidens by Jamy Manor takes a nv suit. It is therefore ~~ordered~~ by Court that the defendant recover of the Plaintiff all cost in this suit had & expended & for which execution may issue

James & Stan
vs
Saunders Edington & Johnson

This day came the ~~parties~~ Plf by their attorneys and on motion of the plaintiff it was ordered by the Court that Judgment final by default be rendered for sixty dollars with interest thereon from date. It is therefore order by the Court that the Plaintiff recover of the defendant the amt of the Judgment together with all cost in this suit had & expended for which execution may issue

J. W. Garrethy
vs
106 A. T. Gale

This day came the parties by their Attorneys and on Motion of defendant it was ordered by the Court that this Appeal suit be dismissed for want of prosecution & it is therefore considered by the Court that the Appellee recover of the Appellant the cost in this suit & for which Execution may issue

L. T. Marguent
vs
108 T. Wm Ward

This day came the ~~parties~~ Plf by their Attorneys and on motion of the plaintiff it was ordered by the Court that this suit be continued and an alias writ be issued.

Richard J Lloyd
vs
109 Mitchell & Warnes

This day came the parties by their attorneys and on affidavit of the plaintiff it was ordered by the Court that this suit be Continued until the next term

Wayne Barlow
vs
110 Mitchell & Warnes

This day came the parties by their attorneys and on affidavit of the plaintiff it was ordered by the Court that this suit be Continued until the next term.

Robt. H. Wynn
vs
111 Neri Chamberlain

This day came the parties by their attorneys and upon their consent it was ordered by the Court that this suit be Continued.

It is further ordered by the Court that this suit be dismissed & that plff pay all costs thereof.

Spring Term A.D. 1841.

112 Court & Browning vs H. W. Hamer. } This day Came the parties by their Attorneys and on Motion of the Defendant it was ordered by the Court that Security be given in Sixty days or this suit be dismissed. or the Case Stand Continued

113 James Martin vs S. T. Wilkins } This day Came the parties by their Attorneys whereupon it was ordered by the Court that this suit be Continued and that a Certiorari be issued to the justices Court

17 Henry Chrochron endorsee vs S. T. Whatley } This day Came the parties by their Attorneys and Judgment being Confessed by the Defendant for the sum of Sixty one hundred dollars & forty seven cents with interest thereon from this date whereupon it was ordered by the Court that Execution be Stayed for the term of twelve months. as per agreement of the parties

118 Theodore Bissell vs A Russell & Co } This day Came the parties by their Attorneys and upon the Defendants Confessing Judgment for the amount as Stated in the answer Sixty two dollars & Seventy five cents with interest thereon from date it was therefore ordered by the Court that execution issue for all cost of suit in his behalf had & expended together with the amount of Judgment.

52 David Mordy vs Henry Ragent } This day Came the parties by their Attorneys and on Motion of the plaintiff it was ordered by the Court that this suit be Continued.

21 Nathaniel Dike vs Henry Ragent } This day Came the parties by their Attorneys and on Motion of the plaintiff it was ordered by the Court that this suit be Continued

Spring Term A D 1844

✓ Henry Millard vs Thos. W Ward Com Gen L Offa } This day Came the parties by their Attorneys and upon their Consent of the parties it was ordered by the Court that this suit be Continued.

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12 ✓ Henry Koontz vs H. P. Savery } This day Came the parties by their Attorneys and having submitted their Cause to a jury who rendered the following verdict. I J Legget W Wood B B Castleberry A W Leech Lewis Hoxt W A Force Nor Chamberlin Samuel Cranwell John Brothers, Richard, Bullock Abner Mathews, H Upchurch ———— find a verdict in favor of the plaintiff for the Sum of four hundred & twenty nine dollars thirty three and one third cents damages and it is hereby ordered that the verdict of the jury become the judgment of the Court & that the plaintiff recover of the defendant all the cost in this suit in his behalf had and expended & that execution issue thereon

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97 ✓ Moses Wells vs Beck & Prewett } This day came the parties by their Attorneys and submitted their cause to a jury of good and lawful men duly elected & sworn who rendered the following Verdict I J Legget W Wood B B Castleberry A W Leech Lewis Hoxt W A Force Nor Chamberlin Samuel Cranwell John Brothers Richd Bullock Abner Mathews H Upchurch find a verdict in favor of the Plaintiff for the sum of Sixty five dollars damages and it is hereby ordered by the Court that the verdict of the jury together with ten per cent. damages upon the amount become the judgement of the Court and that the plaintiff recover of the defendant all cost in this suit in his behalf had and expended & that Execution issue thereon

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133 ✓ Heman Ward vs A J Gayle } This day came the parties by their Attorneys and on motion of the Plaintiff this suit was dismissed and it was ordered by the Court that execution be issued against the defendant for all costs had & expended in this suit he having assumed the same

105

Spring Term A D 1841.

136 W. J. M. Smithson vs G. W. & L. G. Wilkins — This day came the parties by their attorneys and on motion It was ordered by the Court that this Suit be Continued.

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105 Billingsly & Nicholson vs James M. Long trustee — This day came the parties by their Attorneys and on motion it was ordered by the Court that this Suit be Continued

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18 Alexander Russell vs A. B. Eberly — This day came the parties by their Attorneys and on affidavit of the Defendant it was ordered by the Court that this Suit be Continued.

7th + James. B. Menard vs John Grau Jr. — This day came the parties by their Attorneys and on motion of the plaintiff it was ordered by the Court That Judgment final by default be rendered against the defendant and that the plaintiff go hence without day and recover of the defendant in mercy &c the sum of three hundred dollars with interest thereon together with all Costs of suit in his behalf had & expended & for which execution may issue

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123 James H. Perry Executor of Stephen F. Austin & Samuel Williams vs Sam Houston President — This day the parties came into Court and on motion it was ordered by the Court that this suit be Continued

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126 James H. Perry Executor of Stephen F. Austin Senr vs Sam Houston Presdt — This Came the parties and on motion it was ordered by the Court that this Case be Continued.

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25 McMullen & McGloin vs Sam Houston Presdt — This day came the parties into Court and on motion it was ordered by the Court that this Case be Continued.

Spring Term A.D. 1841

124 Hayden Edwards vs M. B Lamar } In this cause the parties appeared and on motion it was ordered by the Court that this cause be Continued

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127 David I. Toller Administrator vs M. B. Lamar President &c. } In this cause the parties appeared and on motion it was ordered that this suit be Continued.

Thos. Dillard vs The Commissioner of the Gen Land Office } In the matter of Thos Dillard against the Comr. of Gen Land Office It appearing to the Court that the law & facts are with the Petitioner and which are not now denied by the said Commissioner It is therefore ordered by the Court that said Commissioner be directed peremptorily to issue to said Dillard a patent for said League & Labor of land according to the Contained in said survey by the certificate issued by the board of Land Commissioners for the County of Washington to R. M. Williamson No. 8. and assigned to said Dillard

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Nelson Merrill vs Lewis Horst & Henry Burkhart } This day came the parties by their Attorneys and submitted their cause to a jury of good & lawful men duly elected who rendered the following Verdict J.J. Leggett W.G. Wood B.B. Castleberry A.W. Leech W.A. Fore A.B. Chamberlin Sam Cranville John Brothers Abner Mathews Hupchurch Wm Wilks William Latta We the jury find a verdict in favor of the defendant. It is therefore ordered by the Court that the defendants go hence and recover of the Plaintiff all costs in this suit in his behalf had & expended & for which an execution may issue

129

Tuesday morning 9 o'clock A.M.

Court met pursuant to adjournment

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130 Samuel Gammon vs Richard Bullock } This day came the parties by their attorneys and on motion - It was ordered by the Court that this suit be Continued

Spring Term A.D. 1841

David P. Barbydt
vs
William P. Lewis
131

This day came the parties by their attorneys and on motion — It was ordered by the Court that this suit be dismissed, and that the Appellant pay all cost in this behalf had & expended & for which an execution may issue

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Fessenden & Newman
vs
Wolson & King
3

This day came the parties by their Attorneys and by consent of parties it was ordered by the Court that this suit be continued until the next term.

Joseph Moreland
vs
N. T. M & E. C. Smithson
134

In this case came the parties by their attorneys and on motion of the Appellant it was ordered by the Court that this Case be struck on from the docket and that execution issue against the appellant for all cost of suit in his behalf had & Expended.

A. J. Gayle
vs
I. Mt. Garrett
135

This day came the parties by their Attorneys on upon consent of parties it was ordered by the Court that this Case be Continued until the next term.

C. K. Reese Admin
trator.
vs Injunction
James Burke

This day came the parties by their attorneys and on motion of the plaintiff it was ordered by the Court that an alias writ be issued to the County of Harris.

Christopher C. Stern
vs Injunction
Daniel L Richardson

This day came the parties by their attorneys and on motion of the plaintiff it was ordered by the Court that this Case be continued & that execution issue against the Def for the cost of suit in his behalf had & expended

Spring Term AD 1841

L. H. Wilkins
vs
A. C. McFarlane & Moses Johnson
Injunction

In this case came the parties by their Attorneys & by mutual consent and agreement of the parties this case was settled and that the Defendants pay the Cost in said suit whereupon it was ordered by the Court that (execution issue against the Defendants for all costs of suit in their behalf had and expended)

Jacob. Black
vs
J. A. Caldwell

6

This day came the parties by their Attorneys and by order of the plaintiff the suit and cause is dismissed it was further ordered by the Court that the plaintiff be permitted to withdraw the papers and it is further ordered by the Court that execution issue against the plaintiff for all costs of suit in his behalf had & expended.

13

Lyman McStewart & Socrates Darling vs George Peascock

This day came the parties by their Attorneys and on motion of the defendant = It was ordered by the Court that this suit be continued, and that the defendant pay all costs of suit up to this term of Court

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25

James A Hammond
vs
Seme Whiting

This day came the parties by their Attorneys and on affidavit of defendant It was ordered by the Court that this Suit be Continued

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33

A C Hudson
vs
Masillon Farley

For the rule of an Writ and Supersedeas
This day came the parties by their Attorneys and by consent of Parties It was ordered that the rule be discharged & this suit be continued, and security for cost to be given in sixty days. or this suit to be dismissed

---

43

James Cole
vs
Thomas A Duggan
Henry Terrill

This day came the parties by their Attorneys = and by consent It was ordered by the Court that this suit be continued

Spring Term 1841

Spring Term A.D. 1841

Jabez W Capel
vs
Sam'l Whiting

This day came the parties by their Attorneys= And by consent It was ordered by the Court that this suit be continued until the next term

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Wm. Richardson
vs
N. M Luckett

This day Came the parties by their Attorneys and upon motion of the plaintiff it was ordered by the Court That this Cause be Continued until the next term and security for cost be given in 60 days or suit to be dismissed

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Goodman & Miller
vs
E. L. Sliemey

In This case upon Motion of the plaintiff by his attorney It was ordered by the Court That Judgment final by ~~default~~ Nihil Dicit, be rendered and that Execution issue for the four hundred dollars & interest and all costs of this suit against the defendant in his behalf had & Expended.

Kipsman & Co
vs
Browning & Potter

This day Came the parties by their Attorneys and on Motion of the defendant it was ordered by the Court that Security be given in sixty days or that This suit be dismissed. and suit Stand Continued

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James Craft
vs
Joseph Tanner

This day Cam the parties by their attorneys on Motion of Deft the ~~Amend~~ leave was granted by the Court and it was further ordered by the Court that this Cause be Continued until the next term,

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J. M. Garrett
vs
Rowlen O'Brien & Cragg

This day Cam the parties by their Attorneys and on Motion of the Plaintiff it was ordered by the Court That this Cause be Continued and that Execution issue against the plaintiff ~~for all costs~~ of this item in behalf had & expended.

Spring Term AD 1846

101 ✓ Theobold & Groce vs A. B. Lamar } This day came the parties by their Attorneys and plaintiff taken nonsuit it is therefore ordered by the Court that Judgment for Costs be entered against the plaintiffs for all the costs of this suit in their behalf had & expended.

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115 ✓ R Bratton vs H Merriett } This day came the parties by their Attorneys and on motion of the plaintiff to amend the Court granted leave to amend and it was ordered by the Court that this suit be Continued and that Execution issue against the plaintiff for all Costs of suit in his behalf had & expended & if costs not paid suit to stand dismissed

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107 ✓ A. H Beatty vs S. S. & J. G. Wilkins } This day came the parties by their attorneys and on Motion of the Plaintiff it was ordered by the Court this suit be Continued and that an alias writ be issued against the Defendants.

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114 ✓ A. M. Lucket vs Moore & Blessing } This day came the parties by their Attorneys and on motion it was ordered by the Court that this Case be Continued and that a Dedimus be awarded to the Justices Court

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✓ B. Miller vs A. Hill

✓ Sterling C Robertson vs Sam Houston } This day came the parties by their attorneys and on Motion of the plaintiff it was ordered by the Court that a subpoena Duces tecum be issued to J. P. Ward Comm. G. Land Office to bring into Court all such papers as may relate to this Case.

177

Spring Term 1841

Spring Term A.D. 1841.

B. Miller
vs
M. Gillen

In this case the parties appeared and on motion of Defts it was ordered by the Court that this suit be continued and that security be given within sixty days or else this case be dismissed with an award of Certiorari. to the Justice for a more perfect record

H. Spencer
vs
O.R. Miller

This day came the parties by their Attorneys and on motion of the Pl it was ordered by the Court that this suit be Continued and that execution issue against for all Costs of This suit in his behalf had and expended

I. H. Gurnsey
vs
Grimes & Heighsmith

In this case it is ordered by the Court that this suit be dismissed and ~~that the~~ for want of prosecution and that execution issue against the plaintiff for all costs in this suit in this behalf had & expended

Lemon M Stewart & Socrates Harting
vs
Wm H Glasscock

This day came the parties by their Attys and on affidavit of Defendant it was ordered by the Court that this case be Continued and that execution issue against the defendant for all cost up To this term in this behalf had & expended

Republic
vs
Lewis D Cook

This day came the parties into Court The Republic by its Attorney Henry J Sewell and the defendant in his own proper person and on hearing the Indictment read pleaded guilty Whereupon it was ordered by the Court that he be fined one dollar in par funds. and that Execution issue against said defendant for the amount of the Judgement together with all Cost in this suit in this behalf had & expended

Spring Term A.D 1846

71 Republic vs H. H. Farley & A. H. Luckett

This day came the parties into Court the Republic by its Attorney H. J. Jewett and the Defendant in his own proper person and on hearing the Indictment read the Dft pleaded guilty whereupon it was ordered by the Court that he be fined one dollar par funds & that execution issue against said Defendant for the amount of the judgment rendered together with all Costs of this suit in this behalf had and expended.

74 Republic vs Richard Bullock

This day came the parties into Court the Republic by its Attorney Henry J. Jewett and the Defendant in his own proper person and on consent of parties it was ordered by the Court this case be continued ~~by the Court~~ until the next term. ~~Ordered~~ by the Court that he be fined the sum of one dollar par funds & that execution issue against the Defendant for the amount of the Judgment together with all Cost of suit in this Case in this behalf had & expended.

75 Republic vs Richard Bullock

This day came the parties into Court the Republic by its attorney and the Defendant in his own proper person and by Consent of parties it was ordered by the Court that this Case be continued until the next term.

78 Republic vs A. D Workhouse

This Case the parties came into Court the Republic by its attorney and the defendant in his own person and hearing the Indictment read pleaded guilty whereupon it was ordered by the Court that he be fined the sum of twenty dollars and that execution issue against the Defendant for the amount of the Judgment together with all Cost of suit in this behalf had and expended.

Spring Term 1841

Republic
vs
Shadric Bipkin

84

In this Case the parties Came into Court the Republic by its Attorney and the Defendant in his own proper person and on hearing the Indictment read the Defendant pleaded guilty whereupon it was ordered by the Court that the defendant be fined the Sum of one dollar par funds and that execution issu against said defendant for the amount of the Judgment together with all Cost of Suit in this behalf had & expended.

Republic
vs
Noah Chuck
Webster Chuck &
Gideon Bowditch
Defendant

I this Case Came the parties in to Court the Republic by its Attorney H. J. Lovell and the defendts in this case in proper person. and on hearing the Indictment read the Gideon Bowditch pleaded guilty whereupon it was ordered by the Court that he be fined one dollar par funds. and on Motion of the defendants Noah & Webster Chuck it was ordered by the Court that Case be Continued as to them. and it further ordered by the Court that execution issue against the Defendant ~~Gideon Bowditch~~ for the amount of Judgment assed as all Cost in this suit had and expended. by the defendants

Wednesday morning 9 Oclock A M
Court met pursuant to adjournment

John Green Jr
vs
Eliza S Logan

This day came the Pltf parties by their Attorneys; the attorney for the defendant moved the the Court that the injunction granted in this Case be dissolved, which motion having been considered by the Court was overruled, & this by Consent continued to the next Term. Whereupon it was ~~it was~~ decreed by the ~~Court~~ that the ~~Plff to recover of the defendant all Cost in this Suit in this behalf had & expended~~

Republic
vs
William K Smith

This day came the parties into Court. The Republic by its Attorneys Henry J Jewett and the defendant in his own proper person who pleaded not guilty. Whereupon the Case was Submitted to a jury of 12 good & lawful men to wit Samuel Cranwell, Saml Miller jr Jas Miller, A W Leach, J Bancroft, R Bowker, A Mathews, Geo Hope, Jas M Turley, Jno Latta, Wm Wells, Jno Graves who rendered a verdict of guilty It was therefore Ordered by the Court that the defendant be fined one thousand Dollars, & remain in the custody of the Sheriff until the Sentence & Costs of Suit

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of the Court be complied with

82 Republic vs Sam'l Cranwell } The defendant came into Court & plead guilty The Court hereby orders that the defendant pay a fine of Fifty dollars and all cost of suit and remain in the custody of the Sheriff, until the sentence of the Court be complied with

Court adjourned Until Tomorrow Morning 9 Oclock

Thursday morning Court met pursuant to adjournment.

Sterling & Robertson vs Sam'l Houston Dec'd

James H Starr vs I Roundtree & F Edrington & A G Johnson defendants } This day came the Plaintiff by his Attorney & on motion the defendants having been Solemnly Called Came not but made default = Whereupon it is Considered by the Court that the Plaintiff recover of the at the rate of eight per cent per annum & ten per cent damages the sum of sixty dollars with interest thereon from together with all costs of suit in his behalf expended for which execution may issue

The Republic of Texas vs William K Smith } Gambling

This day came the parties by their attorneys The Republic by her attorney Henry J Jewett, and the defendant in his own proper person, who pleaded not guilty to the Indictment = whereupon came a jury of good & lawful men (to wit) Samuel Cranwell Samuel Miller, Jr., James Miller, A W Leach, I. Dunbaugh, R. Souter & Mathews, Geo. Hope, Jas M Turley, Wm Latta, Wm Wilks, & Jno Graves who being elected, tried, and duly sworn, the truth to speak on the issue joined, do say that they find the defendant William K Smith guilty as charged in said Indictment. It is therefore considered by the court that the said defendant be fined in the sum of one thousand dollars, and that the said Republic recover of the said defendant said fine so assessed together with the costs of this prosecution, and on failure of the said defendants paying and satisfying said judgement that he be imprisioned for the term of six month from the date of this judgement -- in the common jail of Travis county. It

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that the Sheriff of this county keep the said defendant in custody untile he comply with the sentence and judgement of this court.

Conrod Heuts & G.A. Nerland

+69 vs. 3

Henry Barkman ux

This day come the plaintiffs by their attorney, and the defendant being solemnly called to come into Court, come not, but make default. It is therefore considered by the Court that the plaintiffs recover of the defendant the debt in the petition in the petitioner mentioned to wit the sum of one thousand dollars together with their costs about their suit in this behalf expended for which execution may issue

Sterling C Robertson,

vs 122.

Sam Houston President

This day came the parties by their Attornies, and the Court thereupon ordered a Jury to try the issue between the parties joined, whereupon came a Jury of twelve good and lawful men to wit Samuel Cromwell, James Miller, S. A. F. Travis, A H Leach, Ralph Souter, Samuel Miller jr, William Latta, Geo. H Cope, William Wicks, Abner Matthews, P Dunbar, James Tally who being elected tried and duly sworn the truth to speak upon their oaths do say, We the Jury having fully and materially considered and examined the subject before us. find evidence of one hundred families having been introduced to Robertsons Colony previous to the renewal of his Contract. two hundred and seventy nine families agreeably to the titles issued by Steele one hundred recorded previous to second March eighteen hundred thirty six and we believe one hundred and twenty one families to have been introduced previous to second March eighteen hundred and thirty six, but not recorded in Consequence of the Closing of the Land Office, and the revolution of the Country making in all six hundred families. therefore we find and confirm for the plaintiff thirty Leagues

and Thirty Cobes of Said Samuel Cranwell Foreman;

It is therefore considered by the Court, decreed and adjudged, that the said Sterling C Robertson is entitled to the quantum of Land so found to be due him by the Jury aforesaid and that he do recover from Sam Houston President of the Republic of Texas aforesaid, the Lands so found to be due him ~~by the Jury aforesaid~~ from which judgment and decree the Republic by her Counsel prayed an Appeal in open Court, which was granted, The Plaintiffs Counsel duly notified thereof

The Republic of Texas
vs
L C & J J C Wilkins. } 95.

This day Came the Republic by the District Attorney Henry J Jarrett and the defendant Lavender C Wilkins in his own proper person, and having made affidavit that on account of the absence of a material witness whose Testimony he is unable to procure at this term, it was ordered by the Court that this Case Stand Continued till the next term of Court and that defendant enter into Recognizance to appear thereat, Whereupon said Lavender C Wilkins acknowledged himself indebted to the President of the Republic of Texas in the penal sum of two hundred dollars, to be levied of his goods and chattels lands and tenements to be void nevertheless if said Wilkins Should be and appear at the next District Court to be holden in and for this County, to answer the Indictment found against him for permitting a Faro Bank to be kept in his house, and not depart thence unto discharged by due Course of Law

The Republic of Texas } No 108.
vs } For Keeping Restaurant
James O Clark }

This day the Republic came by her District Atty Henry J Jarrett, and the defendant in his own proper person, and pleads guilty to the Charge contained in the Indictment, whereupon it is ordered by the Court that he be fined in the sum of fifty dollars Texas Treasury notes, and Stand Committed to the Common Jail of the County until said fine with all the costs of this prosecution be paid.

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The Republic
vs
Granberry H. Harrison } No 105. For keeping Tavern without Licence

This day Came the parties by their Attornies and by agreement it was ordered by the Court that this Case Stand Continued till the next Term.

The Republic
vs
Thomas J. Smith } No 110 For keeping Faro Bank.

This day Came the Republic by her Solicitor and on motion it was ordered by the Court that this Case be Continued to the next Term and that a Capias do Issue against said Smith, directed to the Sheriff of Travis County.

No 104. The Republic
vs
Granberry H. Harrison } For Retailing Liquors without License.

This day Came the parties by their Attornies and by agreement it was ordered by the Court that this Case Stand Continued until the next Term.

No 104. The Republic
vs
Ann T. Wooldridge } For keeping Boarding House without License.

The same entry as above.

No 85. The Republic
vs
Henry Jones } Motion Vs

The same entry as above.

No 103. The Republic
vs
Thomas L. Jones } Selling Goods without License

Same entry

No 102. The Republic
vs
Joseph F. Flenderson
Adam Dehman } For keeping Billiard Table without License.

Same entry as above.

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No 96 The Republic
vs
Noah Chuks, &
Sylvester Chuks
} Retailing Liquors without License

This day came the parties by their Attorneys and by consent it was ordered by the Court that this Cause Stand Continued until the next term.

No 97 The Republic
vs
Benjn F Grayson
} Retailing Goods without License
Same entry as above.

No 98 The Republic
vs
C S & J C Wilkins
} Retailing Liquors without License
Same entry as above.

No 95. The Republic
vs
Joseph Fessenden & Oldene Denman
} Retailing &c
Same entry as above.

No 91 The Republic
vs
Thomas Meyers
} Retailing Liquors without License.
Same entry as above.

No 88. The Republic
vs
Michael Fillen
} Retailing Liquors &c.
Same entry.

No 59. The Republic
vs
Alexander Raffler
} Larceny.

This day Came the Republic by the District Attorney and on motion it was ordered by the Court that this Cause Stand Continued to the next term of Court and that a Capeas do issue to the Sheriff of Travis County.

No 61 The Republic
vs
Ira Munson
} Ass't & Battery

This day Came the Republic by the Solicitor Henry J Jewett and the Defendant

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in his own proper person and saith he is guilty of the Charge contained in the Indictment and submits to the mercy of the Court. whereupon it is ordered by the Court that he do pay a fine of One dollar in par funds, and the Costs of this prosecution and remain in the Custody of the Sheriff until the same be paid.

No 62. The Republic vs Thomas H Duggan } Asst with int to Kill.

This day Came the Republic by the Solicitor Henry Jewett. and motion it was ordered by the Court that this Case stand Continued and that a Capias do issue against defendant directed to Sheriff of Travis County.

No 63. The Republic vs Thomas H Duggan } Resisting an Officer.

Same entry as above.

No 64. The Republic vs Thomas D Fisher } Larceny.

This day Came the Republic by her Solicitor H Jewett, and on his motion it was ordered by the Court that the articles specified in the Indictment be and remain in the Custody of the Sheriff until the further order of Court, and that the Case stand Continued until the next Term of Court, and that a Capias do issue against defendant directed to the Sheriff of Travis County.

No 66. The Republic vs Samuel Cranwell } Asst with int to kill

This day Came the Republic by her Solicitor Henry Jewett and says he will no further prosecute this case, whereupon it is ordered by the Court that defendant go hence without day and be discharged from further Custody

No 65. The Republic vs Solomon L Johnson } Asst & Battery.

This day Came the Republic by her Solicitor Henry Jewett and the defendant in his own proper person, and saith that

he is guilty of the charge contained in the Indictment and Submits to the mercy of the Court, whereupon it is ordered by the Court that he do pay a fine of one dollar in Par funds and costs of Prosecution and remain in the custody of the Sheriff until the same be paid.

No 68. The Republic vs John L Macalister } Dealing Faro.

This day came the parties by their attornies and by agreement it was ordered that this Case Stand Continued until the next Term of Court.

No 73. The Republic vs Greenberry H C Harrison } Permitting Faro to be dealt in House.

This day came the Republic by her Solicitor H C J Jarrett and the defendant in his proper person and on motion of said defendant it is ordered by the Court that this Case Stand Continued to the next Term of Court.

No 73. The Republic vs Greenberry H C Harrison } Betting at Faro.

This day came the Republic by the Solicitor Henry J Jarrett and the defendant in his own proper person and for plea, saith he is not guilty of the Charge contained in the indictment, whereupon Came a jury of twelve men to wit, Samuel Cromwell and eleven others, who having been elected tried and duly sworn the truth to Speak upon their oath do say they find the defendant guilty as Charged in the indictment whereupon it is ordered by the Court that he do pay a fine of Fifty dollars in Texas Treasury notes and the costs of prosecution and Stand Committed to the County jail until the same be paid.

No 69. The Republic vs Geoge McMartin } Dealing Faro.

This day came the Republic by her Solicitor Henry Jarrett and the motion of the defendant & his bail that his recognizance cannot be forfeited and

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that Scire facias do issue against said Martin and his sureties, returnable at the next Term of this Court.

No 76. The Republic vs Ross Gorman } Dealing Faro.

This day came the Republic by her Solicitor and on motion it was ordered that the case be continued to the next Term of Court.

No 77 The Republic vs Geo M Martin } Betting at Faro.

Same entry as above.

No 80. The Republic vs Alexander Coleman } Betting at Faro

No 81. Same entry as above.

No 81. The Republic vs John D Macalister } Betting at Faro

Same entry as above.

No 79 The Republic vs Saml Whiting } Betting at Faro

This day came the Republic by her Attorney A. J. Jewett and on his motion, it was ordered that this case be continued until next term, and that a Capias do issue against said defendant directed to the Sheriff of Travis County

No 83 The Republic vs Mark B Lewis } Asst & Battery

This day came the Republic by her Attorney A J Jewett, and on his motion it was ordered this Case be continued to the next term, and that a Capias directed to the Sheriff of Travis County do issue to said defendant

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No 86 The Republic
vs
John Scott &
James Cox. Retailing Liquors &c.

This day came the Republic by her Attorney A J Jewett and on his Motion, it was ordered that this Case be Continued, and that a Capias be directed to the Sheriff of Travis County do issue to said defendants

No 87 The Republic
vs
Joseph I Anderson Asst & Battery

This day came the Republic by her Attorney A J Jewett and on his motion it was ordered by the Court that this Case be continued, and that a Capias be directed to the Sheriff of Travis County, against said defendant

No 90 The Republic
vs
Charles C Cushman Permitting Faro in House

This day came the Republic by her Attorney A J Jewett & the defendant in his own proper person & Where Soyeth that he is not guilty of the charge Contained in the Indictment Whereupon Came a jury of twelve good & Lawful men to wit James Miller and eleven others, who having been elected tried & duly Sworn the truth to Speak upon their Oath do Say that the said defendant is not guilty Whereupon it is ordered by the Court that he be discharged from further Custody, & go hence without day

No 92 The Republic
vs
William Raney Keeping Restaurat Without Licens

This day came the Republic by her Attorney A J Jewett and on his motion it was ordered that this Case be Continued, and that a Capias, be

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directed to the Sheriff of Travis County, against the defendant

No 99

The Republic
vs
William Cockburn

Asst & Battery

This day came the Republic by her Attorney A J. Jewett and on his motion the defendant in his own proper person and pleads guilty and submits to the mercy of the Court Whereupon it was ordered by the Court that he be fined one dollar in fair funds and pay the be committed to the Common jail of the County until he pays the same together with all costs of prosecution

No 106

The Republic
vs
J F Edrington

Retailing Liquor without license

This day came the Republic by her Attorney A J. Jewett and on her motion It was ordered that this Case be continued and that a Capias be directed to the Sheriff of Travis County against the defendant

No 107

The Republic
vs
Edward Seiders

Retailing Liquors without License

This day came the Republic by her Attorney A J Jewett who says he will no further prosecute this indictment whereupon it was ordered by the Court that the defendant be discharged without further custody & go hence without day

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No 109 — The Republic vs W W Thompson — Keeping boarding House without License

This day came the Republic by her Attorney A J Jewett who says he will no further prosecute this indictment Whereupon it was ordered by the Court that the defendant be discharged from further custody & go hence without day

No 43 — The Republic vs Felix Huston — Accepting a challenge to fight a duel

This day came the Republic by her Attorney A J Jewett who says that he will no further prosecute this ~~indictment~~ and the defendant by his Attorney And for plea says that he is not guilty, and puts himself upon his trial whereupon came a jury of twelve good & lawful men to wit James Miller and Eleven others who having been elected tried and duly sworn the truth to speak do say upon their oath that the defendant is not guilty Whereupon it was ordered by the Court that he be discharged from further Custody & go hence without day

No 42 — The Republic vs Edward Burleson — For being a second in a duel

This day came the Republic by her Attorney A J Jewett who says that he will no further prosecute this indictment whereupon it was ordered by the Court that the defendant be discharged from further Custody & go hence without day

No 41 — The Republic vs M B Skerritt — For being a second in a duel

Same entry as above

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No 40 The Republic
vs
W G Cooke
Sending a challenge to fight a duel

Same entry as before
This day came the Republic by her Attorney A J Jewett who says he will no further prosecute this Indictment Whereupon it was ordered that the defendant be discharged from further custody & go hence without day

No 1 The Republic
vs
John Nowlan
dueling

Same entry as above

No 2 The Republic
vs
Isaac Allen
Ass't & Battery

Same entry as above

No 3 The Republic
vs
John A Yerby
Gambling

Same entry as above

No 4 The Republic
vs
Francis A White
Gambling

Same entry as above

No 5 The Republic
vs
James Gray
Gambling.

Same entry as above

No 6 The Republic
vs
Samuel Gibbs
Gambling

Same entry as above

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No 7 — The Republic vs Francis A Muto — Affray

Same as the preceding entries

No 8 — The Republic vs R D Wood — Gambling

Same entry as above

No 9 — The Republic vs John McNeil — Gambling

Same entry as above

No 19 — The Republic vs Kindra — Selling goods without license

Same entry as above

No 20 — The Republic vs Kindra — Retailing liquor without license

Same entry as above

No 21 — The Republic vs James Moreland — Selling goods without License

Same entry as above

No 24 — The Republic vs William Lane — retailing goods without license

Same entry as above

No 25 — The Republic vs A McTompkins — Assault & Battery

Same entry as above

No 29 — The Republic vs F Guister — Selling goods without License

Same entry as above

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The Republic
Vs
Alfred Donegan — Perjury

No 35

This day came the Republic by her Attorney A J Jewett who says he will no further prosecute this Indictment whereupon it is ordered, that the defendant be discharged from further Custody & go hence without day

The Republic
Vs
Lockhart — Gambling

No 55

Same entry as above

The Republic
Vs
John Edmonson — Gambling

No 11

This day came the Republic by her Attorney A J Jewett and on his Motion It is ordered by the Court that this Case be Continued and that an alias Capias do issue against defendant directed to the Sheriff of Harris County

The Republic
Vs
Milton Shropshire — Gambling

No 13

Continued & Capias ordered to the Sheriff of Bexar County

The Republic
Vs
James Patterson — Gambling

No 14

Continued & an alias Capias ordered to Harris County

The Republic
Vs
Sammy Hamilton — Keeping Faro Bank

No 15

Continued and an alias writ ordered to the Sheriff of Harris County

The Republic
Vs
~~A~~ C Davis — Gambling

No 17

Continued & alias ~~writ~~ capias ordered to the Sheriff of Bexar County

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No 18 — The Republic vs William Murchburg } Selling goods without license

Continuing & Capias to Sheriff of Travis County

No 24 — The Republic vs Thomas Lockhart } Keeping faro Bank

Continuing & capias to Sheriff of Washington County

No 27 — The Republic vs Ephraim Tally } Gambling

Continued and pluries Capias to San Augustine Co.

No 28. — The Republic vs Abner Frost. } Larceny.

Continued & Capias ordered to Sheriff Travis Co

No 31. — Republic vs W H Dell } Gambling

Continued & Capias ordered to Shff Travis County.

No 32. — Republic vs Wm F C Pierce } Gambling

Continued & Capias to Sheriff Travis County ordered.

No 33. — The Republic vs A C Wilburt. } Larceny.

Continued and Capias to Travis County ordered.

No 34. — The Republic vs Alexander McBride

Continued and Capias ordered.

No 36 — The Republic vs Underhill } Gambling

The parties being solemnly called came not, whereupon their Recognizance forfeited and Sci facias to issue.

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The Republic of Texas
vs.
No 75 Richard Bullock } Assault on Public Minister

Be it remembered that on this day came the Defendant Richard Bullock and in Open Court acknowledged himself to be indebted to the President of the Republic of Texas in the penal sum of One thousand dollars to be levied of his goods and Chattels Lands and tenements to be void nevertheless on Condition that he be and appear at the next Term of the District Court to be holden and in and for the County of Travis, there to answer to the Indictment found against him for an assault upon a Public Minister and not depart therefrom untill discharged by due Course of Law. Also came Henry Jones and Alexander Russell and severally acknowledged themselves indebted to the President of the Republic of Texas in the penal sum each of five hundred dollars, to be levied of their goods and Chattels Lands and tenements to be void nevertheless on Condition that Richard Bullock Charged with committing an assault upon a Public Minister do be and appear at the next Term of the District Court to be holden in and for this County, there to answer said Indictment and not depart from Court, untill discharged by due Course of Law.

Also Came George W Bonnell and acknowledged himself indebted to the President of the Republic of Texas in the penal sum of five hundred dollars to be levied of his goods and Chattels lands and tenements to be void nevertheless on Condition that he appear at the next Term of the District Court to give evidence of what he may know touching an Indictment vs Richard Bullock for an assault upon a Public Minister and not depart therefrom untile discharged by due Course of Law.

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John A Wilkins &
L S Wilkins
ats
M H Beaty
Same
ats
I G Beaty

Writ of Habeas Corpus

And now on this day the Sheriff having brought into court the said defendants, and made his return to the Writ of Habeas Corpus granted by the Court in the Cases above named, informing the Court of the Cause of their Captivity and detention in his Custody, it appeared that said defendants were arrested and detained at the suits of three Several plaintiffs, to wit, M. H. Beaty, Josiah G Beaty, and Daniel Browning and wife Nancy on the affidavit of said Plaintiffs made by Virtue of the act of Congress entitled an act to amend an act to regulate attachments, approved February 4th 1841. Whereupon the Counsel for the defendants offered to the Consideration of the Court; a Supplemental petition by way of amendment to the Petition in the aforesaid Suits praying that the benefits of the said Writ of Habeas Corpus might also be extended to the Case of Daniel Browning and wife Nancy against them which was allowed by the Court= Whereupon the Causes & matters of the arrest and detention of said defendants being fully argued by Counsel it was Considered, ordered adjudged and decreed that the said defendants were illegally arrested at the suits of said Beaty's; and that they therefore be released and discharged therefrom, go hence without day, and recover from the said Plaintiffs their Costs about the said Suits in this behalf expended and for which execution may issue; and it was further Considered, ordered adjudged & decreed that in the Case of Daniel Browning & wife Nancy, the reasons and grounds assigned by the Counsel for the defendants for quashing the process & proceedings under which said defendants were arrested, and detained in Custody & to discharge them therefrom were insufficient, and therefore must be overruled = and the said defendants were again remanded into Custody - to which latter decision of the Court, the Counsel for the defendants excepted, and appealed therefrom to the Supreme Court, and thereupon in open Court, gave notice of the same to the said plaintiffs

William Evison
vs
Saml Watkins
of Plaintiff

In this case W W Thompson appeared in open Court & acknowledged himself bound as Security for all cost in this Suit on behalf

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No 37 The Republic vs Charley Autrey } Gambling.

Continued and Capias to Jeff Davis Co. ordered.

No 38. The Republic vs John C. Carrion } Gambling

Continued and Capias to Travis Co. ordered.

No 39 Republic vs Daughlin } Extortion.

Continued.

No 45 The Republic vs Semott } Gambling

No 46 The Republic vs Allen } Gambling

Continued & Capias to Travis County ordered

No 47 The Republic vs Barclay } Gambling

Continued and Capias ordered to Travis County.

No 49 The Republic vs Sam's Underhill

Continued and Capias to Travis Co ordered.

No 52 The Republic vs Charley Autrey } Gambling,

Continued and Capias to Travis County.

No 53 The Republic vs William W. Porter } Gambling

Continued and Capias to Bowie County.

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No 54 The Republic
vs
Lockhart } Gambling

Bolle prosequi entered by the Solicitor J.G. J. Jewett

No 44 The Republic
vs
Model Wood } Assault.

Continued by the Solicitor J.G. J. Jewett.

No 26. The Republic
vs
Parmit Eden } Assault &c

This day came the Republic by her Solicitor Henry J. Jewett who says he will no further prosecute this Indictment, Whereupon it is ordered by the Court that he go hence without day and be discharged from further Custody.

General Order,

It is ordered by the Court, that in all prosecutions on behalf of the Republic at this Term, where pleas of guilty have been received or Convictions had, and in Consequence thereof, defendants adjudged to pay a fine together with all Costs of Prosecution, for want of a Suitable Jail in the County of Travis, the Sheriff is directed to Commit the aforesaid defendants to the Comm on Jail of Fayette County, and our Sheriff of Fayette County is hereby Commanded to receive all persons Committed as aforesaid, and them safely keep until discharged by due Course of Law, And the Clerk is directed to certify this order to our Sheriff of Travis County, for his Guidance to act in the premises, and on Committing any persons to Sheriff of Fayette County our Sheriff of Travis County is directed to leave with him a copy of this order

The Republic of Texas
vs
Kelly H. Holliday } Murder

In this Case it having been Considered by the Court that the venue laid in the Indictment be changed to the County of Fayette, our Sheriff of Travis County is hereby Commanded to take the body of said Kelly H. Holliday and him Commit to the Common Jail of Fayette County to await his trial, or be discharged by due

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Courts of Law, and our Sheriff of said County of Fayette is hereby Commanded to take said Kelly H & Colliday and him safely keep in the Common Jail, until he be discharged by order of the Court. Your Sheriff of Travis County is directed to deliver to our Sheriff of Fayette County, with the body of the prisoner a copy of this Order.

Also this day Came David Laughlin. S B Owen and Moses Johnson. Who severally acknowledged themselves indebted to the President of the Republic of Texas, each, in the penal sum of five hundred dollars to be levied of their goods and Chattels lands and tenements, to be void nevertheless on Condition, that they shall be and appear at the next Term of the District Court to be holden at the Town of La Grange within and for the County of Fayette, there to give Evidence of what they know touching the matters Contained in the Indictment as said Kelly H & Colliday, and not depart therefrom until discharge by the Court.

It is ordered by the Court that the Clerk shall, together with the Sheriff in presence of some Justice of the Peace for the County of Travis, proceed to draw according to Law thirty six names of persons duly qualified to serve as Juross at the next Fall Term of Court.

X

P B Cocke
vs
B F Grayson } Report made & Set aside by the master in this case & Set Aside & ordered to be continued until the next Term of this Court

Plummer & Smith
vs
Thos W Ward Com Land office } application for a mandamus. In these cases it ordered by the Court that publication be made in the Austin City Gazette for the Term of three months previous to the next Term of this Court, notifying all persons in interested to come forward & contest said application if they may so wish.

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Asa Brigham appearing in open Court & tendered his excuse for non attendance as a grand juror = Whereupon it is ordered by the Court that his fine be remitted

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No 8 L G Wheeler
vs
Asa Savery } Injunction

In this Case it is ordered by the Court that this Case be continued = with leave On the part of Plaintiff to amend the bill by adding new parties to the bill

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No 9 L G Wheeler
vs
Asa Savery } Injunction

In this Case it is ordered by the Court that this Case be continued = with leave on the part of the plaintiff to amend the Bill, by adding new parties thereto

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62 L G Wheeler
vs
Asa Savery } Injunction

This day came the Plaintiff by his Attorney & on motion it was ordered by the Court that this Case be continued & an alias writ ordered

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63 Hester E Wheeler
use of David D G Wheeler
vs
A Savery } This day came the plaintiff by his attorney, and on Motion it is ordered by the Court that this case be continued & an alias writ ordered

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64 Charles Bigelow
use of D G Wheeler
vs
A Savery & Son } This day came the plaintiffs by their Attorney & on Motion, the Plaintiff is ordered by the Court that this can be cont'd alias writ ordered

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65 L S Wheeler } This day came the Plaintiff by his
V } Attorney, and on his motion, It is ordered
A Savery } by the Court that this case be continued
& an alias writ be issued

Sterling C Robertson

Petition for Injunction

No 122 District Court

It is ordered by the Court that the injunction in this case be amended, so as to embrace thirty Leagues & thirty Labors of Land, to be designated by the petitioner within sixty days from the date hereof, and if not designated in that time the Injunction to be dissolved; And said Robertson is further ordered to make a report to the Commissioner General Land Office of Lands so designated, within the time above specified

This day appeared in open Court Abner J Kidd Esq and took the oath to support the Constitution of the Republic of Texas, and also an oath to well & truly demean himself as a practicing attorney of this court,

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The Republic } Murder,
V }
Holly H Holliday }

This day Came Bron D Brain and acknowledged himself indebted to the President of the Republic of Texas in the penal sum of five hundred dollars, to be levied of his goods and Chattels lands and tenements, to be void nevertheless on condition that Benjamin F Roberts shall be and appear at the next term of the District Court to be holden at Columbia in Fayette County there to give evidence touching what he may know of the Indictment against said H H Holliday and not depart therefrom without order of the Court,

And now on Friday the fourteenth day of April A D 1841 Being the last day of the term as an evidence of the preceding Minutes were read each successive morning & approved they are

Sh

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herewith signed by the presiding Judge - It is further ordered that the Court adjourn until the next term thereof

R. E. B. Baylor Judge
of the 3rd Judicial
District.

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District Court for Travis County

"Be it remembered that the District Court December term 1841 commenced its session On Monday the 6th day of December 1841- "present M S Beaty, District Clerk and C J King Sheriff, his Hon the Judge being absent, the Sheriff adjourned Court until next day 10 Oclk pursuant to Law-

Tuesday Morning December 7th Court met pursuant to adjournment present His Hon Judge R E B Baylor, M S Beaty District Clerk and C J King Sheriff, When the following proceedings were had, (R B Basford District Clerk by his Deputy)

The Venira Facias having been called, the following persons answered to their names, Thos A Moore, Lewis Hancock, David Thomas Thos L Jones, D M Underhill, Jesse C Tannehill Owen O'Brian F Preston Lewis Hass, — Thos A Moore was excused from serving as a Juror. Court adjourned until Thursday morning 10 Oclk,

Thursday morning December 9th 1841-

Court met pursuant to adjournment- The venira being called the following persons answered to their name, Lewis Hancock, Martin Moore, David Thomas, John Lee, C C Cushman, John Chuck, G W Gay Harvey Smith, Jesse C Tannehill, Owen O'Brian, Lewis Hass, D M Underhill and Thomas L Jones, When the following proceeding were had

25	James Hammond vs Sand Whiting	Continued by consent of parties.
29	Nelon Soule vs Nathl Townsand	Continued by consent and leave given to take the Deposition of John Wood, De bene esse-
39	Josiah J Crosby vs John W Jones	Continued by Consent-
41	Allen S Holderman vs Jas A Haney	Continued by Consent

Fall Term 1841 City of Austin Texas

commenced its Session

✓ 42	W L Patten &c Vs John F Webber	Continued by Consent
✓ 43	James Cole Vs Thos L Duggan et al Henry Jarrell	Continued by Consent
✓ 53	Geo I Glascock Vs John F Webber	Continued by Consent
✓ 55	Isaac W Capel Vs Saml Whiting	Continued by Consent
✓ 57	Edward Sanders Vs John Nolan Owen O'Brian and John B Craig	Continued by Consent
✓ 62	Daniel G Wheler Vs A. Savery	Continued by Consent

Fall Term AD 1841

63	Stertes E Whelen for the Use of &c vs A Savery		Continued by Consent
64	Chs Bigelow for the use D G Whelen vs A. Savery & Son		Continued by Consent
65	L S Whelen vs Asa Savery		Continued by Consent
67	Jakob Black vs James A Coldwell		Continued by Consent
68	Alx Russell vs A B Eberly		Continued by Consent
70	Peter M Geal vs Wm H Hunt		Continued by Consent
71	Wm Richardson vs N M Luckett		Continued by Consent

Fall Term 1841

73	Thos D Fisher vs Thos L Jones	Continued by consent
74	Lewis Goodwin vs Robt H Wynne	Continued by consent
75	John V B Jones vs A G Kemble	Continued by consent
76	Alx Russell vs A Murchison	Continued by ~~consent~~ the Court Judicial attachment set aside alias process awarded
77	Geo M Collinsworth & S B Brigham Exrs of R Smith Dec'd vs R H Wynne	Continued by consent
78	Geo M Collinsworth & S B Brigham Exr of R Smith Dec'd vs R H Wynne	Continued by consent
80	David Kinchelow vs R H Mus Admr	Continued by consent

1841 District Court Fall Term 1841

81	P. W. Herbert vs Nath[l] Townsend	Continued by consent
82	Daniel Moody vs Henry Raguet	Continued by consent
83	Cunningham & Cochenour vs Philip I. Allen	Continued by Consent
84	James Curtis & Elija Curtis vs Rob[t] Mitchell	Continued by Consent
85	Kuppenheimer & Co vs Browning & Potter	Continued by consent and alias writ ordered, the service being set aside
86	Sam[l] Knight Surviving Partner of W. C. White & Co vs A. B. Eberly	Continued by Consent and alias writ ordered
87	Francis S. Mayer vs A. M. Luckett	Continued by Consent and Alias Writ ordered

88	Davis & Mayes vs A W Luckett		Continued by consent and Alias writs ordered
90	Jamus Craft vs Joseph Tanner		Continued by Consent and Alias writs ordered
91	Nathaniel Dyke vs H. Raguet		Continued by Consent and Alias writ ordered
92	Wm Everson vs Jane Watkins		
93	Jo^s^ N Garrity vs Nolan O'Brian Craig		Continued by consent
94	Pruitt & Beck vs John Beal		Continued by Consent
96	John Chenneworth vs Thos Whitehead		Continued by Consent

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99	Hiram Word Vs Travis & Brown	Continued by Consent
102	J H & L S Wilkins Vs W J McElwee	Continued by Consent
104	Robt Ballow Vs F Lindsick	Continued by Consent
105	Sam'l M Long Trustee &c Vs Billingsly & Nicholson	Continued by consent
107	M A Beaty Vs J H & L S Wilkins	Continued by consent
108	L F Marquart Vs Thos N Word	Continued by Consent
109	Rich'd L Loyd Vs Mitchell & Harnett	Continued by Consent

Fall Term AD 1846

110	Wayne Barton Vs Mcketue & Harness	Continued by consent
113	L & S Wilkins Vs Jany Martin	Continued by consent
114	Moon & Blessing Vs A M Luckett	Continued by consent
115	W Bratton for use of &c Vs S Didrick	Continued by Consent
116	M Zeller Vs B Miller	Continued by consent
119	B Miller Vs M Zeller	Continued by consent
120	B Miller Vs G L Stass & Co	Continued by consent
123	Jas L Perry, Ex of S F Austin Vs Sam Houston Pres.	Continued by Consent

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Fall Term 1841

Fall Term A.D. 1841

124	Hayden Edwards vs M B Lamar Pres't		Continued by consent
126	Pa'k I Perry, Ex of S F Austin dec'd Sam'l M Williams vs Sam Houston Pres't		Continued by consent
125	M'Mullen & M'Glew vs Sam Houston Pres't		Continued by consent
127	Sam'l I Tobin Adm'r vs M B Lamar Pres't		Continued by consent
128	Wm Spencer vs Sam'l R Miller		Continued by consent and death of pltff suggested and suit revived in name of Wm A J Gair Administrator &c
130	Sam'l Cammon vs Rich'd Bullock		Continued by consent

Fall Term A.D. 1846

✓ 132	Tennden & Cunman vs Colton & King	Continued by consent
✓ 135	A J Gayle vs J W Garrety	Continued by consent
✓ 136	Josiah G Beaty vs L S & L H Wilkins	
✓ 137	Dan'l Browning & wife vs L S & L H Wilkins	
✓ 138	Shaw & Co vs Nolan & O'Brian	Continued by consent
✓ 140	Mary Woods vs A M Luckett	Continued by consent

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District Court

141	John W Slocum Vs W Wood, Constable	Continued Generally
142	Pat A Caldwell Vs Jos Ferenden & Coleman Denman	Continued And alias Writ Ordered
143	J D Laughlin Vs Thos McKennon	Continued by consent
144	A Russell Vs M Woods	Continued by consent
146	Philip Howard Vs Reuben Hornby	Continued by consent
147	Wm H Grimes Admr Vs A D Gayle	Continued by consent
148	Wm Bell Vs Chs Demorse & Wm L Cazneau	Continued by consent

149	Wm H Watts vs Richd Bullock & Mary Bullock		Continued by consent
150	Jo Lounden vs Wm Wallace		Continued by consent
151	John A Herndon Jas S Sullaven vs Jno W Garrity		Continued by Consent and alias writ ordered
152	Wm H Nash vs Richd & Mary Bullock		Continued by Consent
153	Jo Lounden vs Mary Moore		Continued Generally
154	Wm L Lacey vs K St Musc Admstr		Continued Generally
155	Wm Stubblefield vs Lounden & Herman		Continued & alias writs ordered

Fall Term AD 1841

156	Samuel & Smith vs John Wood	Continued by consent
157	Nath[l] Townsend vs A C Samuels	Continued by consent
158	Jos Harris vs Jos Sanna	Continued by consent
159	Jos Harris vs Jos Sanna	Continued by consent
160	Chs A Gessike vs Jos Ehlinger & Comm[r] Gen[l] of land Office	Continued by consent
161	Tho[s] Fenman vs A M Donald	Continued by consent
162	Moore & Blessing vs G & H Harris	Continued by consent

✓	163	Ross & Echelberger Vs Mitchell & Farley	Continued by consent
✓	164	J. P. Whiting Vs John Wood	Continued by consent Judgt as per agreement filed
✓	165	John Wood Vs J. P. Whiting	Continued by consent Judgt as per agreement filed —

Chancery Docket Fall Term 1841

1	P B Cock vs John P Blackwell Benj[n] S Grayson	
2	C K Reese Adm[r] vs James Burk	In this case is given to file an amended bill — by making Wm A Murrah a party deft to the bill —
3	Tho[s] A Moore vs Tho[s] Puckett	
4	Christopher A Stern vs Alex[r] L Richardson	In this case it is ordered that an alias Subpoena issue to the County of Sabine —
8	D G Wheler vs A Savery	
9	D G Wheler vs A. Savery & others	
11	A Millard vs Thos H Ward Comm[r] Gen[l] of Land office	

Fall Term AD 1841

13 ✓	Simon McStewart vs Secretary Sterling Assigns vs Geo D Gasseock	
14 ✓	Seaman Rice vs Farley & Jewett	Leave given the Defts to file an amended plea —
15 ✓	Wesley Hunt vs Wm N Williamson	This and the foregoing Cases were Continued by Consent of parties
16 ✓	Richd B Jarman et al vs Caleb B Alexander Et al	Continued and order of publication Issued for One Month —
17 ✓	Richd B Jarman vs Caleb Brock	Continued and order of publication Issued for One Month —
18 ✓	Jerndin & Denman vs Gideon Bowdoin	Answer filed and motion made to dissolve the injunction —
19 ✓	Amos Sims vs R Caldwell & others	Alias Summons to issue for Defts & Continued —

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Fall Term AD 1841

20 Wm S Orr vs McClure et al — Continued by consent and order of publication against McClure & ~~Irving~~ to be made for 4 months—

The following Cases were ordered to be entered on this docket in obedience to the following Order,

21 Corporation of Bastrop vs Gilmon & Redding — Continued by Consent

22 Sarah E M Neal vs Hector M Neal — Continued by Consent

Bastrop District Court Nov 25th 1841

Thursday Morning November 25th 1841, Court met pursuant to adjournment On Motion And Consent of parties it was ordered by the Court, That the Case of the Corporation of Bastrop against Gilmon & Redding And the Case of Sarah E M Neal against Hector M Neal be transfered from this Court, to the District Court, for the County of Travis, And that the Clerk of this Court be ordered to transmit the files in said Cases to the Clerk of the Travis District Court

The Republic of Texas
Bastrop County

I Certify the above to be a true Copy of the Order of the Court made in said Cases, Given under my Hand and Seal of office, this the 27th day of Novembr AD 1841

Seal

James P Wallace
Clerk of the District Court
Bastrop County

23 B Sims vs Comr Genl of the Land office — Continued by consent

Fall Term AD 1841

W C Samuels offered an excuse to the Court and was excused from serving as a Juror for this term of the Court

The Court then adjourned untile Friday morning 10 OClk A M. — " —

Friday Morning December 10th 1841

Court met persuant to adjournment, minuts read and approved. When the following procedings were had —

166	G W Bowditch And Sheriff — Vs Tennden & Denman	This case continued and motion made to dissolve the injunction on the bill and answer — which motion was continued over to next term
164	J P Whiting Vs John Wood	It is ordered in these two cases that the following agreement, made between the parties be made the Judgement of the Court —
165	John Wood Vs J P Whiting	To Wit — City of Austin Nov 6th 1841

This is to certify that we agree to withdraw all Law suits in regard to Faiths Cattle by J P Whiting paying all the cost in the Cases, till now that have yet occured, and John Wood have two Cows if they can be found, One a white Cow with black spot, the other is a sort of a Sandy Colored one, with red & white spots End to hold the same till if Faiths return, as witness our hands

Signed

J P Whiting

John Wood

" "

A D Laughlin }
L B Patton }

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Fall Term AD 1841

22 Sarah E McNeal
vs
Hector McNeal

In this Case, On motion of Pltff council it was ordered by the Court, that the said Pltff retain possession of all the personal property now in his possession, And the Negro Woman Ann until this Suit shall be determined, And the court further Ordered that the Deft pay to the Sheriff of Travis County, for the use of said Pltff, On the 12th of every Month hereafter the sum of $17 for his Support, during the pendency of this Suit, And upon the failure of said defendant, to pay the Sum aforesaid, at any of the time, the same shall be due, the Sheriff of Travis County, shall take into his possession, any one of the Slaves mentioned in Pltff petition, and hire the same out to the highest bidder per month and to pay over to the pltff out of the procuds arising from the hire of said Slave the Sum aforesaid & the overplus if any to said dft

Signed R E B Baylor Dist Judge

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21 Corporation of Bastrop
vs
Gilmore & Redding

In this Case, Change of Venue by Consent from the County of Bastrop —
And this day the Special Verdict, found by the Jury in this Case, Came up to be heard before the Hon Judge of the third Judicial District, Sitting for the County of Travis
It was consented and agreed by the Council on the part of the Pltffs and Defts that this Court entr a Judgment Pro Forma for said Defts, And in pursuance thereof the Court orders and adjudges, the Law upon the finding of the Jury aforesaid in favor of said Defts, And that they go hence without day and recover of the Pltff their costs in this behalfe expended From which Judgement, the said Corporation of Bastrop appeal to the next term of the Supreme Court, Which is allowed And entered into bond and security for cost according to Law

Jos E Plummer
vs
Comr Genl of
Land office —

Continued by consent —

Fall Term AD 1844

Jos F Smith
vs
Comm Gen of
Land Office

Continued by Consent

John L Lean
vs
Eliza S Logan

Continued by Consent

Human Bord
vs
Farley & Swift

In this case Motion, that security for cost be
given within sixty days or suit to be dismissed
The above motion Continued

Pruitt & Beck
vs
John Beal

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Motion that security for cost be given in
sixty days or suit dismissed, And said
Motion Continued

Amon Jones
vs
Cruger & Bonnell

In this case it is ordered by the Court, that the
motion for a new trial be continued to the next
term, And that all proceedings herein in the
mean time be suspended to await the determination of said motion

Republic of Texas
vs
Wm H Smith

Indict & convicted for a breach of the gaming act

It appearing to the satisfaction of the Court in this case
that the fine of One Thousand Dollars, ~~and~~ which said Wm H Smith was adjudged
and ordered to pay the Republic, has been remitted by proclamation of the
President of the Republic. It is therefore ordered that the said Smith remain
in the Custody of the Sheriff, until all the Costs of this prosecution be
paid

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Fall Term AD 1841

✓ Republic of Texas
vs
Richd Bullock
Assault on a public Minister

✓ Republic of Texas
vs
Richd Bullock
Assault on Servant of Public Minister

This day came the Republic by the Solicitor W Ogden Esqr who was appointed by the Court the prosecution, Also came the Deft Richd Bullock, and on his affidavit, that he could not go safely to trial in the foregoing Cases, for the want of Material Witness, whose attendance he could not procure at this term of the Court, and whom he expects to have in attendance at the ensuing term, Also that this application for Continuance was not for Vexation delay

It was therefore ordered by the Court that these Cases Stand Continued to the next term —

And thereupon came said Richd Bullock Jamy A Caldwell and G L Hass, who acknolledged themselves Jointly and Severally Indebted to the President of the Republic of Texas, the said Richd Bullock as principal in the penal sum of One thousand Dollars, and the said Jamy A Caldwell and G L Hass as securities each in the penal sum of One thousand Dollars, to be levied of their Goods and Chattels lands and tenaments, to be void nevertheless on the Condition, That said Richd Bullock, should be and appear at the next term of the District Court to be holden in and for the County of Travis and there remain from day to day and from term to term to answer the Republic on the Charges Contained in the Indictments aforesaid and not depart therefrom untill discharged by due Course of Law,

H D Smith Asq was sworn to assist in Conducting Bullock, And on his in the foregoing Cases,

Also came the witnesses Nathan Mitchel Francis Purdue and Moses Johnson, Who severally acknolledged themselves Indebted to the President of the Republic of Texas in the penal Sum of three hundred Dollars each, to be levied of their Goods & chattels lands and Tenaments, to be void nevertheless on Condition, that they appear at the next term of the District Court for the County of Travis to give evidence, touching the Charges, Contained in the aforesaid Indictments, And there remain from day to day and from Term to Term, untill discharged by due Course of Law —

Fall Term A.D. 1841

Republic of Texas
vs
John Gaines

Republic of Texas
vs
John Edmondson

Republic of Texas
vs
Milton Shropshire

Republic of Texas
vs
James Patterson

Republic of Texas
vs
Jamy Hambleton

Republic of Texas
vs
Jamy R Cook

Republic of Texas
vs
Jamy Crabtree

Republic of Texas
vs
Thos Lockhart

Republic of Texas
vs
Ephrim Talley

Republic of Texas
vs
Abner Frost

Republic of Texas
vs
J B Crabtree

Republic of Texas
vs
W W Bell

Republic of Texas
vs
W Ic Price

Republic of Texas
vs
A M Withers

Republic of Texas
vs
Alx M Kenne

Republic of Texas
vs
John C Harrison

Republic of Texas
vs
Ross Gorman

Republic of Texas
vs
John L McAlister

Republic of Texas
vs
Wm Rainey

Republic of Texas
vs
Jos Secondm &
Colden Denman

Republic of Texas
vs
S S & I H Williams

Republic of Texas
vs
S S & I H Wilkins

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Fall Term AD 1841

"Republic of Texas
vs
B S Grayson

"Republic of Texas
vs
Chalks

"Republic of Texas
vs
J Prentiss

"Republic of Texas
vs
Saunders & Denman

} "Thes and the foregoing Cases were Continued and Alias capias Ordered

"Republic of Texas
vs
H & Davis

"Republic of Texas
vs
Richd Ross

} Continued & Recognizance Forfeited & Sera facias — to issue, and dft to show cause why said Sagt should not be final
Continued and Recognizance Forfeited and Sira facias to issue

36 "Republic of Texas
vs
L D M Underhill

39 "Republic of Texas
vs
L D Laughlin

44 "Republic of Texas
vs
Thos Woods

45 "Republic of Texas
vs
Demot

46 "Republic of Texas
vs
Allen

47 "Republic of Texas
vs
Barkley

48 "Republic of Texas
vs
Wm St Secrets

49 "Republic of Texas
vs
L D M Underhill

Fall Term A.D. 1841

✓	53	Republic of Texas vs Wm A Porter	✓	68	Republic of Texas vs John D McAlister
✓	54	Republic of Texas vs E A Muse	✓	73	Republic of Texas vs E A Harrison
✓	62	Republic of Texas vs Thos A Duggan	✓	79	Republic of Texas vs Jame Whiting
✓	63	Republic of Texas vs Thos A Duggan	✓	80	Republic of Texas vs Aly Coleman
✓	83	Republic of Texas vs M B Lewis	✓	86	Republic of Texas vs John Scott & Danny Coy
✓	87	Republic of Texas vs Jas I Anderson	✓	88	Republic of Texas vs Michl Zuller
✓	89	Republic of Texas vs Noah Chuck & Silvester Chuck	✓	91	Republic of Texas vs Thos Myres
✓	103	Republic of Texas vs Thos L Jones	✓	104	Republic of Texas vs E A Harrison
✓	105	Republic of Texas vs E A Harrison	✓	106	Republic of Texas vs I F Edrington
✓	110	Republic of Texas vs Thos I Smith	✓	111	Republic of Texas vs E S Radcliff
	112	Republic of Texas vs Richd Numan	✓	113	Republic of Texas vs Wm A Bath

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Fall Term Anno Domini 1841.

114 Republic of Texas vs Richd Watts, (Transcript)

115 Republic of Texas vs E Sides —

The foregoing cases from No 36, inclusive to 115 – inclusive, were Continued generally —

Republic of Texas vs David Harmon } In this Case Recognizance forfeited and Scire facias, Ordered — and this Deft to show cause why said Judgt should not be final

Republic of Texas vs Alx Neffler } In these cases Plures Capias is ordered to issue

Republic of Texas vs Thos L Fisher

The Court adjourned until 10 O'Clk Saturday Morning

Saturday morning December 11th 1841

Court met pursuant to adjournment — The minutes were read and approved, — And ordered by the Court that all Motions now pending & undisposed of on the motion Docket be continued over to the next term of the Court —

It is ordered by the Court that the Clerk together with the Sheriff in the presence of some Justice of the Peace for the County of Travis, proceed to draw according to Law, thirty six names of persons duly qualified to serve as Jurors at the next term of Court

It is further ordered that the Court adjourn until the next term —

R. E. B. Baylor
District Judge —

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District Court for Travis County

Be it remembered that the District Court September Term 1862 commenced its Session on the day of September

Be it remembered that the District Court in and for the C

Be it Remembered that the District Court fall Term Commenced its Sessions on the 18th of

Fall Term 1842 City of Austin

Spring Term 1842 January

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District Court for Travis County

Be it remembered that the District Court for said County commenced its Session on Monday the fifth day of September One thousand eight hundred and forty Two.
Present A B M^c Gill Deputy Clerk pro tem of said Court and Charles F King Sheriff.
His honor the Judge of the Third Judicial District being absent the Sheriff adjourned the Court until Tuesday morning 10 Oclock according to Law.

Tuesday Morning. September 6th. 1842

The Court met pursuant to adjournment.
Present. His Honor, Judge R E B Baylor, A B M^c Gill Deputy Clerk pro tem. of the District Court. And Charles F King Sheriff of the County of Travis.
The Court proceeded to its organization as follows.
The Venire Facias being called the following persons answered to their names. Viz:
Joseph Cox, William L Cazneau, Owin Wilcox, John A F Travis, Thomas Ward, Samuel Whiting, F. Deitrick, Daniel Browning, Henry Koontz, I. S. Taft, A. H. Walrous, William Bell, John Tibble, Geo W. Barrett, Jo. Hornsby, Isaac Pearson, Nere Chamberlain, Abner Mathews, Peter Kerr.
The Court then proceeded to draw
Messrs. Kerr & Taft were excused from serving as Grand Jurors they having shown to the Court that their families needed their presence at their respective homes.
The Court then proceeded to draw from the jurors 15 names. thus present. the following, as Grand Jurors for the present Term.

1	A. H. Walrous	9	Wm L Cazneau
2	John Tibble	10	Abner Mathews
3	Jo. Cox	11	Geo W Barrett
4	Danl Browning	12	John A F Travis
5	Jo. Hornsby	13	Saml Whiting
6	Thos Ward	14	Francis Deitrick
7	Owin Wilcox	15	William Bell
8	Isaac Pearson		

Joseph Hornsby informing the Court that he had not yet arrived at the age of Twenty One. was allowed to withdraw. and Nere Chamberlain was drawn in his stead.
Saml. Whiting was appointed by the Court foreman of the Grand Jury. the jury then received the Charge of his Honor the Judge. and retired.

Ashford B McGill took the oath required by law as Deputy Protem Clerk of the District Court which was administered by his Honor R.E. B Baylor,

The Court then adjourned until 3 Oclock P.M.

3 Oclock P.M.

The Court met pursuant to adjournment.

The Court proceeded to dispose of the Cases on the Common Law Docket as follows

26	David Moody vs Henry Raquet	This day came the plaintiff by his Attorney and on motion of plaintiffs Attorney it is ordered that the Case be dismissed from the Docket, and that the Defendant go hence with his reasonable cost in his behalf expended for which execution may issue
34	Nath. Dyke vs Henry Raquet	Same order.
41	Robt Bratton vs Francis Deitrich	This day came the plaintiff by his Attorney Same order.
75	Wm H Watts vs Richd Bullock and Mary Bullock	This day came the plaintiff by his attorney and suggests the death of the Defendant whereupon it is ordered that Sire. facias be issued to his Representatives when known & Case Continued.
77	John H Herndon & James I Sullivan vs Joseph W Garnett	Same order as the preceding suit
78	Wm H Watts vs Richd Bullock & Mary Bullock	Same order as the preceding suit

District Court. fall Term. 1842.

190	John Caldwell vs Mathew Moss	Continued by Consent of parties
104	Noah D Byers vs Joseph Tanner	This day came the plaintiff by his Attorney, and on motion of plaintiffs Attorney, it is ordered that this cause be dismissed from the docket, and that the defendant go hence with his reasonable cost in his behalf expended for which execution may issue
113	Thomas A Moore vs Heirs of Gl. Spiers	Same Order as in preceding suit

In Chancery

14	Sarah O McNeill vs Hector McNeill	In this case it is ordered, that the Sheriff report some time during the present Term of the District Court, how he has complied with an order issued at previous Term requiring him to perform certain duties.
15	Joseph F Smith vs Com. of Gen. Land Office	In this case a rule Nisi was granted by the Court to be served on the Com: of the Gen: Land Office
16	Joseph E Plummer vs Com: of Gen: L. Office	Same order as in preceding suit
17	Thomas Pillard vs Com: of Gen. L. Office	Same order as in preceding suit
18	Chas B Stewart vs Com: of Gen. L Office	Same order
20	Sam Hodges vs Com. of Gen L Office	Same Order

Travis County

	William Hamilton vs Comm: of Gen. L Office	Same order as in preceding suit
	Bartlett Sims vs Comm: of Gen. L Office	Same order

The Court this day found until tomorrow Morning 10 Oclock.

Wednesday Morning Sept 19th 10 Oclock

The Court met pursuant to adjournment.
The Court took up the Common Law Docket,

4	Allen S Holderman vs James A Haynie	This day came the parties by their Attorneys and on motion plaintiff Attorney it was ordered this Case be continued until the next Term of this Court— Plaintiff paying Costs of Continuance. the present Term.
7	Geo. I Gascock vs John F Webber	This day came the parties, and on the affidavit of Defendant, it was ordered that this Case be continued,— Defendant paying Cost of Continuance ~~the Term~~ the Court.
8	Jabez W Caple vs Saml Whiting	Continued by Consent of parties
9	Edwd Sanders vs John Nolan. Owen O'Brien, & John Craig	Continued neither the parties or their Attorneys being in Court.
10	Daniel H Wheeler vs A Savery	Continued neither the parties or their attorneys being in Court.

Fall Term 1842

15 Hester E Wheeler for the use of D G Wheeler vs Asa Savery — Continued, neither the Parties or their attorneys being in Court.

12 Charles V Pigeon for the use of D G Wheeler vs A Savery — Continued, neither the parties or their attorneys being in Court.

13 D S Wheeler vs Asa Savery — Continued neither the parties or their Attorneys being in Court.

16 Alex Russell vs A B Eberly — Continued by Consent of Parties

17 Peter McGreal vs W H Hunt — Continued by Consent of parties

20 John P Jones vs A G Kimble — Continued by Consent of parties

28 James Curtis & Elijah Curtis vs Robt Mitchell — Continued by Consent of parties

29 Kissam & Company vs Browning & Potter — In this Case Came the parties by their attorneys, Plaintiffs Attorney moved that the plaintiff obtain Judgement against the defendants, Whereupon Daniel V Browning Came in to open Court and made oath that the note of eight hundred and thirty dollars 00/100 and dated New York August 6th A.D. 1836 sued upon in this Case was never executed by him neither did he ever authorize any person to sign the same ~~for him, Whereupon it is ordered by the Court that the Plaintiff recover of Browning & Potter the sum above mentioned with interest from 6th of February 1837 at 8 per cent per Annum~~ and costs and it appearing to the Court that the Plaintiff has received from the Defendants the sum of Eight hundred and thirty dollars and interest thereon from the 6th of February 1837 at 8 per cent per Annum, it is therefore considered by the Court that the Plaintiff recover of the Defendants the sum of Eight hundred and thirty dollars and interest thereon from the 6th of February 1837 at 8 per cent per Annum.

for him, after filing the said plea. it was ordered by the Court that that ~~Plaintiff~~ Browning be dismissed from the suit and that the defendant recover from Potter the sum above mentioned with interest from 6th february 1837. for which execution may issue

Frances S Mays
31 vs
Nolan M Lucket

In this case it was ordered by the Court that the Plaintiff recover of the Defendant the Sum of Two hundred and Three dollars and interest thereon from February 29th 1841. & Costs until the paid. for which execution may issue.

Davis & Mays
32 vs
Nolan M. Lucket

This day came the parties by their Attorneys, and submitted this case to a jury of good and lawfull men. duly chosen tried and sworn to try the issue, who rendered the following Verdict

We the Jury find for the plaintiff in the Sum of Three Thousand, two hundred and Sixty four 24/100 dollars Whereupon it is ordered by the Court the ~~defendant~~ Plaintiff recover of ~~Plaintiff~~ Defendt Judgment for the Signed A. C. Hyde. Foreman. and above mentioned with the Cost of Suit. for which execution may issue The Court then adjourned until 3 Oclock P. M.

3 Oclock P. M.

Court met pursuant to adjournment

John Chenoweth
38 vs
Thomas Whitehead

In this ~~Cause~~ Case came the parties. and submitted the Cause to a jury of good and Lawful men duly Chosen tried and sworn to try the issue, who rendered the following Verdict.

"We the jury award Thirty three Dollars and Sixteen cents to the plaintiff with interest from the 22d. february 1840. It is therefore ~~ordered~~ by the Court that the Plff recover of the Defendt. the Sum so assessed by the Jury with Cost of Suit. Signed Nath'l Townsend. for which execution

The Court then ~~adjourned~~ until tomorrow morning at half past nine Oclock. meanwhile

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George Jennicke
vs
Isaac Jennicke

In this Case it was ordered by the Court

The Court then adjourned until half past nine Oclock tomorrow morning

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All.

Enroll From 1842

1842

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George Tennille
vs
James Tennille

Be it remembered that Seventh day of September A. D. 1842, at the Court House in the City of Austin, came on this Cause to be heard, and also came the parties by their Attorneys and the Complainants Bill being heard the Respondent answers not but makes default. upon which the Cause is heard by the Court. Whereupon, S B Corley is sworn for Complainant, and testifies that he knows all the facts and Circumstances of the Case. That he deem the deed of July 24th 1837 from Compt. as atty for Morton M. McCarver to respondent that the same was in for Compt. and without any consideration, and Respondent was to recover to Compt. whenever requested, and respondent had no interest in the same and has been at no trouble or expense in the matter and the said deed of July 24th 1837 (here presented) has never been in the possession of Respondent but deponent has always had the same for the benefit of Complainant, duly authorizing him to sell and convey said Land and also the receipt of the said McCarver to Complainant duly authorizing him and the Power of Attorney from said McCarver to Complainant duly authorizing him to sell and convey said land and also the receipt of said McCarver to Complainant for one thousand dollars in payment for said league of land being also here presented to the Court and duly proven and admitted. Whereupon it is adjudged and decreed by the Court that the said James Tennille be divested of the title conveyed by Complainant to him by said deed of July 24th 1837 and of record in the County of Bastrop. on Book of deeds B. on pages 102 & 3. and that said deed be cancelled and forever hereafter inoperative and of none effect and the said Land (being League number Four on Union Creek and being the head right of said Morton McCarver, the deed to whom is of february 21. 1835) adjudged and decreed to Complainant and the title so far as the said respondent is concerned forever granted in Complainant. And it is further adjudged and decreed that the Clerk of this Court of the City of Austin in said Republic be constituted Commissioner for the said James Tennille to convey the said Land to Complainants in accordance with the foregoing decree and also that Complainant have his costs in this behalf.

And the Respondent in Mercy &c

Signed R. E. B. Baylor
Judge &c

Fall Term 1842. Thursday morning 9 o'Clock.

✓ 35 William Eorson
vs
Sam[l] Watkins

✓ 36 Joseph W Gamble
vs
Nolan & O'Brien

✓ 40 I H & L S Wilkins
vs
W. T. M Smithson

✓ 47 L S. Wilkins
vs
James Martin

✓ R Bruton for the
use of &c.
49 vs
F Deitrich

✓ 53 Jam[s] F Perry Ex[r]
of S F Austin
vs
Sam. Houston

✓ 56 Haden Edwards
vs
M B Lamar Post

✓ 55 M[c] Mullen & M[c] Glean
vs
Sam Houston Post

✓ 56 Jam[s] F Perry Ex[r] of
S F Austin
vs
Sam. Houston Post

✓ 57 Hen[y] I Potter
vs
M. B. Lamar Post

✓ 59 Sam[l] Gammon
vs
Rob[t] Bullock

This and the foregoing cases were all continued by order of the Court,

Fall Term A.D. 1842.

A. P. Gayle
61 vs
A. W. Garrett

Danl Browning
& Wife
63 vs
L. H. & H. Watkins

Shon & Company
64 by
Nolan & O'Brien

This and the foregoing cases
would continue by order of the Court.
until the next term of this Court.

John Chenoweth
132 vs
Thomas Whitehead

In this case came parties by their Attorney
and on motion of Plaintiff Attorney it
considered and adjudged by the Court
the ~~Judgment~~ of the Court below be
Confirmed.

~~James H. Long Traden~~
vs
~~Billingsly & Nicholson~~

This ~~jury~~ came the Parties by their Attorney
and on motion of Plaintiffs Attorney it
Court ordered that this case be dismissed

Richard Loyd
45 vs
Mitchell & Horness

This day came the parties by their Attorneys
who submitted this case to a Jury of good
and Lawfull men duly Chosen tried and
Sworn to try the issue, Who rendered the follow-
ing Verdict. We the jury find for the Defendants.
Signed A C Hyde Foreman.
Whereupon
It was ordered by the Court Judgment issue grant plaintiffs pay
Costs of suit. for which execution issues.

Wayne & Barton
46 by
Mitchell & Horness

This day came the parties by their attorneys
who submitted this Case, to a Jury of good and
Lawfull men duly Chosen and Sworn to try
the issue, who rendered the following Verdict
We the Jury find for the plaintiff in the Sum of One hundred
dollars Damages against the Defendant Mitchell, and
find the other defendant not guilty.
Signed A C Hyde Foreman.
Whereupon it was ordered by Court that Judgement issue
be rendered against the Defendant Mitchell. for the
sum of One hundred Dollars.

Fessenden & Denman
60 vs
Dolton & King

This day came the parties, and mutually agreed that this suit be withdrawn from the Court, and that they mutually pay the Cost of Suit.
Whereupon it is ordered by the Court that this suit be dismissed accordingly

Isaac L Beaty
62 vs
Lemuel S Wilkins &
Jno H Wilkins

This day came the parties by their Attorneys and submitted this cause to a Jury of good and Lawful men duly chosen and sworn to try the issue, who rendered the following Verdict.
'We the Jury find for the Plaintiff, and assess the damages at five hundred Dollars.'
Whereupon it is ordered by the Court, that Judgment render against the Defendants for the above mentioned sum of money, with cost of suit for which execution may issue

Mose Wood
65 vs
A. M. Sackett

This day came the parties, and submitted the case to a Jury of Good & Lawful men duly Chosen and Sworn to try the issue, who rendered the following Verdict
We the Jury find for the Plaintiff in the sum of four dollars and sixty cents.
A.C. Hyde Foreman
Whereupon it is ordered by the Court that Judgment render against the defendant for which execution may issue.

James A Caldwell
67 vs
Joseph Fessenden &
Colden Denman

~~In this Case came the parties by their Attorneys and by Consent of parties and on Motion of Defendant~~ Continued
Leave was given by the Court to file additional Pleas, Leave was also given to the plaintiff to take the Depositions of James D Edrington & Jno D Blake de bene &c.

D Laughlin
68 vs
Thos McKernan

In this Case came the parties, who submitted the cause to a Jury of good and lawful men duly chosen and sworn to try the issue, who rendered the following Verdict. We the Jury find the issue in favour of D Laughlin, Whereupon it was ordered by the Court that the Injunction be dissolved and Judgment be ~~given for the Defendant~~ plaintiff, rendered against Complainant & Securities, for the sum to be assessed by the Jury aforesaid

Fall Term AD 1842

.176. Mary V Carraway
64 vs
Nolan & Orman
R W Graves adm.

Jr 71 vs
A J Gayle

Jr 74
William Bell
Jr 72 vs.
Chas Demorse &
W. L Cagneau.

Wm Dacy
73 vs
R H Mandrs.

Joseph Harris
64+85 vs
Joseph Tanner

Chas A Gisick
86 vs
Jos. Ellinger &
Comr. of Gen. Loffice

Thos Guy, Exr
90 vs
John Gray

Sarah J Sharp admx
95 of Jno Sharp dec.
vs
D. B. Barkydt

Robt H Wynn
99 vs
Mrs A J Woodridge

Jno W Dancy trustee
105 vs
Lavery & Mc Arthur

Jno R Davis
1116 vs
Jno Nolan

This and the foregoing Cases were all Continued by order of the Court until the next term.

Ward & Ingram

107 vs

Jno Nolan.

M Kenny & Williams

108 vs

A B Eberly

Jno Adriance

116 ~~117~~ vs

Martin Rumpff

James Cranwell

115 ~~116~~ vs

Martin Rumpff

Saml Ricker

117 vs

Saml Whiting

A B. Eberly

118 vs

Nolan & O'Brien

W. W. McKinson

119 vs

W Hunt.

David Holderman

121 vs

Saml. Hyde Smith

Pel Knap & Company

vs

125 Ab Searcy.

W Elliott

vs

Sam Townsend

This and the foregoing Cases were all Continued by Order of the Ct. until the next Term

~~Continued until the next Term of this~~ Court.

Fall Term AD 1842.

69 J. A. Russell vs Moses Wood — Continued, and death of Plaintiff suggested, whereupon the Court order in this cause that Sci facias issue to said Plaintiffs representatives when known.

73 Thomas Puckett vs D. A. Moore — In this cause came the plaintiff ~~and by his Attorney~~ and made affidavit that he could not safely go into trial owing to the ~~by~~ absence of a principal Witness, whereupon it is ordered by the Court that this cause be Continued.

81 William Stubblefield vs Fernanden & Denman — This day came the plaintiff in this cause and confessed Judgement for the amount of the note sued on. Whereupon it is ordered by the Court that Judgement render ~~accordingly~~ for the sum of.

82 Tannehill & Smith vs John Wood. — This came the defendant in this cause and made oath that he could not safely go to ~~by~~ trial owing to the absence of a principal Witness. Whereupon it is ordered by the Court that this cause be continued until the next term of this Court.

87 Thomas Freeman vs Alex Mc Donald — This day came the parties by their Attorneys and submitted this cause to a Jury of good Lawful men duly ~~not~~ Chosen and sworn to try the issue, who after hearing Judgement therein rendered the following Verdict. We the Jury find for the plaintiff in the sum of Eleven 66/100 dollars.

Signed

A.C. Blythe Foreman.

Whereupon it is ordered by the Court that Judgement render against said defendant. upon which execution may issue

94 Silas Dalong vs G. H. Harrison — In this cause came the Defendant by his Attorney and on motion of Plaintiffs Attorney ~~it was ordered by the Court~~ that the plaintiff take a Nonsuit, that the defendant go hence without day with his reasonable cost in his behalf expended for which execution may issue.

101 James Dolong vs G H Harrison } In this cau came the Defenant by his attorny, and on motion of Plaintiffs attorny. it was ordered by the Court that the Plaintiff take a Non Suit, and that the defenant go hence without day with his reasonable cost in his behalff expended. for which execution may issue may issue.

102 John Neill vs Lewis Godwin } In this cause came the defenant by his attorney. and on motion of ~~Plaintiff~~ defenants atty. it was ordered by the Court the Plaintiff take a Nonsuit, and that the defenant go hence, with his reasonable cost in his behalf expended. for which execution may issue.

109 Reden S Blount by Joseph W. Robertson } In this cau came the parties by their attorneys and on motion of Plaintiffs Attorney it was ordered by the Court the Plaintiff take a non Suit. and that the defenant go hence, with his Reasonable Cost expended in his behalf. upon which execution may issue.

In Chancery

7 L. M Stewart & Lewis Darling vs Geo I Glascock. } This day came the parties. and by Consent it was ordered by the Court that the venue in this suit be changed to Bastrop County.

The Court then adjourned ~~to~~ to morrow morning 9 Oclock.

Sept 1872

177.

Friday Morning 9 Oclock September 9th 1872

Court met pursuant to adjournment.

P Walter Herbert
vs
James Edmondson

123 In this case came the parties by their attorneys who submitted their cause to a Jury of good and lawfull men duly chosen and sworn to try the issue— The jury not being able to agree it was ordered, by consent of parties that a Juror be withdrawn and that this case stand continued until the next term of this court.

~~In Chancery~~

Nathaniel Townsend
2 vs
Jesse C. Townshill

This day came the parties in this cause and on the affidavit of the Defendants this cause was continued. until the next Term.

In Chancery

C R Reese
2 vs
James V Burke

Christopher H Sterne
3 vs
Daniel I Richardson

Daniel I Wheeler
4 vs
A Savery & others

D G Wheeler
5 vs
A. Savery

This and the foregoing cases were all continued by order of the Court.

Fall Term AD 1842.

178.

✓ 12	Amos Sims vs R Caldwell et al	
✓ 13	William S Orr vs Wm R McClure et al	
✓ 16	Joseph E Plummer vs Com: of Gen: L Office	
✓ 17	Thomas Dillard vs Com: of Gen: L. Office	
✓ 19	John Green vs Eliza S Logan	
✓ 20	James Hodges vs Com: of Gen: L. Office	
✓ 21	William Hamilton vs Com: of Gen: Lands Office	This and the foregoing cases were all continued by Court until the next term of this Court.
✓ 25	Nancy Ann Miller wife. Saml. R Miller vs ~~Com: of~~ James A Caldwell	Continued by Consent of parties

179. Fall Civil Docket Term A.D. 1842.

Succession of
James Storton dec'd
26 vs.
Com: of Gen: L Offices

James F Edrington
28 vs
Com: of Gen: L Offices
Chas Mason Pl: Auditor

John W. Harrison
29 vs
John Nolan

Wesley Hunt
31 vs.
A. H. Wilkinson

This and the foregoing cases were continued unto the next term of this Court

Sarah G. McNeill
14 vs
Hester McNeill

The Court then adjourned until Tomorrow morning 9 Oclock

Fall Term 1846, Saturday, morning 9 o'clock

Court met pursuant to adjournment.

✓ 83	Nathaniel Townsend vs I. C. Tannehill	In this Cau Came the parties and on Affidavit of Defendant this Cause is continued until the next term of this Court.
✓ 92	Edward Morehouse et al vs James Lane	In this Cau Came the parties by their attorns, and by Consent of parties this Cau was continued and leave given by the Defendant to amend his pleadings
✓ 93	William C Dalrymple et ator vs Mathias Wilbanger	This day Came the parties by their attorns, and on Affidavit of Plaintiff this Cau was Continued.
✓ 110	John I Hamell & Company vs Jane Whiting	Continued by the Defendant until the Next Term of this Ct.
✓	~~John I Hamell~~ Heirs at law of Mathew Duty - vs Noah Smithwick & wife	This day Came the parties in this Cau. and on Affidavit of ~~Plaintiff~~ Defendant this Cau was Continued said Defendant paying Cost of the Term.
✓	L Vaiocan vs D K Webb	Continued, and death of D K Webb suggested and Scire facias to issue to William S Beatty his representatives.

Fall Term AD 1842.

126 William Wood vs Nath[l] Townsend — In this cause came the parties by their Attorneys, and on motion of plaintiffs attorney it was considered and adjudged by the Court that the Judgment of the Court below be Conformed. ~~It that a Procedendo be awarded the Court below.~~

127 John Wood vs Nath[l] Townsend — In this cause came the Parties and on motion of plaintiff. It was considered and adjudged by the Court the Judgement of the Court below. be Confirmed. ~~and that a procedendo be awarded the Court below.~~

128 R J Heggintothams vs E.C. Kelly — In this cau Came the plaintiff by his attorney. and moved that he the plaintiff be taken a Non Suit. Whereupon it is ordered by the Court that the Defendant go hence with his reasonable Cost in his behalf expended. for which execution may issue.

Criminal Docket.

10 Republic of Texas vs John Gainer — On the suggestion of the Dist Atty it was ordered by the Court that a Nole Prosque be entered in this Case.

11 Republic of Texas vs John Edmundson — In this cau it was ordered by the Court that a nole Prosique be entered.

13 ~~Milton Shropshire~~ Republic of Texas vs Milton Shropshire — At the suggestion of the District Attorney Henry I Jewett it was ordered by the Court in this Cause that a Nole Prosique be entered.

14 Republic of Texas vs James Patterson — ~~Continued and plurius Capias ordered to Colorado County~~ At the suggestion of the Dist Atty Henry I Jewett it was ordered that this cau be continued and plurius capias ordered to Colorado County.

✓ 14 Republic of Texas vs James R Cooke } Continued by order of the Court

✓ 15 Republic of Texas vs James Hamilton

✓ 23 Republic of Texas vs James Crabtree

✓ 24 Republic of Texas vs Thomas Lockhart

✓ 27 Republic of Texas vs Ephraim Tally

✓ 28 Republic of Texas vs Abner Frost

✓ 32 Republic of Texas vs M. D. C. Pierce

✓ 33 Republic of Texas vs A. A. Withers

✓ 38 Republic of Texas vs John C Harrison

At the suggestion of Henry J Jewett District Attorney it was ordered by the Court that a Nole Prosequi in the foregoing Cases be entered

.18B. Fall Term AD 1842.

39 Republic of Texas vs D Laughlin

44 Republic of Texas vs Moses Wood

45 Republic of Texas vs Demok

46 Republic of Texas vs Allen

47 Republic of Texas vs Barclay

48 Republic of Texas vs W H Secrest

59 Republic of Texas vs Matt Neffler

68 Republic of Texas vs John D McAlister

74 Republic of Texas vs Richard Pullock

75 Republic of Texas vs Richard Pullock

79 Republic of Texas vs Saml Wheling

81 Republic of Texas vs John D McAlister

83 Republic of Texas vs Mark B Lewis

89 Republic of Texas vs Noah Cheek and Sylvester Cheek

95 Republic of Texas vs T S & A H Wilkins

96 Republic of Texas vs T S & A H Wilkins

At the suggestion of Henry J. Scott District Attorney it was ordered by the Court that a Nol Prosequi be entered in the forgoing cases.

14 Republic of Texas vs Henry C Davis — In this Cause came the Republic by her atty. Henry J. Jewett at whos suggestion it was ordered by the Court that this cause be Continued and Alias Sire facias be issued. to Baxter County

21 Republic of Texas vs James Crabtree — This day came the Republic by her Atty H. J Jewett at whose suggestion this cause was continued by order a former order of the Court.

31 Republic of Texas vs W. W. Bell — Same order as in foregoing Cause.

Republic of Texas by Alex McKemble — This day came the Republic by her Attorney Henry J Jewett at whose suggestion it was ordered ~~that~~ by the Court that an Alias Capias be issued.

62 Republic of Texas by Thomas H Daggum — This day came the Republic by her Attorney Henry J Jewett, at whose suggestion it was ordered by the Court, this cause be continued and that an Alias Capias be directed to the Sheriff of Colorado County.

63 Republic of Texas vs Thomas H Daggum — In this cause came the Republic by her Attorney Henry J Jewett, at whose suggestion it was ordered by the Court that this cause be continued, and that an Alias Capias be directed to the Sheriff of Colorado County.

73 Republic of Texas vs Greenberg H Harrison — In this Cause came the Republic by her Attorney H. J. Jewett, at whose suggestion it was ordered by the Court that this cause be continued and that an Alias Capias be directed to the Sheriff of Washington County.

185. Fall Term AD 1848.

Republic of Texas vs Thomas J Smith } In this Case Came Henry J Smith Dist Atty. at whose Suggestion it was ordered by the Court that this be entered.

Republic of Texas vs Richard Crutsman } In this Case Came Henry J Smith at whose Suggestion it was ordered by the Court that this be entered.

The Grand Jury there being a full panneld Came into open Court and ~~made their~~ through their foreman ~~made~~ returned the following Bill of Indictments Viz:

121 Republic of Texas vs David Loughlin } Assault and Battery True Bill

122 Republic of Texas vs Martin Moore } Unlawfully playing at Cards True Bill

123 Republic of Texas vs Henry J Blessing } Unlawfully playing at Cards True Bill

124 Republic of Texas vs Benj'n H Bates & Wm D Thomas } An Affray True Bill

125 Republic of Texas vs Thomas W Ward } An Assault True Bill

126 Republic of Texas vs Thomas W Ward } An Assault & C True Bill

Fall Term AD 1842

127 Republic of Texas vs Michael Zeller — Assault and Battery True Bill

~~Geo W Barrett~~

128 Republic of Texas vs Geo W. Barrett — Assault with intent to kill True Bill

129 Republic of Texas vs Horace Houghton — Exposing his naked body True Bill

Republic of Texas vs James S Mayfield — Assault with an intent to kill No Bill

Republic of Texas vs Benja H Butts — No Bill

Republic of Texas vs James Cromwell — No Bill

The Court Then adjourned until Monday morning 9 Oclock

187

Pine Flat Monday morning, September 12th 1862

Court met pursuant to adjournment.
Journal of Saturday read and adopted.

1 James Hammond vs Samuel Whiting — In this cause came the Defendant by his Attorney, and on motion of Defendants attorney it was ordered by the Court the Plaintiff take a non suit and that the Defendant go hence with his reasonable cost in his behalf expended for which execution may issue.

2 Nelan Soules vs Nathan Townsend — In this cause came the parties by their Attorneys, and on motion of Defendants attorney it was ordered by the Court, that the Plaintiff take a Nonsuit, and that the Defendant go hence with his reasonable cost in his behalf expended for which execution may issue.

3 Josiah J Crosby vs John Rice Jones — Continued by the Defendant until the next term of this Court.

Chaney 6 James Cole vs Thomas O Duggan & Henry Terrill — Continued until the next term of this court.

14 Jacob V Black vs James A Caldwell — This day came the parties, by their attorneys, and motion of Plaintiffs Atty this cause was Continued, and Plaintiffs Writ ordered.

20 John R Jones vs A J Kimbell — In this cause came the Plaintiff by his attorney, and the Defendant having been solemnly called, came not. Whereupon it is ordered by the court that the Plaintiff obtain Judgement by default and that a jury be summoned to inquire into the amt of damages. Whereupon came a jury of 12 Lawfull men duly sig AC Hyde and seven others, duly chosen and sworn to try the issue, who rendered the following verdict, We the Jury find for the Plaintiff in the sum

~~Of $116.17~~ and assess the damages at four hundred and sixteen dollars and sixty seven cents with interest at five per cent. from the fourteenth day of January 1841. Signed AC Hyde foreman

Whereupon it is ordered by the Court that Judgment render for the amount to assess by the jury for which execution may issue.

Joseph W Garrity vs Nolan & O'Brien } Continued and death of plaintiff suggested It is ordered by the Court that Sci facias be issued to Asa Bregham his Representatives.

James M Long (treasurer) vs Billingsley & Nicholson } This day came the parties by their Attorneys and on motion of Defendants Attorney It is ordered by the Court that this Case be dismissed from the docket and that the Defendant go hence with his reasonable cost in his behalf expended. for which execution may issue.

L F Margrave vs Thomas W Ward } This day ~~day~~ came the Plaintiff by his Attorney and on motion of said attorney It is ordered by the Court that ~~the Plaintiff~~ Case be dismissed from the Docket and that the Defendant go hence with his reasonable cost & hereof. for which execution may issue.

Peter W Herbert vs Nathl Townsend } This day came the parties by their attorneys. who submitted the cause to a Jury of good and Lawfull men duly Chosen and Sworn to try the issue. who rendered the following Verdict. "We the Jury find for the Plaintiff in the sum of One hundred and fifty Seven 50/100 Dollars." AC Hyde foreman

25

Whereupon it is ordered by the Court that a Judgment be rendered for the Amount to assessed by the Jury. for which execution may issue.

Alx Russell vs A Murchison } In this cause came the parties by their attorneys and the death of Plaintiff suggested, It is ordered by the Court that Sci facias issue to Asa Bregham his Representative.

21

189. District Court September 1862

Louis Goodman
vs
Robert H Stynn

James Knight
Surviving Partner
of W C White & Co.
vs
A P Eberly

A A Peaty
vs
L H & I S Wilkins

Herman Ward
vs
Travis & Brown
} This and the foregoing cases were all continued by consent of Parties.

John A Travis
Adm. of
Wm Spencer dec.
vs
Sam R Miller
} In this case came the parties and submitted their cause to a jury of good and lawfull men duly chosen and sworn to try the issue, and rendurn a verdict for the Plaintiff for One hundred Dollars with interest from first December 1860. ~~and~~ & for costs and thereupon it is ordered by the court that the Plaintiff obtain a Judgment against said Defendant according to the amount so assessed by the Jury for which execution may issue

58

Cunningham &
Brockenbrough
vs
Phillip I Allen
} Transfered to Bastrop District Court by consent of parties

27

Crm 2nd O'Clock P. M.

Court met pursuant to adjournment.

The Grand jury then being a full panel. Came into open Court, and through their foreman. returned the following Bills of Indictment. Vz

	Republic of Texas by Geo Barrett	Assault with in intent to Kill True Bill
	Republic of Texas by Dave M Underhill	Keeping Faro Bank True Bill
	Republic of Texas by Alex Coleman	Keeping a Faro Bank True Bill
	Republic of Texas by Sam Parkerson & John Hazlett	An Affray True Bill

Criminal Docket

Republic of Texas by Thomas M Ward } Assault-

In this Case Came the Plaintiff by her Attorney Henry I Jewett. and the Defendant in person and pleads not Guilty of the Charge Contained in the Indictment whereupon Came a jury of Twelve good and Lawful men. Vz Achyde and eleven others duly Chosen and Sworn to try the Same do say that the said Defendant is not Guilty; Whereupon it is ordered by the Court that he be discharged from further Custody and that he go hence without day.

Fall Term AD 1862

Republic of Texas } Assault with intent to kill
vs } In this Cause came the Republic by
Geo Barrett } her attorney Henry J Sewell and the
Defendant in his own proper person who
pleads not guilty of the Charge Contained in the
Indictment. thereupon came a jury of twelve good
and lawfull men AC Hyde and eleven others duly
Chosen and sworn to try the same. (Adjourned until
tomorrow morning.)

The Court then adjourned until Tomorrow Morning
9 Oclock

Tuesday Morning Sept 13th 1862

Court met pursuant to adjournment
Journal of proceeding day read and adopted.

Republic of Texas } This day came the Republic by her
vs } Attorney H J Sewell at whose instance
Geo Barrett } it is ordered by the Court that a
Nole prosequi be entered in this Cause

P. Walter Herbert } This day came the Defendant by his Attorney
vs } Jno D Anderson and the Plaintiff by his
John Edmundson } Attorny Henry J Sewell. by Consent it is
Thomas A Moore } agreed that a Judgement proforma be
entered for the Defendant subject to be affirmed or re-
-versed by the Supreme Court when the Law of the
Case and that the parties be permitted to take said
Case to the Supreme Court upon appeal or writ of error without security and
that no further proceedings be had in the Cause
in this Court until the decision of the said
Supreme Court be had and Certified,
Whereupon it considered by the Court that the Defend-
-ant recover of the Plaintiff the Mule in Con-
-troversy together with all Cost in his behalf had
and expended,

Fall Term AD 1840.

P. Walter Herbert
vs
James Edmondson

This day came the plaintiff by his attorney Henry J Jewett and the defendant by his attorney Leo D. Anderson, and it is ordered by the Court with the consent of the parties, that this cause be continued and remain continued until the final disposition be had in the case of P. Walter Herbert against Thomas A Moore, in the Supreme court, and that a judgement be then rendered ~~on~~ in this case conformable to said decision when certified to this Court, and that no farther proceedings be had herein as aforesaid.

Thomas D Fisher
18 vs
Thomas L. Jones

In this case came the parties by their attorneys, and by consent this case was continued and leave given the plaintiff to amend his petition.

William Richardson
vs
#7 Nolan M Luckett
71

In this case came the parties by their attorneys and on motion of Plaintiffs Attorney it is ordered by the Court that this case be dismissed from the Docket, and that the Defendant go hence with his reasonable cost in his behalf expended, for which execution may issue.

Moore & Fleming
48 vs
Nolan M Luckett

In this case came the parties by their attorneys, and submitted their cause to a Jury of good and lawful men duly Chosen and Sworn to try the issue, who after hearing the Judgement thereon rendered the following Verdict.

We the jury find for the plaintiffs in the Sum of Ninety dollars and fifty three cents with interest from June fourth 1840

Signed AC Hyde Foreman

Whereupon it is ordered by the Court that a Judgement be rendered against the Defendant for the amount to assessed by the Jury together with his Costs ** for which execution may issue against principal and Securety in the appeal bond.

The plaintiffs enters a remittitur in favour of the Defendant on the above judgment for Sixteen Dollars, and fifty three cents.

193.

Fall Term AD 1842.

Julius Dulong
vs
Greenbury H Harrison

This day came the parties by their attorns. and on motion of plaintiffs attorney Non Suit set aside and by ~~Consent~~, agreement of parties said suit was transfered to Washington District Court,

Julius Dulong
vs
G H Harrison

In this case came the parties by their attorns and on motion of plaintiffs attorney non suit was set aside and by agreement of parties said suit was transfered to Washington District Court.

The grand Jury there being fifteen Jurors present came into open Court and through their foreman returned the following Bills of Indictment. viz

Republic of Texas
vs
Ross Gorman and
Wm Thorpe

Larceny
True Bill

The court then adjourned until 2 Oclock P.M.

2 Oclock P.M.

Court met pursuant to adjournment.

Republic of Texas
vs
Thomas W. Ward

In this ~~case~~ came the Republic by her Attorney Henry J Swett and the defendant in his own proper person, and pleads not Guilty of the Charge contained in the Indictment, whereupon came a jury of ~~good~~ twelve good and lawful men viz Nath[l] Townsend and eleven others. duly chosen and sworn to try the issue, do say that the defendant is Guilty of the Charge in said Indictment, whereupon it is considered by the Court that he be fined in the sum of five dollars. for which a Capias pro fine may issue. for the Recovery of the same, to gether with Costs &C

Fall Term A.D. 1842.

John Arle
vs
Lewis Godwin

In this case came the parties by their attorneys and on motion of Plaintiffs attorney, Non Suit set aside, and leave given the defendant to amend his pleadings and this case continued until the next term of this Court.

Henry Slussy & others
vs
Michael Zeller

In this case came the parties by their attorneys and on motion of plaintiffs attorney it is ordered by the Court that said plaintiffs obtain a judgement by default & thereupon came a jury of good and lawfull men, duly chosen and sworn to try the issue, who find for the plaintiff in the sum of two hundred and twenty two dollars and twenty seven cents with interest from Dec. 20. 1841 whereupon it is ordered by the Court that the plaintiff obtain judgment against said Defendant for the amount so assessed for which execution may issue.

Klutzenberg & Thompsons Admrs. of Mrs. Kluttenberg
vs
Peter Hiller

Ward & Ingram
vs
John Nolan

In this came the parties by their attorneys and on motion of plaintiffs attorney Continuance is set aside, and the case is submitted to a jury of good and lawful men duly chosen and sworn try the issue. who assess for the plaintiffs in the sum of Four hundred and forty four dollars and 66 cents with interest from first October 1841 Whereupon it is ordered by the Court that judgement be entered against said defendant for the amount so assessed, for which execution may issue.

John Green Jun.
vs
Eliza S Logan

In Chancery — This cause came on to be heard on the Bill answer and exhibit and upon consideration whereof the Court do order and decree that the said Bill do stand dismissed with cost and that the said John Green and the said Eliza S Logan pay each their own separate cost in this cause accruing, within ninety days or in default thereof execution may issue as at law.

Copy R & W Taylor
Dep. Clk

195

Fall Term AD 1842

Republic of Texas
121 vs
David Laughlin

Republic of Texas
122 vs
Martin Moore

Republic of Texas
123 vs
Harry Blessing

Republic of Texas
127 vs
Michael Zoller

Republic of Texas
vs
Horace Houghton

and the foregoing cases.

This day came the Republic by her Attorney Harry J Lewis at whose suggestion it is ordered by the Court that a Nole Prosequi be entered in this cases.

Thompson & Klappenbury
Adm's of W Knobbury dec'd
98 vs
Richard Miller

In this Cause the parties by their Attorneys who submitted this cause to a jury of good and lawful men duly chosen and sworn by the issue who renders a Verdict in favor of the Plaintiffs in the sum of Six hundred and Seven two dollars and twenty cents with interest from first day of November 1845. whereupon it is ordered by the Court. Judgement be Rendered in favor of said plaintiffs according to said verdict. This Judgement is subject to a credit of fifteen dollars.

The Court then adjourned until tomorrow Morning 9 O'clock.

Fall Term Wednesday Morning September 11th 1861

Court met pursuant to adjournment
Minutes read and adopted.

Executors of R Smith dec'd
Geo M Collinsworth and S B Brigham
vs
Robt H Wynn

In this case came the ~~Parties~~ plaintiff by his attorney, and on motion of said atty it is ordered by the court that pleintiff obtain a judgment by default, therefor and that a writ of enquiry be awarded the present term whereupon came a jury of good and lawfull men to say the damages. duly sworn who found for the pleintiff in the sum of five hundred & ninety seven dollars & forty cts. in damages. Therefore it is considered by the Court that judgment be rendered against said defendant for the amount so assessed by the jury aforesaid.

Geo M Collinsworth and S B Brigham Executors of R Smith dec'd
vs
Robt H Wynn

In this cause the plaintiff by his attorney and on motion of said atty it is ordered by the court that the plaintiff obtain a judgment by default and that a writ of enquiry be awarded the present term. Whereupon came a jury of good and lawfull men duly sworn who found for the plaintiff in the sum of Six hundred & forty eight dollars 50/100 in damages. Therefore it is considered by the Court that judgment be rendered against said defendant for the amount so assessed by the jury aforesaid. to gether with costs.

37

Peter Crawford & Beck
vs
John Beal

In this cause came the parties by their attorneys, and thereupon came a jury of good and lawfull men to try the issue, on motion of plaintiffs attorney it is considered and adjudged by the Court that the judgment of the court below be confirmed and that a procedendo issue to said Court below.

M Zeller
vs
B Miller

In this cause came the parties by their attorneys and on motion of Defendants atty this cause is continued until the next term of this Court.

B Miller
by
M Zeller

Continued by the ~~plaintiff~~ Defendant.

B Miller
by
B Hunt & Co.

Continued by the Defendant.

Fall Sum AD 1842.

John R Slocomb vs Moses Wood (Constable) } In this case came the parties by their Attorneys, and on motion of the Defendant. It is considered by the Court. that Complainant by his bill, and the said Bill dismissed and that the Defendant recover his cost. - for which execution may issue.

Phillip Howard vs Reuben Hornsby } This day came the Plaintiff by his Attorney and on motion of said attorney. it is considered by the Court that the Plaintiff obtain a Judgment by default and and writ and of enquiry award, returnable at the next term of this Ct

James H Starr. vs Roundtree Edmonston & Johnson. } This day came the parties by their Attorneys.

The Grand Jury there being a full panneld came into Open Court and through their foreman returned the following Bill of Indictment. Vz

Republic of Texas vs Geo Barrett } Assault with intent to kill
True Bill

In Chancery

Sarah C McNeill vs Hector McNeile } Petition for Divorce

It appearing to the Court that an interlocutory decree rendered in this Cause at the fall Term 1841 of this Court the Defendant was required to pay to the Sheriff of Travis County for the use of the Plaintiff on the 12th day of every month after rendering the rendering of said decree, the Sum of Seventeen dollars and fifty Cents for her support during the pendency of this suit, and upon his failure to pay said sum at any of the said times the said Sheriff was directed to take into his possession any one of the Slaves

Fall Term AD 1864.

mentioned in Complainants petition, and hire the same out to the highest bidder per month and pay over to the Complainant out of the proceeds arising from said hire the sum aforesaid and the overplus, if any, to said Defendant and it further appearing that the said defendant has not paid said sum aforesaid ($7.50) or any part thereof, at any of the times specified, in said decree, and that the Sheriff under said decree did attempt to take and hire a negro boy belonging to said defendant and mentioned in said petition named Isaac, then in possession of Thomas Wm. Ward in the County of Travis under a previous Contract of hire made by said Ward, with the Defendant at the rate of fifteen dollars per month in exchequer Bills and that said Ward refused to deliver the possession of said boy to the said Sheriff but agreed with said Sheriff that he would pay the aforesaid sum of fifteen dollars in Exchequer bills per month for the hire of said boy to the said Sheriff, instead of paying the same to said Defendant which payments to said Sheriff the said Ward has not yet made, and also that said Sheriff under said decree did attempt to take and hire a negro Girl of said Defendant named Martha mentioned in said petition, then in the possession of John Nolan under a previous contract of hire made by said Nolan with said Defendant at the rate of twelve dollars and fifty cents per month, and that said Nolan refused to deliver the possession of said Girl to said Sheriff but agreed with said Sheriff that he would pay all of the hire of said Girl which was then due or which might afterwards fall due to the said Sheriff instead of said Defendant, and that said Nolan has since paid xxxx to said plaintiff, and it also appearing that said plaintiff has received pay from said Sheriff in part for said hire the sum of Thirty One Dollars which has since been paid over to said plaintiff, and it also appearing that said plaintiff has received no benefit under said decree, except the aforesaid sum of thirty one Dollars paid as aforesaid, and that all the residue of the money which should have been paid, under said decree yet remains unpaid, It is therefore ordered and decreed that the said Ward and the said Nolan are hereby required to pay said hires now due or which may hereafter fall due to said Sheriff who is hereby required to apply the same in Satisfaction of said decree, first paying to said plaintiff or her Attorneys the amount which has ~~to that~~ heretofore fallen due under said decree, rating the aforesaid Exchequer Bills at their market Value in making said payment and afterwards of carrying into full and complete the said decree according to the terms thereof so long as said property shall remain under hire as aforesaid. And it is further ordered that when the terms of hire of said negroes under said

Hall Term AD 1842

contract made by said Ward and said Nolan with said defendant shall expire the said Negroes shall be taken in the possession of said Sheriff and shall be by him safely transfered and delivered to the Sheriff of Bastrop County returning out of said hire a sum sufficient to endemnify him for the expense of transferring the same to said Sheriff of Bastrop, and the said Sheriff of Bastrop is ordered to take and receive said negroes when delivered to him as aforesaid, and hire them out at Public out-cry by the month for cash to be paid at the end of each month, and the proceeds arrising from said hire by the said Sheriff is to apply to the carrying into effect the interlocutory decree heretofore rendered in this cause, until the cause shall be finally decided.

It is further ordered that the Chief Justice of Bastrop County shall be and is appointed Curator pendente lite to provide means of safety for the Slaves left with the Complainant as well as the slaves hired out, and to be hired out as aforesaid in case the same should be exposed to immanent danger from Invasion of the Country by an enemy and also to prevent said Slaves from being removed from the Republic and generally to see that the rights of the defendant in said Slaves shall not be jeopardized until the final decision in this cause, and while the same are out of his custody under the aforesaid decree.

It is further ordered that a copy of this decree be served upon the said Thomas W Ward and another Copy of the same upon the said John Nolan and that a copy of the Interlocutory decree heretofore together with a copy of this decree, be served upon the Chief Justice of Bastrop County and also that a copy of said Interlocutory decree together with a copy of this decree be served upon the Sheriff of Bastrop County and that such of said persons govern themselves in the premises by said decree.

It is further ordered that said John Nolan give security to the Sheriff of Travis County aforesaid for the payment of the hire of said Girl Martha and the good Keeping of said Martha and her child and for her delivery to said Sheriff at the expiration of her aforesaid term of hire or at any time previous to expiration of said term provided he the said Nolan should so elect.

Signed Robert Baylor
Judge &c

Fall Term AD 1842.

Peter W. Herbert
123 vs
~~Johnson Exhaustion~~
Thomas A Moore

Be it remembered, that the proof in this cause, was, that the property belonging to P.W. Herbert and was stolen from his possession on the night of the twenty seventh day of May A.D. 1842. that on the 28th day of May 1842. about ten Oclock of that day. Thomas A Moore with his party recaptured the property from the Hostile Indians. Herbert had made no pursuit to regain his property, nor had Moore and his ~~property~~ party. gone out expressly to recapture it. but being on the waters of the San Gabriel. he discovered the Indians the evening before he recaptured the property, upon the discovery, he sent back to Brushy reenforced his party. making in all nine men and the next day came to where he had discovered the Indians the evening before, took their trail and came on them, in their camp, attacked them, had his own horse killed under him, in the fight worth two hundred Dollars, the Indians fled. and that he Moore and his party then recaptured, the property from them in dispute together with Sixteen other horses. the Indians were proved to have been Wacoes or Comanches. supposed to have been Comanches. on bringing the property into the Settlements, Herbert demanded the property from Moore. who had it in his possession, who refused to give it up on the ground, of having recaptured it. as above Stated,

As presiding Judge I certify the forgoing to be the proof in the Cause.

Signed R.E.B. Baylor
Judge 4C

The Court then adjourned until tomorrow morning nine Oclock.

201. Fac Jun 1844. Saturday. September
1st. 1862.

Court met pursuant to adjournment.
Minutes read and adopted.

In Chancery

P. B Cooke
vs
John B Black &
Benj S Grayson

In this cau came the Defendant by his attorney and on motion of said attorney it is ordered by the Court that this cause be dismissed from the docket for want of prosecution.

Roman Ward
vs
Farley & Juvell

Continued on affidavit of Thomas Ward agent of Plaintiff.

Saml. G Heyniz
vs
Geo M Nichols

129

This day came the parties by their Attorneys, who submitted their Cause to jury of good and Lawfull men duly Chosen and sworn to try the same and after hearing in Judgement thereon rendered the following Verdict.

We the jury find for the Plaintiff in the Sum of Twenty dollars.

Signed N. Townsend.
Foreman

Whereupon it is considered by the court that a Judgement be rendered for the amount so assessed by the Jury for which execution may issue against Principal and Security in person with Cost &c

S. H. Harrison
vs

Grace & Echelberger
vs
M Farley

89

This day came the Defendant by his attorney and on motion of Defendant's Atty. It is ordered that the Plaintiff be non suited and that the Defendant go hence without day with his reasonable cost in his behalf expended, for which execution may issue

Moore & Blessing vs G H Harrison — ~~In this cau came the parties by their attorneys~~ On motion of defendant & they the cause is Continued and Certiorari be awarded the Court below returnable to the next term of this Court.

James Turley vs Jas R Slocomb — Continued by Consent of parties

Sam Houston president for the use of Jas A Caldwell vs P D Bonford S M Harrell & S I Whatley — Continued by Consent motion of plaintiff.

Lydia Gibberson vs Asa Brigham — ~~Continued by the plaintiff.~~ This day came the parties by their attorneys and on motion of plaintiffs attorney it is ordered by the Court this case be continued until the next term of this Court and the plaintiff give security for cost within Sixty ~~days~~ days. or said suit be dismissed from the docket and by consent of parties. time given to take the Deposition of A.C. Hyde defense ept.

~~Court took recess until to adjournment~~

Fowler & Dorman vs Gideon Bostick — ~~In this cau came the parties.~~

205. Fall Term AD 1842.

Dessenden & Penman
vs
Gideon Pendleton } Chancery—

In this case came the parties by their Attorneys; and upon the hearing of the matters alleged in and contained in the Bill answer and exhibit it is ordered that the Injunction be dissolved, upon the Defendant Pendleton entering into bond and good security in double the amount of the Judgment at Law, against Penniman to refund to Complainant plaintiff any amount he may collect out of their effects and pay all damages they may sustain by his suit against proceeding against them upon said judgment, provided the Court shall hereafter on the Original Bill filed in this cause shall be dismissed against him and that said bill stand over for such further proceedings as may be equitable between said parties.

Nolan M Luckett &
Alfred M Luckett
vs
Nathaniel Townsend } Chancery

Continued by ~~Consent of Parties~~ the Complainant.

Joseph Dessenden
vs
Moses Wood } on motion of Complainant, Continued ~~by Consent of Parties~~ and leave given the ~~Defendant~~ plaintiff to amend his Bill

Henry Millard } In Chancery
vs
Com. Gen. Land Office

In this case came the plaintiff by his attorney and on motion it is ordered that the County Surveyor of Travis County, cause to be surveyed, the boundary line in question agreeably to an Interlocutory order heretofore made by the County and on file among the papers, and that he return a plat and certificate in conformance with said order to the next term of this Court: and the Sheriff of Travis County, is ordered to serve a Copy of said Interlocutory order of Survey on the Surveyor in and for Travis County.

THE STATE OF TEXAS

TRAVIS COUNTY

PRESERVATION OF THIS
HISTORICAL RECORD IS DEDICATED
TO TRAVIS COUNTY
AND AUTHORIZED BY

THE HONORABLE

Amalia Rodriguez-Mendoza

TRAVIS COUNTY DISTRICT CLERK

Fall Term AD 1842

9 Richard B Jamon vs C B Alexander et al } In Chancery.

In this case came the parties by their attorneys and by consent this case stands Continued until the next term of this Court and time given to take the deposition of Jno W. Haden nonresident defendant before the deputy Clerk of this Court.

10 Richard B Jamon vs Caleb B Brock } In Chancery.

In this case came the parties by their Attorneys, and by consent this case is Continued until the next term of this Court and time given to take the depositions of John W. Haden defendant before the Deputy Clerk of this Court.

C B Stewart vs Thomas W Ward Com. of Gen. P Offices } In Chancery

Continued by the Court until the next term.

Republic of Texas vs Ross Gorman & Wm P Thorpe } This day came the Republic by A J Lewis and the Defendant W P Thorp in his own proper person and acknowledged himself to be indebted to the President of the Republic of Texas in the penal sum of Two hundred Dollars to be levied of his goods and Chattles Lands and tenements to be void nevertheless, on condition the said Wm P Thorpe shall be and appear at the next term of the District Court to be holden in and for this County then and there to answer an Indictment found against him this term of this Court, for leaving this remain from day to day and term to term until discharged by order of the Court, Also came Asa Hardy Menard & volunteered in behalf of the Also came Joseph Lee and A S Cornish Sureties for the said Defendant acknowledged themselves to be indebted to the President of the Republic of Texas in like manner on the same condition, the said Defendant Also came Henry Menard Witness for the Defendant who acknowledged himself indebted to the President of the Republic of Texas in penal sum of Two hundred Dollars void nevertheless

that he appear at the next term of this court, and in behalf of the defendant in the prosecution aforesaid.

215 Hall Term Ann Domini 1842.

James H Starr
vs
Rountree, Edrington & Johnson

In Chancery

And now at this day came the parties aforesaid by their respective Solicitors, and upon the hearing of the matters alledged ~~in~~ and contained, in the Bill answer, and exhibit, it is ordered ~~by the Court~~ that the Injunction be dissolved upon the Defendants Rountree Edrington & Johnson, entering into bond of good security, in double the amount of the judgements at Law, against Starr to refund to Complainants any amount they may collect out of his effects, and pay all damages they may sustain, by his subsequent proceedings against them, upon said judgement provided a final decree upon the original Bill filed in this cause shall be had against him, and that said Bill stand over for such further proceedings as may be suitable between said parties. It is further ordered that the deposition of Lemar Moore be taken de bene esse, by consent of parties.

It is ordered by the Court that all causes on the docket not disposed of, and all motions not acted upon be continued until the next term of this Court.

It is ordered that the Grand Jury empannelled for this term be discharged from the further consideration of their duties during the present term

It is ordered by the Court that the Clerk together with the Sheriff in the presence of some Justice of the peace for the County of Travis, proceed to draw according to law, thirty six names of persons duly qualified to serve as Jurors ~~to serve~~ at the next term of this Court.

It is further ordered that the Court stand adjourned until the next term.

R. E. B. Baylor Judge &c

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Spring Term AD 1846.

Be it remembered that the District Court and Spring Term Commencing its Sessions on Monday the fifth day of March Eighteenhundred and forty three. Present A. S. Beaty Dpty. Clk. of said Court and Charles F. King Sheriff. His Honour the Judge of the third Judicial District being absent the Sheriff adjourned the Court until Tuesday morning Ten oclock A.M

Tuesday morning 10 Oclock A.M. Court met pursuant to adjournment. Present. his Honour the Judge. R. E. B. Baylor

The Court then proceeded to its further organization Owing to the office of District Attorney being vacant John D. Anderson Esqr. was appointed by the Court to fill said vacancy

The Union Panel being called the following persons answered to their names. viz.

Joseph. Hornsby. Francis Kelly Henry Burkhart. John Grumbly Martin Moore. John A F. Gravis. Joseph W. Robertson William D. Thomas. James Edmundson. Conrad Drice. John Edwards Henry Koontz. George K. Fenlon John. Tetain. John F. Webber Anderson Upchurch & William Hamilton Midland Parkison.

The Court then proceeded to draw fourteen names from the Jurors then present. to Constitute the Grand Jury. for the present term

1 Joseph Hornsby
2 Francis Kelly
3 Henry Burkhart
4 John Grumbles
5 Martin Moore
6 John A. F. Gravis
7 Joseph W. Robertson
8 Wm D. Thomas
9 James Edmundson
10 Conrad Drice
11 John Edwards
12 Henry Koontz
13 George K. Fenlon
14 John Tetain

Joseph W. Robertson was appointed by the Court Foreman of the Grand Jury, the other Jurors were then sworn accordingly being duly sworn, the Jury then recived the Charge of his Honour the Judge and retired

Messrs Barrett. Newcomb & Hornsby were excused by order of the Court. . Messrs Wm Allen Jacob Kland. Thomas D. S. Stroles Isaac Pierson. Philip Golden. & David Thomas. were fined Twenty dollars for Nonattendance as Jurors by order of the Court.

The Civil Docket was then taken up and read by the Court and adjourned until Wednesday morning at Ten oclock. A.M

Tuesday morning 10 oclock A.M the Court met pursuant to adjournment. Fine remitted as to Wm Allen John G. Pierson & Philip Golden

Spring Term AD 1846.

James A. Caldwell
vs
67 Pettenden & Seaman

Josiah J Crosslee
vs
No 3 John R Jones
ington for trial, & ordered to give security for costs & thereupon Nathan Mitchell came into open court & acknowledged himself security Thereupon

In this case by the consent of parties it is agreed that the same be removed to the County of Washington & upon motion the plaintiff was

Allen S. Holderman
vs
No 4 James A Laynie
~~motion to plaintiff~~ and be continued until the Fall Term of that Court

In this case by Consent of parties it is agreed that the same be removed to the County of Bastrop for trial ~~forthwith~~ and be continued until the Fall Term of

Edward Seiders
vs
No 9 Franklin Heroic & Obrian

The plaintiff by his attorney came into court & dismissed his suit It is therefore ordered that the Defendants go hence without day & recover of the plaintiff their costs in this behalf expended & that execution issue Therefor &c It was further afterwards by the parties that the costs should be paid by both in conjunction

Jacob Black
vs
No 16 James A Caldwell

The plaintiff by his attorney came into court & dismissed their said suit It is therefore ordered that the plaintiff pay the costs in this behalf & execution issue therefor

James & Elijah Curtis
vs
No 11 Robert Mitchell

This case was continued on the affidavit of plaintiff upon the payment of all the costs accruing during the term of this Court & that Execution as in other cases may issue therefor

No 53. James F. Perry Executor of S. F. Austin
vs
Samuel Houston President. In this case the venue was changed to the County of Washington

Spring Sum AD 1843.

for trial, upon the following agreement entered into between the attorney Gent of the Republic and Lipscomb & Gillespie for the petitioners.

" Republic of Texas
Washington County } January 29th 1843.

Whereas it is believed by the undersigned G W Terrell attorney Gent of the Republic aforsaid and Lipscomb & Gillespie attorney employed in certain Empresario cases now on the docketts of the District Court of Travis county, should be heard & tried in the district court for the County of Washington the present temporary seat of Government of this Republic
Therefore it is hereby agreed that the Empresario rights of James F Perry Executor of Stephen F Austin deceased against said Republic and also the case of said Perry Executor &c vs Samuel M Williams against the Republic be transfered to the said District court of the County of Washington for trial
given under our hands & dated as above

(signed) G. W. Terrell Atty Gent
Lipscomb & Gillespie attorneys
for complaints.

1055. McMullin & McGloin
Sam Houston Pres't } Venue changed
to Washington county by the consent of parties as filed in the papers of said cause

No 56 James F. Perry Exr } This cause by the
Sam Houston Pres't } agreement of the
parties as stated in No 53 venue changed
to the county of Washington

No 63 Daniel Browning & wife } In this case came
L. S. & S. H. Wilkins } the plaintiffs by atty
& moved the court for a judgment final by
default for want of a plea or answer in this
cause It is therefore considered by the court that

the said plaintiffs recover of said Defendants the sum of one hundred & nineteen dollars the amount of their note set forth in the plaintiffs petition together with the further sum of twenty four dollars the interest thereon due since the 19th January 1841 and the costs in this behalf expended & that execution issue thereupon as in other cases.

=

Daniel J Toler Exr. }
vs } This case by the agreement of the parties
N B Laimar Pratt } filed among the papers of the cause is transferred to the county of Washington for hearing & trial.

Philip Howard }
vs } In this case the plaintiff though solemnly
Reuben Hornsby } came not to prosecute his said suit but
made default. It is therefore considered by the court that he take nothing by his plaint in this behalf, but that the defendant go hence without day & recover of the plaintiff the costs in this behalf expended, for which an execution may issue.

Robert H Goines }
vs } In this case the Deft demurs to the plaintiffs petition coming on to be heard by the court, the same was
A Bower J. Gale } argued by counsel and on motion of the plaintiff
~~plaintiff~~ atty the said defendant having failed to make further answer to said suit but made default. It is therefore considered by the court that the said plaintiff recover of said defendant the sum of three hundred & seventy five dollars the amt of defendants note as set forth in plaintiffs petition, together with the further sum of sixty five dollars the interest thereon since due, and the costs herein expended & that execution issue thereupon.

Spring Term AD 1843

1084. Joseph Harris vs Joseph Tanner } In this cau came the plaintiff by attorney & the defendant tho Solemnly called came not but made default. It is therefor considered by the court for such his default, the plaintiff recover of him the sum of eleven hundred dollars together with three hundred & eighty five dollars the Interest thereon since due & the costs in this behalf expended &c.

1085. Joseph Harris vs Joseph Tanner } In this cau the plaintiff by attorney & the Defendant tho Solemnly called came not but made default. It is therefor considered by the court for such his default the said plaintiff recover of the Defendant the sum of nine hundred dollars the debt in his petition mentioned & the further sum of two hundred & twenty five dollars as interest since the ~~condition~~ said debt became due and the costs in this behalf expended & that he be in mercy &c.

1086 Charles A Geiseke vs Joseph Ehlinger & Comr of Genl Land office. } In this cau came the Defendants by their attorney B. Gillespie, and the plaintiff though solemnly called came not but made default. It is therefor considered by the court that the plaintiff for such his default be amerced in the costs herein expended, and that the defendants go hence without day and it is further ordered on motion of Defendant Ehlinger, he authorized to withdraw his patent from this Government for a league & labor of land filed as part of his answer in said cau & that execution issue against the said plaintiff for the costs aforesaid.

Spring Term A.D 1846.

No 92. Edward Moorhouse et al vs James Land } In this case it was suggested & made known to the court that since the last Term of this court Nathaniel Watrous & John R. Cunningham have departed this life and thereupon came the counsel for the plaintiff in said cause & moved the court that said suit be revived in the name and favour of Daniel C Watrous, Frederick A Watrous, John C Watrous, Nancy B. Watrous and Solomon L. Gillett & Mary his wife formerly Mary Watrous, heirs at Law of said Nathaniel, and Hugh N. Cunningham, Columbus G. Cunningham, Joseph G. Cunningham, Andrew J. Cunningham, Amanda N. Cunningham, Adaline Cunningham, Philip Heatshill & wife Elizabeth formerly Elizabeth Cunningham, John R. Cunningham & wife Jane formerly Jane Cunningham Alonzo G. Story & wife Cynthia formerly Cynthia Cunningham and Andrew J. Liddel & wife Margaret formerly Margaret Cunningham, heirs at Law of the said John R. deceased, which is now so ordered

On motion of L. D Hudson District Attorney pro tem, It is ordered by the court that Friday next be set apart for the trial of causes on the criminal Docket. On motion the Court adjourned until tomorrow morning at 10 oclock A.M

Thursday morning 10 oclock A.M the Court met pursuant to adjournment.

No 90 Thomas Gays Exr vs John Gray } ~~Venue Changed to Hardin for County by the Consent of Parties~~

No 14 Jacob Black vs James A. Caldwell } The plaintiff by his atty Came into Court and dismissed his suit. It is therefore ordered that the defendant go hence without day and recover of the plaintiffs their costs in this behalf Expended and that Execution issue therefor &C

Spring Term AD 1813.

No 15 — Alx Russell vs A B Ebaly

This day came the plaintiff by his atty and suggested the death of the plaintiff whereupon it is ordered that a Sira. Facias be issued to his representatives when Known & Case Continued

No 19 — Alx Russell vs Moses Moore

This day came the plaintiff by his atty and suggested the death of the plaintiff whereupon it is ordered by the Court that a Sira Facias be issued to his representatives when Known & Case Cont.

No. 11 — Hester E Wheeler for the use of Dand Wheeler vs Asa Savery

In this case the Defendant though solemnly called came not thereupon the plaintiff by his attorney moved the court for a judgment by default & prayed a writ of enquiry instanter and thereupon came a jury of good & lawful men Mark Lewis & eleven others who after being duly sworn say that the plaintiff hath sustained damage to the amount of six hundred & thirty eight dollars for the balance of his debt and also one hundred & thirty dollars and eighteen cents interest thereon It is therefore considered by the court that the plaintiff recover of the defendant the amount of the debt so found by the jury and the interest as aforesaid & his costs in this behalf expended & that the defendant be in mercy &c

No 12 — Chas Bigelow for the use of &c vs Asa Savery & Son

In this case the defendant though solemnly called came not but made default. thereupon the plaintiff by his Attorney moved the Court for a Judgment by default & prayed a writ of enquiry instanter and thereupon came a jury of good and lawful men Mark Lewis and eleven others. who after being duly sworn say that the plaintiff hath sustained damage to the amt of seven hundred and ten dolls sixty Eight Cents for the balance of his debt and also one hundred and fourteen dolls fifty five cents interest thereon. it is therefore Considered by the Court that the plaintiff recover of the defendant the amt of the debt so found by the jury and the interest as aforsaid and his Costs in this behalf expended and that the defendant be in mercy &c

Spring Term AD 1846.

no 13 L S Wheeler vs A A Savary } In this case the defendant though solemnly called came not but made default, thereupon the plaintiff by his Atty moved the Court for a Judgment by default & prayed a writ of enquiry &c and thereupon came a Jury of good and lawful men. Mark B Lewis and eleven Others who after being duly sworn say that the plaintiff hath sustained damage to the amt of five hundred and fourteen dolls & seventy two cents for the balance of his debt and also One hundred and twenty three dolls interest thereon

It is therefore considered by the Court that the plaintiff recover of the defendant the amt of his debt so found by the jury and the interest as aforsaid and his costs in this behalf expended and that the defendant be in mercy &c—

no 21 Alex Russell vs A Murchison } This day came the plaintiff by his Atty. and suggested the death of the Pltff whereupon it is ordered by the Court that a Sciri Facias be issued to his representative when known and can &c

no 31 James Knight surviving partner of W. C. White & Co vs A B Eberly } This day came the plaintiffs by their atty and on motion of the plaintiffs it is ordered by the Court that this suit be dismissed at the defendant go hence without day and recover of the plaintiffs their costs in this behalf expended and that execution issue ~~from the same~~ therefor &c

no 19 Louis Gordon vs Robert H. Wynne } This day came the plaintiff by his Atty. and on motion of the Plaintiff it is ordered by the Court, that this case be Continued and a alias writ and petition be served on the defendant directed the Sheriff of Galveston County

P. W. Hubbard vs James Edmundson } This day came the parties by their Attys and Submitted their Cause to a jury of good and lawful men duly Chosen and Sworn to try the issue the jury not being able to agree it was ordered by Consent of parties that a juror be withdrawn and that this case be Continued until the next term of this Court

215. Spring Term AD 1843

No 134 Louis P. Cook vs John Tibbs

This day came the defendant in person and made Oath that he was not ready for trial in Consequence of the absence of a material witness. It was therefore ordered by the Court that this Case be Continued until the next term.

No 3 Christopher H. Stems vs Daniel L. Richardson Ex Off

This day Came the complainant by his Solicitor and on motion of the plaintiff It is ordered by the Court that an Alias Supera issue to defendant. and Case Continued

Ordering Fine to be remitted as to Messrs Alexander Peyton & Jacob Klaus for their non attendance as Grand Jurors &c.

No 90 Thomas Gay Executor vs John Gray

This day Came the parties by their attorneys and on motion of the plaintiffs it is ordered by the Court that this Cause be transfered to Washington County for trial to which the defendant by his Counsel objected and filed his bill of exceptions among the papers of the Case. &c

Friday Morning 10 oclock am the Court met pursuant to adjournment

No 18 Thomas D Fisher vs Tho L. Jones

In this case the defendant though solemnly Called Came not but made default. thereupon the plaintiff by his atty moved the Court for a Judgment by default and prayed a writ of Enquiry instanter and thereupon Came a Jury of good and lawful men Mark B. Lewis and Eleven others who after being duly Sworn Say that the plaintiff hath Sustained damage to the amt of Three hundred & ninety Seven dolls & thirty seven cents for the balance of his debt

It is therefore Considered by the Court that the plaintiff recover of the defendant the amt of the debt so found by the Jury and his costs in this behalf expended and that the defendant be in mercy &c

14 Sarah E McNeal vs Hector McNeal

This case by the agreement of parties is transferred to Bastrop County for trial

Spring Term AD 1848.

No 33 James Craft vs Joseph Tanner — In this Case the defendant though Solemnly Called Came not but made default thereupon the plaintiff by his atty moved the Court for a judgement by default and prayed a writ of enquiry instanter and therefor Came a Jury of good and lawful men John D. Anderson & Eleven Others who after being duly Sworn say that the plaintiff hath Sustained damage to the Amt of Six hundred and ten dollars & thirteen & one third cents for the balance of his debt It is therfor Considered by the Court that the plaintiff recover of the defendant the Amt of the debt so found by the jury and his Costs in this behalf expended and that the defendant be in mercy &c

No 43 M. A. Beaty vs L. S. & J. H. Wilkins — In this case the defendants though Solemnly called Came not but made default Thereupon the plaintiff by his atty moved the Court for a judgement by default and prayed a writ of enquiry instanter And thereupon Came a jury of good and lawful men L. P. Clark and Eleven others who after being duly Sworn say that the plaintiff hath sustained damage to the Amt of Five hundred and forty, three dolls for the balance of his debt and Eighty Six dolls & Eighty Eight Cents, interest thereon

It is therfore Considered by the Court that the plaintiff recover of the defendants the Amt of the debt and interest So found by the jury and his costs in this behalf expended and that the defendant be in mercy &c

No 1111 John Caldwell vs Matthew Moss — In this ~~the~~ case the defendant though Solemnly Called Came not but made default thereupon the plaintiff by his atty moved the Court for a judgment by default and prayed a writ of enquiry instanter and thereupon Came a jury of good and lawful men George D. Glasscock and Eleven Others who after being duly Sworn say that the plaintiff hath sustained damage to the Amt of Four hundred and fifty dolls for the balance of his debt and Sixty one dolls and Eighty Seven Cents interest thereon

It is therfor Considered by the Court that the plaintiff recover of the defendant the Amt of the debt and interest So found by the jury and his Costs in this behalf expended and that the defendant be in mercy &c

217

Spring Term A.D. 1843.

no 131 Mary R Bullock vs Daniel Browning & Nancy Browning

This day came the parties by their attorneys and submitted their case to a jury of good and lawful men duly Chosen & Sworn to try the issue, who after sitting in judgement thereon rendered the following verdict thy issue infavor of the plaintiff & assess the at We the jury find for the plaintiff in damages, two hundred dollars, to dec'd Jacob Mandl and eleven others. signed Hugh A Graves Foreman

It is therefore Considered by the Court that the plaintiff recover of the defendants the sum of two hundred dollars in damages so found by the jury and his costs in this behalf expended and that the defendants be in mercy &c and for which execution may issue,

no 118 Samuel Ricker vs Samuel Whiting & J. W. J. Niles

This day came the plaintiff by his attorney and on motion of the plaintiff it is Coinsidered by the Court that an Alias Writ of Petition be directed to the Sheriff of Matagorda County and leave given to amend the petition, and Case Continued

no 117 James A. Caldwell vs Fessenden & Denman

This day came the the plaintiff by his attorney and Suggested the death of James A. Caldwell and Suit previved in the name of Silas Colville his Executor and Case Continued by Defendants

no 135 J. G. Knapp vs William Nangle

This day came the parties by their attorneys and on motion defendants Attorney it is Considered by the Court that this Case be dismissed for want of Jurisdiction in the Court below and that he go hence with his costs of suit in this behalf had & expended for which execution may issue

no 17 Thomas Dillard vs Thomas Wm Ward Com &c

This day came the Complainant by his Solicitor and on motion of said Solicitor it is Considered by the Court that this Case be dismissed from the Docket and that the defendant go hence with his reasonable cost expended for which execution may issue

Spring Term AD 1843.

Saturday morning March 11th 1843

Court met pursuant to adjournment

James Cole
vs
Henry Ferrell & Thomas Duggan

✓ 6

Daniel Kinchelow
vs
Kindred H. Mouse

✓ 24

William Evison
vs
Saml Watkins

✓ 35

J. H. & L. S. Wilkins
vs
W. J. M. Smithson

✓ 40

L. S. Wilkins
vs
James Martin

✓ 47

Haden Edwards
vs
M. B. Lamar Pres.t

✓ 54

A. J. Gayle
vs
J. M. Garretty

✓ 61

Shaw & Co
vs
Nowland & O'Brien

✓

219. Spring Term AD 1843

95 S. L. Sharp Admrx &c
vs
L. P. Barhydt

108 McKinney & Williams
vs
A. B. Eberley

111 Heirs at Law of
Matthew Duty &c
vs
Noah Smethwick & wife

115 James Cranwell
vs
Martin Rumsff

116 John Adriance
vs
Martin Rumsff

118 A. B. Eberley
vs
Knowlan & O'Brien

120 William W. Wilkerson
vs
William Hunt

16 Peter McGreal
vs
Wm H Hunt

Nothing at Number Six

Thir, and all the foregoing cases commen
were continued by order of the Court

Williams & Orr
vs
Wm R McClure

Continued by order of the Court

√ 5 William H Patton &c vs John F Webber } This day came the plaintiffs by their attorneys and on motion of the plaintiffs it is ordered by the court that this case be continued until the next term by consent

Henry Stuart &c vs Thos Wm Ward Garnishee (This entry set aside)

122 M[r] Tiller forward

See page

In this case The said Thomas W Ward summoned as Garnishee though solemnly called came not This entry set aside Thereupon the Pltff by his counsel moved the court for a judgment against said garnishee for such his default Whereupon it was considered & ordered by the court that a judgment be and is hereby entered against said garnishee in favor of said Henry Stuart &c for The sum of Two hundred & twenty two Dollars twenty Seven cents with interest from 11 December twentieth 1841 until paid and all legal costs and that he be in mercy &c

87 See page forward

Thomas Freeman vs Joseph W Robertson Garnishee Alexander McDonald

This case set aside

In this case the said Joseph W Robertson, Summoned as a garnishee though solemnly called came not, Whereupon the plaintiff by his Counsel moved the Court for a judgment against said Garnishee, for such his default, Whereupon it was considered and ordered by the Court that a judgment be and is hereby entered against said garnishee in favor of Thomas Freeman for the sum of Eleven Dollars & Sixty six cents and all legal Costs, And that he be in mercy &c

121 Larkin S Sullivan vs Wm S Beaty Admr } This day came the plaintiff by his Attorney and on motion of the plaintiff it is ordered by the Court that this case be continued, and that an alias Si fa be served upon defendant William S Beaty the administrator of D K Webb deceased

Spring Term AD 1843

107 Ward & Ingram vs John Fowlan — This day came the defendant by his attorney and on motion of defendant it is considered by the Court that this suit be dismissed for want of prosecution, and that the defendant go hence with his reasonable expenses cost expended for which execution may issue

Nancy ann Miller & Samuel R Miller vs James A Caldwell for the Plaintiff Defendant — In this case it was suggested and made known to the Court that James A Caldwell had departed this life; and thereupon came the counsel in said cause, and moved the Court that said suit be revived in the name of and for Silas C Colville his Executor representative & that sifa do issue to the aforesaid Silas C Colville Therefore it is hereby agreed that this cause be transfered to the said District Court of the County of Washington & security for cost to be given in sixty days or suit to be dismissed, = And it is furthermore agreed upon by & between the parties to Gowens that said suit shall not be tried at the first term of said Court unless by Consent

73 Thomas Puckett vs Thomas A Moore — This day came the plaintiff by his attorney and made oath that he was not ready for trial in consequence of the absence of material witness It is therefore considered by the Court that this case be continued ~~until the next term~~ upon the payment of the cost of this present term of the Court

7 George I Glasscock vs John F Webber defendants attorneys — In this case came the parties by their attorneys, and on motion of it was ordered by the Court, that the plaintiff take a non suit, and that the defendant go hence with his reasonable cost in his behalf expended for which execution may issue

Spring Term AD 1812

96 James Turley vs John R Slocomb } This day came the parties by their attorneys and on motion of plaintiffs attorney it was ordered by the Court that this case be continued upon the payment of the Costs of this present Term

88 Moore & Blessing vs Greenbury & Harrison } This day came the parties by their attorneys who submitted their cause to a Jury of good and lawful men duly chosen & Sworn to try the issue to wit George D. Glascock & Eleven others, who after sitting in judgment thereon rendered the following verdict We the jury find the issue in favor of the plaintiffs and assess the damages at Sixty four Dollars and Seventy nine cts

It is therefore Considered by the Court that the plaintiffs recover of the defendant the Sum of Sixty four Dollars & Seventy nine cents in damages so found by the Jury and his Costs in this behalf expended, and that the defendants be in mercy for which execution may issue=

107 Ward & Ingram vs John Rowland } This day came the defendant and by his Attorney moved the Court that this case be dismissed, Whereupon, the Plaintiff being solemnly called answered not, it is therefore considered by the Court that this Case be dismissed for the want of prosecution, and that the defendant go hence with his reasonable cost in this behalf expended for which execution may issue

7 George D Glascock vs John F Webber } This day came the parties by their attorneys, and submitted their Cause to a jury of good & Lawful men who being duly Chosen and sworn to try the issue joined between the Plaintiff ~~and the jury retired~~ before ~~Considering~~ the Cost ~~of~~ to a non suit, it is therefore Considered by the Court the defendant go hence with his reasonable Cost had & expended in this behalf, for which execution may issue

223

March Term 1843

Monday Morning Court met pursuant to adjournment

Sherman Ward Compt
vs
Farley & Jarrett Deft } In this case came the compt by his counsel and moved the Court to strike out so much of the answer of said Defendant Farley as is contained in the first paragraph of the second page charging one of the counsel with of the complainant for sinister motives, & also making a distinction in the allegations against said defendants be stricken out for impertinence which motion was sustained by the court and ordered to be so done

Richard J Loyd Executor &c
vs
Mitchell & Hamilton } In this case came a jury of good & lawful men who after having been empannelled & charge a verdict whereupon came the parties by their attorneys and consented to the withdrawal of a juror and a mistrial in both cases. which was so ordered by the court. & case continued

1845 & 46.

Wayne Barton
vs
Mitchell & Hamilton } failed to return came the parties by their attorneys and consented to the withdrawal of a juror and a mistrial in both cases. which was so ordered by the court. & case continued

40 136

J F Edrington
vs
Cox & Scott } In this case came the Deft & moved the court for the continuance of this cause which was allowed them upon the payment of the costs of this Term Thereupon the Plff moved for leave to take the deposition of J Locklin Lee Bene Sav to be read as evidence in this cause which is also so ordered

10 102

John Hill
vs
Lewis Gordin } In this case the defendant moved the Court to dismiss this suit, whereupon the Plaintiff was duly & solemnly called & answered not it is thereupon Considered by the Court that this Cause be dismissed for want of prosecution and that the defendant go hence with his reasonable Cost & in this behalf expended for which execution may issue

March Term 1843 224.

97 Sam Houston Pros'dt for the use & benefit &c.
vs
B. L. Basford & Harriet Whitby } In this case the
Jas A Caldwell
atty for Plaintiff suggested the death of the Plff
and moved the Court that the Case remain
the name of the Executor administrator, whereupon it was
Considered by the Court that the Case be
revived in the name of the ~~administrator~~ executor of Silas
Caldwell and Sci fa to issue to said executor Silas
to Caldwell,

80 Michael Zillar } In this case came the parties by
50 vs } their attorney & thereupon came
Burchard Zillar } a jury of good & lawful men
to wit Mark B Lewis & eleven others who after
having been duly elected tried & sworn to try
the issue of traverse upon their oath do say
that they find the issue in favour of the
plaintiff and assess his damage to the sum
of fifty dollars debt & the further sum of
eight dollars & sixty cents accruing thereon &
is thereupon considered by the court that the
plff recover of the deft the said sum
aforesaid and all costs in this behalf
expended & that he be in mercy &c

39 Heman Ward } Continued by order of the Court
vs
Lyman & Brown

36 Asa Brigham Adms &c } Continued by order of the Court
vs
Nowlan & Brien

13 Wm Orr } Continued by order of the Court
vs
Wm R McClure Et. Al

March Term 1843

14	The Republic of Texas vs James Patterson	91	Republic of Texas vs Thomas Myers
16	Republic of Texas vs James R Cooks	92	Republic of Texas vs William Raynie
17	Republic of Texas vs H. C. Davis	98	Republic of Texas vs Cheeks
31	Republic of Texas vs W. W. Bell	103	Republic of Texas vs Thomas L Jones
	Republic of Texas vs Alexander McKimble	100	Republic of Texas vs Francis Prentiss
51	Republic of Texas vs David Harmon	110	Republic of Texas vs Thomas J Smith
76	Republic of Texas vs Ros Gormon	114	Republic of Texas vs Richd Watts (Free boy)
86	Republic of Texas vs Scott & Cox	93	Republic of Texas vs Freeman & Sherman
87	Republic of Texas vs Joseph D Anderson		This day came the Republic by her attorney John D Anderson at whose suggestion, it was ordered by the Court that a nolle Prosequi be entered in the foregoing Case

Spring Term AD 1845

36 ✓ Republic of Texas
vs
L M Underhill

37 ✓ Republic of Texas
vs
Richard Ross

53 ✓ Republic of Texas
vs
William A Porter

54 ✓ Republic of Texas
vs
Kindred Mellen

115 ✓ Republic of Texas
vs
E Seiders

In H

124 ✓ Republic of Texas
vs
B A Butts &
Wm D Thomas

In this and the foregoing cases, recognizance forfeited, and Scira facias ordered, and show cause why judgment should not be final,

✓ 30 ✓ Republic of Texas
vs
James Crabtree

✓ 102 ✓ Republic of Texas
vs
Fessenden Hellman

✓ 130 Republic of Texas
vs
George Barrett

✓ 132 Republic of Texas
vs
Alexander Coleman

These and the foregoing cases Commencing at Number thirty & ending at one hundred & thirty two were Continued and alias Capias ordered

March Term 1843

104 Republic of Texas
vs
G H Harrison

131 Republic of Texas
vs
D M Underhill

106 Republic of Texas
vs
J F Edrington

The foregoing cases were Continued and Alias Capias ordered directed to the Sheriff of Washington County

62 Republic of Texas
vs
Thomas H Duggan

97 Republic of Texas
vs
Benj S Grayson

73 Republic of Texas
vs
G H Harrison

The foregoing Cases were continued and Pleuries Capias Ordered to Colorado Washington & Austin Counties

The grand jury there being fourteen Jurors present came into open Court and through there foreman returned the following bill of Indictment, to wit

Republic of Texas
vs
Chief Justice & Associates

For neglecting to appoint overseers of the road, a True Bill.

115 Republic of Texas
vs
E Seiders (Nole Prosequi in this case)

132 Republic of Texas
vs
Alexander Coleman

It is Considered by the Court that this cause be Continued and alias ca, sa issue,

Republic of Texas
vs
Chief Justice & Associates, David Laughlin & James Baker

This day came the parties by this Attorneys That is the Republic by her Attorney John M Anderson & the defendants Laughlin & Baker personally Chosen & sworn to try the issue joined, upon the plea of not guilty, upon their oaths do say that the defendants are guilty in manner & form it is Considered by the Court that they pay a fine of one cent and the Cost in this behalf expended, for which Execution may issue

Republic of Texas
vs
D M Underhill

Republic of Texas
vs
Parkerson & Hazlet

It is considered by the Court, that the above Case be continued and alias Ca Sa to issue in each case

Republic of Texas
vs
Chief Justice & Associates
A D Coombs, M Laughlin & Jas Baker

This day came the parties the Republic by her attorney John D Anderson and the defendants in their own proper persons, and a jury of twelve good & lawful men duly chosen & sworn to wit M B Lewis and Eleven others to try the issue joined upon a plea of not guilty, upon their oaths do say that the defendants are guilty — Whereupon it is considered by the Court that they pay a fine of one cent, and the cost in this behalf expended, for which execution may issue

Republic of Texas
vs
A D Coombs Chief Justice

It is ordered by the Court that a Nole Prosequi be entered in this Case

Tuesday morning 9 Oclock A m

Court met pursuant to adjournment

James H Hammond
vs
Saml Whiting

On the Second day of the present term in this Case came the plaintiff by his attorney and filed his petition for setting aside the non suit entered in this case, at the last term of the Court, and to grant a new trial, and moved the Court for a rule against said defendant to show cause why the same should not be granted, And thereupon this day came the parties by their attorneys and upon Solemn ~~Argument~~ Argument had in the premises — It is considered by the Court that the plaintiffs prayer be granted, that the former Judgment of this Court rendered at the last term thereof, in said case, be set aside and vacated, and that the said Cause be now reinstated on the docket of this Court for trial — It is further ordered by the Court that the plaintiff pay the Costs accruing in said Cause, at the last term of this Court & that Execution issue therefor, and it is further ordered that this

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Spring Term Augst Term 1843

cause be continued until the next term of this Court.

P. B. Cocke
vs
Benjamin J Grayson

On the second day of the present Term in this case came the plaintiff by his attorneys and filed his petition for setting aside the non suit entered in this case at the last Term of the Court, and to grant a new trial, and moved the Court for a rule against said defendant to show cause why the same should not be granted = and thereupon this day came the parties by their attorneys and upon solemn ~~argument~~ argument had in the premises = It is considered by the Court that the plaintiffs prayer be granted, that the former Judgment of this Court rendered at the last Term thereof, in said case be set aside, and vacated, and that the said cause be now reinstated on the docket of this Court for trial = It is further ordered by the Court that the plaintiff pay the Costs accruing in said Cause, at the last Term of this Court and that execution issue therefore, and it is further ordered that this Cause be continued until the next Term of this Court

G. W. Colinsworth
Danl Brigham
vs
R H Wynne

On the second day of the present Term in this case came the plaintiff by his attorneys and filed his petition for the setting aside the non suit entered in this case, at the last Term of the Court, and to grant a new trial, and moved the Court for a rule against said defendant to show cause why the same should not be granted = And thereupon this day came the parties by their attorneys and upon solemn argument had in the premises = It is considered by the Court that the plaintiffs prayer be granted, that the former judgment of this Court rendered at the last Term thereof in said case, be set aside and vacated, and that the said cause be now reinstated on the docket of this Court for trial = It is further ordered by the Court that the Defendant pay the Costs accruing in said cause, at the last Term of this Court and that execution issue therefor, and it is further ordered that this cause be continued until the next Term of this Court

37

Joseph Fessenden
vs
Mary Wood & A. J. Harrick

This day came the parties, by their attorneys who submitted their cause to a jury of good & lawful men duly Chosen & Sworn to try the issue joined to wit James McLong & eleven others, upon their oath do say, ~~that the Jury~~ after hearing my Judgment thereon found for the Complainant, and that the facts alledged in his petition are true signed Jas McLong foreman, It is therefore ordered adjudged & decreed by the Court

that said Sale of Land to A. J. Harris one of the defendants be revoked annulled, and of no effect. and it is further ordered by the Court that the complainant recover of the defendants all costs in this behalf had & expended and for which execution may issue

Spring Term Anno Domini 1845. 200.

G. M. Colquitt & S. B. Brigham
vs
R. H. Wynne

On the second day of the present Term in this came the Defendants by his attorney and filed his petition for setting aside the non Suit entered in this case, at the last Term of the Court, and to grant a new trial, and moving the Court for a rule against said Plaintiffs to show cause why the same should not be granted, and thereupon this day came the parties by their attorneys and upon solemn argument had in the premises. It is considered by the Court that the Defendants prayer be granted, that the former Judgment of this Court rendered at the last Term thereof, in said case, be set aside and vacated, and that the said cause be now reinstated on the docket of this Court for trial. It is further ordered by the Court that the Defendants pay the Costs accruing in said cause, at the last Term of this Court and that Execution issue therefor, and it is further ordered that this cause be continued until the next Term of this Court

James H. Hammond
vs
Samuel Whiting

Motion to amend Record
On this day came the parties by their attorneys, and it appearing to the satisfaction of the Court, that at the last Term of this Court the said plaintiff, James H. Hammond, appeared by attorney James Mogden Esq. an attorney of this Court and Submitted to the, now Suit entered in said cause, and it also appearing that the entry of the judgment of non Suit, in said Cause upon the records at said Term is erroneous, in as much as it is not Stated in said record, that said plaintiff did appear by Counsel, and Submitted to said Non Suit, therefore it is ordered, that the record in said case be now amended nunc pro tunc, so as to make it appear, that at the time said Judgment of non Suit was entered, the said plaintiff did appear in open Court by Counsel & submitted to the same

83

Nathl Townsend
vs
Jesse C. Tanneyhill

This day came the parties by their attorneys, and Submitted their Cause to a jury of good and lawful men, who being duly chosen & sworn to try the issue joined, whereupon the Attorneys for plaintiff before the Jury retired took a non Suit. It is therefore considered by the Court that the defendant go hence, and recover of the plaintiff all costs about his Suit in this behalf expended and for which execution may issue

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Spring Term Begun from 1873

Spring Term A.D. 1873.

P. B Cocke
vs
B. F. Grayson

Motion to amend Record

On this day came the parties aforesaid by their Attornies, and it appearing to the Satisfaction of the Court, that at the last Term when this Cause came up for trial, the Plaintiff P. B Cocke was three times Severally Called and failed to appear to prosecute said Suit, Whereupon a judgment Noli prosequi was entered in said Cause, and the plaintiffs action dismissed = and it further appearing, that in the entry of said Judgment of Noli prosequi upon the records, there is error, in as much as, it does not appear upon said record that said plaintiff, was three times Severally called to prosecute said Suit, and Came not before said judgment was entered = It is therefore ordered that the record in said Cause be now amended Nunc pro tunc, so as to make it appear thereon, that at the time said judgment of Noli prosequi was rendered, the said plaintiff was three times Severally called, and failed to appear and prosecute his said Suit

52

B Miller
vs
L L Haas & Co

In this Case Came a jury of good and lawful men, who after having been empannelled & charged failed to return a Verdict = Whereupon Came the parties by their attorneys and Consented to the withdrawal of a Juror and a mistrial in the above case which was so ordered by the Court = It is furthermore ordered by the Court that the deposition of D Laughlin be taken de bene esse & case Continued

110

John F Haswell & Co
vs
Jas Whiting

This day Came the parties by their attorneys and Submitted their Cause to a jury of good and lawful men duly Chosen and Sworn to try the issue joined = to wit Mark B Lewis & Eleven others, who after hearing in judgment thereon rendered the following Verdict

We the jury find the issue in favor of the plaintiff and assess the damage at Eight hundred & twenty five Dollars 67/100 Cents balance of his debt and Ninty nine dollars Sixty Eight cents interest thereon

It is therefore Considered by the Court that the plaintiff recover of the defendant the Sum of Eight hundred & twenty five dollars & 67/100 damages together with the

further sum of Ninty nine dollars & Sixty eight cents interest in damages so found by the jury, and his Costs in this behalf expended, and that the defendant be in mercy &c for which execution may issue

112 Lawrence & Hill vs Sam & Whiting } This day came the parties by their attorneys and submitted their Cause to a jury of good and lawful men duly Chosen and Sworn to try the issue joined: to wit Mark B Lewis & Eleven others — who after hearing in judgment thereon rendered the following Verdict — We the jury find for the plaintiffs and assess their damages at Five hundred & Sixty Five Dollars & Twenty one cent, ~~xxxxxx~~ together with the further sum of One hundred & fifty Seven Dollar 78/100 interest in damages so found by the jury, and his Costs in this behalf expended, and that the defendant be in mercy &c for which execution may issue

57 Burchard Miller vs M Zillee } This Case was continued on the affidavit of defendant on the payment of the costs of this Term

122 Henry Stussy et al vs Michael Zillee & Thomas Willard Garnishee } This day came said Thomas W Ward, and on oath declared that he believes himself justly indebted to said Michael Zillee in the sum of Seventy dollars, whereupon it is considered by the Court that the plaintiffs do recover judgment against said Thomas Willard for the sum of Seventy dollars for which execution may issue, and that the former judgment against the Garnishee at this term be set aside & it is further ordered that the Original defendant pay the cost of this garnishee.

87 Thomas Truman vs A McDonald & Joseph W Robertson Garnishee. } This day Came said Joseph W Robertson and on oath declared that he was justly indebted to said Alexander McDonald in the sum of Forty One Dollars and Fifty Cents and thereupon it is considered by the Court that said Thomas Truman do recover judgment against said J W Robertson for the amount of his said Trumans debt against D A McDonald, to wit the sum of Eleven dollars and ____ cents for which execution may issue.

March Term 1843

Spring Term A.D. 1843

75 Wm H Watts
vs
Richard & Mary P Bullock

In this Cause came the plaintiff by his attorney and on motion it was ordered that Scire facias do issue to the legal representative of Richard Bullock when known, and on motion of defendants attorney it was ordered that security for Costs be given in sixty day or suit to be dismissed

78 Wm H Watts
vs
Richard Bullock and Mary P Bullock

In this Cause came the plaintiff by his attorney and on motion it was ordered that Scire facias do issue to the legal Representative of Richard Bullock when known and on motion of defendants attorney it was ordered that security for costs be given in sixty day or suit to be dismissed

80 Wm D Lacy vs. H H Muse. Admr of Benj F Noble deceased
It appearing to the court that said H H Muse has resigned as Adm as aforesaid. In this Wm W Thomson appeared and admitted and made himself a party to the suit, and the case was ordered to be continued to the next term of Court.

82 Tannahill & Smith
vs
John Wood
In this Cause came the parties by their attornies and on motion of defendant it was ordered that the Case be continued to the next term of Court

99 R H Wynne
vs
Ann F Wooldridge
In this Case came the parties by their attornies and on motion of Defendant it was ordered that the Case be continued to the next term of Court, and it was also ordered that defendant pay the costs of the present term.

106 Ira R Davis
vs
John Nowlan
In this Case came the parties by their Attornies and by consent it was ordered that the Case be continued to the next term of Court.

104 Noah F Ayers
vs
Joseph Tanner
In this Case came the parties by their attornies and by consent it was ordered that the case be continued to the next term of Court.

105 John H Dantzy Trustee
vs
Savary & alx Arthur
In this Case ordered that the Same be transferred to the Chancery Docket and on motion of Complainant it was ordered that the Same be continued to the next term of Court.

125 Belknap et Al
vs
Ida Savary
In this Case came the plaintiff by by his attorney and on his motion it was ordered that the Case be continued to the next term.

132 Sam Whiting
vs
James F Edmington
In this Case Came the parties by their attornies and it was ordered that the Case be continued as on affidavit of the Defendant.

8 Heman Ward
vs
Farley & Jewett
Chancery.
In this Case Came the parties by their attornies and by Consent, it was ordered that the Case be refered to the Clerk as Master in Chancery and that he report therein at the next term. & can be continued

No 2. C K Rose Adm
vs
James Burke

No 6 Henry Millard
vs
Commissr. Genl Land Office

No 12 Amos Sims
vs
R Caldwell et al

No 18. Chs B Stewart
vs
Thomas H Ward Comr of General Land Office.

No 20 James Hodges
vs
Thos Wm Ward Com. G. L. Office

No 21. William Hamilton
vs
Thos. H Ward Comr Gen Land Office

No 22 Jos W Garretty
vs
Thos H Ward. Comr G L Office

No 23. Bartlett Sims
vs
Thos H Ward. Comrs Genl Land Office.

No 28. James F Edmington
vs
Charles F Mason 1st. Auditor

No 29. John W F Carriden
vs
Nolan & O Brien

In this and the foregoing cases it was ordered that they be Continued to the next Term

March Term 1843

Journal Book K 1843

26. Succession of James Norton Deceased
vs
Thos H Ward. Comr. Gen Land Office.

31. Westley Hunt
vs
Wm H Wilkinson

38 Johathan Paugs
vs
Sam Houston Pltf

40. Wm C Dalrymple
vs
Matthias Willbarger

It was ordered that the foregoing Cases be continued to the next Term of Court.

32 D G Wheler
vs
Asa Lavary

In this Case Came the plaintiff by his attorney and says that he will no further prosecute his suit. wherefore it is ordered that Defendant go hence without day and recover of the plaintiff his reasonable costs about this suit in his behalf expended.

35. Isaac Casner et al
vs
Stephen McCalle

In this Case came the pltf by his attorney and on motion it was ordered that the Case be continued to the next term and a subpaena to issue

34. Joseph Daniels
vs
Berry & Gravis

In this Case Came the plaintiff by his attorney and says he will no further prosecute his suit, wherefore it is ordered that the Defendants go hence without day and recover of the plaintiff their costs in this behalf expended.

Wednesday Morning 9 O'clock AM.

Court met pursuant to adjournment

Joseph. F. Smith
vs
Commissioner Gen. Land office

This day came the parties by their Attorneys and Thomas H Ward Commissioner of the General Land Office having appeared and made oath According to Law. the Case was ordered to be continued to the next term.

William Hamilton vs John Grumbles } In Chancery } This coming

This cause coming on to be heard upon bill & answer, and after the argument of Counsel the premises being duly by the Court considered it is ordered & decreed that the injunction heretofore granted be dissolved and that the defendant have benefit of execution at law in the Court ~~of law~~ below upon his giving bond with good & sufficient security as the law directs and upon the prayer of the complainant it is further ordered that the cause stand over as an original bill and be set for hearing at the next term of the Court.

Joseph E. Plummer vs Commissioner Gen.l Land office } This day came the parties by their attorneys and also came Thomas Pilk Ward Commissioner of the Gen.l Land office and on his motion and affidavit filed according to law it was ordered that the case be continued until the next term of Court.

R B Sarmon vs Caleb Alexander & Com.r Gen Land Office.

Be it remembered that on this day the 15th March 1843 this Case came on for trial, and hearing, and the acting Dist Attorney of the 3d Judicial District Henry J Jewett for the defendants moved to dismiss the plaintiffs petition in this cause because 1st. The Deputy Clerk of the of the District Court has no right to administer an oath except in open Court, which motion was overuled and plaintiff were permitted to amend their Bill by the attorney for plaintiff making oath to the petition, to which opinion Counsel for Defendants excepts, and further moved to dismiss the Bill, because there has been no personal service on C P Alexander the party mainly interested in the suit, as required by law. 2nd- Because the suit ought to have been brought in the County of Gonzales where the Land lies 3d Because the oath should have been taken by R B Sarmon himself and not by his attorney. 4th because said petition does not show sufficient grounds to maintain the action instituted in this case. 5th Because the plaintiff in this case has no right to enquire whether or not the Conditions imposed by Government have been complied with

Spring Term AD 1848.

6th Because the said Land having been appropriated to C. P. Alexander, it cannot be appropriated to any other individual which motions were overruled by the Court, to which opinion Defendants Counsel object and prayed that their exceptions be signed & sealed by the Judge and made a part of this Record which was granted. and thereupon Came a Jury to try and find the facts alledged in the plaintiffs petition which were denied in the answer, and the said Jurors towit Mark B Lewis and eleven others having been elected tried and duly sworn to try the facts in traverse the said Case or the issued joined, the general issue being pleaded, the said Jurors after Solemn argument had between the aforesaid parties on their oaths present and say that they find for the Complainant that the several allegations in said Complainants petition are true, whereupon his Honor then proceeding to the examination of the facts so found by the Jury aforesaid and the law of the premises and after argument had thereon thought proper to adjudge and decree, and does hereby order adjudg and decree that the title & claim of said Alexander & said League of Land as set forth in the pleading be set aside and annulled & stand for naught and further that there is not sufficient appearing upon said hearing for said Commissioner Genl of the Land office longer to withhold from said Complainants patents on his said Field Notes as set forth as aforesaid, but he is now hereby peremptorily ordered to proceed forthwith and issue the same to said Complainant Richard B Garmon, and further that Defendant Caleb B Alexander pay the costs in this behalf expended should he not be found or prove insolvent then the Complainants shall pay the same precautions may issue &c, and the Defendants by their attorney before the rendition of judgment excepted to the verdict of the Jury as against the law and weight of Testimony, and moved thereupon for a new trial which motion was overruled by the Court, and judgment rendered as aforesaid from which judgment Defendants prayed an appeal to the Supreme Court which was granted, on the grounds aforesaid, and it was ordered that the documentary evidence being the only evidence used on the trial be made a part of the Record and Copies of the same duly certified be sent up to the Supreme Court, with the other papers in the suit, And further this Honor in the said case overruled the first objection because it was alledged that said Alexander was a non resident and due notice was given in the public news papers as directed by former order in said cause as appears by a copy thereof filed among the papers overruled Because a Mandamus will lie where the law has already 3 & 4th Overruled generally. 5th Sustained except as far as abandonment is charged in the bill. 6th Because it is vacant, if the former deed was obtained by fraud or lost by abandonment.

Spring Term AD 1843.

R B Cannon
vs
Caleb Brock &
Com'r Gen'l Land Office

Be it remembered that on this day the 15th March 1843. Came on for trial and hearing the above stated Case, and it being Suggested that there are facts alledged in Complainants petition which are denied in the Answer and thereupon the Honorable the Presiding Judge ordered a jury to be impannelled to try and find the facts in said Bill and thereupon came a jury of good and lawful men to wit Mark B Cloud & eleven others who being elected tried and duly sworn to try the facts in issue in said Case and after solemn argument had between the aforesaid parties as well as present and by that they find for Complainant the several allegations in said Complainants petition are true & here=upon his Honor then proceeded to the examination of the facts so found by the Jury as aforesaid and the law of the premises & after argument had thereon thought proper to adjudge & decree and does hereby adjudge & decree that the title & claim of said Caleb Brock to said Land as set forth in the pleading be set aside and annulled and stand for naught and further that there is not sufficient appearing in said case hereby for said Com'r Gen'l of the Land Office longer to withhold from said Complainant patents on his said field notes set forth as aforesaid but he is now hereby re=quested ordered & proceed forthwith and issue the same to said Complainants Richard B Cannon and further that Caleb Brock pay the costs in this behalf expended and should he not be found & [illegible] thereof the Complainant shall pay the same for which execution may issue

And the Defendants before the pronouncing of Judgment move to set aside the verdict of the Jury as against law & the weight of evidence & for a new trial which was over ruled by the Court, and thereupon Defendant prayed an appeal which was granted, and it was ordered that Copies of the documentary evidence being the only kind used on the trial be sent up and form a part of the record in the Case. And further His Honor in said cause overruled the first objection because it was alledged that said Brock was a non resident, and due notice was given in the public newspapers, as directed by a former order in the case, a copy of which is now filed among the papers of said cause.

2 overruled – Because a mandamus will lie where the Commissioner General resides
3 4th overruled generally 5th Sustained except so far as abandonment is charged
in the Bill 6th Because it is vacant land, if the former deed was obtained
239 by fraud or lost by abandonment

George I. Glascock
vs.
Chas. F. Webber

In this case the Plaintiffs counsel moved the court to set aside the nonsuit in this case & reinstate the same upon the ground of surprize and for other reasons as disclosed in Plaintiffs affidavit marked (A) and filed among the papers of said cause. And after solemn argument, ~~had~~, by Counsel for both parties, heard. It is Considered by the Court that Plaintiffs motion be sustained and the cause be reinstated and Continued over for trial at the next term of the Court, and by consent of parties the order of the last Term of the Court taking Dift neither costs be set aside

Joseph Fessenden
vs
Mosey Wood Marshall & Anderson I Harrell

In this case the plaintiff appeared by his Counsel, and the defendants being three times severally called came not= whereupon the issue joined were submitted to a jury of good and lawful men, towit James M Long & Eleven others who after being duly Chosen & Sworn to try the issue, upon their oath, do say that we the jury find for the plaintiff, and that the facts alleged in his petition are true – It is therefore ordered adjudged and decreed by the Court, that the said Sale & deed from Mosey Wood Marshall to Anderson I Harrell be set aside annulled and declared void and of no effect & further that the title to said land shall revest in Joseph Fessenden the aforesaid plaintiff whereupon it is ordered by the Court that the plaintiff recover of the defendant Mosey Wood the costs, in this behalf expended for which execution may issue

A. W. Luckett &
A M Luckett
vs
Nathaniel Townsend

This day came the parties by their Attornies and it was ordered by the Court sitting in Chancery that the jury be unshackled to try the truth of certain allegations of fact, Contained in Complainants bill and denied in the answer of respondent whereupon Came a jury towit James M Long & Eleven others who having been elected tried & sworn the truth to speak upon the issue joined upon their Oath, do say = We the jury find a part of the allegations in Complainants Bill true= That the instrument between the parties to this suit is a Mortgage to secure the payment of certain monies = That the amount of Consolidated fund in Controversy is worth two hundred Dollars & that the hire of the negro is worth three cts of the money

James M Long Foreman.

Spring Term AD 1848.

Whereupon Counsel for Complainant moves to set aside the verdict of the jury, upon the ground that the weight of evidence showed that the services of the boy hired to Townsend was greater than the lawful interest on the 200$ advanced by Townsend to Lucketts two witnesses having proved that previous to the time of the negroes being put in the possession of Townsend, they had hired him at ten dollars per month and that they were willing to have kept him longer at that price, another witness proved that the use of the money advanced by Townsend to Lucketts was worth more to Townsend than the services of the negro, the Court Considering the weight of the testimony goes to establish the fact that the hire of the boy was over the more than the lawful interest on the sums advanced by Townsend to Lucketts, grants the motion to set aside so much of the Verdict as relates to said hire Conditionally, that the order is to be recinded if the said Townsend shows at the next term of the Court that said excess of hire is not usurious and upon said showing being made said Verdict is to stand and the decree in this Cause to be rendered thereon, And it is further ordered that the Complainant have leave to amend his bill by making one Thomas A Moore a party to said bill and that a subpoina do issue thereon & the Complainant pay the same among the fees of the Cause

Ex parte

36

Roundtree Edrington & Johnson vs James H Starr

This day came the Compl Counsel for Complainant and moved to dismiss their bill, thereupon it is ordered by Court that said Defendant James H Starr do have the benefit of his execution at law heretofore rendered and that execution for the original judgment with the costs thereon may issue against said Roundtree Edrington & Johnson

It is ordered that all Causes and motions not disposed of at the present term be continued over to the next term of Court.

It is further ordered, there appearing a vacancy in the office of District Court for David County, that M. H. Beatty be appointed Clerk, pro tem to fill said vacancy

241. Spring Term Annoknmini 1843.

It is ordered by the Court that the Clerk together with the Sheriff in the presence of some Justice of the Peace proceed to draw according to Law the names of Thirty Six ~~Jurors~~ persons good & lawful men to serve as Jurors at the next term of Court in and for this County.

It is further ordered that the Court be adjourned to the next Term thereof.

R. E. B. Baylor.
Judge &c —

246. District Court Fall Term 1843 of Travis County & Republic of Texas.

Be it remembered that the District Court Fall Term Commenced its Sessions on Monday the fourth day of Septr Eighteen hundred & forty three for the County of Travis at the Court house thereof Present M T Beaty clerk pro tem of said Court & Charles F King Sheriff — His Honor the Judge of the third Judicial District being absent the Sheriff adjourned the Court until tuesday morning ten Oclock A. M.

Tuesday morning 10 oclock a.m. Court met pursuant to adjournment — present his Honor the Judge R E B Baylor — the Court then proceeded to its further organization the venira Facias, which had been duly issued & returned by the sheriff of said County being called the following persons answered to their names viz

Joseph Duty, A Walsh, Jas S. Matthews, Thos Ward, A C Cady, Henry Blessing, C C Cushman Cyrus Scott Thos A Moore Jno G Knapp Enoch Johnson, R. M. Montgomery, Abner Matthews, Thos Price Saml Hazlett Stephen Cummins, Edward Seiders, A M Puckett, Thos Puckett, Chas Walker, A M Puckett, A B McGill, W. W. Atwood, Wm Bratton, W M Hornsby, & Wm Custard. who are good & lawful men of the County of Travis & Republic of Texas.

The Court then after hearing the several excuses upon each, excused Charles Walker, Jas S Matthews, G I Glasscock, Saml Watkins & Henry Blessing.

The Court then proceded to draw twenty names from the Jurors there present, to constitute the Grand Jury for the present term

1 A C Cady	11 Saml Hazlett
2 S Cummins	12 Thos A Moore
3 W M Hornsby	13 A M Puckett
4 Thos Ward	14 Jos Duty
5 C C Cushman	15 Abner Matthews
6 A M Puckett	16 A B McGill
7 Wm Bratton	17 Thos Price
8 A Walsh	18 Wm Custard
9 R M Montgomery	19 Edward Seiders
10 Jno G Knapp	20 Thos Puckett

Thomas Ward was then appointed Foreman of the Grand Jury by his Honor the Judge &c and was being duly Sworn according to law, The other Jurors were then called and Sworn accordingly, the Jury retired to considered of Indictments Presentments &c said before them & returned Then received the charge of his Honor the Judge, after which the Court adjourned until tomorro morning 10 oclock a m

Wednesday morning September 6th 1843

Court met pursuant to adjournment

5 Error. Wm A Patton & Co
vs
John F Webber } This day came the defendant by his attorney and on motion of defendant It is ordered by the Court that this suit be dismissed for want of prosecution and that the defendant recover of the plaintiff all costs in this behalf expended for which execution may issue

14 Error. Peter McGreal
vs
Wm A Hunt } This day came the defendant by his attorney and on motion of defendant · It is ordered by the Court that this suit be dismissed for want of prosecution & that the defendant recover of the plaintiff all costs in this behalf had and expended for which execution may issue

35 Error. William Evoson
vs
Sam[l] Watkins } Same order as above

40 Error. J H & L S Wilkins
vs
W T M Smithson } This day came the defendant by his attorney and on motion of defendant It is ordered by the Court that this suit be dismissed for want of prosecution and that the defendant recover of the plaintiff all costs in this behalf expended & for which execution may issue

47 Error. S L Wilkins
vs
James Martin Same order as above

245. District Court Fall Term 1843

14 Conv. Shaw & Co vs Nolan & O'Brien } This day came the defendant by his attorney and on motion of defendant It is ordered by the Court that this suit be dismissed for want of prosecution and that the defendant recover of the plaintiffs all costs in this suit expended & for which execution may issue

95 Conv. A & I Sharp Admr. vs N. P. Barby dt } Same order as above

114 Conv. Noah O Byers vs Joseph Tamer } Same order as above

114 Conv. James Crawell vs Martin Rumpff } Same order as above

34 Conv. Asa Brigham admr vs Nolan & O'Brien } Continued until next term of the Court

54 Conv. Haden Edwards vs M B Lamar Pres't } Continued until next term of this Court

125 Conv. Belknap & Co vs A Savery } Continued until next term of this Court

District Court Fall Term 1843

Dec 6 — Christopher A Stone vs Mark Richardson Et Al — Continued

Dec 6 — Henry Millard vs Thos Wm Ward Com & c — Continued

Dec 18 — C B Stewart vs Thos W Ward Com & c — Continued

Dec 21 — James Hodges vs Thos W Ward Com — Continued

Dec 21 — Wm Hamilton vs Thos Wm Ward Com & c — Continued

Dec 21 — Succession of James Norton deceased vs Thos W Ward Com & c — Continued

Dec 22 — Bartlett Simms vs Thos W Ward Com — Continued

19 Dec — Louis Goodwin vs R A Wynne — In this case came the plaintiff by his attorney and on motion It was ordered that the case be continued to the next term and alias writ to issue to defendant. It was further ordered that the plaintiff give security for costs within sixty days or suit be dismissed

District Court Fall Term 1843

Error

James H Cole
vs
Duggan & Terrell } In this case came the parties by their Attorney and on motion of Plaintiff It was ordered that the Case be Continued to the next Term of Court, and it was also ordered that the plaintiff pay the Costs of the present Term

Error

Herman Ward
vs
Gravis & Brown } In this Case Came the plaintiff by his attorney and Says that he will no further prosecute his Suit Wherefore It is ordered that defendant go hence without day and recover of the plaintiff his reasonable Costs about this Suit in his behalf expended & for which execution may issue

Error

Thursday Sept 7th 1843

Samuel E Watrous Et Al
vs
James Lane } In this Case Came the parties by their attorneys and it was ordered that the Case be continued on affidavit of defendant.

Error

Wm Cockburn

Saml Norvell & Anderson J Harrell were brot into open Court and after being duly Sworn, were sent before the Grand Jury as witnesses upon two indictments one against Louis P Cooke & George W Barrett for the murder of Mark B Lewis & the other for the murder of Thos Bunyo full & legal hanne

The Grand Jury returned into open Court the following bills of Indictment (viz)

The Republic of Texas
by
Louis P Cooke &
George W Barrett } Horatio L Upshur prosecutor for Murder. (Signed) Thos Ward Foreman Grand Jury. Witnesses Saml Norvell Wm Cockburn & Anderson J Harrell who were Sworn & Sent to the Grand Jury

The Republic of Texas
by
George W Barrett &
Louis P Cooke } H L Upshur prosecutor for murder (Signed) Thos Ward foreman a true bill

Error

Thursday evening Court adjourned Until tomorrow morning 9 Oclock

Error

Thursday morning 9 oclock Court met pursuant to adjournment

His Honor the Judge being absent in consequence of ill health the Sheriff adjourned the court until tomorrow morning 9 oclock a.m.

Friday morning 9 oclock a.m. Court met pursuant to adjournment

Error
George I. Glasscock
vs
John F. Webber
In this case came the parties by their attorneys and on motion of defendant it was ordered by the Court that the case be Continued to the next term

Error 82
Jamey Hill & Smith
vs
John Wood
In this case came the parties by their attorneys, and it was ordered by the court that the Cdse be continued as on affidavit of the defendant

Error 33
Samuel Whiting
vs
James F. Edrington
In this case came the parties by their attorneys, and on motion of defendant it was ordered by the Court that this case be continued until the next term

Error 15
Alexander Russell
vs
A. B. Eberly

21
Alexander Russell
vs
Alexander Murchison

Error 36
Asa Brigham admr
vs
Nolan & O'Brien

54
Haden Edwards
vs
M B Lamar Presdt

Error 125
Belknap & Co
vs
Asa Savery

6
Henry Millard
vs
Thos Wm Ward Comrs

the above cases were all continued under a general order of the Court.

a court in the Republic of Texas holding

The Grand Jury Came into open Court & bill of Indictment

Horace L Upshaw Prosecutor signed a

Geo W Barrett & Louis P Cook

A J Harrell in the case

True Bill Thomas Ward foreman and

Sam Rowe & Wm Eastham were sworn to go

249. Fall Term AD 1845.

Geo M Collinsworth Et. Al. vs R H Wynne — 22 — Geo M Collinsworth Et al vs R H Wynne

Wayne Barton vs Robert Mitchell — 45 — Richard J Loyd vs Robert Mitchell & Harnes

On motion of the plaintiff in the above stated cases it was ordered by the Court that they be continued until the next Term thereof

James Curtis & Elijah Curtis vs Robert Mitchell — 28 — In this case came the plaintiffs by their attorneys and say they will no further prosecute their suit Wherefore it is ordered by the Court that the defendant go hence without day and recover of the Plaintiffs all costs in this behalf expended for which execution may issue

Wm H Watts vs Richd & Mary P Bullock — 78 — Wm H Watts vs Richard & Mary P Bullock

This day came the parties by their attorneys and on motion of deffendants it was ordered by the court that the above named suits be dismissed for want of security for costs and that the defendants go hence without day and recover of the plaintiff all costs in his behalf expended for which execution may issue

On motion of the John D Anderson the District Attorney, It was ordered by the Court that Copies of the Indictment found at the present term of the Court against Louis P Cooke and Geo W Barrell for murder be served upon defendants and It is further ordered that said defendants L P Cooke & Geo W Barrell be brought befor the Court on Saturday morning the 9th instant

Monday September 11th 1843

The Republic of Texas
vs
Louis P. Cooke &
George W. Barrett
~~for murder of Hart B. Lewis~~
Indictment for murder of Hart B Lewis

The Republic of Texas
vs
George W Barrett & Louis Cooke
for murder of Hezekiah G Pilgrim

Error

In the above cause against Louis P Cooke & George W Barrett the defendants by order of the Court were arraigned and charged by the proper Officer upon the charge of murdering Hart B Lewis and Hezekiah G Pilgrim in open Court, and pleaded to the Indictments found against them at the present term of the District Court and enters their plea of not guilty, whereupon it was ordered by the Court that the Clerk issue to the Sheriff a venire facias commanding him to summons thirty seven good and lawful men to serve as special Jurors in the trial of each of the above causes, whereupon the Court orders the Sheriff to take Charge of the prisoners and Keep them in safe custody, &

Error

On the suggestion of the District Atty John H Anderson it was ordered by the Court that Tuesday morning the 12th instant be set apart for the trial of the Criminal Causes,

Error

A. W. Lockett Complainant
vs bill of injunction
Moses Wood

Error

In this Case Came the parties by their Attorneys and on motion of defendant attorney it was ordered by the Court that the bill be dismissed for want of equity and that the defendant Wood go hence without day and recover of the Complainant the Cost of suit in this behalf expended for which execution may issue

Error

The Republic of Texas
vs
Louis P Cooke & George W Barrett
Indictment for Murder.

This day the said Louis P Cooke & George W Barrett who Stand indicted by the Grand jurors for the County & Republic aforesaid

Fall Term AD 1848

by Thin bill heretofore returned in to Court were by the order of the Court brought into open court and it appearing that a copy of the Indictment aforsaid had been furnished each of the said prisoners and thereupon they the said Louis P Cooke & George W. Barrett were in due form of Law arraigned & charged upon said Indictment for the murder of Mark B Lewis and they and each of them then & there pleaded not guilty to the charges and allegations in said Indictment contained and put themselves upon Thir God & Thir Country for trial, and thereupon also came John D Anderson District attorney for the third Judicial District for the Republic aforsaid and doth the like whereupon it was then ordered by the Court that a venire for thirty Seven good & lawful men of said County issued Instanter to the Sheriff of said County & that immediately on its return the said prisoners be furnished with a copy thereof and it is further Ordered that the prisoners be remanded to Safe Custody of the Sheriff

The Republic of Texas
vs
George W Barrett & Louis P Cooke } Indictment for murder.

This day the said George W. Barrett & Louis P Cooke who Stand indicted by the Grand Juros for the County & Republic aforesaid by their bill Heretofore returned into Court were

25 B. District Court Fall Term 1843. of Travis County

Be it remembered that there was begun and held in in the City of Austin County of Travis at the Court house thereof a District Court in and for said County = Present M H Beaty Clerk protem of said Court & Charles F King Sheriff = His honor the Judge of the third Judicial District being absent the Sheriff adjourned the Court until tuesday morning ten Oclock am.

Tuesday morning ten oclock Court met pursuant to adjournment present his Honor the Judge R. E. B. Baylor = The Court then proceeded to its further organization = The Venire Facias which had been duly issued and returned by the Sheriff of said County being Called the following persons answered to their names (viz) Jos. Duty. Dennis Walsh Jas S Matthews Thomas Ward D.C. Cady Henry Bleping C C Cushman Cyrus Scott Thomas A Moore, John G Knapp Enoch Johnson R W Montgomery, Abner Matthews Thomas Price Saml Hazlett, Stephen Cummins Edward Seiders, A M Luckett Thomas Puckett Charles Walker A.W. Luckett A B McGill W W Atwood William Bratton W W Hornsby & William Custard who are good & lawful men of the County of Travis & Republic of Texas

The Court then after hearing the several excuses upon oath excused Chas Walker, James S Matthews G. I. Glapcock Saml Watkins & Henry Bleping,

The Court then proceeded to draw twenty names from the Jurors then present, to Constitute the Grand Jury for this present Term of the Court when the following persons were drawn

1 D.C. Cady
2 J Cumming
3 W W Hornby
4 Thos Ward
5 C. C. Cushman
6 A M Luckett
7 Wm Bratton
8 D Walsh
9 R W Montgomery
10 Jno G Knapp
11 Saml Hazlett
12 Thos A Moore
13 A.W. Luckett
14 Jos Duty
15 Abner Matthews
16 A.B. McGill
17 Thos Price
18 Wm Custard
19 Edward Seiders
20 Thos Puckett

Thomas Ward was then appointed by the Court foreman of the Grand jury &c and was duly sworn according to Law, the other jurors were then Called and sworn accordingly, the jury then received the charge of his Honor the Judge & then retired to Consider of Indictments & presentments as laid before them. After which the Court adjourned until tomorrow morning ten Oclock am.

Wednesday morning 10 Oclock A.M. Court met pursuant to adjournment.

W. H. Patton & Co
5 vs
John F. Webber } In this case the plaintiff though solemnly called came not to prosecute his said suit but made default = It is therefore considered by the Court that he take nothing by his plaint in this behalf, but that the defendant go hence without day and recover of the plaintiffs the costs in this behalf expended & forwhich execution may issue

Peter McGreal
16 vs
Wm A Dent } In this case the plaintiff though solemnly called came not to prosecute his said suit but made default = It is therefore considered by the Court that he take nothing by his plaint in this behalf, but that the defendant go hence without day and recover of the plaintiffs the costs in this behalf expended for which execution may issue

William Evoson
35 vs
Saml Watkins } In this case the plaintiff though solemnly called came not to prosecute his said suit but made default It is therefore considered by the Court that he take nothing by his plaint in this behalf, but that the defendant go hence without day & recover of the plaintiff the costs in this behalf expended & for which execution may issue

I W L G Wilkins
40 vs
W Tell Smithson } In this case the plaintiff though solemnly called came not to prosecute his said suit but made default = It is therefore considered by the Court that he take nothing by his plaint in this behalf, but that the defendant go hence without day & recover of the plaintiff the costs in this behalf expended for which execution may issue

255 District Court Fall Term of Travis County 1843.

L S Wilkins
47 vs
James Martin } In this case the plaintiff though solemnly called came not to prosecute his said suit but made default. It is therefore considered by the Court that he take nothing by his plaint in this behalf, but that the defendant go hence without day and recover of the plaintiff the costs in this behalf expended for which execution may issue

Shaw & Co
64 vs
Rowlan & O'Brien } In this case the plaintiff though solemnly called came not to prosecute his said suit but made default It is therefore considered by the Court that he take nothing by his plaint in this behalf, but that the defendant go hence without day and recover of the plaintiff the costs in this behalf expended &C.

W J Sharp admr
95 vs
D P Barbydt } In this, case the plaintiff though solemnly called came not to prosecute his said suit but made default. It is therefore considered by the Court that he take nothing by his plaint in this behalf, but that the defendant go hence without day & recover of the plaintiff the costs in this behalf for which execution may issue

Noah T Byers
104 vs
Joseph Tanner } In this case the plaintiff though solemnly called came not to prosecute his said suit but made default It is therefore considered by the Court that he take nothing by his plaint in this behalf, but that the defendant go hence without day & recover of the plaintiff all costs in this behalf expended &C

District Court Fall Term of 1843 of Travis County

James Cranwell
115 vs
Martin Rumpff } In this case the plaintiff though solemnly called came not to prosecute his said suit but made default - It is therefor considered by the Court that he take nothing by his plaint in this behalf, but that the defendant go hence without day and recover of the plaintiff the Costs in this behalf expended &C

✓ 36 Asa Brigham admr vs Nolan & O'Brien

Belknap & Co
✓ 125 vs
Asa Savery

✓ 1 Henry Millard vs Thos. W. Ward Comr.

James Hodges
✓ 20 vs
Thos W Ward Comr

Sucsr. of James Norton Decd
✓ 26 vs
Thos W Ward Comr

Alexander Rufell
✓ 15 vs
A. B. Eberley
The above Cases were Continued generally.

Louis Goodwin
19 vs
R Haynie } In this Case came the plaintiff by his attorney and on motion It was ordered by the Court that the Case be Continued to the next term, and alias writ to issue to defendant & it is further ordered that the plaintiff give Security for Costs within Sixty days or suit to be dismissed
✓

✓ 34 Haden Edwards vs M B Lamar Pres't

Christ. H Stearne
✓ 3 vs
Saml Richardson

C. B. Stewart
✓ 18 vs
Thos. W. Ward Comr.

Wm Hamilton
✓ 21 vs
Thos W Ward Comr.

Bartlett Sims
✓ 32 vs
Thos. W. Ward

Alexander Russel
✓ 21 vs
Alexander Murchison

257

257 District Court Fall Term 1843 of Travis County

James A Cole
vs
Duggan & Terrell } In this cause the parties by their attorneys and on motion of plaintiff it was ordered by the Court that this case be continued until the next term of Court It was further ordered that the plaintiff pay the costs of this present Term

Heman Ward
vs
Travis & Brown } In this case came the plaintiff by his attorney and says that he will no further prosecute his said suit. Wherefore it is ordered by the Court that the defendants go hence & recover of the plaintiff all costs in this behalf expended &c

Dan'l E Watrous Et al
vs
James Lane } In this case came the parties by their attorneys and on motion it was ordered by the Court that this case be continued as on affidavit of defendant & leave given to amend his answer

George I Glascock
vs
John F Webber } In this case came the parties by their attorneys, and on motion of defendant It was ordered by the Court that this case be continued until the next Term of Court

Richard J Lloyd
vs
Mitchell & Harris } In this case came the parties by their attorneys and on motion of plaintiff it was ordered by the Court that this case be continued until the next term

Wayne Barton
vs
Robert Mitchell } In this case came the parties by their attorneys and on motion of plaintiff it was ordered by the Court that this case be continued until the next Term

Samuel Norvell William Cockburn & Anderson J Harrell were brot into open Court, and after being duly Sworn were sent before the Grand Jury as witnesses upon two indictments, one against Louis P. Cooke & George W Barrette for the Murder of Mark B Lewis and the other for the Murder of Alexander G Peyton

The Grand Jury returned into open Court the following bills of Indictment (viz) then being of full and legal number

The Republic of Texas
vs
Louis P. Cooke &
George W Barrette
for Murder of Mark B Lewis
Norris L Upshur prosecutor
A true bill (Signed) Thomas Ward
foreman of the Grand Jury

The Republic of Texas
vs
George W Barrette &
Louis P. Cooke.
for murder of Alexander G Peyton
Norris L Upshur prosecutor
A true bill (Signed) Thos Ward foreman
of the Grand Jury

Court adjourned until Thursday morning
ten oclock am.

~~Thursday~~ morning 7th Sept 1843 Court met pursuant to adjournment. His Honor the Judge ~~being absent~~ on account of ill health, his organs by the Court the Sheriff adjourned the Court until two oclock P.m.

Thursday evening 2 Oclk p.m the Court met according to adjournment His Honor the Judge ~~being absent~~ on account of ill health, his organs by the Court that the Sheriff adjourned the Court until Friday Morning 9 oclock. Am.

Friday morning Court ~~time~~ nine oclock am Court met pursuant to adjournment

Tannyhill & Smith
vs
82 John Word
In this case came the parties by their attorneys and it was ordered by the Court that this case be continued as on affidavit of defendant until the next Term

District Court Fall Term 1843 of Travis County

Samuel Whiting
33 vs
James F Edmonston } In this Case Came the Parties by their attorneys and on motion of defendant it was ordered by the Court that this Case be continued until the next Term

George M Collinsworth Et Al
23 vs
R A Wynne } This day Came the Parties by their attorneys and on motion of Plaintiffs It was ordered by the Court that this Case be Continued until the next term of Court.

George M Collinsworth Et al
22 vs
R A Wynne } This day Came the Parties by their attorneys and on motion of Plaintiffs It was ordered by the Court that this Case be Continued until the next term of Court.

James & Elijah Curtis
28 vs
Robert Mitchell } In this Case Came the plaintiffs by their attorneys & say they will no further prosecute their Suit = It is therefore ordered by the Court that the defendant go hence & recover of the plaintiffs all Costs in their behalf expended &c

Wm H Watts
75 vs
Richd & M. P. Bullock } This day Came the Parties by their attorneys and on motion of defendants it was ordered by the Court that this Suit be dismissed for want of Security for Costs & that the defendants recover of the Plaintiff all Costs in this behalf expended &c

Wm H Watts
78 vs
Richd & M. P. Bullock } This day Came the Parties by their attorneys and on motion of defendants = It was ordered by the Court that this Suit be dismissed for want of Security for Costs & that the defendants go hence without day and recover of the plaintiff all Costs in this behalf expended &c

District Court Fall Term 1843 of Travis County

On motion of John D Anderson the District attorney- It was ordered by the Court that Copies of the Indictment found at the present term of the Court against Lonis P. Cooke & George W Barrett for murder be Served upon defendants, and it is further ordered that said def-endants L. P. Cooke & George W Barrett be brought before the Court on Saturday Morning the 9th instant-

Alexander Russell
69 vs
Mosey Wood } In this case - It was ordered by the Court that this suit be revived in the name of Robert G Miles and that it be continued until the next term.

Herndon & Sullivan
77 vs
Asa Brigham Admr. } This day came the parties by their attorneys and on motion of plaintiffs - It was ordered by the Court that a plenires Se fa do issue to the Sheriff of Washington County & case Continued

Ira R. Lewis
106 vs
John Rowlan } This day came the plaintiff by his attorney and suggested the death of the defendant - whereupon it is ordered by the Court that a Se fa be issued to his representative when known

Samuel Ricker
117 vs
Samuel Whitright & I W S. Niles } In this case it was ordered by the Court that a plenries writ of petition be issued to defendants in Matagorda County & case Continued-

P W. Herbert
123 vs
James Edmonson } This case is continued under a former order of the Court.

District Court Fall Term of Travis County 1843

Louis. P. Cooke
134 vs
Tibbe } In this case the defendant though Solemnly Called Came not but made default It is therefore Considered by the Court that the plaintiff recover of the defendant all costs in this behalf expended &c.

Wm Hamilton
133 vs
John Grumbley } In this case came the plaintiffs by his attorney and says he will no further prosecute his said Suit = It is therefore ordered by the Court that the defendant go hence without day & recover of the plaintiff Hamilton all Costs in this behalf expended &c

Charles Larabee
24 vs
T R Marston } This day came the plaintiff by his attorney and suggested the death of the defendant Where upon it is ordered by the Court that a Sci fa be issued to his representative when known & case continued

M Ziller
26 vs
M Morris } This day came the parties by their attorneys and on motion of plaintiff = It was ordered by the Court that this suit be dismissed, and that the plaintiff recover of the defendant all costs in this behalf expended &c

Friday evening Court adjourned until tomorrow morning 9 oclock

Saturday morning 9 Oclock am Court met pursuant to adjournment. His Honor the Judge on account of bad health, the Sheriff adjourned the Court until Monday morning 9 Oclock am.

District Court Fall Term of Travis County 1843

Monday Morning Sept 11th 1843. Court met pursu=ant to adjournment.

On the suggestion of the District attorney John D Anderson = It was ordered by the Court that Tuesday morning the 12th instant be set apart for the trial of the Criminal Causes

A W Luckett
vs bill of Injunction
Moses Wood

In this Case came the parties by their attorneys and on motion of defendants attorney it was considered by the Court that the bill be dismissed for want of equity and that the defendant Wood go hence without day & recover of the Complainant the costs of suit in this behalf expended &c

The Republic of Texas
vs Indictment for murder
Louis P Cooke & This day the said Louis P Cooke and
George W Barrett George W Barrett, who stand indicted by the Grand Juros for the County & Republic aforesaid by their bill heretofore returned into Court, were by order of the court brought into open Court, and it appearing that a copey of the Indictment aforesaid, had been furnished each one of the said prisoners and thereupon they the said Louis P Cooke & George W Barrett were in due form of law arraigned & charged upon said Indictment for the murder of Mark B Lewis and they and each of them then & there pleaded not guilty to the charges & allegations in said Indictment contained, and put themselves upon their God & their country for trial and thereupon also came John D Anderson District attorney for the third Judicial District for the Republic aforesaid and doth the like = whereupon it was then ordered by the Court that a Venire for thirty seven jurors good and lawful men of said County be issued instanter, to the Sheriff of said County & that immediately on its return the said prisoners be furnished with a copy thereof = and it is further ordered that the prisoners be remanded to safe custody of the Sheriff

263

District Court Fall Term of Travis County 1843

The Republic of Texas
vs
George W Barrett & Louis P Cooke } Indictment for murder

This day the said George W Barrett and Louis P Cooke who stand indicted by the Grand Jurors for the County & Republic aforesaid by their bill heretofore returned into Open Court, and it appearing that a copy of the Indictment aforesaid, had been furnished each of the said prisoners and thereupon they the said George W. Barrett & Louis P Cooke were in due form of law arraigned & charged upon said Indictment for the murder of Alexander G. Peyton and they and each of them there & there pleaded not guilty to the charges & allegations in said Indictment contained, and put themselves upon their God & their Country for trial, and thereupon also came John. D Anderson District attorney for the third Judicial District for the Republic aforesaid and doth the like

Whereupon it was then ordered by the Court that a venire for thirty Seven Jurors good and lawful men of said County, be issued instanter to the Sheriff of said County & that immediately on its return the said prisoners be furnished with a Copy thereof = And it is further ordered that the prisoners be remanded to the safe custody of the Sheriff

137 Jabez W Caple
vs
Saml Whiting } This day came the plaintiff by his attorney and suggested the death of plaintiff = whereupon it is ordered by the Court that I Alcorn be made a party to this suit & Security for Costs to be given, or Suit to be dismissed

Larkin S Sullivan
vs
121 W S Beaty Assr } This day came the defendant by his attorney and on motion It was ordered by the Court that this suit be dismissed and that the defendant recover of the plaintiff all costs in this behalf expended &c for which execution may issue

Sam Houston Pres^dt for the use &c
✓ 138 vs
B D Basford J M Harrell & J J Whatley } This day came the parties by their attorneys and on motion of defendant it was ordered by the Court that the defendant go hence without day and recover of the plaintiff James A Colquee all costs in this behalf expended & for which execution may issue

Lydia Gibberson
✓ 103 vs
Asa Brigham } In this case came the parties by their attorneys and on motion of defendant It was ordered by the Court that Security for costs be given within sixty days or Suit to be dismissed

Blacks admr
27 vs
Dobsons admr } This day came the parties by their Attorneys and submitted their cause to a jury of good & lawful men to wit W W Atwood & Eleven others who after being duly chosen and sworn to try the issue joined whereupon the plaintiff before the jury retired took a non suit - It was therefore ordered by the Court that the defendant go hence without day and recover of the plaintiff all costs in this behalf expended & c
The Court adjourned until tomorrow morning nine Oclock am.

Tuesday morning nine Oclock am
Court met pursuant to adjournment, His Honor the judge being absent on account of ill health, Friday the Sheriff to adjourned the Court until ten Oclock Tomorrow Morning

Wednesday morning 10 Oclock am Court met pursuant to adjournment,

+ Jacob M Harrel Chas F King & L Taylor after being duly Sworn were sent before the grand Jury to answer questions upon bills of Indictment

265. District Court Fall Term 1843 of Travis County

Wednesday morning 13th September 1843

36 Republic of Texas vs Gambling
D M Underhill

49 Republic of Texas vs
D M Underhill

53 Republic of Texas vs Gambling
Wm A Porter

62 Republic of Texas vs asst with int to kill
Thos H Duggan

105 Republic of Texas vs Keeping Faro without License
G A Harrison

131 Republic of Texas vs Keeping Faro Bank
D M Underhill

134 Republic of Texas vs Ross Gorman } In the above cases on motion of John D Anderson District attorney - It was ordered by the Court that a Nolli prosequi be entered

50 The Republic of Texas vs Richard Ross on the suggestion of the Attorney for the Republic in this case - It is ordered by the Court that a Scire Facias be issued to the defendant & his Securities the recognizance bond having been forfeited & case continued

54 The Republic of Texas vs K H Muse } on the suggestion of the Attorney for the Republic, in this case - It is ordered by the Court that a Scire Facias be issued to the defendant and his Securities the recognizance bond having been forfeited & Case Continued

124 The Republic of Texas vs B H Butt & Wm D Thomas on the suggestion of the attorney for for the Republic It was ordered by the Court that a Nolli Prosequi be entered as to both of the defendants

Republic of Texas
118 vs Retailing Liquors without License
E Sanders This day came the Republic by her Solicitor John D Anderson and on motion it was ordered by the Court that this case be continued, and a pleuries capias to =issue to the Sheriff of Travis County

Republic of Texas
166 vs Retailing Liquors without License
Jas F Edrington This day came the Republic by her Sol =icitor John D Anderson and on motion it was ordered by the Court that this case be continued & alias writ to issue to the Sheriff of Travis County

Republic of Texas
80 vs } Betting at Faro
Alexander Coleman } This day came the Republic by her Solicitor John D Anderson and on motion It was or= =dered by the Court that this case be continued & alias Capias to issue to the Sheriff of Travis County

Republic of Texas
vs Permitting Faro to be dealt in house
G H Harrison This day came the Republic by her solicitor John D Anderson and on motion It was ordered by the Court that this Case be Continued, and alias Capias to issue to the Sheriff of Washington County.

Republic of Texas
vs an affray
Parkerson & Hazlett This day came the Republic by her Sol =icitor John D Anderson, and on motion it was ordered by the Court that this Case be continued and alias Casa issue to the Sheriff of Travis County
The Grand Jury ~~of the second jury~~ returned into open Court the following bill of Indictment
The Republic of Texas vs Wm Hamilton } Prosecutor Day Sum
Ass with intent to Kill } Thos Ward foreman of the grand Jury

District Court Fall Term 1843 of Travis County

The Republic of Texas
vs
M Zeiler & Parkerson } an affray = not a true bill (Sig^ed) Thos Ward foreman

The Republic of Texas
vs
John A. F. Gravis } perjury } Not a true Bill (Sig^ed) Thos Ward foreman

Thursday Morning September 16th 1843.
Court met pursuant to adjournment

Columbus Browning after being duly sworn in open Court was sent before the Grand Jury to answer questions upon bills of indictment=

The Republic of Texas
vs
Cooke & Barrette } for murder } In this case came the defendant Louis P. Cooke in his own proper person & in open Court waived the necessity of the service of the venire for the two entire days and announced himself then ready for trial.

The Republic of Texas
vs
Louis P. Cooke & Geo W Barrette } In this case one of the accused Louis P Cooke filed his affidavit, & on motion it was then considered by the Court for the reasons stated in said affidavit the prisoner have leave to sever in their trial & the Court then proceeded with the trial of Louis P Cooke & said Barrett was remanded to =jail

Os.borne was excused by the Court for his non attendance as a Grand Juror at the present term of this Court upon the affidavit of William Hamilton

The Republic of Texas
vs
Louis P Cooke &
G. Cook

Friday morning Sept 15th 1843= Court met pursuant to adjournment

J. W. Lancy Trustee
vs
Savery & McArthur } In this case the complainant came in to Court and offered an amendment to his bill which was allowed & received by the Court & the same filed

The Republic of Texas
vs
Louis P Cook & George W Barrett } Indictment for murder
that William P Sharpe a juror returned on the Venire in said cause for the trial of the same was sworn on his voire dere and asked by the counsel for the prosecution if he was a citizen of the County & a free holder, and if he did not sit as one of the Jury of inquest held over the body of said Lewis mentioned in said indictment he answered in the affirmative. Whereupon the counsel for the prosecution moved that the said Juror stand aside as disqualified = The Verdict of the Jury of inquest is in the words & figures following (towit)

The Republic of Texas
County of Travis } We the Jury Sworn to inquire a true presentment of the case wherein the Republic of Texas is plaintiff & Louis P Cook & George W Barrett defendants for the murder of M. B. Lewis, are of opinion that he came by his death by a shot from either barrel or Cook (Signed) A B McGill A L Upsher H Koontz Martin Moore, A.V. Leach C. I. Burgess, John A. F. Gravis Lewis Horst, D. C. Cady Henry Burgess W. P. Sharpe I. S. Sutton John A. F. Gravis Foreman = whereupon the Court ordered and adjudged that the said Sharpe was disqualified to sit as a juror in said cause and that he stand aside because he sat on the jury aforesaid & returned said Verdict all which was objected to by defendants Counsel & they pray that this their bill of exception be signed, sealed and made a part of the record in said cause

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Friday Morning Sept 15th 1843

The Republic of Texas
vs
Louis P. Cooke & George W Barrett } for murder
Fall Term District Court Travis County = Be it remembered that on the trial of this Cause the defendants by their Counsel filed their motion on the motion docket of said Court in the words and figures following, towit,

The Republic of Texas
vs
Louis P Cooke & Geo. W. Barrett } Indict for murder of Mark B Lewis & Alexander Peyton

In these cases the Counsel for the defendants moved the Court and stated that they were willing to waive the necessity of two entire days service of the Venire for a Jury returned in this case and that they the said defendants were ready to proceed with the trial of said Cause or Causes, and the Counsel for the defendants demanded that the same be entered of record in said Court which was refused by said Court to be entered of record

(Signed) Mayfield, Lee, Webb Counsel for defendants. = Which said motion after argument was adjudged and overruled by said Court, to which judgment and opinion of the Court the defendants by his Counsel excepts and prays that his bill of exceptions be signed sealed and made a part of the record in said Cause, said motion was overruled on the grounds that the defendants must make the waiver in their own proper persons.

(Signed) R. E. B. Baylor Seal
Judge &c.

Samuel Norvell A. J. Harrell & Thos Freeman were brought into open Court and after being duly Sworn were sent before the Grand Jury to answer questions.

On the Suggestion of John D Anderson District attorney it was ordered by the Court that the prisoner Louis P Cooke be remanded back to Jail under Custody of the Bailiff

The grand Jury there being a full and legal panel returned into open Court the following Indictment

The Republic of Texas

vs accepary &c A B. Eberly Prosecutor.

Charles F King (Signed) Atrue bill Thos Ward foreman Grand Jury

In this case a capias is not to issue against Barrett & Cook the Indictment being alone against said King as accepary

Saturday morning Sept 16th 1843

Court met pursuant to adjournment

John Edwards & William Thorn by the Court after taking the oath prescribed by Law were appointed Sheriffs to fill the vacancy of Sheriff in and for the County of Travis in consequence of a bill having been found by the grand jury against the Sheriff of said county Charles F King for being an accepary to the alleged murder of On motion of John D Anderson District attorney it was ordered by the Court that the Venire be quashed and that an alias venire be issued

Mark B. Lewis, by Louis P Cooke & George W Barrett now pending & on trial in this court, and there being no qualified coroner in said County of Travis, came into open court & took the necessary oath of office.

The Republic of Texas Indict for the murder of Mark Lewis P Cooke & Geo W Barrett & B Lewis In this case came the John D Anderson District attorney of the Third Judicial District for the Republic & moved the court in this case to quash the venire returned by the Sheriff Charles F King in this case, because it appears to the Court that said Charles F by a bill of Indictment returned into this court, that said Charles F King Sheriff as aforesaid, stands charged as being an accepary upon the fact in the crime alleged against the aforesaid Cooke & Barrett & for which the said Cooke now on trial and which motion after argument had as well for the Republic as for the said accused, the said motion sustained by the court & said venire be quashed and it being considered by the Court that there will not be a sufficient time for the trial of this case at the present Term of the Court, It was ordered by the court that the same be continued to the next Term of the Court, and thereupon came into open Court, Samuel Norvell A J Hamilton Francis Jordan Sen, Wm Cockburn Thomas Freeman sureties on the part of the Republic & severally acknowledged themselves to owe & be indebted to the Same Houston, President

270. Fall Term A.D. 1843

in the sum of five hundred dollars each to be
levied of their goods & chattels land tenements
to be void & void even if they & each of them
should be and appear at the next term of
the District Court for said County & then
there to stay in behalf of the Republic &
not to depart without leave of the Court
And also at the same time came Jacob
Dolson & acknowledged himself to owe &
be indebted to the President of the Republic
of Texas in the penal sum of one hundred
& fifty dollars to be levied of his goods &
chattels lands & tenements, to be void however
if he should well & truly hear & appear
at the next term of said District Court
& then & there to stay in said case on
behalf of said accused not to depart
hence without leave of court. Also the
the above named case of the Republic of
Texas against said Louis P. Cooke and
& Alexander George W Barrett was put
this ordered by the Court that said prisoner
be remanded to the custody of William Hornsby
and John Enardy the Elizors appointed by the
Court as aforesaid, to be safely & securely
kept until the next term of the court,
but in the event that there should be a
legal coroner in said County said
Elizors are hereby directed to deliver
the said prisoners to him who is hereby
ordered to receive & take charge of the
said prisoners as have been him before given
to said Elizors, that the Clerk of this Court
forthwith furnish said Elizors with a copy
of this order, & which they shall hand
over to the coroner with said prisoners
in the event of one being duly & legally qualified

Republic of Texas } Indictment for the murder
vs } of Alexander G. Peyton
George W Barrett & }
Louis P. Cooke }

In this case came the
accused Louis P Cooke one of the above
named defendants, who upon his affidavit
filed moved the court for leave to sever

on his trial and for ~~said cause~~ the venue of this case to be changed for reasons stated in said affidavit from this County to some County free from the objections set forth in said affidavit & which affidavit being supported by the affidavit of three respectable citizens of said County of Travis It was ordered by the court that said recognizance be allowed & said case transfered to the County of Bastrop for trial & that the Clerk transmit all the original papers ~~by the bond~~, in this case carefully sealed up by some discreet person to the Clerk of the District Court of Bastrop County immediately and that the Ellijos now having the custody of said prisoner be directed to safely to convoy said Louis Pleasants to said Court at the Town of Bastrop by Tuesday evening the 19th Instant & deliver said prisoner to the custody of the Sheriff of Bastrop County who is hereby commanded to receive & take charge of said prisoner and it is further ordered that the Clerk deliver to the Ellijos a copy of this order who are required to hand the same over with the prisoner to said Sheriff of Bastrop It is further ordered that the Clerk issue subpoenas for the witnesses upon the application of either of the parties in the said prosecution returnable to the district Court of said County of Bastrop on Tuesday next the 19th instant,

D. C. Dalrimple Atty
vs
Matthias Bibbinger

In this case the defendant moves the Court that the Plaintiff be required to give security for cost, it is therefore by the Court the Plaintiff give security for Cost within sixty days or the case stand dismissed,

Ordered that the Court adjourn till the next regular term thereof

R E. B. Baylor
Judge &c

District Court Spring Term 1844

Be it remembered that there was begun & held in the City of Austin County of Travis at the Court House thereof a District Court in and for said County Present C. C. Hornsby Sheriff and John Wooldridge Clerk his Honor the Judge of the third judicial District being absent the Sheriff adjourned the Court until tuesday morning 10 o'clock a m

Tuesday morning 10 o'clock am Court met pursuant to adjournment Present his Honor the Judge R. E. Baylor. Thomas Ward deputy Sheriff & John Wooldridge Clerk of said Court The Court then procuded to its further organization the Venire facias which had been duly issued and returned by the Sheriff of said County being called the following person answered to their names (Viz) James Smith Lewis Capt Thomas Fruman Alfred Smith A. W. Leach Aaron Burleson George I. Glapcock George Bratton James Young Jesse C. Tannehill Dennis Walsh Washington Anderson James Manor Hiram B. Hill M. Zillers Alexander Hamilton Henry Loomis R. Hornsby = William Strawn after being duly sworn by the Court to answer questions was excused from serving as a Grand juror The Court then procuded to draw fifteen names from the jurors then present to Constitute the Grand jury (Viz)

1 James Smith
2 Lewis Capt
3 Thomas Fruman
4 Alfred Smith
5 A. W. Leach
6 Aaron Burleson
7 Georg I. Glapcock
8 George Bratton
9 James Young
10 Jesse C. Tannehill
11 Dennis Walsh
12 Washington Anderson
13 James Manor
14 Hiram B. Hill
15. M. Zillers.

James Smith was appointed foreman by the Court & being duly sworn the other jurors were then sworn accordingly and charged at length by the Court The Grand jury then retired under charge of the proper officer to Conclude of their presentments

The civil docket was then taken up and read by the Court and adjourned until Wednesday morning 10 o'clock am

274. Wednesday Morning March 6th 1844

Present as before Court met

No 1 Sum's Book

Thos H Duggin
& Henry Terrill } Ange now at this day came the parties
& their Attorney, whereupon the Complainants by his
Attorney saith he will not further prosecute his suit
and dismisses his bill. Wherefor it is adjudged and decreed
that the said Complainants pay all costs in this behalf
expended and that Execution issue therefor

2 Geo I Blapcock
vs
Jno F Wilson
Alexander Russell } This case set for hearing on Friday next

3 vs
A B Ely } Continued under the former order of the Court

4 Louis Goodwin
vs
Robt H Wynne } Continued & alias proc ordered to Galveston County

5 Alexander Russell
vs
A Murchinson } Continued under the former order of the Court

6 Danl Kinchlow
vs
R H Mussett } Continued by consent

7 Asa Brigham Admr
vs
8 Nowland & Obrian } Continued

Richard Loyd Ex &c.
vs
Mitchell & Hamp } Now at this day comes the parties by their Counsel and the said Barton in person that present Administrator of the Estate of Wm Barton deceased & moves the Court in as much that Richard Loyd the Executor of said Estate having resigned that he the said Barton be made a party to said Suit and the case continued which was ordered by the Court.

Wayne Barlow
10 vs
Mitchell & Hamp } Now at this day came the parties by their Attorneys and also a Jury of good and lawful men to wit Reuben Homsly, Wl. Wl. Thompson, Lewis Hosey, Wm Sharp, James Nuccomb, James Edmundson, Joshua Holden, Alfred Wl. Lockett, David Laughlin, Steven Cumming Jno Wl. Leland, & John F Webber, who after having duly sworn and having heard the testimony and the matter & things submitted to them by the Court retired to consider their verdict and afterwards came into Court and by their Foreman returned the following Verdict, to wit, "We the Jury find for the Plaintiff and the Defendant Robt Mitchell is guilty and the Defendant Able Hamp not guilty and we assess the damages against said Mitchell to One Hundred and Twenty two Dollars & Sixty Six Cents. W Thompson Foreman" Whereupon it is considered by the Court that said Plaintiff have judgement against the Defendant the said Robt Mitchell for One Hundred and Twenty two Dollars and Sixty Six cents, together with his costs in this behalf expended and that he the said Plaintiff have execution therefor."

The Republic of Texas } Indictment as a capias for Murder
County of }
Charles F King }

And now at this day comes the Defendant by his Counsel Edmd. J. Magfield and moves the Court that a Venire issue for a Jury to try said cause. Whereupon it is ordered by the Court that a Venire issue and that the Sheriff Summon Forthwith seven good and lawful men returnable on Saturday next and that said Defendant be served with a copy of said Venire and the Indictment against him.

Upon suggestion it was ordered by the Court that Saturday be set aside to take up the Criminal docket & Court then adjourned until Thursday Morning 10 o'Clock A.M.

Thursday Morning March 7th 1844

Present as before. Court Met

Over
M Cipentry
vs
Purchard Miller
M Cipentry
Sh. & Baas

And now at this day cometh

12
Purchard Miller
vs
Michael Gillis

And now at this day came the Defendant by his Attorney and the Plaintiff being three times severally & solemnly called came not to prosecute said suit whereupon it is considered and adjudged by the Court that the said Plaintiff's suit be dismissed for the want of prosecution, and that the Defendant go hence without day and that said Defendant recover from said Plaintiff all costs by him in this behalf expended and for which execution may issue and the Plaintiff be in mercy &c.

13
Baden Edwards
vs
M. J. Lamair
Silas Colvill Ex &c

Continued

14
Defenden & Sherman
Alexander Kupsell
vs
Moses Wood

Continued

15
Thos A Moore
vs
Thos Tuckett

Now at this day came the parties by their Attorneys and also a Jury of good and lawful men (Viz) George P. McCollis, James Newcomb, Lewis Hosh, Reuben Hornby, Joshua Holden, W. Thompson Jacob McDaniel, John Graves, B. H. H. Butts, Sam'l Craig John F. Miller & Thos Ware who after being duly sworn and having heard the testimony & the matters to them submitted by the court retired to consider their verdict and then came into Court and by their Foreman returned the following verdict, to wit, we the Jury find for

the plaintiff and assess the amount at 5 7 Dollars 05 7 cents
together with 15 Dollars and 84 Cints A W Thompson
Whereupon it is considered by the Court That said Plaintiff
have Judgement against said Defendants for Seventy four
Dollars and Ninety one Cents, together with his costs in
This behalf expended and That he the said Plaintiff
have execution therefor Judgment satisfied

Joseph M Spencer
17 vs
Wm S Wallace } Continued

Herndon & Sullivan
18 vs
Asa Bingham Admr } Dismissed as per agreement filed

William D Lacy
19 vs
L H Meade } Continued by consent

Shmeltzell & Smith
20 vs
John Woods } Now at this day came the Defendant by
his Attorney and moves the Court that his suit be
Continued and sci fa. to issue to the rep
resentative when known issued

James M Seely
21 vs
John R Mecomb } Continued and leave given to take the depo
=sition of Geo R Fenton "de bene esse"

Daniel C Watrous et alias
22 vs
James Shane, } Passed to the head of the Docket

L L Shane
23 vs
Ann T Woodridge

Isaac L Lowe
24 vs
John Rowlan } Now at this day came the day came the defendants by their Attorney
and the plaintiff being three times severally and solemnly called
came not to prosecute his said suits whereupon it is
considered and adjudged by the court that the suit of plain
tiff be dismissed for the want of prosecution and that the
defendants go hence without day and that said
defendants recover from said plaintiff all costs
by him in this behalf expended & for which execution may issue & the plaintiff
Now this day came the Defendants by their
Attorney and moves the Court that said
said suits be continued & sci fa issue to Thomas
Woods his Administrator

Spring Term AD 1844

25 McKinney & Williams
vs
A. R. Ellerby
Continued by order of the Court

Heirs at Law of Mathew Sleety
vs
26 Noah Smithwick & wife
Dismissed by the Plaintiff and defendant assumes the costs

John Adriance
vs
27 Martin Rumph
Saml Pickas
Dismissed for want of prosecution whereupon it is ordered by the Court that execution issue against the plaintiff for all costs in this behalf expended

28 Saml Whiting & S. H. S. Niles
vs
A. R. Ellerby
Dismissed for want of prosecution whereupon it is ordered by the Court that execution issue against the plaintiff for all costs in this behalf expended

29 Nowlan O'Brian
vs
P. W. Herbert
And now at this day came the Defendants by their Attorney and the Plaintiff being three times severally and solemnly called came not to prosecute said suit thereupon it is considered and adjudged by the Court that the said Plaintiff suit be dismissed for the want of prosecution and that the Defendants go hence without day, and that the said defendants recover from said plaintiff all costs by them expended in this behalf and for which execution may issue; and the plaintiff be in mercy &c

30 James Edmundson
vs
James A. Edrington
Continued under former order of the Court

31 Wm Cox & Scott
vs
Isaac R. Caples
Continued

Saml Whiting
vs
Jas Edmundson
Dismissed for want of security Costs not being given whereupon it is ordered by the Court that execution issue against the defendant for all costs in this behalf expended

Lydia Gibbeson
vs
Ira Brigham
Dismissed for want of security for costs not having been given whereupon it is ordered that execution issue for all costs in

this behalf expended

Geo. M. Collingsworth and

52 R. A. Wynne } Continued

Geo M. Collingsworth and

53 R. A. Wynne } Continued

Black's Administrator

54 Colson's Administrator } Continued and proceedings

to issue.

I. F. Grant

35 } Settled at the cost of defendants

Cummings & Custard

Burchard Miller

56 } Now at this day said cause being called

Geo. Haas & Co. came the Defendants who acknowledged himself indebted for the sum sued on the promisory Note in the plaintiffs petition and also came M. Miller by his Attorney Samuel Watt who filed his bill of Interpleading and also came a Jury of good and lawful men who being duly sworn and after hearing the testimony together with the matters & things submitted to them by the Court then retired to consider thereof and returned into Court with their foreman to wit W. Thompson Foreman & Geo D. McClarty Samuel Newcomb Reuben Holmes, Joshua Holden, Jacob Harrell, John Grant, B. H. Bullock, Saml Craig, John Ashby, Thos Ward & Samuel Edmondson, and delivered the following Verdict (to wit) We the Jury find for the Interpleader Michael Miller, and find for him against the Defendant One Hundred and Twenty six Dollars & Thompson it is considered by the Court that the Interpleader M. Miller recover from the Defendants the sum so found by the Jury aforesaid for which execution may issue and it is further adjudged by the Court that the plaintiff B. Miller take nothing by his Claim, and that he pay the costs of this suit for which execution may issue in favor of said M. Miller, and Thompson came into open Court the said M. Miller and acknowledged full satisfaction against said Geo & Haas & Co. for the judgement as aforesaid Thereupon It is ordered by the Court that execution may issue against said Plaintiff for all costs in this behalf expended

Spring Term AD 1844

Saml Watkins
37 vs
Thos W Ward

This day came James Webb into open Court and acknowledged himself indebted unto Saml Watkins in the sum of Sixty Dollars the condition to be void if the above entitled suit upon the said Thos W Ward paying all such costs & damages as may be awarded against him in the above entitled suit, Otherwise this condition to remain in full force and effect

Silas D Caple
38 vs
Wm L Whiting

And now at this day came the defendant by his Attorney & it appearing to the Court that according to an order made at the last Term thereof (to wit the fall term 1843) the said defendant was required to give security for the costs in this suit within sixty days thereafter, or said suit be dismissed & it further appearing that that security for the costs have not been given according to said order, It is therefore adjudged that said suit be dismissed & that said defendant go hence without day and that he recover from the said plaintiff his costs in this behalf expended for which execution may issue & said plaintiff &c in mercy &c.

Lydia Gibbertson
39 vs
Asa S Ingham.

And now at this day came the defendant by his Attorney & it appearing to the Court that according to an order made at the last Term thereof (to wit the fall term 1843) the said defendant was required to give security for the costs in said suit within sixty days thereafter or said suit be dismissed & it further appearing that security for the costs have not been given according to said order It is therefore adjudged that said suit be dismissed & that said defendant go hence without day and that he recover from the said plaintiff his costs in this behalf expended for which execution may issue & said plaintiff be in mercy &c.

Wm L Whiting
40 vs
Jamis F Adrington

Continued by the Defendant and leave given to take the deposition of George L Teulon Defendant without further notice before the Chief Justice of Travis County

Francis A Ogden Adms
41 vs
James M Ogden Deceased

Charles Sarahs
42 vs
J R Hanlon

Now at this day came the parties by their attorneys and on motion of the Plaintiff the suit was dismissed And defendant assumed the costs for which execution may issue and the Defendant in mercy

Friday Morning March 8th 1844

Court met present as before

Transferred to Equity

44 ~~Vs~~ Wm Ward

James Newcomb
vs
Harrison Th. Perry
& others
Robert H Grimes

Now this day came the parties and upon defendants assuming the costs the plaintiff dismissed his suit. Whereupon it is ordered by the Court that execution issue for all costs in this behalf expended

45 vs
Wm Th Hamilton
Henry Koontz

Continued & alias process awarded

46 vs
Nerdaline Haas
La Grange Intelligencer

Continued and order of publication made in the La Grange Intelligencer according to law

Wm R Smith
47 vs
Saml White

Continued & alias process ordered

C. A. Reese Admx
48 vs
James Burke

Continued.

Henry Millard
49 vs
Thos W Ward Commissioner
of the General Land Office

Continued agreeable former order of this day

Herman Ward
50 vs
Farley & Smith

Continued

Amos Tims
51 vs
R. Baldwell et al

Continued

William Orr
52 vs
Wm R M'Clure
Joseph F Smith

Continued

53 vs
Commissioner of the general land office

Continued

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54 Joseph C. Plummer
vs
Thos W Ward Commissioner of General Land Office

C. A. B. Stewart
vs
Thos W Ward Comr " " "

James Hodges
vs
Thos W Ward Comr " "
Wm Hamilton
vs
Thos W Ward Comr
Joseph W Davis
vs
Thos W Ward
Succession of Samuel Norton Deceased
vs
Thos W Ward } All the foregoing cases are continued

James Cole
vs
Thos H Duggan & Henry Terrell } On motion of the plaintiffs
Attorney the Nonsuit law at the present term of this Court was set aside
and the case reinstated upon the docket Court adjourned
until to morrow 9 A. M.

Charles Lanahe
vs
Jos. Marsden } Now at this day came the parties by their Attorneys and on
motion of the plaintiff the suit was dismissed and the defendant assumed the
costs for which it is ordered by the Court that execution may issue and
the plaintiff be in mercy &c

Saturday March 9th 1844

Court met pursuant to adjournment Present as before

It is ordered by the Court that Tuesday next be set aside for the continuation of the Criminal Docket.

Isaac Causey et al.
vs
Steven M. Hall, } Now at this day came the parties by their Attorneys and the Defendants plea to the jurisdiction of the Court being overruled by the Court, it is therefore ordered by the Court that the bill be set aside for hearing and be taken pro Confesso unless Answered by the next term

George J Mapes et al
vs
John F Webber } And now at this day came the plaintiffs and the defendants in their own proper persons, into open Court and agreed that the matters and things in dispute between them in the above entitled cause, be referred to the arbitrament and award of Samuel Hill & Harry Gillespie Esquires, who will decide the same according to the evidence and principles of Law and in the event of a disagreement between the said Samuel Hill & Harry Gillespie Esquires in the settlement of said matters of difference they be and are authorized to choose an Umpire, and the award when made by said Referees, shall be returned and made the judgement of the Court upon the said suit — And it is further agreed that the testimony taken by interrogatories on both sides and now on file, shall be used in the investigation by said Referees, and they shall also examine on oath, all such witnesses as either part shall produce before them on the investigation of the matters aforesaid, Court then adjourned until Monday

J. C. C. & C. M.

Frances B Ogden
vs
The Administrator of James M Ogden dec'd } This is a demand of the Plaintiff upon the defendants who is the administrator of James M Ogden, dec'd, for the Law Books being the Books of the profession of the deceased. In this case it is admitted that the deceased at the time of his death was an Attorney at Law practising his profession in the Courts of the Republic that the Book claimed by the Plaintiff as being exempt from sale as Assets of the Estate were the professional books of the deceased that the deceased left neither wife nor Child at the time of his death that the plaintiff is his Brother & only heir in the country that he died without will and indebted to the full amount of all his assets In view of these facts it is agreed that Judgment pro forma be entered in favor of the administrator with the right of appeal to the plaintiff, to the Supreme Court without his being required to give bond or security to prosecute said Appeal (Signed) Samuel Hill for plaintiff. Joseph Lee for Defendant

Monday March 11th 1844

Court met pursuant to adjournment present his Honor the Judge R. E. Taylor, Tho^s Ward deputy Sheriff and John Woolridge Clerk of said Court, &c

P. P. Cocke
vs
Benj Grayson. } Continued by consent

Silas Colwill Exctr
vs
Hayden & Denman } And now at this day came the defendant by his Attorney and the plaintiff being three times severally and solemnly called came not to prosecute said suit Whereupon it is considered and adjudged by the court that the said plaintiff's suit be dismissed for the want of prosecution And the defendant go hence without day And that said defendant recover from said plaintiff all costs by him in this behalf expended And for which execution may issue and the plaintiff be in mercy &c.

John H. Dancy Trustee
vs
Steven F. McArthur } Now at this day came Nicholas McArthur (One of the said defendants) by his Attorney and the plaintiff being three times severally and solemnly called came not to prosecute said suit Whereupon it is considered and adjudged by the court that the said plaintiffs suit be dismissed as to the said Nicholas McArthur for the want of prosecution and that the defendant go hence without day and that said defendant recover from said plaintiff all costs by him in this behalf expended And for which execution may issue and the plaintiff be in mercy &c. Said suit stand continued as to all other parties.

Wm C. Dalrymple
vs
Mathias Milbarger } Now at this day came the defendant by his Attorney and moves the Court that security for costs be given within ten days or that the said suit be dismissed &c

Hammond
vs
Whiting } Continued by consent

R. R. Wynne
vs
Wm T. Woolridge } And now at this day came the defendant by her Attorney and the plaintiff being three times severally and solemnly called came not to prosecute said suit Whereupon it is considered Cont'd

And adjudged by the Court that the said plaintiff suit be dismissed for want of prosecution and that the defendant go hence without day and that the said defendant recover from said plaintiff all costs in this behalf expended and for which execution may issue and the plaintiff be in mercy &c

Ira R Sowers }
vs
John Nowlan } On it appearing to the Court that the former entry was erroneous it is ordered that the same be and is hereby rescinded and Considered and stand open for trial

Michael Miller }
vs
Tho. M Ward. } Now at this day came the parties by their Attorneys and also a Jury of good and lawful men, to wit: Reuben Hornsby, N W Thompson, Lewis Horsley, Geo. B. McClusky, B. H. H Butts, Jacob Harrell, James Newcomb, Wm Sharp, Thos. M Ward, John Travis, C C Cushman & Thomas Moore, who after being duly sworn and having heard the testimony and the matters And things submitted to them retired to consider thereof and thence came into court and by their foreman returned the following verdict, We the Jury find for the Plaintiff Nine Dollars. N. W. Thompson. Whereupon it is considered by the Court that said plaintiff have judgment against said defendant for the sum of $9.00 cts together with his costs in this behalf expended and that he the said plaintiff have execution thereof

This day appeared in open court Wm M. Hara Esq and took the Oath to support the Constitution of the Republic of Texas, and also an Oath to well and truly demean himself as a practicing Attorney of this and all other Courts within the said Republic

Susan A Darston Executrix }
vs
W. B. B Hall. } Now at this day came the parties by their Attorneys and upon defendants assuming the costs the plaintiff dismissed his suit. Therefore it is ordered by the Court that execution issue against said defendants for all costs in this behalf expended

Court then adjourned until 9 OC Tuesday Morning

286.

Tuesday March 12th 1844

Court met present as before.

This day appeared in open court Thomas Johnson Esq and took the oath to support the Constitution of the Republic of Texas and to bear true allegiance to the same and also an oath well and truly to demean himself honestly as District Attorney of this and all other Courts within the third Judicial District of this Republic. and also produced his commision of District Attorney.-

The Republic of Texas vs Wm Hanson } The court took up the criminal docket when the following proceedings were had (to wit):

A. Hanson District Attorney and moved the court that this cause be continued and a plures Capias ordered to Washington County It is therefore that said cause be continued and that a capias issue accordingly -

The Republic of Texas vs Wm Coleman } Noli Prosequi entered

The Republic of Texas vs Edmund J. Edmiston } Continued and alias capias ordered to Washington County

The Republic of Texas vs Edward Seidenz } Continued and Capias ordered

The Republic of Texas vs Benj. H. Butts. & W. G. Thomas } Noli prosequi entered -

The Republic of Texas vs Parkerson & Hazelett } Continued and plures capias ordered

The Republic of Texas vs Lewis Cooke & Geo W Barnett } Continued

The Republic of Texas vs Martin Moore } Appeal from Justice court dismissed at the cost of the Republic

Spring Term 1844

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Republic of Texas &c. Michael Zeller, } Appeal from
Justices Court dismissed
at the cost of the Republic

James Cole
vs
Thos H Duggan &
Henry Terrill

This day came the parties by their attorneys, and also a jury of good & lawful men (to wit) Wm W. Thompson and eleven others who being elected tried and duly sworn, on their oaths do say that they find for the Plaintiff, and that he recover only as to the Defendant Dugg the sum of eight hundred and twenty five dollars and twenty nine cents principle and ninety nine dollars and sixty cents interest, amounting to three hundred and eighty four dollars, and eighty nine cents. It is therefore adjudged and considered by the court that the said Plaintiff do have and recover of and from the said Defendant Thos H. Duggan the sum so assessed by the Jury aforesaid together with all costs about his suit in this behalf expended for which Execution may issue, and the Defendant in mercy &c. — It is further ordered and adjudged that the Defendant Henry Terrill the issue being by the jury found in his favour go thence without day and that he recover of the Plaintiff James Cole his costs about his defence in this behalf expended for which execution may issue &c.

Wednesday March 13th 1844

Court met pursuant to adjournment. Present as before

Republic of Texas } Indictment as accepted
vs
Charles F. King.
Now at this day came the Republic by Thomas Johnson Atty and Charles F. King in his own proper person and his property arraigned in open Court & having heard the Indictment read pleaded thereto and answered not guilty. Court then adjourned until Thursday 9 o'Cl A.M.

Thursday March 14th 1844

Court met pursuant to adjournment

The Republic of Texas } Indictment as accepted
County of Travis
And now at this day came the Republic by her Atty Thomas Johnson, Esq as also the defendant Charles F. King and he being prepared for trial a jury of good and lawful men being called & elected impannelled and duly sworn — to wit — Reuben Hornsby, John Saunders Samuel Watkins, Joseph Hornsby, Isaac Pearson, M. M. Parkerson, Lewis Horsby, John Webber, M. Scrimsher, James Mathews, Wm Atwood, John D. McCloud. Who having heard the testimony in said cause and the matters & things to them submitted by the Court instantly & without retiring from the Jury Box, returned and announced the following as their Verdict to wit.
We the jury find the defendant Chas F King not guilty in manner & form as charged within in the within Indictment. Jno. D. McCloud. Foreman
Whereupon it is adjudged and considered by the Court that said Chas F King go hence without day and that he have judgement for his costs in this behalf expended and that the Republic take nothing by her false clamour

Jas Cole
vs
Thomas A Duggan & Henry Jewell } Verdict & Judgment for Plaintiff March Term 1844

And now at this day came the defendants by their Attorneys and in open Court filed an appeal which is granted according to law

Thursday March 14th 1844

Edwin Moorhouse etal, vs James Lane } Court met present as before. Trespass to try title. And now at this day came the Plaintiff & their Attorney and the Defendant being three times solemnly called came not whereupon the matters and things in said defendants demurrer containd being heard & considerd by the Court. It is ordered & adjudged that said demurrer be overruled

Edwin Moorhouse etal, vs James Lane } Trespass to try title. And now at this day came the Plaintiffs by their Attorneys and the Defendant being three times severally & solemnly called came not whereupon on motion of the Attorney of said plaintiff came a jury of good & lawful men of said County, to wit Wm Thompson and others who after being duly sworn, well and truly to try the issues between the parties in the pleadings in said cause contained & having the documents & evidence therein submitted to them and the charge & direction of the Court & after retiring to consider of their Verdict, say "We the jury find the issues in favor of the Plaintiffs and that they are entitled to the land in controversy

Wm Thompson Foreman

Whereupon it is considerd by the Court that the said Plaintiffs recover from said Defendant the land in controversy in the said suit & that the Sheriff of the county of Robertson be & he is hereby ordered to deliver to them the possession thereof according to law & it is further considered by the Court that the Plaintiffs recover of the Defendants their cost in this behalf expended for which execution may issue.

Wayne Barton vs Mitchell & Hamp } The Defendant & Intends to prosecute tiff March Term 1844

And now at this day came the Defendant Robert Mitchell by his Attorney and in open Court prays an appeal from the judgement rendered in this case which is granted according to law

290.

Spring Term 1844

The Grand Jury this day a full and legal panell returned the following Bills of Indictment in Court

The Republic of Texas vs Wm Allen — Indictment for Card playing A true Bill James Smith Foreman

The Republic of Texas vs John Tittle — Indictment for House Breaking A true Bill James Smith Foreman

The Republic of Texas vs Wm Cockburn & Hosea Wood — Indictment for Affray A true Bill James Smith Foreman

The Republic of Texas vs Joshua Holden — Indictment for card playing A true Bill James Smith Foreman

The Republic of Texas vs Hosea Woods — Indictment for playing cards A true Bill James Smith, Foreman

The Republic of Texas vs Thos Price — Indictment for Card playing A true Bill James Smith Foreman

The Republic of Texas vs Wm Cockburn — Indictment for card playing A true Bill James Smith Foreman

The Republic of Texas vs Martin Moon — Indictment for permitting cards to be played in his House A true Bill James Smith Foreman

The Republic of Texas vs Martin Moon — Indictments for playing cards A true Bill James Smith Foreman

Upon all of the foregoing Bills of Indictments It is ordered by the Court that the Clerk issue capias against each defendant returnable to the next Term of the Court — and that the cases be continued

Spring Term 1844

It is ordered by the court that the Sheriff & Clerk of Travis county in the presence of some Justice of the Peace in and for said county draw thirty six jurors good and lawful men according to law, to be and appear at the next Term of the District court for said county and that the said Clerk issue a venire facias for the same —

The Grand Jury returned the following Bill in to court —

Republic of Texas
vs
Thos W^m Ward

Indictment for Perjury

Not a true Bill
James Smith Foreman

It is ordered by the court that, the same be now adjourned until the next term thereof

R. E. B. Baylor Judge &c

District Court Fall Term 1829

Be it remembered that this day began and held in the City of Austin County of Travis & the court House thereof, a District Court in and for said County, Present Thomas Ward Coroner, when being the Sheriff for said County and John R Woolridge Clerk the Hon Judge of the Third Judicial District being absent the Coroner adjourned the court until Tuesday morning 9 O Clock A.M.

Tuesday Morning 9 O Clock A.M.

Court met pursuant to adjournment. present Tho Ward Coroner and John R Woolridge Clerk. the Hon the judge being absent the Coroner adjourned the court until Wednesday morning 9 O Clock A.M.

Wednesday morning 9 O Clock A.M.

Court met pursuant to adjournment. present the Hon the judge R R B Baylor Thomas Ward Coroner and John R Woolridge Clerk of said court, the court then proceeded to do further organization. And it appearing to the satisfaction of the court that the Clerk and Sheriff of said Travis County in the presence of Jacob M Harrell a Justice of the peace in and for said county had regularly drawn Thirty Six persons to serve as Jurors at the present term of this ~~court~~ court, viz

L & C Cady, Jas Cole. Wm P Sharp, H Anderson, A B McGill. Joseph Hornsby, L & Thos L & C Browning, James Baker, C C Cushman, Jas Manor, H H Thompson, Thos Freeman, James Hamilton. Peter Kerr, Charles Walker Jas A Hodd. Wm Holchakiss. Thos Puckett W Collingsworth, Saml Watkins Thomas Moore. Thos Ward, Joseph Scott. Henderson Lipscomb, Geo C Hapcock Aaron Boyce J & Tannehill. Thomas Webb, George, John, Hapcock Wm Hornsby Noah Smithwick Alfred Smith Wm Brallon. Jas Smith Geo Scott

The Venire Facias which had been duly issued and returned by the Sheriff of said County, being called the following persons Jurors as aforesaid, answered to their names. Viz- L & C Cady, Thos Moore, Wm Hornsby, Wm Brallon, George Scott Wm Sharp, A B McGill, C & Browning, W C Collingsworth, Thos Freeman, Saml Watkins, J & Tannehill, Henderson Lipscomb C C Cushman, James Manor, Jas Hornsby, Thos Ward.—

= Chas Walker, Jas Scott & Wm Holchakiss after being duly sworn by the court to answer questions were excused from serving as Grand Jurors. The Court by the Sheriff and Clerk then proceeded to draw Fifteen names from the whole number of Jurors then present to constitute the Grand Jury, to wit J & Tannehill Wm Hornsby Henderson Lipscomb, Thos Freeman Thos Ward C C Cushman Wm C Collingsworth Jas Hornsby Thos Moore, George Scott L & C Cady James Manor Wm Brallon A B McGill Saml Watkins.—

J & Tannehill was then appointed Foreman by the Court & duly sworn as such in the presence of the other Grand

the other Grand Jurors were then also sworn according to law

at length by the court. The Grand Jury then retired under

the proper Officer to consider of their presentments

Docket was then taken up and read over the

Then adjourned until Thursday Morning 9 O Block A.M.

Monday September 9th 1844

Be it remembered that Thomas Logan Judge in the 14th Judicial District of Texas at the Court House in and for the County of Travis at the Court House thereof a Quorum being present to wit: Present Thos Ward Coroner John R Wooldridge Clerk. The Hon Judge of the 3rd Judicial District being absent the Sheriff adjourned the Court until tomorrow morning 9 O'Clock A.M.

Tuesday Morning 9 o'clock A.M.

Court met Pursuant to adjournment Present the Hon Thos Ward Coroner and John R Wooldridge Clerk. The Hon the Judge being absent the Sheriff adjourned the Court until Wednesday morning 9 o'clock A.M.

Wednesday Morning 9 o'clock A.M.

Court met Pursuant to adjournment Present the Hon the Judge Thos Ward Coroner John R Wooldridge Clerk of said Court proceeded to the further organization of the Grand Jury and returned by the Sheriff of said County the following persons as Jurors and answered to their names to wit: Wm Hornsby Wm Bratton, Geo Scott, Wm P Sharp, A B McGill, Saml Watkins, Wm G Collingsworth, Thos Freeman, Saml Watkins, Henderson Upchurch, C C Cushman, Jas Manor, Thos H Ward, Chas Walker, Jas Scott, & Wm Hotchkiss of the long list summoned by the Court to attend, and no excuses from serving by the sheriff and clerk

The Court then proceeded to draw Fifteen names from the list of persons then present to constitute the Grand Jury, to wit

1	J C Tannehill	8	Jas Hornsby
2	Wm Hornsby	9	Geo Mabin
3	Henderson Upchurch	10	Geo Scott
4	Thos Freeman	11	C C Cushman
5	Thos H Ward	12	Saml Manor
6	C C Cushman	13	Wm Bratton
7	Wm G Collingsworth	14	A B McGill
		15	Saml Watkins

J C Tannehill was appointed as such in the presence of the other grand jurors

Foreman by the Court & being duly sworn, the other grand jurors sworn according to law and charged at length by the Court

The Grand Jury then retired under charge of the proper officer to consider of their presentments

The civil Docket being called over and read, the Court then adjourned until Thursday 10 O'Clock

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Circuit Court Last Term 1849

Thursday September 5th o'clock A.M. Court met pursuant to adjournment Present as before

Alexander Rupell vs E. B. Eberly } Continued & proper parties plaintiffs to be made by the next Term or the suit to abate

Thos Gordon vs E. B. Eberly } Dismissed for want of security for costs not having been given in proper time It is therefore considered that the defendant recover of the plaintiff his costs in this behalf expended for which execution may issue &c.

Alexander Rupell vs A. Hutchinson } Continued and proper plaintiffs to be made by the next Term or suit to be dismissed

Daniel Hutchison vs A. H. Hall } Continued by consent and to be heard at the next Term or suit to be dismissed

Asa Brigham Admr vs Nolan & Shian } Death of the Administrator Asa Brigham suggested and suit Continued

Jacob Edwards vs Abraham Bateman } Continued

Silas Colvill vs Lavender & Penman } Death of Silas Colvill suggested and the case Continued

A. Bufell vs Robt Woods } Continued and proper plaintiffs to be made by next Term of Court or the suit to abate

Joseph Fessenden vs Wm Wallace } Dismissed for want of Papers

Wm Lacy vs A. H. Hall } It is therefore ordered that this suit be dismissed for want of prosecution and execution issue for all costs in this behalf expended

Pennell & Smith vs Jno Woods } Continued by consent

And now at this day come the [redacted] Attorney and the plaintiff being three times openly and solemnly called comes not to prosecute his suit. It is therefore ordered and adjudged by the Court that this suit be

James Finley
vs
John R Coombs

And now at this day came the defendant by his Attorney and the plaintiff being three times solemnly called came not to prosecute his suit whereupon it is ordered and adjudged that this cause be dismissed for want of prosecution and execution issue for all costs in this behalf expended

H Swinney & Williams
vs
N B Ewing

And now at this day came the parties by their Attorneys whereupon the Complainants by his Attorney saith he will not further prosecute his suit and dismisses his Bill whereupon it is adjudged and decreed that the said Complainant pay all costs in this behalf expended and that execution issue therefor

George H Collingsworth et al
vs
R H Wynne

And now at this day came the parties by their Attorney whereupon the Complainants by their Attorney say they will not further prosecute their suit but dismiss their Bill. Whereupon it is adjudged and decreed by the Court that the said Complainants pay all Costs in this behalf expended and that execution issue therefor

George H Collingsworth et al
vs
R H Wynne

And now at this day came the parties by their Attorney whereupon the Complainants by their Attorney say they will not further prosecute their said suit but dismiss their Bill. Whereupon it is adjudged and decreed by the Court that the said Complainants pay all costs in this behalf expended and that execution issue therefor

D Black Administrator
vs
Solon Administrator

Continued by the Plaintiff

Robert L Hemit
vs
Wm Hamilton

And now at this day came the Defendant and the plaintiff being three times solemnly and solemnly called came not whereupon it is ordered by the court that said suit be dismissed for want of prosecution and afterwards came the Plaintiff by Attorney and upon motion the case was reinstated and Process ordered for the defendant to answer for costs to be given within sixty days or suit to be dismissed

Fall Term 1849 Sept 5th

12 C. H. Rose Administratoz
vs
Jamus Bunton
} Continued and pluries Subpoena ordered to Brazoria County

Christopher H Stein
vs
Daniel Richardson et al
} Continued and pluries Subpoena ordered to Galveston County

Henry Millard
vs
Thos Ward Const &c
} In this case of Henry Millard & Comr Genl of the Land Office. This cause coming on to be heard before his Hon R E B Baylor Judge of the third Judicial District and was heard on the petition, answer exhibits & proof introduced and submitted and it appearing to the Court the true and legal boundary line between the Counties of Bexar & Travis the latter of which was formerly of the County of Bastrop as now established and confirmed by the Commissioners appointed by this Court would exclude the Leagues of the petitioners from the County of Bastrop and said Land could not be located in Bexar said petitioners in any other County than said County of Bexar & would consequently have no right or claim thereto but that said entry is entirely void although the same may have been made previous to the entry in Bexar. The Commissioners Court have no jurisdiction in refusing to issue the patents claimed
It is therefore considered by the Court that the petitioners take nothing by his plaint and that the defendants the Comrs Genl go hence without day and recover his costs in this behalf expended &c

R E B Baylor Judge &c

Thos Finn
vs
P Caldwell et al
} Continued and alias Subpoena ordered to Matagorda County

Wm Pettus
vs
Wm B. M Clure
} Continued

C F Stewart
vs
Thos Ward Const &c
} Continued

The Republic of Texas
vs
John Tibbs
} Indictment for murder
This day came the Grand Jury into open Court and returned the following bill of Indictment
The Republic of Texas
vs
John Tibbs
} A Trueblood Foreman of the Grand Jury

September 5th 1844

19 James Hodges
vs
Thos Maynard Comr } In Injunction and Mandamus

And now at the Septr. Term AD 1844 of our District Court to wit on the fifth day of said month came the plaintiff by his Attorney and the District Attorney for Defendants and a jury being waived the cause was submitted to the court whereupon the evidence being submitted and the vouchers filed in support of Plaintiffs petition as well as the answer of the Defendants and the same being fully heard and considered It is adjudged ordered and decreed by the Court here that the injunction be perpetuated as prayed for and that the Commissioner of the General Land Office be and he is hereby required forthwith to issue to the plaintiff a patent for the land located and surveyed for plaintiff James Hodges for the land set forth in the petition according to the survey returned upon all dues being paid thereon

It is further ordered that as the Commissioner has not been obedient in defaults that the plaintiff pay all costs herein expended

Wm B Ayres Judge &c

21 Wm H Hamblen
vs
Thos Maynard Com } Now at this day came the parties and Complainants dismiss his suit it is therefore ordered by the court that execution issue for all costs in this behalf expended

21 Jas M Daniel
vs
Thos Maynard Com &c } And now at this day came the parties by their Attorney and the death of Asa Hoyham Admr of the plaintiff being suggested the case has abated

22 Wesley Mumford
vs
Wm H Wilkerson } And now at this day came ~~the~~ the Defendant by Attorney and the Plaintiff being three times solemnly called came not to prosecute his suit It is therefore ordered and decreed by the Court that said suit be dismissed for want of prosecution and that execution issue for all costs in this behalf expended

Fall Term 1845 5th

23 Jonathan Bangs
vs
Sam Houston Pro Ad } Continued

Wm C Dabney
vs
Mathias Willbarger } Continued

And now at this day comes the Deft by his Atty and moves this court that this suit be dismissed for want of security for costs not having been given in the time by the Court that the same be dismissed and the Court being of opinion that the motion should be sustained it is therefore ordered that plaintiff pay all costs in this behalf expended

26 Wm H Kinah
vs
Thos Sims } Continued

36 Hammond
vs
Whiting } Upon motion this case was set over for hearing upon Saturday next

27 Isaac Casner et al
vs
Stephen M Hall } Continued and complainants to give new bond and good security - during the present Term or suit to be dismissed

Upon suggestion it was ordered by the court that the Rule heretofore made for the criminal docket be set aside for Monday

X 28 Republic of Texas } Indictment for Murder
vs
John Tibbs } And now at this day came the Republic by her Atty Thomas Johnson and moved the court that a special Venire issue for a jury to try said cause whereupon it is ordered by the Court that a Venire do issue to the Sheriff of Travis County, Commanding him to summon thirty good and lawful men Jurors as aforesaid returnable upon Monday next and that said defendant be served with a copy of said special and original Venire with a list of said Jurors And the Indictment found against him.

September 6th 1849

September 6th
present as before

Court met pursuant to adjournment

John M. Hampson
vs
Nowlan & O'Brian

Upon Motion of Counsel the complainant has
Leave to amend his bill by making John B. Craig
a party to the same - and an order of publication
as to said Craig to be made as the Law directs

A. M. Luckett & P. H. Luckett
vs
Nathaniel Townsend & Moore

And now at this day came the
parties by their Attorny and also
a Jury of good and lawful men
To Wit Wm Sharp, & G Browning, Samuel Craig, Samuel Mathis
Wm Bailey Wm Hamilton, John Mitts, Leo B McClusky, James Hand
Isaac Reason, Geo Lane, & John Harthunbarger who after having
been duly sworn were then adjourned until Saturday and afterwards
until Monday the 3rd day of September Monday Jury came into the Court and after
hearing Sean a the testimony retired and returning further to return a verdict and were finally discharged

Monday September 9th 1849

Court met pursuant to adjournment, Court before
Criminal Docket being taken up and done the
Court then adjourned until 2 O'Clock P M

2 O'Clock Court met pursuant as before

Saml Hallins
vs
Thos N. Ward

And now on this day came the parties
by their attorneys, and also a Jury of
good and lawful men To Wit
Wm Cockburn foreman and Eleven others who being
duly sworn empanneled and elected to try said
Cause after having heard the testimony, retired to
Consider the Matters & things Submitted to them
and thereupon the foreman returned the following
Verdict, We the Jury find for the plaintiff
the Sum of Twenty three (23) Dollars (and no tenths
of the money) with 6 per cent damages We therefore consider
by the court that the said plaintiff recover the Sum of Twenty three
Dollars with six per cent damages and that defendant pay
the costs

The Court then adjourned until Tuesday 9 A M

304 Tuesday Septm 16th 1845

Court this day adjourned to adjourned Court as before

Charles L King Admr
vs
Joshua Holden
Person Confesses Judgement for $87 12 Five Hundred & Seventy one Dollars and Twelve Cents together with legal Interest with a Stay of Execution for Six months. It is therefore considered by the Court that said Plaintiff recover of the said Defendant the aforesaid amount Five hundred and Seventy one Dollars and Twelve cents together with legal Interest And that Execution issue after Six months from the present date for the same together with all costs in this behalf expended, and the Defendant in mercy &c

Now at this day came the parties by their Attorney and Joshua Holden in his own proper

William P Smith
vs
Samuel Whiting
James Webb
Bill to foreclose Mortgage

This day the 16th September 1845 came the Plaintiff by his Attorney W Pendleton, and the Defendants by his Attorney and the said defendants saith that he can not further gainsay the claim and petition of him said Plaintiff It is therefore considered by the Court that the said W Smith do have and recover of him the said defendants the sum of three thousand five Eighty two dollars and eighty Cents being the value of the said Lots as previously set forth in said petition of said Plaintiff at the time and place therein specified together with the sum of Six hundred and eighty three dollars & forty nine Cts as interest upon and all costs in this behalf expended And it further appearing to the Court that the said mortgage set forth in said Plaintiffs petition has never been complied with It is further ordered adjudged & decreed that if said defendant Samuel Whiting shall fail to pay into the Clerks office of the Travis County Court for said County the aforesaid debt interest and cost for the use of said Plaintiff on or upon the first day of January 1845 the said Clerk is hereby ordered to issue an Order or Precept for the sale of the mortgaged property and premises mentioned in said deed of Mortgage as sold and set forth in said petition Court, one lot or parcel of land in the City of Austin known as Lot No 382 in Block No 70 fronting on Congress Avenue together with the Building & improvements being known as the House occupied by the Austin City Hotel with the appurtenances thereto attached thereto and that the same be sold in satisfaction of said debt Interest & costs according to Law

P H Bell Judge P.T.

Republic of Texas } Indictment for Murder
vs
John Sibble } Now at this day came the Republic by her Attorney Thomas Johnson, and John Sibble in his own proper person and being brought by the Sheriff in his own proper person, he is committed to the custody of the Captain of the Rangers acting as Sheriff. And being asked how he will acquit himself of the premises above laid by his charge, saith he is not guilty thereof and puts himself upon his Country. And the Republic of Texas does the like. Therefore it is considered that the said John Sibble be delivered to a Jury.

Republic of Texas } Subpoena Debt
vs
John Sibble } This day appeared in open Court William G. Cottingham the same bail and for the said John Sibble and severally acknowledged themselves indebted to the Republic of Texas in the full sum of Eight hundred dollars to be levied of their goods Chattels Estate &c. And also appeared John Sibble, John Farmer and James Henderson on the part of the defendant who have severally acknowledged themselves indebted to the Republic in the sum aforesaid to be levied of their goods Chattels Estate &c.

35 Wayne Barton Admr
vs
Mitchell & Camp } Now at this day came the parties by their Attorney and by consent this cause was continued

Indictment for an affray. This day came the Grand Jury into open Court and returned the following Bill of Indictment
The Republic of Texas vs. Michael Zellers & Martin Moore

36 New Board
vs
Wm Bowlan } Continued

37 James F. Edrington
vs
Cox & Scott } Continued

38 James Webb
vs
Reuben Lewis } Now at this day came the parties by their Attorney and upon motion of the Plaintiff it was ordered by the Court that defendant answer by the next term or Bill to be taken pro confesso

39 A.W. Puckett
vs
Davis & Marsh } Now at this day came the parties by their Attorney and upon motion of the Defendants leave was given to amend his pleading by filing an additional plea

Court then adjourned until Wednesday 9 o'clock A.M.

303 Wednesday Sept 4th 1839

Wednesday 8 O'Clock A.M. Court met pursuant to adjournment
Present as upon

Republic of Texas } Charge of murder
vs } In this case came
John Tibbs } William Thomas Johnson Esq District Atty on
part of the Republic aforesaid & the Defendant in
his own proper person and upon affidavit filed with the Clerk of the District Court
& upon motion of Defendant this cause
has by order of the Court transfered to the County
of Bastrop for trial and that the Clerk of
this Court transmit the original papers of
this cause & a copy of all the proceedings had in
Bastrop to the Clerk of said Court at
Bastrop by the first day of the next Term
of said Court and that the Sheriff of this
County & if there be no Sheriff then the coroner of this County
convey said prisoner to said
Court on the first day thereof for trial.
and thereupon in the above stated case came
into open Court William G Collingsworth, James
Casner and Thomas Ward witnesses in behalf
of the Republic of Texas against the said John
Tibbs on a charge of murder, who acknowledged
themselves severally to owe and be indebted
to the President of the Republic of Texas in
the penal sum of Eight hundred dollars
to be levied of their goods and chattles, lands
and tenements, void nevertheless upon
the condition that the above named witnesses
do make their personal appearance at the next
Term of the District court holden in and
for the county of Bastrop, then and there to
testify in behalf of said Republic in the
case aforesaid, and to continue from
day to day and from term to term, and
not depart without the leave of the said
District Court of Bastrop - Otherwise this
recognizance is to remain in full force
and virtue — Whereupon came into open
court John Falk, James Henderson, and John
Fraser witnesses in the above stated case
on behalf of the defendant John Tibbs
who acknowledged themselves to owe and
be indebted to the President of the
Republic of Texas in the penal sum

of Eight hundred dollars to be levied of their goods and chattles, lands and tenements - void nevertheless on the condition that the said witness last mentioned, do make their personal appearance at the next Term of the District court holden in and for the county of Bastrop then and there to testify in behalf of the said John Tibbs on a charge of murder, and to continue from day to day and from Term to to term, and not depart without leave of the said court otherwise this recognizance to remain in full force and virtue -

Now at this day came into open court Martin Jones who acknowledged himself indebted to the Republic of Texas in the penal sum of Twelve hundred dollars to be void nevertheless on condition that the said Martin Jones appear at the present Term of the District Court then and there to remain until discharged by the court

The Republic of Texas } Indictment for House breaking
vs
John Tibbs }

This day Jacob Harrell who had bound himself as security for the personal appearance of the defendant to answer said indictment came into open Court and produced the body of said defendant and prayed to be discharged from his said recognizance whereupon it is ordered by the Court that the said Jacob Harrell be discharged from all liability under his aforesaid recognizance and upon the motion of Thomas Johnston Esqr Attorney for the Republic aforesaid praying said defendant into custody it is ordered that the Sheriff take into his custody the body of the said John Tibbs and him safely keep until discharged by due Course of Law

✓ 42 James Busby } vs
John R Coombs }

On motion of Plaintiffs Attorney the Non Suit had at the present Term of the Court was set aside and the case reinstated upon the Dockets and plaintiff to pay Cost of the Term

43 Henry Koontz } vs
Benderlin Hoof }

44 D. H. McDonald } vs
Samuel Whiting }

Continued

Continued

305 Republic of Texas Fall Term AD 1844

The State of Texas }
vs }
Marlin Moore }

Michael Miller Jackson who acknowledged themselves generally to owe and be indebted to the President of the Republic of Texas in the penal sum of Five hundred dollars to be levied of their goods and chattels Lands & tenements. Provided nevertheless upon the condition that the above named Marlin Moore do make his personal appearance at the next term of the District Court of Travis County to be holden in and for the County of Travis then and there to continue from day to day and term to term until discharged by order of the Court otherwise this recognizance to remain in full force and virtue And thereupon came into open court Joseph Baker Wm Allen and George Calhoun Attorneys in behalf of the Republic of Texas against the said Marlin Moore and he also for an affray who acknowledged themselves severally to owe and be indebted to the President of the Republic of Texas in the penal sum of Five hundred dollars to be levied of their goods and Chattels Lands and tenements, Provided nevertheless upon the condition that the above named Attorneys do make their personal appearance at the next term of the District Court of Travis County then and there to give evidence in behalf of the Republic against Marlin Moore in the case aforesaid and to continue from day to day and from term to term until discharged by order of the said District Court of Travis otherwise this recognizance is to remain in full force and virtue And thereupon came into open court A W Black and John R Woodward Esq. A W Sackett Attorneys in the above stated case in behalf of the Defendant who acknowledged themselves to owe and be indebted to the President of the Republic of Texas in the penal sum of Five hundred dollars to be levied of their good and Chattels Lands and tenements, Provided nevertheless upon the condition that the above named Attorneys do make their personal appearance at the next term of the District Court to be holden in and for the county of Travis then and there to give evidence in behalf of the Defendant Marlin Moore in the case aforesaid and to continue from day to day and from term to term until discharged by order of the said District Court of Travis otherwise to remain in full force and virtue

Thursday 12th Sept

Court met pursuant as before

Joseph W. Smith
vs
Comr Genl of the Land Office
} Continued

Joseph E Thomazen
vs
Comr Genl Land Office
} Continued

Exception of Saml Norton Decd
vs
Thos Ths Ward Comr Genl Land Office
} Continued

John Mc Cann &c Gruber
vs
Lavon.
} And now at this day came the parties by their Attorny and upon motion of the Plaintiff it is ordered that the defendant answer by the next Term or bill to be taken pro confesso. It was further ordered that the bill be set for hearing at that time.

Samuel Whiting
vs
Saml E Edrington
} Now at this day came the parties by their Attorny And also a jury of good and lawful men Comrs. W W Thompson and eleven others who being duly sworn elected and empannelled to try said cause and after having heard the testimony Retired to consider of the Matters and things to them submitted and through their Foreman W W Thompson returned the following verdict Viz We the Jury find for the Plaintiff Five hundred Dollars ($500,) with legal interest thereon. Signed W W Thompson Foreman It is thereupon ordered by the court that execution issue against the said Defendant for $ 40. Two hundred And Forty Dollars Ligation with all costs in this behalf expended

P. P. Locke
vs
Benj S Grason
} In Chancery. This day came the parties by their attorney and this cause was by their agreement submitted upon the bill, answers & exhibits & proof to the discretion of his Honor whose decision when made & returned to the Clerks office of this Court shall be the decree of the Court in this cause and upon which execution may issue as in other cases.

Fall Term AD 1844

Deman Wend } This day came the par-
51 } ties by their attys and
Farley & Jewett } on motion, it is ordered
by the court that this case be referred
to Joseph Lee Esq as a commissioner in
chancery to take an account of the
matters & things in the bill answer Exhibits
& proof and to report the same to the
next Term of this court.

The Republic of Texas } Indictment for Card playing
vs
William Allen } And now at this day came the Republic
by her Attorny Thomas Johnson and the defendant
in his own proper person and having heard the Indictment read
says he is not guilty. Whereupon came a Jury of good and lawful men
to wit Robt W Thompson and eleven others who being duly sworn to try the issue
between the Republic and said defendant and having heard the
testimony upon their oaths do say that the said Wm Allen is not guilty of the charge
in said Indictment alledged. Whereupon it is adjudged by the Court
that the said defendant go hence without day &c

The Republic of Texas } Indictment fa and playing
vs
Moses Woods } And now at this day came the ~~Peoples Petition~~
by her Attorny Thomas Johnson and the defendant in his own proper
person and having heard the indictment read against him saith
he is not guilty. Whereupon came a jury of good and lawful men
to wit Jacob M Harrell and eleven others who being duly sworn to try the
issue between the Republic and said defendant and having heard the
testimony upon their oaths do say that the said Moses Woods is guilty
of the charge in said indictment alledged; and the said defendant for
cause then & there alledged & supported by affidavit, moved the court to
set aside said Verdict & order a ~~new~~ another trial of said Cause, whereupon it
is ordered by the Court that the verdict of said Jury be set aside, and a
new trial be granted, and that said case be continued until the next
term of this Court.

Fall Term 1844

Bill

55 Hammons
vs
Wallis

Now at this day came the parties by their Attorney and a verdict being rendered for the Defendant upon motion a new trial was awarded and the case set for hearing and trial at the next Term

56 A W & N M Lockett
vs
A Townsend & J A Moore

In this case come the parties by their Attorney & agree to transfer the trial of this cause to the County of Bastrop and that the testimony of any witnesses desired on either side may be taken before the Chief Justice of Travis County by giving one hours notice thereof to the opposite party or Attorney which is to ordered by the Court And it is further agreed that the bills of exceptions which may be taken on the trial in the District Court of Travis to the admissability of testimony offered by Defendants Counsel by the Judge shall be taken at Bastrop Court

The R[illegible] Republic of Texas
vs
M[illegible] Attorney [illegible] Defendant and also a jury of good and lawful men

57 The Republic of Texas
vs
Michael Fallon

And now at this day came the Republic by her Attorney Thomas Johnson and the defendant in his own proper person and having heard the indictment read against him & saith he is not guilty whereupon came a jury of good and lawful men to wit B C Browning and others who being duly sworn to try the issue between the Republic and said defendant and having heard the testimony upon their oaths do say that the said Michael Fallon is not guilty of the charge in said indictment alledged

Bag.

Fall Term 1844.

Whereupon it is adjudged by the court that said defendant go hence without day &

58	Republic of Texas vs G. H. Hampton	Permitting Faro to be dealed in his House	Upon Suggestion of the Attorney for the Republic it was ordered by the Court that a Nol Prosequi be entered
59	Republic of Texas vs D. F. Edrington	Retailing Liquors without license	Upon Suggestion of the Attorney for the Republic it was ordered by the Court that a Nolle Prosequi be entered
60	Republic of Texas vs E. Leeders	Retailing Liquors without license	Upon Suggestion of the Attorney for the Republic it was ordered by the Court that a Nolle Prosequi be entered
61	Republic of Texas vs Geo W Bamett	Assault with intent to kill	Continued and process Capias ordered
62	Republic of Texas vs Parkerson & Hazlett	Affray	Indictment abated upon Defendants Affidavit
63	Republic of Texas vs Richard Hop	Gambling	Upon Suggestion of the Attorney for the Republic it was ordered by the Court that a Nolle Prosequi be entered
64	Republic of Texas vs R. H. Miller	Continued and Venire Facias ordered to Washington County	
65	Republic of Texas vs Louis P Cook & Geo W Barnett	Indictment for Murder	Continued
66	Republic of Texas vs Wm F Hamilton	Assault with intent to kill	Upon Suggestion of the Attorney for the Republic it was ordered by the Court that a Nolle Prosequi be entered
67	Republic of Texas vs John Tebbe.	House Breaking	Continued

Fall Term 1844

✓	68	Republic of Texas vs Joshua Holden — Indictment for Card playing Continued
✓	69	Republic of Texas vs Jonis Shue — Indictment for Card playing Continued and alias Capias ordered
✓	71	Republic of Texas vs Wm Cocklum — Indictment for Card playing Recognizance forfeited and Sc Fa ordered and Case Continued upon it being represented to the Court that the Indictment was lost or mislaid
✓	72	Republic of Texas vs Marlin Moore — Indictment for Card playing Continued
✓	73	Republic of Texas vs Marlin Moore — Indictment for permiting cards to be played at his house Continued
✓	73	Republic of Texas vs Marlin Moore — Indictment for an affray Continued
✓	74	Susan L Marston admtx of Thomas R Marston vs Hiram B Hill

The Plaintiff in this cause moves the Court to correct the minuts of the Court at the March term Eighteen hundred and forty four thereof by setting aside an Entry appearing thereon that said cause was settled because said Entry was incorrectly made and was entered without the Knowledge of said plaintiff or her attorney and it is ordered by the Court that said motion stand on for argument at the next term of this Court and that James Webb Esqr atty for plaintiff be committed to file an affidavit setting forth the facts respecting said Entry so far as the same are within his Knowledge which affidavit shall be read on the hearing of said motion provided said James Webb Esqr be not

2811.

Fall Term 1844

Republic of Texas
vs
Wm Cockburn & Moses Wood

Indictment for an Affray

Now at this came the Republic by her Attorney and Moses Wood in his own proper person and upon Suggestion of the Atty for the Republic a Nolle Prosequi was entered as to Moses Wood And it appearing to the Court that the Indictment against the Defendant Wm Cockburn and Moses Wood had been lost the Mistake it was ordered by the court that the Case be continued against Wm Cockburn and that Moses Wood go hence without day &c

N. Alfred M Tuckett
vs
Lewis & Mays

Claim of property

In this Case it is agreed that the cause be moved for trial to the Fayette District Court & be had at the ensuing term thereof & that the Clerk of this Court shall up and send to the Clerk of said District Court of Fayette all papers & documents in said cause together with all the papers and documents in the original Case or cases of Mays and Lewis or Lewis & Mays against Nolan M Tuckett in which the Judgement and evidence upon which the executions were issued upon the property which is claimed by the plaintiff in this Cause and that either party may take such testimony as he pleases on Saturday the 14th Instant before John Woodcock Esquire by giving to the opposite party or his Attorny one hours notice of the time and place of taking said testimony which testimony when taken as aforesaid shall be sealed up & transmitted to said Fayette District Court and of either of said parties are not ready for trial of said cause at the ensuing term of the said District Court of Fayette that then on the mere motion of either party of the said parties or their Attorny the said Case shall be ordered back to the District Court of Travis County for trial at the next term thereof

It is ordered that the Court adjourn until the next term thereof

R. E. B. Baylor
Judge &c

Fall Term 1844

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District Court Spring Term 1845

Be it remembered that this was begun and held in the City of Austin County of Travis, at the Court House thereof, a District Court in and for said County. Present the Hon. R E B Baylor Judge Jno. Mathews Sheriff and Jno. P Wooldridge Clerk. the court then adjourned until Tuesday 10 OC A.M.

Tuesday 10 OC A.M.

Court met pursuant to adjournment, present as before: The court then proceeded to its further organization, and it satisfactorily appearing to the Court that the Clerk and Sheriff of said Travis County in the persence of Jacob M Daniel a Justice of the Peace in and for said county had regularly drawn Thirty six persons to serve as jurors at the present term of this Court, to wit: Wm F Patton Abner Mathews Henry Bleping Michael Gillespie J J Grumbles George Barton Capt Col Wm Wallace Samuel Hazlett A B Brown Aaron Burleson A M Luckett Ed Young George Davis Reuben Homsby Wm Brown Louis Caplet Edmd Thompson Alden A M Jackson George W Blakeock Wm Atkinson A McArthur Abner L Cook Joseph Leddy Wm Gutland George Oatmeal Lewis Hord Wm Atwood A M Luckett Wm O'Connell A Meach Capt Nelson Wm A Hamilton B H Butler Wm Johnson, The Clerk Drew which had been duly spread and returned being called the following persons jurors as aforesaid answered to their names Abner Mathews Henry Bleping Michael Gillespie J J Grumbles Leo Barton Wm Wallace A B Brown Aaron Burleson A M Luckett Edmd Young George Davis Louis Caplet Alden A M Jackson Abner L Cook Wm Gutland George Oatmeal Lewis Hord A M Luckett A Meach B H Butler Wm Johnson Martin Casner A Meach and Martin being sworn to answer questions mo thereupon and found from serving as Grand Jurors. The Court by the Sheriff and Clerk then proceeded to draw by lots names from the whole number to serve as Grand Jurors, to wit, A

1	A Luckett	9	Wm Gutland
2	Wm Wallace	10	J J Grumbles
3	Abner Mathews	11	Henry Bleping
4	A B Brown	12	Leo Barton
5	A L Cook	13	Leo Davis
6	Louis Caplet	14	Alden A M Jackson
7	Aaron Burleson	15	Leo Oatmeal
8	Edmd Young	16	Wm Johnson

Abner Mathews was then appointed Foreman by the court and as such was duly sworn in presence of the other Grand Jurors who were then also sworn according to law and charged at length by the Court. The Grand Jurors then retired to consider

of their Constituents, under the proper Oath. The Court Thereupon adjourned until Wednesday 11 O'C A.M.

Wednesday 11 OO. A.M. March 5th 1845

Court met pursuant to adjournment present as before

Daniel Kinchlow vs R.T. Wade } Now at this day came the parties by their Attorney and by consent this cause was dismissed, and the Plaintiff claim to be filed among the acknowledged claims against the Estate of Benjamine Noble Deceased

Wm Barton Admr vs Mitchell & Hamp } Continued by consent

Edmd Edrington vs Cox & Scott } Continued

D. Underwood vs S.G. Collett } Continued and alias proc ordered to Washington County

Henry County vs Underline Haas } Attachment

This day came the Plaintiff Henry County by his Attorney and the said Underline Haas being solemnly called came not and proof of Service by publication being made a Court of enquiry was by the Court instanter and thereupon came a Jury, to wit Asa Jarrell Foreman and eleven others who being empanelled and sworn the truth to speak upon issue joined between the parties aforesaid upon their oath say that the said Underline Haas is indebted in manner and form as the said Henry County had complained against him, and they assessed the debt and damages of the said Henry County by reason thereof to $ 182.00 One hundred and Eighty two Dollars. Thereupon it was ordered by the Court that the said Henry County recive of the said Underline Haas the aforesaid Sum of $182.00 together with costs of this suit in this behalf expended for which execution may issue

This day came into open Court "The Grand Jury" there being a full and legal panell and returned the following bill of indictment

The Republic of Texas vs William R Baker } Indictment for Murder
A true bill Abner Mathews Foreman

Tuesday March 2d 1847

Court met pursuant to adjournment present as before
Upon motion of Thos Johnson the District Attorney it was ordered
by the court that Friday next be set aside for the taking up the
Criminal docket

Alexander Coleman
vs
Albany Blessing } Now at this day came the parties by their Attorny and by mutual consent this Cause was settled and defendant assumed the costs for which it is ordered execution may issue

Charles Raymond
vs
E.L. Sutton et al } Continued

Jesse C Hamchill
vs
Alfred Smith } Continued on motion of Plaintiffs Attorny

Robert A Grems
vs
William Hamilton } Continued

Amos Tims
vs
R Caldwell et al } Continued

Williams & Orr.
vs
William R McClure } Continued

C B Stewart
vs
Thomas Wm Ward Com } Continued

Silas Colvill
vs
Jefferson Coleman } Continued

Black Adm
vs
Dolbee Adm } Now at this day came the parties by their Attorny and also a Jury of good and lawful men to wit A Hamill Coleman and Elven others who being duly impanelled elected and sworn to try said cause after having heard the testimony duties to consider the matters and things submitted to them and thereupon their foreman returned the following verdict We the Jury find for the Plaintiff $600.00 It is therefore

Considered by the court that the Plaintiff recover the said sum of Six hundred to be levied of the goods chattels and estate of the deceased Geo W Wolfong dollars together with all costs in this behalf expended. and that execution issue therefor the consideration to be Slid among the acknowledged claims against said deceased.
the court thereupon adjourned to Friday March 7th 1845
Friday 11th A.M.= Court met pursuant to adjournment present as before

William E South
vs
Thomas W Moore } In Chancery

This cause came on to be heard upon the Bill and exhibits and proof of service by publication having been made and the Court having considered and being advised of the premises. Whereupon it is ordered and decreed by the court, that the said Complainant have and recover from the said defendant, Thomas W Moore the land premises and estate with the appurtenances with the bill and exhibits described. it being league No twelve on Union Creek one of the tributaries of the Colorado River and situate in Travis County. and it is further ordered and decreed, that William W Thompson. William Wallace. and Jacob M Harrell, be and they are hereby appointed Commissioners to act in conjunction with the Sheriff of said County of Travis to designate and set apart to the said complainant Wm E South. the said half league of land described aforesaid from the residue of said league of land. giving to each the said Wm E South. and Thomas W Moore, an equal part of the natural advantages in all ordered, with the agreement, in the suit filed and marked as exhibit. A and that the same be bounded marked and designated. in their report by mets and bounds. and it is further ordered and decreed, that upon the return of the report of said Commissioners and Sheriff into the Clerks office of this Court. shewing that the said half league of land has been by them surveyed bounded marked and designated, and set apart as aforesaid the Sheriff of the said County of Travis be and hereby is appointed special Commissioner and that he is hereby directed to make and execute. a good and sufficient special warranty deed conveying to the said William E South his heirs and assigns all the right title estate and interest that the said Thomas W Moore is or was seized of or which may held or claimed by the said Thos W Moore to the said half league of land. to set aside designated by the Commissioners as aforesaid and it is further ordered and decreed. that the said Wm E South. complainant have and recover of the said defendant. his costs in this behalf expended and for which execution may issue &c. R. E. B. Baylor Judge &c.

Susan L Moreton.
vs
Hiram B Hill } Now at this day came the parties by their Attorney and it appearing to the Court that the former order of dismissment was in court through the case was reinstated and the former order of dismissment was set aside.

Friday March 7th 1845

Court met pursuant to adjournment & present as before

Republic of Texas vs Geo W Barrett } Assault with intent to kill
Continued and Alias Capias ordered

Republic of Texas vs D. K. Wade } Continued and plurias Scire facias ordered to Washington County.

Republic of Texas vs Louis Work & Geo W Barrett. } Murder
Continued and capias ordered to San Patricio County.

Republic of Texas vs Wm Tibble } Horse breaking
Continued

Republic of Texas vs Wm Cockburn & Mobil Wood } Affray
Wood and Continued } Nolle prosequi entered as to Mobil & to Cockburn for want of papers

Republic of Texas vs Mobil Wood } Card playing
Nolle prosequi entered

Republic of Texas vs Simms Sims } Card playing
Continued and attachment awarded for the writs John Hamell returnable to the next term of the Court

Republic of Texas vs Martin Moore } Permitting cards to be played in his House
Continued and Attachment awarded for the writs John Hamell returnable to the next term of the Court,

Spring Term 1845

Republic of Texas
vs
William B Baker } Indictment for Murder

Now at this day came the Republic by her Attorny Thomas Johnson and William B Baker in his own proper person, And in his proper person being brought to the Bar. And having heard the indictment against him read, is committed to the Custody of the Sheriff and being asked how he will acquit himself of the premises above laid to his charge, "Saith he is not guilty" and for trial puts himself upon his God and Country.

Republic of Texas
vs
William B Baker } Now at this day came the Republic by her Attorny Thomas Johnson, and Wm B Baker in his own proper and on the affidavit of the Defendant this case was Continued to the next Term of the Court.

Charles F. King Admr
vs
Martin Moore Admr. } Now at this day came the parties by their Attorny and also a Jury of good and lawful men to wit N. McCulloch and eleven others duly empanelled sworn and elected to try said cause who having the testimony heard to consideration of the matters & things to them submitted and thereupon their Foreman returned the following verdict. We the Jury find for the Plaintiff Five hundred and twenty one dollars and two cents together with interest from the 6th day of December 1845. Signed N. McCulloch Foreman, It is therefore considered by the Court that the Plaintiff recover of the Defendant the said sum of five hundred and twenty one Dollars and two cents with interest thereon at 8 per cent per annum from the first day of December 1845 to be levied of the goods chattels and estate of John Martin deceased together with all costs in this behalf expended. And that execution issue therefor to be filed among the acknowledged claims against the said Rowland Estate.

519 Spring Term 1845

Samuel Taylor
vs
Elizabeth Wilcox } Continued by the plaintiff

Same
vs
Wm J Workman } Now at this day came the Defendant by her Attorny and the Plaintiff being three times severally and solemnly called came not to prosecute his said suit, whereupon it is considered & adjudged by the court that the said plaintiffs suit be dismissed for want of prosecution and that the defendant go hence without day and that the said defendant recover of said plaintiff all costs in this behalf expended for which execution may issue.

Charles F King Admr
Martin Moore Admr } Now at this day came the parties by their Attorny. And also a Jury of good and lawful men. to wit. A M Lockett and eleven others duly impanelled and sworn to try said cause after having heard the matters and things to them submitted therein & their Foreman aforesaid the following Verdict. We the Jury find for the plaintiff four hundred and seventy six dollars and two cents with interest from the first day of December, 1843 A M Lockett Foreman, it is therefore considered by the Court that the Plaintiff recover the said sum of 576 and two cents to be levied of the goods chattels & estate of Jno Swaringen deceased.

Monday 10 A.M. Court met pursuant to adjournment present as before

Republic of Texas } Indictment for an Affray
vs
Marlin Moore } Now at this day came the Republic by her Attorny Thomas Johnson and the defendant Marlin Moore in his own proper person, and having heard the indictment against him read, and being asked how he will acquit himself of the premises above laid to his charge "saith he is not guilty, and for trial puts himself upon his Country, whereupon came a Jury of good and lawful men to wit A M Lockett and Eleven others, who having heard the testimony retired to consider of their verdict and returning failed to return a verdict whereupon a Juror was withdrawn & Mistrial awarded and the case Continued by order of the Court.

Thos Ward
vs
Wm H Thompson } Continued

Spring Term 1845

Alexander Russell
vs
A Beaty

Alexander Russell
vs
A Mendenhall

Ira Brigham Admr
vs
Nolan Obrain

Hasler Edmarch
vs
Wialen Beaman

Silas Cobill Exr
vs
Stephen Wellman

Jamichill Smith
vs
Elen Moody

Jonas Tenby
vs
Jno B Hoocomb

Isa Skenick
vs
John Nowlan

Morgan & Hamilton
vs
Jesse Barker

Thos Ward et al
vs
Moore & Blessing

Thomas Ward et al
vs
Moore & Blessing

Spring Term 1845

Wm Ward et al
vs
King & Thompson

Robert St Louis
vs
Wm Hamilton

George C Hatch
vs
Lobo Antonio de la Garza } all the foregoing cases were continued generally

A Underwood
for
A G Mallett } Continued and alias process ordered to Washington County

Samuel Taylor
vs
Elizabeth White Exx. } Continued by the plaintiff

D A McDonald
vs
Samuel Whiting } Continued and leave given to amend the attachment by consent

A Bagsell
vs
Abel Wood } Now at this day came the defendant in his own person and moved the Court that the plaintiff's suit be dismissed under a former order of the Court whereupon it is considered by the court that said suit be abated, and that the plaintiff pay all costs in this behalf expended for which execution may issue

D S Reed Admr
vs
Edmd Burke

Christopher H Stone
vs
Daniel L Richardson

Holman Ward
vs
Farley & Elwell

Amos Kimball
vs
B Caldwell et al

Wm L Cox
vs
Wm B McClure

Joseph M Smith
vs
Commissioner Genl Land Office

Joseph G Plummer
vs
Thomas Ward Comr

G B Lamar
vs
Thos Ward Comr

Joseph W Gandy
vs
Thos Ward Comr. Continued Generally.

Republic of Texas
vs
Samuel Holden
of the Court } Now at this Came the defendant and upon his affidavit filed this Case not Continued to the next Term

Republic of Texas
vs
Martin Moore } Indictment for Gaming and playing
Now at this day Came the parties by their Attorney And the defendant in his own proper person, filed his affidavit and the Case not Continued upon such affidavit

Republic of Texas
vs
Wm Cochburn } Continued for want of process

Isaac Eastman et al
vs
Stephen F Hale } Now at this day Came the parties by their Attorney and by mutual Consent the Case was Submitted

B2b.

Spring Term 1845

Edmd Webb
vs
Eliza Reid

Now at this day came the parties by their Attorneys whereupon it was considered by the Court that the injunction heretofore had be perpetuated.

Silas L Martin
vs
Hiram B Hill

Continued by Consent.

Edmd Cole
vs
Michael Fuller

Dismissed for want of an appeal bond not being filed as the law directs.

J W Hampton
vs
Newton Brian & Craig

In this case the death of John Martin being suggested It is ordered that a Scire Facias issue to Martin Moore his representative and that the sale stand continued

Wm L Munah
vs
Heirs of Thos L Lewis

Continued

Edmd F Edrington
vs
Silas L Ward et al

Continued

Isaac Eaton
vs
Stephen H Hale et al

By consent submitted for adjustment

All cases not specially continued are continued generally by order of the Court.

For want of time and a list of the Jurisdict of the County it is ordered that the Clerk and Sheriff in the presence of some Justice of the Peace in and for the County of Travis proceed to draw according to law thirty good and lawful men to be and appear at the next term of this Court; and that the Clerk issue a Venire Facias for the same It is further ordered that the Court adjourn until the next regular term thereof

R. E. B. Baylor
Judge &c

Spring Term 1845 .324.

District Court. Fall Term A D 1845 Sept. 1st 1845

Be it remembered that there was began and holden in the City of Austin, County of Travis a District Court in and for said County at the Court House thereof. Present the Hon. R. E. B. Baylor Judge. James Mathews Sheriff and John B Wooldridge Clerk.

The Court then proceeded to its further organization And it appearing satisfactorily to the Court. that the Clerk and Sheriff of said Travis County. in the presence of George. B. McCluskey a Justice of the peace in and for said County. had regularly drawn Thirty six persons to serve as Jurors of the present Term of this Court. To Wit. Thomas A. Moore Henry Koontz. Joseph Thompson, John Wahrenberger. John Falk. A B McGill. James Baker. Wm D Bailey Joseph Jennings C C Eastman, Joshua Holden, Reuben Hornsby, James Cole Joseph Hornsby. Jacob McHanell, John Brothers. Geo W. Glascock A J Graves, Wm W Thompson, Samuel Taylor, Wm C Collingsworth. Wm D Thomas, Washington Anderson. Peter Kerr, Alfred Smith. Thomas Stroad, Sol Minor. Wm P Sharp, James Edmundson, James Hamilton, D Nash Noah Smithwick. Thomas Collins Jeremiah Cregg, and John Matthews. John Falk. Wm D Bailey James Cole A J Graves and Wm C. Collingsworth, after being duly sworn by the Court to answer questions were excused from serving as Grand Jurors also James Baker who had been regularly drawn was excused. being Deputy Sheriff of Travis County. The Court by the Sheriff and Clerk then proceeded to draw. by ~~lot from the whole number of jurors furnished as aforesaid~~ ballot fourteen names ~~from the~~ ~~panel in attendance~~ to serve as Grand Jurors. To Wit

1	Henry Koontz	~	~
2	John Wahrenberger	~	~
3	A B McGill	~	~
4	C C Eastman	~	~
5	Joseph Hornsby	~	~
6	Jacob McHanell	~	~
7	W W Thompson	~	~

Samuel Taylor
Wm D Thomas
Nash Anderson
Peter Kerr
Thomas Stroad
Wm P Sharp
James Hamilton

Wm W Thompson was then appointed Foreman by the Court and as such duly sworn in the presence of the other Grand Jurors who also were sworn according to Law. And charged all by the Court; The Grand Jury then retired to consider of their presentments under the proper Officers. The Court then adjourned until Tuesday 10 O. A M

Tuesday 10 Oc. A. M.

Court met pursuant to adjournment

Thomas Johnson being absent John D Chalmers was by order of the Court appointed District Attorney pro Tem to prosecute on behalf of the Republic of Texas for the present Term of this Court.

Alexander Kupell vs A Murchinson.	Continued and proper parties plaintiff to be made by next term or suit to abate.
Asa Brigham Admr vs Nowlan & Briant	Asa Brigham's death suggested and Sire Facias ordered to the proper party and the case continued
A. Underwood vs H. G. Catlett	Continued and 2 plures capias ordered
R le Boom vs George Glasscock.	Dismissed by order of the plaintiff
Alexander Kupell vs A B Eberly.	Now at this day came the ~~plaintiff~~ by their Attorney and upon Motion of Defendants Attorney this Suit was dismissed under a former Order of the Court and it was adjudged by the Court that the plaintiff pay all costs in this behalf expended
John R. Jones vs Francis W. Ogden et al	Continued and alias process ord to Jefferson County.
Hamet Power vs Mason Bond Pres'd	Continued
Wm J Pratt vs Wm R McClure	Continued
Charles B Stewart vs Thomas W Ward, Commissioner &c	Continued

Fall Term 1845

Joseph W Gourley
vs
Thos W Ward. Commissioner

Succession of Mrs Norton
vs
Thos W Ward Comr &c.

P. B. Cocke
vs
Benjamine Grayson. } Continued Evident of amount ordered of the Court.

Ahmed Powell
vs
Thomas W Ward } Continued And proof ordered to Refugio and Brazoria Counties.

Woodson Edwards
vs
Meriam B Lamar } Continued

The Court then adjourned until Wednesday 10 OC A.M.

Wednesday 10 OC. A.M. Sept 8th 1845

Court met pursuant to adjournment present as before

Edmd Tarley
vs
John R Secombe } Now at this day come the parties by their Attorney and also a Jury of good and lawful men to wit: Joel Mercer and several others, who being duly sworn elected and impanelled to try the issue joined in this cause and having heard the evidence matters & thing to them submitted retired to consider their Verdict, And through their foreman returned the following Verdict. We the Jury find for the Plaintiff. Three hundred and fifty dollars, $350.00. Signed Joel Mercer Foreman, it is therefore considered by the Court that the plaintiff recover the said Sum of $350.00. and all costs in this behalf expended, and that Execution issue thereof

Ira R Lewis
vs
John Nowlan } Now at this day come the parties by their Attorneys and by Evident Judgment was rendered as on a Verdict of a Jury and is to be filed among the established claims against the Estate of John Nowlan Deceased, And it is adjudged that this be Come the order of the Court

Fall Term 1845

A. A. McDonald vs Samuel Whiting — Now at this day came the Plaintiff by his Attorney, and prayed judgment against the said Defendant which was rendered by Default, the said defendant not appearing to defend said suit. It was thereupon considered by the Court that the Plaintiff recover of defendant Whiting the Sum of One hundred and thirty one dollars and forty four Cents, together with all costs in this behalf expended, for which execution may issue

Edmund Taylor vs Elizabeth White Exx — Now at this day came the parties by their Attorney and also a Jury of good and lawful Men, to wit, Wm Hotchkiss and seven others, who being duly sworn elected and empanelled to try the issue between the said parties in said cause. and having heard the testimony retired to consider the matters and things to them submitted. And thereupon their foreman returned the following Verdict, We the Jury impanelled to try the aforesaid case find for the plaintiff and assess the damages at One hundred dollars with interest from the 15th of April AD 1842. Signed, Wm Hotchkiss Foreman, It is therefore Considered by the Court that the said plaintiff recover of the defendant Executrix of Edmund White deceased. as aforesaid the said sum of $ 100.00 with interest as above specified for which together with all costs Execution may issue &c.

A W Luckett vs Joseph Moreland — Now at this day came the parties by attorney and by order of the plaintiffs Counsell this case was dismissed Whereupon it was Considered by the Court that the said plaintiff be adjudged to pay all costs in this behalf expended, for which Execution may issue &c.

Nelson L Marsden vs Abram B Hill — Upon examination of the papers in this case, and it appearing that there was no appeal bond contained therein the case was dismissed for want thereof, and a procedendo awarded to the Court below.

George C Hatch vs José Antonio de la Garza — Now at this day came the Defendant by his Attorney upon whose affidavit the case was continued, And upon motion thereto made the plaintiff has leave to file an amended bill.

Saml Richard vs Saml Whiting — Upon motion of Plffs Counsel this case was continued and an order of publication to the Defendant made according to the requisitions of the Law.

A McDonald vs Robert Armstrong — Continued by Consent.

Fall Term 1845

Samuel Power
vs
The Republic of Texas
} Continued

Christopher H Sloan
vs
Daniel L Richardson
} Ptfs Petition dismissed at Complainants cost as per Agreement, by order of the Court and consent of parties and that execution issue therefor cost as aforesaid,

Upon Motion of Thomas Johnson District Attorney this Criminal docket is ordered to be taken up on Friday next, 5th Sept 1845

The Republic of Texas
vs
Wm R Baker, Indictment for Murder.
} Now at this day came the Republic by her said Attorney. The defendant Thomas Johnson, and Wm Baker, in his own proper person, and upon Motion of the District Attorney - it was ordered by the Court that a Special Venire do issue for Thirty good Jurors, immediately (they being good and lawful men) returnable forthwith, and that a copy of the Indictment in said cause be served together with a list of the jurors summoned upon the Special Venire as aforesaid, upon Wm Baker defendant as aforesaid

Wayne Barton Admr
vs
Mitchell & Hamps
} Upon Motion of Plaintiffs Atty - this cause was Continued

The Court then adjourned to 10 O'Clock A.M. Thursday Sept 4th

Thursday 10 O'C A.M. Court met pursuant to adjournment present as before

A Bagell
vs
Moses Wood
} Suit abated and set aside for want of Service of Process as ordered by Court

Tannehill & Smith
vs
John Woods
} Service of process ordered to Woods representatives where known

Jams L Edmiston
vs
Coon & Scott

Jesse Tannehill
vs
Alfred Smith
} Suit for hearing on Saturday 6th day Sept 1845

Fall Term 1845 .BBO.

Jams T Edmingford vs Sedand L Ward	The plaintiff has leave to amend his petition. And defendant has leave to amend the plea by order of the Court
Geo. C. Tates vs Jose Antonio de la Garza	The Surveyor of Bexar County is ordered to make a survey of the lands in dispute return a plat and certificate of the same to the next Term of this Court, and that a copy of this order be issued upon the Surveyor of said Bexar county,
Jams T Johnson vs Joshua Holden,	Continued by consent
Thomas Ward et al vs Moon & Bleping	Upon motion of the defendants attorney the Summons in this cause was quashed, and an alias Procs awarded and the cause continued,
Thomas Ward et al vs King & Thompsons	Continued
Thos Ward et al vs Wm Thompsons	Continued
Thos Ward et al vs Moon & Bleping,	Summons quashed, and alias procs ordered
Thos Ward vs Moon & Bleping.	Summons quashed and alias procs ordered

Fall Term A.D 1845.

Friday 9 O'C A.M, Sept. 5th 1845 Court met pursuant to adjournment
Present as before

Silas. Cobbill Com.
vs
Stephenson & Ellmand

David. Y. Brown
vs
Thos. Ward Com. &c, } Now at this day came the Defendant by his Attorney and moved the dissolution of the injunction in this Cause had thereupon it was ordered by the Court that the injunction be dissolved, and that the Bill stand over as an Original Bill and Com plainant to amend his petition and the case Continued

Now at this day came the District Attorney and moved the Court to take up the Criminal Docket

The Republic of Texas
vs
Geo. W. Barrett Jnr.
Assault with intent to Kill } Continued

The Republic of Texas
vs
A. C. Mebane } Nole prosequi entered

The Republic of Texas
vs
Louis Peoples & Geo Barrett } Continued One Copias ordered to San Patricio County for Louis Peoples

The Republic of Texas
vs
John Tibbs } Continued

The Republic of Texas
vs
Wm Cockrell } Continued for want of papers

The Republic of Texas
vs
James Shaw } Nole prosequi entered

The Republic of Texas
vs
Wm Cockrell } Continued for want of papers

Fall Term AD 1845 .302.

The Republic of Texas } Indictment Cand Playing
vs
Joshua Holdent, } Now at this day came the Republic by her Attorney, Thomas Johnson, and the defendant Joshua Holdent in his own proper person. He having heard the Indictment against him, read, saith he is not guilty. Whereupon came a Jury of good and lawful men, towit, Wm Mallard and thirteen others who being duly sworn, to try the issue between the Republic aforesaid and the defendant Joshua Holdent, And having heard the testimony upon their oaths do say, that the said Joshua Holdent is "not guilty" in manner and form as alledged in the said Indictment, found against them.

The Republic of Texas } Ntoli prosequi entered,
vs
Martin Moore

The Republic of Texas } Ntoli prosequi entered
vs
Martin Moore

The Republic of Texas } Ntoli prosequi entered
vs
Moore & Gillet

Thos Ward } Dismissed at plaintiffs cost to the present term -
vs
Moore & Bleping

This day came the Plaintiff by his atty and moves the court to dismiss this case, It is therefore considered by the court that this suit be dismissed, that the defendants go hence without day, and recover of the Plaintiff their costs about their suit in this behalf expended for which execution may issue &c -

Same }
vs
Same } On motion of Plaintiffs counsel it is ordered by the Court that this case be dismissed, that the defendants go hence without day and recover of the plaintiff their costs about their suit in this behalf expended for which execution may issue &c -

.Boo. Fall Term AD 1845

Now at this day came into open Court the Grand Jury thus being a full and legal panell and returned the following bills of Indictment

The Republic of Texas } Indictment } Keeping Faro Bank &c.
vs
Pleasant Watson

The Republic of Texas
vs
Jack Mayfield & Mcmurcan Hunt } Affray.

The Republic of Texas } Retailing without licence Spirituous liquors
vs
Moore & Blessing.

The Republic of Texas } Retailing goods without licence
vs
Moore & Blessing

Republic of Texas
vs
Jams W Allard & Thomas Ward } Affray

The Republic of Texas
vs
Wm Allen, } Assault & Battery

The Republic of Texas
vs
Denis B Underhill } Keeping Faro Bank &c

The Republic of Texas
vs
Alfred Smith } Assault & Battery

The Republic of Texas
vs
Thomas Collins } Assault & Battery.

The Republic of Texas
vs
Jams P Horton } Assault with intent to murder &c.

Fall Term AD 1845

Saturday Court met pursuant to adjournment present as before 304

William E Howth, } On motion of the Complainant the former
vs } Order of Court appointing Wm Wallace one of
Thomas W. Moore } the Commissioners to divide the league of land
set forth in said interlocutory decree, be amended and that George
Hancock be substituted a Commissioner in his stead.

And on this day the sixth day of the term, the Commissioners heretofore appointed, to divide and set apart to complainant William E Howth, one equal moiety of said land, a tract of land, appeared in open Court and made the following report, .. Pursuant to the order of the Hon: District Court of the County of Travis, and Republic of Texas, Made in the case of William E Howth, complainant, against Thos W. Moore, defendant decretal order made and pronounced, at the March term 1845 of said court, directing Commissioners to divide according to quantity and quality, a certain league of Land, located and entered in the Surveyors Office of the County of Bastrop for and in the name of the said Thos W Moore, lying on Onion Creek in what is now Travis County on the West side of Colorado River being known as league No 12, said league being bounded as follows, beginning at the North West corner of League No 11, thence South 7,150 Varas to Onion Creek, back 10,000 Varas to a Stake on the prairie E corner of League No 12, thence West 2,500 Varas, to a point in the prairie, thence North 10,000 Varas. Onion Creek to a point in the prairie N W corner of League No 12. Thence East 2,500 Varas to the beginning, Now We the undersigned Commissioners appointed by the Hon: the District Court, to divide said League of Land, report that we have performed that duty, and that we have set apart to the said William E Howth one half of said League of Land, according to said decree, Beginning at the North West corner of League No 11, thence 5,000 Varas to the centre of the East boundary line of League No 12, at a Stake thence West 2,500 Varas, crossing Onion Creek to a Stake, at the centre of the West boundary line thence North 5,000 Varas to a post, N E, West corner of League No 12, thence East 2,500 with the north line of League No 12 to the beginning— In testimony whereof we have set our Hands &c, September 8th 1845,

Jas Nathaniel Shelby
H C
George Hancock C and
J M Harell C and
W M Thompson C and

Which said report is now received by the Court and the acts of said Commissioners in the premises confirmed and the Court now orders and directs, out of the said Howth

W. Moore all Title in said Orig League of Land, Set South in said report And vest the same in said William E Heath And Chas said defendant pay all the Cost, in this behalf expended, for which Execution may issue as in Cases at Law,

Morgan C. & Hamilton
vs
Jesse Barton & Thomas McWard } Bill to be taken pro Confesso unless Answered within forty days by Defendants,

Thos Ward
vs
Moore & Bleffug } Dismissed by order of Plaintiff.

This day appeared in Court the Grand Jury this being a full and legal panell and through their foreman returned the following bill of Indictment.

Republic of Texas
vs
Reuben Chandler & Jewell } Fornication

Republic of Texas
vs
Benjamin F. Bell } Keeping Rowdie,

Republic of Texas
vs
Leonard Watson } Selling at Rowdt.

Republic of Texas
vs
Robt Autry } Selling at Rowdt,

Republic of Texas
vs
Washington Scenls, } Selling at Faro.

Republic of Texas
vs
Wm Gibson & George Oatmeal } Playing without Cause

Fall Term AD 1845 .366.

✓	The Republic of Texas vs Owen O'Briant	}	Retailing without License
✓	Republic of Texas vs William Remy	}	Retailing without License
✓	Republic of Texas vs Willard Remy	}	Keeping Faro Bank &c.
✓	Republic of Texas vs Geo. Rare	}	Betting at Faro
✓	Republic of Texas vs Benjamin Hill	}	Betting at Faro
✓	Republic of Texas vs Pleasant & Watson	}	Affault & Battery
✓	Republic of Texas vs Lewis Pinckney Henderson	}	Betting at Faro,
✓	Republic of Texas vs John Roberts	}	Keeping Faro Bank.
✓	Republic of Texas vs Shanly,	}	Keeping Roulette
✓	Republic of Texas vs Jack Ashley	}	Betting at Faro
✓	Republic of Texas vs John Roberts	}	Betting at Faro

Fall Term AD 1845

The Grand Jury were then discharged by the Court

The Court then Adjourned to Monday Sept 8th 1845 10 O.C. A.M.
Monday Court met pursuant to adjournment, present as before—

Hemard Ward
vs
Farley & Smith

Monday September 8th 10 O.C A.M. Court met present as before

The Republic of Texas
vs
Wm B Baker

Now at this day came the defendant in his own proper person into open Court and moved the two day notice upon the original panel & special Venire, together with the copy of the Indictment all of which had been served upon him

Tuesday 10 O C A M
Court met pursuant to adjournment present as before

Wednesday 9 O C A M Court met present as before

Thursday 8 O C A M, Court met present as before

Friday Court met pursuant to adjournment present as before
The being represented, That One of the Jurors in the case of W.B. Baker vs The Republic of Texas, after hearing the testimony introduced in said case, and after being placed under the charge of the Sheriff of Travis County, did absent himself contrary to the Charge of the Court. Whereupon came the Republic by her Attorney and moved that all

exceptions and objections to the absence as aforesaid be waived which was assented to by the Counsel on the part of the Defendant Wm R. Baker

Republic of Texas
vs
Wm R Baker

It appearing in this case that one of the Jurors Sol Jones was sick, it was consented by the District Attorney on the part of the Republic and the Prisoner in open Court that the said Juror might withdraw from his fellow Jurors and remain with his family during the night.

Saturday Court met pursuant to adjournment present as before.

It having been represented to the Court, that one of the Jurors Dennis O'Brian had absented himself from the immediate presence of the proper Officer the District Attorney on the part of the Republic and the Counsel of the Prisoner at the Bar, to wit Wm R Baker by consent waived and dispensed the objection ~~thereto in consequence thereof~~, and on this day came the Jury drawn empanelled elected and sworn to try the issue between the Republic of Texas and Wm R Baker the Defendant charged with Murder of James Smith ~~Constable~~ to wit, Walsh, Jefferson, Thomas Ward, Wm Bratton Simon Kenard, Jno Hamilton, Robt Montgomery, Wm McCutchen Marcus Cottrell, Alexander Hamilton, Jno Salb, and Dennis O'Brian, who after having heard the evidence to them submitted, and the charge of the Court in the premises returned into open Court their ~~Verdict~~ Verdict. And said

We the Jury find the Defendant not guilty—

It was therefore considered by the Court that the Prisoner be discharged from the further Custody of the Law and go hence without day &c.

B.B.q. Fall Term A.D. 1848

James F Edrington
vs
Susan L Ward et al

This day come the
parties by their attys, and the
premises being considered and
the argument of counsel being heard
upon the plea to the jurisdiction
filed in this case by the defendant
It is considered by the court that
the said plea be sustained.
Whereupon the plaintiff asked
leave to amend his petition and
the said defendant moved the
court for leave to amend his said
plea to the jurisdiction, which
several motions to amend were
allowed and the case con
tinued until the next Term
of the court

Fall Term AD 1845 .340.

Hellman Ward } Be it remembered that on this cale upon the Commissioners
vs } of the report of S Lee Esqr Commissioner appointed
Farley & Jewett } by the Court to take in account in this Cause and the
same being now upon to be by both (parties) Complainant and
Defendant it is hereby decreed and ordered by the Court that the same be confirmed
and that said Complainant do and have and recover of said Defendants the sum
of One hundred & twenty Seven dollars & Seventy four Cents for his debt and
also the interest thereon since the filing of the Bill of Complainant in this cale
the 25th May 1841 at the rate of eight per cent per annum and all cost herein
expended for which and Execution May issue as at Law.
The sum of $20.00 was allowed by order R. E. B. Baylor Judge &c.
of the Court to M H Beaty for services rendered by him
as master in Chancery Test: R E B Baylor Judge &c

Colvill Exrs of Jas Caldwell
vs
Defendant & Dennan } In this cale the death of
said Colvill having been suggested
to the Court, And thereupon came the Plaintiffs by their Counsel and
moved that the said suit be now and stand revived in the name of
Thomas Jackson Administrator "De bonis non" of said James A Caldwell
And thereupon Came on for final hearing the matters and things
alledged as well on part of Complainant as of the defendant upon the
original bill Answers exhibits & proofs and was heard, and his Honor
thought fit to order & decree and doth hereby order & decree that said
Complainant have and recover of said defendant the sum of Three
hundred dollars in gold and lawful money of the United States of Texas
And further that the Mortgage on the premises and property in said mentioned
Mortgage (to Wit) a certain lot or parcel of land in the City of Austin,
Known and designated on plan of said Town as lot No 4. Block Sixty,
On Congress avenue, with the buildings and improvements & appurtenances
thereto belonging being the house formerly occupied by Defendant Dennan
as a Grocery establishment &c. be and is now hereby foreclosed & said
premises be sold in satisfaction of the decree herein now made in the
premises and all cost herein expended &c

R. E. B. Baylor Judge &c.

B 41. Fall Term A D 1845

George I Glascock vs John F Webber } Trespass to try title In the District Court of "Travis County"

The undersigned James Webb and Benj Gillespie to whose arbitrament and award was referred the matters in dispute between George, I, Glascock, plaintiff in an action of Trespass to try title and John F Webber defendant in said action by the consent of the parties and the order of the Court & being authorized by the terms of said submission & reference to select and choose an umpire in the settlement of said matters in dispute, and having in accordance with said authority selected and chosen James S Mayfield Esqr an Attorney and Counsellor of the Court as said umpire, We the said referees and umpire having met together and fully investigated all of said matters of dispute, and the law and the evidence arising thereon do make and agree to the following award which is to be received and entered up as the judgement of the said District Court, of Travis County in said Cause — — — — — Viz

We award and determine that the tract or parcel of land in dispute shall be equally divided between the said parties litigant by a line to be run from the back line of the Toulsac survey parallel with the original line of John F Webber Survey as specified in his title, to a point on the Colorado River equi distant from and between the disputed corners as contended for by said parties in trial of our said suit. And we further award and determine that each of said parties shall by their deed of relinquishment to the other, relinquish all adverse claim to that portion of said land which is hereby awarded to his adversary, that is to say, George I Glascock shall relinquish by deed all claim to that moiety of the land which is hereby awarded to John F Webber & the said John F Webber shall relinquish by deed all claim to that moiety of the land which is hereby awarded to said Glascock And we further award and determine that each party pay his own costs incurred in said suit And that the expenses of making a division of said land under this award be equally divided between the said parties —

Given under our hands & seals this 23 day of September 1844

James Webb (seal)
B Gillespie (seal)
J S Mayfield (seal)

Fall Term AD 1845 .642.

It is ordered by the Court that all cases both civil and criminal be continued generally until the next term of the District Court

For want of time and a Best of the Freeholders of the County, it is ordered that the Clerk and Sheriff, in the presence of the some Justice of the peace in and for the County of Travis, Proceed to draw according to Law thirty six good and lawful men to be and appear at the next term of the District Court and that the Clerk open a Venire Facias for the same it is further ordered that the Court adjourn until the next regular term thereof

R E B Baylor
Judge &c

B 16:

Be it Remembered that on this the 22 day of
august in the year of our Lord one thousand eight
hundred and forty six the following named persons
were drawn by B F Bassford clerk of the District court in
Ashton B. McGill Clerk of the county court for the county
of Travis in the presence of R C Doom a Justice
of the Peace in and for said county to serve as
Jurors for the next term of said court (to wit)

× 1 William Leftwich ×
2 Francis Kelly
3 B. F. Chandler ×
4 John Beck ×
5 James Cole
6 James Edmiston
7 Samuel Welston
8 Elias Marshall +
9 H. W. Thompson +
10 Robert Stewart +
11 James Parmer +
12 Washington Anderson +
13 John G Mathews
14 James Boyce
15 James Johnson
16 Nicholas McArthur
17 Martin Moore ×
18 George J Glascock
19 Abner Mathews
20 Jos H Bacon +
21 Oliver Buckman +
22 Henderson Upchurch +
23 Josephus Hornsby
24 Alfred Smith
25 R Tyler
27 Thos Roach +
28 E P Houston
29 B H Butts
30 Horace Baker
31 William D Thomas
32 James Cuesner
33 M C Hamilton ×
34 Harvey Smith +
35 William Baker
36 James Dorrell

B F Bassford Clerk D. C. T. C.

R. C. Doom J. P. 33 A B McGill Clk Comty Court T. C.

District Court for Trumbull county

Fall term A.D. 1846 commenced its Sessions at the capital October 5th A.D. 1846 present in court The Hon. William E Jones Judge of the second Judicial District, B.D Bissford Clerk and James Mathews Sheriff. The Venire previously Drawn according to law being called by the Sheriff the following persons summoned on said Venire answered to their names, (to wit)

Francis Kelly	Josephus Hornsby
James Cole	Alfred Smith
James Edmonston	Reuben Tyler
Samuel Dilcot	E P Houston
James Manor	B H Buts
John F Mathews	Horace Bukel
James Dorell	William D Thomas
James Boyce	James Cassner
James F Johnson	
Nicholas Mcarthy	
George John Glascock	
Abner Mathews	

On motion Francis Kelly James Edmonston James Dorell, James F Johnson and Reuben Tyler were excused from serving as Jurors

The court then ordered an alias Venire commanding the Sheriff to summon twenty four free holders or house holders, good and lawful men of the county of Trumbull to be and appear before this court at three of the clock Post meridian to serve as Jurors

On motion of James Webb esqr, that Alexander Lance be admitted, to practice as an attorney and counsellor at law within this State, the court on examination being satisfied that the said Lance is a person of good reputation for moral character and honorable deportment, and the said Lance having produced the necessary certificates of his having been admitted to practice as aforesaid by the supreme Court of the state of Ohio, and that it is his intention to become a permanent citizen of this state. The court therefore order that the said Lance on taking the oath required by law to be

Fall term 1846

545. admitted and licensed to practice as an Attorney and Counsellor at Law and Solicitor in Chancery in any of the courts of Record in this State

The court then adjourned till three o'clock P. M.

The court met pursuant to adjournment when the aforesaid return by the Sheriff being called the following persons, (having been summoned thereon) answered to their names

(Towit) J M Gray Esq
W M Cartwright
John Edwards
Owen O'Brien
William Lockhart
I C Tannehill
Edward Scudder
Lewis Capt
Wm P Thorp
Lewis Horst
F Deitrick
C C Browning
J C Rice
John Wahrenberger
Metz
C Wolcott
Wm Burdett
Thomas Freeman
& David Chandler

On motion the following named persons were excused from serving as jurors (to wit) William McCutchon, Lewis Horst, J Deitrick James Boyce, and James Cormick & James Cole

The following were then called and sworn as Grand Jurors (to wit)

James Manor
John G Mathews
Nicholas McArthur
George I Glascock
Abner Mathews
Joseph Moorely
Alfred Smith
Thomas Rowe
E F Houston
B F Butts
Horatio Baker
Wm D Thomas
Thomas Freeman
Edward Scudder
Lewis Capt
John Wahrenberger
I C Tannehill
& J M Gray Esq

The court then appointed Abner Mathews to be the foreman of the Grand Jury who was sworn accordingly, the other Jurors having been sworn according to law were charged by the court in relation to their duties after which they retired to consider on their upon their duties James Eatmerton Esq Sheriff being ordered to wait upon them

There being a ~~vacancy~~ new District Attorney

The court appointed John G Chalmers esq District Attorney pro. tem.

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B.46.

The following were then called and sworn as petit Jurors, to wit, Owen Obrian, J C Rice, John Edwards H P Sharp William Burdet C Wilcox ~~C C Browning~~ William Custard, H H Mitz ~~S. G Jones~~ Martin Moore

The court then called the civil Docket on which the following orders were made to wit, in the case of

Alexander Russel
vs
A Robinson } The court orders that R Miles administrator of Russel be made a party plaintiff.

Hudon Edwards
vs
Mirabeau B Lamar } Continued

Tannehill & Smith
vs
Moses Wood } settled as per agreement to be filed

A McDonald
vs
Dolstons Administrator } Dismissed by Plaintiff

Jno R Jones
vs
Frances W Ogden } Death of Plaintiff suggested and M F Jones Administrator made Plaintiff

James Powers
vs
Republic of Texas } On motion the Plaintiff has leave to amend

Wayne Burton
vs
George I Glascock } Continued

Albert G Kimball
vs
Martin Clark } Continued for service

Mathew Montmorency Bon
vs
The heirs of Aaron Boyd Dec'd, } On motion Thomas H Duval appointed Guardian ad litem for the minor heirs ~~and that the cause be set for trial tomorrow~~

Henry Adams
The heirs of Samuel Brooking Deceased } continued and alias citation ordered to the county of Harrison as to all Defendants except Joseph and Parnell Bostwick and order of publication as to them

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Ann J Wooldridge vs William L Cazeneau	Continued and cause to Galveston County docket
Samuel Houston vs Abner & J K Smithers	Continued for service
Post & Cronican vs John M Swisher acting Secretary of State	On motion Plaintiff has leave to amend his petition

The Court then adjourned until tomorrow morning at nine of the Clock

Tuesday morning October 6th 1846
Court met pursuant to adjournment, when the records of the preceding day were read
On motion John Wooldridge was excused from serving as a juror Then not being a sufficient number of petit Jurors in attendance to constitute a panel, William Cohren, Elijah Mathis, and S. B. Jones were sworn as petit Jurors
John G Chalmers esq appeared in open court and took the oath prescribed by law as District Attorney pro tem
Alexander Lance appeared and took the oath prescribed by law as an Attorney and Counsellor at Law and Solicitor in Chancery
A petition of John R Wooldridge was filed praying to be admitted to practice as an Attorney and Counselor at law; whereupon the court appointed B Gillespie Thos H Duval and J S Mayfield esqrs a committy and set as the day for examination Wednesday at half past eight of the Clock
The court then called the civil docket when the following orders were made to wit

Wayne Barton Admr vs Nicholas Haenen	Dismissed at Plaintiffs cost
Morgan C Hamilton vs Thos Wm Waddom & Jesse Burke	Set for trial on Friday

Thos Ware et al
vs
Moore & Blessing
10 — Dismissed at Defendants Cost

Thos Ware et al
vs
Moore and Blessing
12 — Dismissed at Defendants costs

Charles Raymond
vs
Sutton et al
14 — Judgment entered accordingly by default the Plaintiff appearing by his Attorney and the Defendant being called & not answering, it is considered & adjudged by the Court that the Plaintiff do recover according to the prayer of his petition unless the Defendant file and answer within the time prescribed by law

Townsend and Smith
vs
Cook & Huggins
16 — Judgment by default
The Plaintiff appearing by his counsel & the Defendant being called & not answering, it is considered & adjudged by the Court that the Plaintiff do recover according to the prayer of his petition unless the Deft file and answer within the time prescribed by law

N Townsend
vs
Cook and Huggins
17 — Judgment by Default
The Plaintiff appearing by his counsel & the Defendant being called & not answering, it is considered and adjudged by the Court that the Plaintiff recover according to the prayer of his petition unless the defendant file and answer within the time prescribed by law

James Powers
vs
Anson Jones President
22 — Continued

James Powers
vs
Republic of Texas
Continued

William R Smith
vs
Samuel Whiting
33 — Continued for service

Albert G Kimball
vs
Martin Clark
34 — Continued for service

Albert Pike
vs
James O'Neal
Judgment Nihil entered by default The plaintiff appearing by his counsel & the Deft being called answering not it is considered and adjudged by the Court that the Plaintiff do recover according to the prayer of his petition unless the Deft file answer within the time prescribed by law

The Court orders that Thursday be set as the day for taking up the Memorial Docket

Nathaniel Morris
Mary Ann Morris
The Heirs of Aaron J Boyce
Dec
The cause came on for trial upon the bill exhibits and testimony whereupon the Jury returned the following verdict We the Jury find the matters set forth in the bill sustained In consideration whereof it is ordered and decreed by the Court that James Bethune sheriff of Travis county be & he is hereby made special commissioner in Chancery to make and execute within ninety days a deed in fee simple conveying to the said Mary Ann Morris all the estate either in law or in equity which the said Aaron J Boyce had in the premises in the said bill and exhibits mentioned

Bldg Prichard the said Mathews within the time above limited shall deliver to the Clerk of this Court for the use of the said Mary Ann Moss, and to is further ordered that the complainants pay one half of the cost of this suit and that the Defendants pay the other half of the costs of this suit within ninety days and upon default thereof that execution issue therefor as upon Judgments at Law

o/c
43 Wm D Haley
vs
James P Hector } Judgment on default
The Plaintiff appearing by his counsel and the Defendant being called answering not it is considered & adjudged by the Court that the Plaintiff do recover according to the prayer of his petition unless the Deft shall answer within the time prescribed by law

The Chancery Docket being called the following order was made (to wit)

1 C K Reese &c vs James Buck } continued

4 Amos Sims
vs
R Caldwell et al } Demurrer by Plaintiff

Wm D Orr
vs
Wm R McLeod } continued

9 Succession of James A Horton vs Commissioner of Gen Ld Office the Legal of the Docket

11 Bartlet Sims
vs
Thos W. Ward } continued

12 Jonathan Burnes
vs
Sam Houston } continued

21 James Cole
vs
Duggan & Ford } Continued by consent

22 Rowland & Leahy
vs
James M Long et
Wm R Readeney terrae } continued

23 John R Slocum
vs
Foley } Continued for service

Court adjourned until to morrow morning at half past ten o'clock

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Wednesday morning October 7th 1846

Court met pursuant to adjournment

James A Poage appeared in court and took the oath prescribed by law as an Attorney and Counselor at Law and Solicitor in Chancery

John R Rooldridge appeared in court and was examined by B Gillespie & S Mayfield and Thos H Duval esqrs a committee appointed upon his petition to be admitted to practice as an attorney and counselor at law

The list of petit Jurors being called Wm P Thos L Pittsons Pastures & S H Jones made default whereupon I M Russell W M Luckett & Francis Wayland were summoned & impanneled as petit Jurors

Asa Brigham Adm's
vs
Poulan & Obrien } Johnson Administrator of Surety made a party Plaintiff cause afterwards dismissed

2

Fannchill & Smith
vs
Moss Rood } Order of the 5th of October set aside bail dismissed each party paying his own costs. And the.

5

A Underwood
vs
H J Cottell } Continued for service

7

Thos Rood et al
vs
D P Thompson } Dismissed at Defendants costs

10

James A Edrington
vs
Cot & Scott } Continued by Defendant

13

Thomas Rood et al
vs
King & Thompson } Dismissed at Pltfs cost

15

Samuel Rickes
vs
Samuel Whitney } Continued by consent

18

James A Johnson
vs
Joshua Holden } Continued by Defendant

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	M. F. Jones Adm-t John R. Jones vs Frances N. Ogden (49)	Continued on alias Juries citation to def't person County ordered
21		
22 8	James Powers vs Anson Jones Pet	Continued
25	James Scott et al vs A. B. Jackson	Continued by consent
26	James Cole vs Michael Zeller	Continued for service of the Certiorari
27	A. B. McDonald vs William Gloor	Judgment entered by confession of Defendant for one hundred and twenty seven dollars and ninety cents with the balance of the debt and interest
28	Browning & Hale vs D. M. Shepherd	Continued for service
37	James Webb vs George W. Glascock	The Plaintiff appearing and the Defendant being called answereing not, it is considered and adjudged by the Court that the Plaintiff do recover according to the prayer of his petition under the Defendant plead and answer within the time prescribed by law
38	David G. Burnet for the use of Stephen Whitney et al vs A. C. Horton acting Com'r of the Land	Continued on alias Citation ordered

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Philo Golden for the use of George Golden
vs
M Farley

The Plaintiff appearing by his counsel and the Defendant being called answering not, it is considered and adjudged by the court that the Plaintiff do recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law

John Rahenberger
vs
Henry Roberts

The Plaintiff appearing by his counsel and the Defendant being called answering not, it is considered and adjudged by the court that the Plaintiff do recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law

Harvey Smith
vs
C Pilcot

Continued on affidavit of Plaintiffs Attorney

The Chancery Docket was called and the orders made

Charles B Stewart
vs
Commissioners of the Gen Ln Office

Continued

Joseph M Sarety
vs
Commissioners of the Gen Land Office

Motion to strike out Surety made Plaintiff an[illegible] Continued

Jno Harrison
vs
Martin & Owen

The Plaintiff appearing by his counsel and the Defendant being called answering not, it is considered and adjudged by the court that the Plaintiff do recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law

Thomas M Fancy Executor
vs
Fancy

The Plaintiff appearing by his counsel and the Defendant being called answering not it is considered and adjudged by the court that the Plaintiff do recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law

B56. Fall term A D 1876

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Summons
vs
Whitney
} Continued by Plaintiff

Silas Caldwell Exr of
of J A Caldwell Dec'd
vs
Jerendon & Dennen
} On this day the complainant by his Counsel presents a decree in this cause by Parties, and moves the same be recorded and entered now as for the last term of this Court which is so ordered and entered of record as follows

In this cause the death of said Caldwell being suggested to the Court and thereupon came James M Randolph and produced Letters of Administration from the Probate Court of Fanning County in this State authorizing him as the Administrator with the will annexed of said James A Caldwell dec'd on his motion said suit was revived in his name as such and the said cause coming on now for hearing and trial and the same was heard upon the part of the Plaintiff as Defendants and upon the bill and answers Exhibits and Proofs being had by the Court and a trial by Jury being waived the Court doth order and decree that said Complainant James M Randolph Admr &c as aforesaid do have and recover of said Defendants the sum of twelve hundred dollars and doth further decree that said mortgaged premises set forth in said bill to wit the part lot on Congress Avenue in the City of Austin known as part of Lot No 10 and block 60 being the South half with all the buildings and improvement thereon and heretofore known as Trades Tower and at one time used as grocery store by said Jerendon & Dennan be sold to pay said sum of money this decree and costs &c and it further appearing to the Court that at the last term of the District Court for this County that a decree was made in these premises, which by the assent of the parties Plaintiff and Defendants is now opened and this decree made & rendered in in the place thereof B Gillette for Pltf Webb for Defts Court and jury waived &c

Thursday morning october 8th 1846

The court met pursuant to adjournment
The list of petit jurors being called the following
answered to their names to wit
+ John Edwards, Wm P Short William Burnet H H Mitz,
S.G Jones, William Coburn E S Harper & T E Brown +
John McGee & Morton Moore
The following were sworn to compose the panel
of petit jurors William Pouncy Samuel Haymon
John Grumbles, John Tenhagen Wm H Murrah
On motion H.H. Mitz Wm Custard & Wilcox & Owen
Adrian were excused from serving as petit jurors

A petition was filed by John T Clark praying to be admitted to
practice as an attorney & counsellor at law, whereupon
the court appointed James Webb, A Parker and I Lee esqrs
a committee and fixed on the day for his examination
Tuesday the 13th of the present month

On calling the criminal Docket the following
Orders were made

√1 The State of Texas vs George Burnet } Continued

√2 State of Texas vs John Tebble } continued

√4 State of Texas vs Washington Secrets } continued and alias capias ordered to Washington County

√5 State of Texas vs William Kerry } continued and alias capias ordered

√6 State of Texas vs William Dean } continued and alias capias ordered

√7 State of Texas vs David H Mitchell } continued and alias ordered to Washington County

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8 State of Texas
vs
James McGuire &
Thomas Reed
} In the cause the State appeared by its attorney John G Chalmers esq and the Defendant Thomas Reed who on hearing the endictment read pleaded not guilty Whereupon the following Jurors were sworn according to law to try the issue joined between the State and Defendant to wit I O Reed John Edwards Wm P Thorn, William Burdit, A P Watts S C Jones, William Cohuen E S Hooper A E Brown, John McGuire William Powers and Martin Moore who after hearing the proofs with the instructions and the charge of the court returned a verdict of not Guilty — Whereupon it is ordered by the Court that Defendant Reed be discharged and that the case be continued as to the Defendant O'Hara.

9 State of Texas
Martin Moore &
Henry Blevins
} In the cause the State appeared by its Attorney John G Chalmers esq Dist Attorney pro tem and the Defendant Martin Moore in his own proper person who on hearing the endictment read pleads not guilty whereupon the following Jurors were sworn according to law to try the issue joined between the State and the Defendant to wit William Cohuen Elijah Hooper, Wm P Thorn, John Edwards S C Jones, Wm Burdit John McGuire Francis Rayland Samuel Highsmith John J Grumbly John Cashaegan, Wm H Murrah all good and lawful men of the county of Travis who after hearing the proofs with the instructions returned a verdict of not Guilty Whereupon it is ordered by the court that Defendant Martin Moore be discharged and that the case be continued as to Henry Blevins and that an alias issue

10	State of Texas vs John Roberts	Continued and alias ordered
11	State of Texas vs Doc R Autry	Continued and alias ordered to Washington County
17	State of Texas vs Doc R Autry	Continued and alias ordered to Washington County
15	State of Texas vs Shirley	Continued and alias ordered
18	State of Texas vs George Davis	Continued and alias ordered
25	State of Texas vs Mathew Taylor	Continued and alias capias ordered
26	State of Texas vs John Roberts	Continued and capias ordered to Harris County
27	State of Texas vs James P Henderson	Continued
28	State of Texas vs Pleasant B Watson	Dismissed
29	State of Texas vs Pleasant B Watson	Dismissed
30	State of Texas vs P B Watson	Dismissed
	State of Texas vs Alfred Smith	Indictment quashed

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Fall Term 1846

Friday morning October 9th 1846

Court met pursuant to adjournment
The following Jurors were called and sworn
according to law in the trial of Criminal cases
for the day to wit William Burdett
William Cockburn John Edwards Elijah
Harper A H Bouney David Everton William
Allen S C Jones James Muse Mathias Wil-
liamson John McGuire Jackson Thompson
A M Jackett and C M Jackett

State of Texas } In the cause the
vs } parties appeared the
Thomas Collins } State by its attorney
~~John J Chatham~~ John J Chalmers and
the Defendant in his own proper person
who on hearing the indictment pleaded not
guilty whereupon the following Jurors were
duly sworn according to law to try the issue
joined between the State and the Defendant
To wit William Burdett, William Cockburn
John Edwards, ~~Elijah Harper~~, A. H. Bouney
David Everton William Allen S. C. Jones
James Muse, Mathias Williamson
John McGuire Jackson Thompson
A. M. Jackett & C. M. Jackett & Thereupon all and
singular the witnesses for the State and Defendant
who after hearing the pleadings and evidence
retired and informed the court that
they could not agree upon their verdict
Whereupon it is agreed by the parties that a juror be
withdrawn and that the cause be continued until the
next term of this court

16 State of Texas vs Wm Allen } Continued on affidavit of Defendant

21 State of Texas vs Wilkins Gibson & George Thompson alias Catman } Rule to prosecute to Calhoun and alias Capias order as to Gibson

23 State of Texas vs Owen O'Brien } In this cause the parties appear the State by its attorney John Palmer Esq and the defendant in his own proper person who on hearing the indictment read pleads not guilty whereupon the following persons were sworn according law to try the issue joined between the State and the defendant to wit William Burdett Williamson Jackson, John Edwards, Elijah Harris A H Pouncy, David Overton, William Hobden Sr. Jones, James Mussey, Matthias Welberger who after hearing the parties with their witnesses returned a verdict of Not Guilty whereupon it is ordered by the court that the defendant be discharged

On calling the docket the following orders were made
Geo. C. Watts vs Antonio de la Garza } Continued

X Theodore H. Raymond vs D. C. Ogden & Wm Sutton } In this cause the parties appear by their attorneys and the defendant being solemnly sworn come not to issue upon a plea but submit to a jury to assess the plaintiffs damages whereupon to wit William Burdett, William Jackson, John Edwards, A H Pouncy, David Overton, H. C. Jones, James Mussey, Matthias Welberger, John McGuire, Jackson Thompson, & J M Luckett who after hearing the evidence with their witnesses returned a verdict for the plaintiff for two hundred and sixty six dollars and sixty six cents. It is therefore considered by the court that the plaintiff recover of the defendants the said sum of two hundred and sixty six dollars and sixty six cents and all costs in this behalf expended and that execution issue therefor

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Fall Term A.D. 1846

14

B J Grayson for the use of R S McNelly
vs
William Cook

In this cause the parties appear by their attorneys and submit the cause to the Judge of this court whereupon the parties order, that the Judgment of the Justice be reversed and that the plaintiff recover of the defendant the sum of one hundred and twenty five dollars and fourteen cents and all costs in this behalf expended and that execution issue therefor

17

A Townsend
vs
Cook & Higgins

In this cause came the plaintiff by his counsel on Tuesday the second day of this Term and the defendants although legally summoned came not to answer said complaint but made default and on this day the fifth day of said Term to wit on Friday this cause again came the plaintiff by his attorney and said Defendant being now again called came not but made default it is now therefore considered by the court that that said Judgment by default be made final and that said plaintiff do have and recover of the Defendants the balance due upon the notes sued upon in this cause the sum of two hundred and fifty nine dollars principal and the further sum of seventy two dollars and fifty nine cents interest thereon and the costs in this behalf expended for which an execution shall issue

16

Townsend & Smith
vs
Cook & Higgins

In this cause on Tuesday the second day of the term of this court came the plaintiffs by their attorneys and said Defendants although legally summoned came not and failed to file their answer to the plaintiffs petition but made default and on this day Friday the fifth ~~the~~ day of said Term again came the plaintiffs and the Defendants being again called came not but was still in default and on motion of plaintiffs said default is now made final, and

thereupon came a jury of good and lawful men to wit William Cockburn William Burdett Johnson Edwards Elijah Harper A H Pouncy John Coulter William Adcock S. B. Jones, James Murray Matthias Welbourn Matthias Welbourn Jr John McGuire and Jackson Thompson good and lawful men of said County who being elected tried and sworn well and truly to find the issue and matter in dispute between said parties plaintiffs and defendants on their oaths do say they find for the plaintiffs and assess their damages to twelve hundred and ninety two dollars and twenty two cents it is therefore considered by the court that the said plaintiffs do have and recover of the said defendants the said sum of twelve hundred and ninety two dollars and twenty two cents the verdict of the jury aforesaid and all costs in this behalf expended &c

43 William D Haley
James P Rector
} Plaintiff ruled to give security for costs and cause continued

On the Chancery Docket the following orders were made

25 Michael Zeller
James C Reid
} Dismissed at the cost of Zeller

On this day came the Plaintiff by his attorney and demurred to the defendants answer whereupon the same being considered and adjudged by the court that the Plaintiff Defendant recover of the Plaintiff all his costs in this behalf expended and that execution issue therefor

Court adjourned until tomorrow morning at nine of the clock

October 10th 1846

Saturday morning. Court met pursuant to adjournment The following were summoned to attend as petit jurors to wit Jackson Thompson A H Pouncy David Coulter Wm Burdett William Adcock Matthias Welbourn, Matthias Welbourn Jr. W. M. Puckett William Cockburn, John Edwards, John McGuire S. B. Jones

Albert Pike
J W Chaires
} In this cause came the Plaintiff by his counsel on Tuesday the second day of this term and the Defendant who legally summoned came not to answer the said complaint but made default and on this day the sixth

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day of said Term to wit on Saturday thereof again came the plaintiff by his Attorney and said defendant being again called came not but still made default. On motion of the plaintiff It is now therefore considered adjudged by the court that the said Judgment by Default be made final and that said plaintiff do have and recover of said Defendant the sum of five hundred and fourteen dollars and fourteen cents it being the amount of the note and interest due upon the note and order sued upon and the costs in this behalf expended for which an execution shall issue

Court adjourned until Monday morning at half past eight of the clock

Monday morning 12th Oct. 46

Court met pursuant to adjournment when the following were called as petit Jurors to wit John Edwards, Jackson Thompson, A. H. Pouncy, Samuel K. Blish, W. P. Thorn, Elijah Harper, Wm Bratton, George Bratton, James Mooney, David Overton, William Allen, S. G. Jones

The Grand Jury returned and informed the Court that they had no further business before them and were discharged by the court

Jesse J. Perry Executor of Hatton Robertson

vs

Jesse Thurston President

In this cause the parties appeared by their counsel and submitted the cause to a jury to wit John Edwards, Jackson Thompson, A. H. Pouncy, Samuel K. Blish, W. P. Thorn, Elijah Harper, Wm Bratton, George Bratton, James Mooney, David Overton, William Allen & S. G. Jones who after hearing the evidence of two witnesses on the part of the plaintiff and other evidence in writing the court adjourned until tomorrow morning at half past eight of the clock

During the present term of the court the following bills of indictment were found by the Grand Jurors of the county of Travis, to wit, on motion of Mr. Wheeler ordered to be entered of record

State of Texas vs Joshua Holden — Betting at Faro. A true bill.

State of Texas vs Henry Blessing — Betting at Faro

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3	State of Texas vs T. J. Blake & Thomas Rice	unlawful Gambling
4	State of Texas vs James C. Haynsworth	Betting at Faro
5	State of Texas vs Henry Scott	Betting at Faro
6	The State of Texas vs Charles Reed	Betting at Faro
7	State of Texas vs James T. Henderson	Betting at Faro
8	State of Texas vs Thomas Ward	Same
9	State of Texas vs Rebecca Glascock	Assault & battery
10	State of Texas vs William Cooke	Assault & battery
11	State of Texas vs Joseph Filson	Keeping and exhibiting a faro bank
12	State of Texas vs J. J. Arnet & Thomas Rice	Keeping cards &c at public place
13	State of Texas vs Joshua Holden	Betting at Faro
14	State of Texas vs Asa Harris	Keeping a faro bank

Tuesday Morning October 13th 1846

Court met pursuant to adjournment
& motion the examination of John T Clark
was postponed until to morrow morning, at
half past eight of the clock

X Be it remembered that on thursday the 13th of
October Ano Domini 1846 the committee appointed
for the examination of John R Pooledredge
upon his petition praying to be admitted to
practice as an attorney and counsellor at
law made the following report
State of Texas } We the undersigned a
County of Travis } committee appointed to
examine into the legal qualifications
of John R Pooledredge esq applicant for ad-
mission to the bare having made such exam-
ination in open court as is required by law
and finding the said applicant well qualified
to assume the duties of the profession do hereby
concur in recommending that he be licensed
by the Court to practice as an attorney and
counsellor at law in the Different District
and Inferior courts of this State
R Gillespie
Thos H Duval
I S Mayfield
And the said John R Pooledredge having
also produced a certificate of the county court
for the county of Travis under the seal thereof
certifying that the said Pooledredge has
been a citizen of this State exceeding six months
that he is twenty one years of age, and that
he bears a good reputation for moral
character and honorable deportment
The court therefore orders that the said John
R Pooledredge on taking the oath required by
law be admitted & licensed to practice
as an attorney and counsellor at law in the
Different District and Inferior courts of this State

On Chancery
P B Cocke } Continued
vs
Benjamin Swyton
James Webb
George I Glasscock } Continued by consent

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James Perry executor of
Stephen F Austin
vs
Sam. Houston
President

In this cause the parties again appear, by their counsel and the jury previously empannelled and sworn according to law, or being called answer to their names, and the cause was again submitted to them who after hearing the parties with their witnesses return the following verdict (to wit)

We the jury find that the plaintiff has complied with his contract, we confirm to him the land titled and that selected, we find him entitled to ten leagues more worth twenty five cents per acre

[signed] John Edwards Foreman

It is therefore considered by the court that the finding of the jury be confirmed and that the plaintiff do have and recover of the state of Texas the lands selected and surveyed by him as premium lands, as set forth in his said bill and abstracts of field notes in his application for an injunction Fulton. Jointone league south of Sam Grimes & west of Also two leagues east of the Navasota No nine and ten, South and adjoining the lands of Moses Bane & J. Mc Coleman and north of the lands of S. John Austin and Thomas S Flaun. Also four leagues on the east side of Davidsons creek North of the Grayson Prairie as Plat of leagues Nos 8, 9, 10, 11, bounded on the ~~East~~ East by John Buck, James Perry, & James Postle and south by Samuel Swearingin and others Also one other league situated on both sides of the Grayson adjoining of Stephenson the west and A Rockbridge on the north west And of said lands having been surveyed by Blackmon as appears by his certificate to said field notes And also one other league on the east side of the Colorado above and adjoining the town of Bastrop tract Beginning at the lower corner of Isaac Harris survey on the margin of the Colorado river Thence a north westerly course along the line of Harris survey 660 varas to a corner on said line Thence at right angles with said Harris line a south westerly course 2500 varas to the upper line of said town tract Thence North westerly in the line of the Bastrop tract to the river Thence up the river with its meanders to the place of beginning Also for six labors situated above the town of

See Page (368)

John Hahenburger } Fall Term A D. 1846
vs
Henry Counts } In this cause the parties appeared by their attorneys and the cause was submitted to a jury to wit, William Cockburn C C Cushman, I I Guinn, George Saine, Joseph Barnheart, O Pelcot, David Creston, John Edwards A W Pouncy James McEneyre, E. Brown and T. M Grayham, all good and lawful men of the County of Travis who being empanneled and sworn according to law, after hearing the parties with their witnesses and the charge of the court returned the following verdict We the jurors find for the plaintiff $85.00 one cent costs, Austin October 14th 1846

William Cockburn
Foreman

It is therefore considered and adjudged by the the court that the plaintiff do have and recover of the defendant the said sum of ninety five dollars and all costs in this behalf expended and that execution issue therefor

James F Perry Executor of Stephen F Austin & Sam Williams Sam Norton President } vs In this cause the parties appeared by their counsel and the cause was submitted to a jury to wit William Cockburn C C Cushman, I I Guinn, George Saine Joseph Burnheart, O Pelcot Thomas Collins, David Creston John Edwards, A W Pouncy James McEneyre & E Brown ~~who being~~ all good and lawful men of the county of Travis who being empanneled and sworn according to law after hearing the parties with their witnesses returned the following verdict to wit We the Jury find for the defendant It is therefore considered and adjudged by the court that the Defendant have and recover of the plaintiff all costs in this behalf expended and that execution issue therefor

Joseph B Smith
as
Com Gen Land Office } Enjoins

Joseph Plummer
as
Com Gen Land Office } Enjoined

Fall Term A.D. 1846

Thursday morning October 15th 1846

Court met pursuant to adjournment

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The committee appointed to examine A. J. Block made the following report To the Hon. the judge of the 2nd Judicial Dist. Court The undersigned having been appointed a committee to examine into the qualifications of Mr. A. J. Block applicant for admission at the bar having made the examination according to the requirements of the statute do hereby recommend the said Block for admission and licence

James Webb
Josiah Lee
Auditors Testimony

And the said Block having produced the certificates required by law is permitted to practice as an attorney and counsellor at law in any of the courts of this state ordered to be licensed. Thereupon

Philip Golden for the use of George Golden
vs
M. Farley

} In this cause the parties appeared by their counsel and the cause was submitted to a jury to wit Samuel K. Blesh A. Brown A. H. Cook George W. Glascock Thomas Glascock Lewis Washington A. W. Pounce John Edwards Wm. Cartan John Kennel and David Overton all good and lawful men of the county of Travis who being empannelled and sworn according to law after hearing the parties with their witnesses returned the following verdict to wit We the Jury find for the Plaintiff the sum of ninety one dollars and sixty two cents J. W. H. Washington Foreman. It is therefore considered and adjudged by the court that the Plaintiff do have and recover of the defendant the said sum of ninety one dollars and sixty two cents and all costs in this behalf expended and that execution issue thereof

Horatio Groom
vs
The State of Texas

} In this cause the parties appeared by their attorneys and the cause was submitted to a jury to wit Samuel K. Blesh A. Brown A. H. Cook George W. Glascock Thomas Glascock Lewis Washington A. W. Pounce John Edwards Wm. Cartan John Kennel and David Overton all good and lawful men of the county of Travis who being first legally empannelled and sworn to try the issue joined between the Plaintiff and the State returned the following verdict to wit We the Jury find for the Plaintiff one dollar and

367 Fall Term AD 1846

Lin Lewis & R Barrington Foreman

We the Jury find that the Plaintiff served in the country as a volunteer between the first day of March and the first day of August 1836 That he received an honorable discharge as Lieutenant Colonel of Infantry on the first day of March 1837 That he was the head of a family in the United States at the time, and that his family was not introduced into the country prior to the first day of January 1840 & pray that the court will award to him the amount of land to which he is entitled

John Edwards
Foreman

Whereupon it is considered & adjudged by the Court that the Plaintiff do recover of the State One Third of a League of Land & that a Certificate do issue therefor - The Plaintiff gives notice of appeal to the Supreme Court -

John W Yancy
vs
Asahel Lowry
and others

In this cause at a former term of this suit was discontinued as to all the Defendants in the original bill and now coming up to be heard upon the bill answers and exhibits therein the court has thought proper to order and decree that the complainant for the use and benefit of Enoch Jones the cestui que trust in the trust deed, the balance of said note due & intended to be secured by said trust deed set forth in said bill being the sum of seven hundred and thirty six dollars with ten per cent interest from the fourth of March 1839 being four hundred and sixty seven dollars & ninety cents and whereas it appears from a credit on said note that negro woman Phillis has been sold in satisfaction of said note, it is now ordered adjudged and decreed that the other negro man Bailiff named in said deed be sold to satisfy this decree and the Mortgage as to him be foreclosed and the balance if any not raised by the sale of said negro be paid by said sheriff for which an execution may issue

R H Rynne
vs
A J Rodridge } Dismissed by Plaintiff

Wm Mullen & McCloskie
vs
Sam Houston President
I C Fennehill
Alfred Smith } Continued by consent set for hearing on saturday

San Felipe de Austin known in the plot of Labors as Nos. 3, 4, 5, 11, 16, 17, 19 Also one other tract of five labors situated on the east bank of the Brazos below the town of San Felipe de Austin, bounded on the north by Johnson Hunters ~~labor~~ labor on the east by spring or Irons creek on the south by the Brazos river and on the west by Labors Nos 9, 8, 21, Also, one league of land situated on the west margin of the San Jacinto river below and adjoining a league of land granted to Amey White so as to include the front on the river between Amey Whites and a league granted to Harris & carpenter and to run back so as to make out the complement of one league of land Two leagues of land situated on Dickinsons creek and Galveston bay above and adjoining a league of land granted to Amos Edwards, on the East by Galveston bay and on the west by a quarter of a league claimed by Cloffa and running so as to include two leagues of land Also three labors south and adjoining a three labor tract of said S. F. Austin on Galveston bay on Dollar Point One other labor fronting on the Gulf of Mexico and adjoining a labor of S. F. Austins on the west side of the San Bernard River at its mouth and one labor on fronting on the Gulf of Mexico and a labor of said Austins known as the mound labor and about four miles west of the town of Quintana, For a more full and perfect description of said land is had in the field notes filed as exhibits in said case And all the title of the State of Texas to said lands is divested out of said State and is hereby vested in the heirs and representatives of the said Stephen F Austin deceased, and the injunction heretofore granted restraining all persons from entering, or surveying any of the above described lands and the Commissioner General of the land office from issuing patents on the same be and the same is now made perpetual And it is further ordered that the Plaintiff have and recover of the State of Texas ten leagues of land or the sum of eleven thousand and seventy dollars the value thereof And that the Plaintiff recover of Defendants the costs in this behalf expended

And the Defendant asks an appeal to the supreme court which is granted

And the Court in Vacation
Did the Judge might
& which had been re

~~869~~ Fall Term AD 1846

9 Succession of Samuel Norton
v. } continued
The Commissioner of the Gen. Land Office } by consent

15 James Powers
v. } motion to dissolve
Thos. W. Ward Com. of Gen. Land Office } injunction overruled

24 Samuel P. Blesh
v. } continued by consent and
Samuel Rustet } Plaintiff has leave to with-
draw the two patents and transfer

33 State of Texas
v. } dismissed
William D. Haily

Morgan C. Hamilton
v. } Death of Barker suggested and Calvin
Thos. W. Ward Com. & } Barker Administrator
Jesse Burke } and Calvin Barker
et al suits at law made parties Defendant
and ~~or~~ continued on motion of ~~Defendants~~
the plaintiff

S.F. Peny Exer of S.F. Austin
& Sam C. Williams
v. } On motion of
Sam Hamilton Prest. } the plaintiffs by their atty & upon the
affidavit filed & after hearing the
evidence, It is considered by the
court that a new trial be allowed
and awarded in this case & that
this ~~the~~ are again reinstated for trial
&c.

Ford & Cronican
v. } It is agreed by counsel
Sec'y of State } & ordered by the Court that
upon this case be transferred
to Bastrop Dist. Court
& if the present Comr is not
hold there then to the ~~Dist~~ next
District Court & that the Clk
transmit all the papers &c.

W. C. Francis vs Fall Term 1846 870.

No. James Powers et al vs Thos. Mc Ward Constable

The parties appeared by Counsel when the Defendants moved for leave to file an amended answer, which was granted by the Court and was filed — The Counsel for the Defendants then moved the Court to dissolve the Injunction which was overruled by the Court — to which opinion of the Court the Defendant excepted & prayed an appeal to Supreme Court — & filed his bill of Exceptions in terms of the law —

Isaac Carson vs Stephen M. Hale et al

By agreement of Counsel these two Causes are submitted to the decision of the presiding Judge, who may certify his decision of each of them to the Clerk of the District Court within thirty days, which decision is to have the force of a Judgment rendered in Court —

W. C. Francis vs The State of Texas

Petition for one third of a League of Land

This day came the State by John G. Chadwick District Attorney pro tem and Barry Gillespie an attorney of the Court appointed to assist the District attorney and the plaintiff William C Francis in person and thereupon came a Jury of good and lawful men to wit Augustus Fischer and Thos others who being elected tried and sworn well and truly to find the issue joined upon their oath say are the jury find the allegations within to be true & Fischer foreman

It is therefore considered by the Court that the plaintiff William C Francis have and recover of the State of Texas one third of a League of Land in his petition and that the Clerk issue Grant Francis a certificate for the same

571. Fall Term AD 1846

Samuel K Blish
v
Samuel Huslit

This day came the Complainant by his Counsel, and it being made to appear to the Satisfaction of the Court that all the papers described in Complainants petition, and for the possession of which this suit was brought, have been deposited by the Defendant in the Custody of the Clerk of this Court, to wit, Patent No 42, for 1280 acres land, lying in Fannin County, issued to said Complainant from the General Land Office of Texas, and dated 17th Nov. 1845 — Patent No 52 for 1280 acres, lying also in Fannin County, issued to Complainant from the Genl Land office aforesaid, and dated 21st Nov. 1845 — A transfer by John M. Christian to said Complainant for 320 acres, granted to said Christian by the Board of Land Commissioners of Bastrop County, and lastly the duplicate Certificate for one third of a league of land, granted to Complainant as his head right by the Board of Land Commissioners of Travis County — And it further appearing that said defendant has filed no answer in this case, it is therefore ordered by the Court that unless an answer is filed to said petition in sixty days from the date hereof, the Complainants bill will be taken as confessed, and final judgment rendered at the next term, and if no answer is filed as aforesaid, the Clerk of this Court will deliver to said Complainant all the papers above mentioned, or such part thereof as may not be claimed by defendant in his answer, in case the same shall be put in, and that this cause, by consent of parties, be continued until the next term of this Court.

James Powell
v
Joseph F Smith &
Henry Smith & others

In Chancery
On motion It is ordered that the County Surveyor of Refugio County make a resurvey of all the lands set out and claimed in said Complainants bill which all lying in said county of Refugio and return a plat thereof to the next term of this court upon said Complainant giving to said Defendants or their attorney at least thirty days notice of the time of commencing said resurvey

Fall Term AD 1846 .172.

Jno. W Dancy
A. Savary } For reasons appearing satisfactory to the Court & by consent of parties it is ordered that the Decree heretofore rendered in this case be set aside and the Case reinstated on the Docket & continued until the next Term of the Court —

Rh. Ward et al
Moore & Bleping } The District Attorney comes into Court & moves to set aside the Order disposing this case & reinstate them on the Docket, and it is ordered by the court that said motion be continued for hearing & decision at the next term of the Court —

Rho. Ward et al
King & Thompson

Rho. Ward et al
W. W. Thompson

Rho Ward et al
Moore & Bleping

It is ordered by the Court that a fine of Ten dollars be imposed on all Defaulting Jurors of the Original Venire drawn for the present term of the Court, except those who were excused by the Court, and that Scire Facias do issue to each of them returnable to the next term of the court.

It is ordered that all cases not otherwise disposed of at this term of the Court be continued until the next term —

~~It is ordered that the Court do now adjourn sine die~~

Sam Houston
Abner & J H Matthews } It is ordered that the continuance of this cause heretofore made at this term of the Court be set aside & the Defendants come into Court in their own proper persons, to wit Abner Matthews & J. H. Matthews, & confess judgment to the Plaintiff for the Sum of Five hundred & thirty two dollars, principal and the further sum of Two hundred & twenty six dollars & forty cents interest up to judgment, ~~with costs~~ and it is considered & adjudged that the plaintiff do recover

of the said Defendants the said sum and costs of Suit for which execution may issue - The plaintiff dismisses his said suit as the Administrators of James Smith -

It is ordered that the clerk do issue certificates of service to all Sheriffs, Bailiffs & Jurors for their services at the present term of the court -

It is ordered that the Court do now adjourn sine die

William E. Jones
District Judge of the
Second Judicial District

Be it remembered that on this the 11th day of February A.D. 1847 the following named persons were drawn by B.F. Bonford Clerk of the District Court of the county of Travis and State of Texas and Ashbon B. McGill Clerk of the County Court of said county in presence of William H. Cushney Justice of the Peace in and for said county to serve as jurors at the next term of the District Court of said County

Court

1 Burton & Love
2 Pouncy
3 Aaron Buelson
4 A. H. Cook
5 Wm S. Stewon
6 A. C. Brown
7 Alexander Hamilton
8 Wm S. Wallace
9 Wm Mobberly
10 John Hamilton
11 B. B. Parkerson
12 Wm O'Connell
13 J. M. Strain
14 Reuben Hornsby Jun.
15 A. J. Pearce
16 E. S. Rogers
17 O. C. Jamuhill
18 Thos A. Moore
19 Martin Lamar
20 Jacob Rymon
21 Amos Hamilton
22 P. B. Bowman
23 W. M. Pucket
24 T. L. S. Strode
25 D. Redick
26 Wm W. Hornsby
27 Abner Scott
28 A. H. Bowels
29 Edward Sanders
30 Joseph Duty
31 Wm Otten
32 Eli Shelton
33 I. D. Manor
34 James Nesbit
35 L. D. Pucket
36 John Pascal

P. F. Bonford Clerk of the District Court of Travis County

A. B. W. Gill Clk County Court Travis County

W. H. Cushney J. P. & C.

 District Court Spring Term 1847

Commenced its Sessions on Monday the fifteenth day of March A.D. 1847 present James H. Matthews Sheriff & B.F. Burton Clerk The Honorable Wm E. Jones Judge of said court being absent the Sheriff adjourned the court until Tuesday morning at ten Oclock

Tuesday Morning March 16th A.D. 1847

Court met persuant to adjournment present the Hon: Wm E. Jones Judge of the second Judicial District, James H. Matthews Sheriff & B.F. Burton Clerk

The Sheriff returned into court the following named persons as summoned according to law upon the original venire Jo wit

1	Martin A. Jones	17	Thos. A. Mower	
2	A.R. Pouncy	18	Martin Bonner	
3	Aaron Burleson	19	Jacob Rymer	
4	A.H. Cook	20	James Hamilton	
5	Wm G. Stewon	21	P.F. Bowman	
6	A.E. Brown	22	A.M. Puckett	
7	Alexander Hamilton	23	T.H.S. Strode	
8	Wm Mockbee	24	D. Walsh	
9	John Hamilton	25	Wm W. Worsley	
10	M.M. Parkerson	26	Abner Scott	
11	Wm Oconnell	28	A.H. Bowles	
12	J.M. Stewin	29	Edward Sanders	
13	Reuben Worsley	30	Joseph Duty	
14	A.J. Revill	31	Wm Acton	
15	E.S. Harper	32	Eli Stotler	
16	A.C. Fennehill	33	S.S. Major	
			Sigmund Hazlett	
			L.D. Puckett	
			John Barrett	

All good and lawful men of the county of Travis

The Sheriff called the venire, when the following answered to their names to wit,

1	Aaron Burleson	4	Wm Oconnell
2	A.H. Cook	5	A.E. Brown
3	Martin Jones	6	Wm G. Stewon

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7 I. G. Tannehill
8 Ros. A. Moore
9 Reuben Hornsby
10 Jacob Reynolds
11 D. Walsh
12 N. M. Puckett
13 A. M. Pouncy
14 Alexander Hamilton
15 M. M. Parkerson

16 Thos. H. Steadle
17 Wm Hornsby
18 Samuel Nazlett
19 Joseph Duty
20 Abner Scott
21 W. M. Strain
22 Wm Allen
23 L. D. Puckett

On motion the following named persons were Excused from serving on the Jury to wit

A. J. Hazzell
John Jarrat
A. H. Bowles

Edward Sanders
M. M. Parkerson

From those Still remaining summoned are answering as aforesaid, the following named persons were regularly drawn, empannelled and sworn according to Law, to serve as Grand Jurors for the present Term of this court to wit

1 Aaron Burleson
2 A. H. Cook
3 Martin Jones
4 Wm O'Connell
5 L. E. Brown
6 Wm F. Strawn
7 I. G. Tannehill
8 Ros. A. Moore
9 Reuben Hornsby
10 Jacob Reynolds

11 D. Walsh
12 N. M. Puckett
13 Ros. Steadle
14 Wm Hornesby
15 Samuel Nazlett
16 Joseph Duty
17 Abner Scott

The court ~~appointed~~ ~~foreman, & was sworn accordingly~~

And Jacob Reynolds one of the lawful men of the county of Travis

The court then charged them in relation to their duties as Grand Jurors as aforesaid as the Law directs, after which ~~Reynolds~~ Abner A. Cook being previously appointed Foreman by the court was sworn accordingly, and the others having been sworn as the Law directs, they returned to enter upon their duties ~~assigned~~ under the charge of

879. T. B. Beck Deputy Sheriff

The Docket being called the following orders were made to wit,
in the case of Ross against Whiting
No 37, continued for service

No 38 Samuel Hughsmith
Moses Johnson Admr of Garrett
continued and alias Process
ordered to Calhoun County

39 R. N. Grimes
Moses Johnson
Admr of Garrett } continued and alias process ordered to Calhoun county

44 Daniel F. Burnett
Anderson Hutchinson } continued for service

45 Same
Lucius Burton } continued for service

46
46 A Ross
J. M. Robinson } Answer filed

The court ordered Friday to be set, for calling the criminal Docket for trial

The court adjourned until tomorrow morning at ten of the clock

M. C. Hamilton
The Commissioner } continued
of the Genl Land Office
& Jesse Burk

Spring Term A.D. 1847. 880.

Wednesday morneing March 17th 47

Court met pursuant to adjournment

The court appointed O Wilcox Special bailiff to wait upon the Grand Jury for the present Term of the Court

The following named persons were sworn as petit Jurors to wit

A. N. Pouncy, Alexander Hamilton, I. Bn. Strain Wm Allen L. D. Pucket R. D. Parris Wm Simpson George I Glascock Joel Mercer Martin James James Lawrence Thomas Rowe I Mercer, H Alexander Hamilton G I Glascock L D Pucket, was excused from serveing as a Juror

On calling the Docket the following orders were made to wit,

In the cases of

A. Underwood } Continued on second plea,
H. G. Catlett } ordered

Samuel Ricks
Sam Whiting } Continued for service

James F Johnson
Joshua Holden } Set for the head of the Docket

Ino. Rice Jones
Frances A Cogdon } Continued for service

James Scott et al } Settled as per
A M Jackson } agreement & Order
~~Entered~~ Clerk to be made this day ~~agreement~~ of Court
~~at the next Term~~
James Cole vs Richard Gill } Cont. by Plaintiff

Browning & Nichols
M W Stephens } In this cause the plaintiff appearing by his counsel and the Defendant being called answering not it is considered & adjudged by the Court that the plaintiff recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law

B81. Payne Buxton Spring Sum 1842

21 George I Glascock } On this day the plaintiff
appearing by his attorney, and the
Defendant being called, according to law
answering not,
It is considered and adjudged by the
court that the plaintiff recover ac-
cording to the prayer of his petition
unless the Defendant plead or
answer within the time prescribed
by law

22 Asa B. Smith } Service made by
Sam Whiting } Publication -
On this cause the plaintiff ap-
pearing by his counsel, and the
Defendant being called as re-
quired by law answering not, It is
considered and adjudged by the court
that the plaintiff recover accor-
ding to the prayer of his petition
unless the Defendant plead an
answer within the time prescribed
by law

23 Albert G Kimball } Served by pub-
Martin Clark } lication
On this cause the plaintiff ap-
pearing by his Attorney, and
the Defendant altho solemnly
called answering not, it is consid-
ered and adjudged by the court
that the plaintiff recover accor-
ding to the prayer of his petition
unless the Defendant ~~after~~
plead or answer within the time
prescribed by law

24 Asher Adams
The Writ of Daniel continued for
Browning Decd Service

25 James Webb } Ordered to the
George I Glascock } Seal of the Docket

William D Hunter
vs
S. P. Hector

In this cause no security for cost required heretofore applicable to the Defendant

28 Leave of Court to issue Execution for costs
that the Plaintiff recover ordered & it is considered and adjudged by the court
Harvey Smith recover his cost and Execution issue
vs
C Wilcox

29 Order to the head of the Docket

Alexander Arce
vs
Juan Martinez

34 Continued for Service

Andrew Reier
vs
Thos J Norton

35 On this cause the Plaintiff appearing and the Defendant being called answering not it is considered and adjudged by the court that the Plaintiff recover according to the prayer of his petition unless the Defendant plead & answer within the time prescribed by law

Theodore Bissel
vs
Socrates Darling &
Solomon Reuer

40 On this cause the portion Plaintiff appearing and the Defendant being called answering not it is considered and adjudged by the court that the Plaintiff recover of the according to the prayer of his petition unless the Defendant plead answer within the time prescribed by law

D. M. McDonald
vs
George W. Barrett

Continued for service

Sotura Holden
vs
C. F. Kiser Adms
& M. Dotson D'd

In this cause the Plaintiff appearing & the Defendant being called answering not it is considered and adjudged by the court

Spring Term 1842

680. that the plaintiff recover of the Defendant according to the prayer of his petition unless the Defendant shall appear and answer within the time prescribed by law

83 R. A. Penny Admr
Martha Rotchen

Smith & Adriance
87 James Y. Fuerbee } continued and alias process ordered

Hamilton White
88 Forrest W. Hancock } In this cause the plaintiff appearing and the Defendant being called answering not, it is considered and adjudged by the court that the plaintiff recover Judgment of the Justice be affirmed unless the Defendant

John R. Wooldridge
90 Wright } continued on motion and affidavit of the Defendant

James Wm Ward
91 Hunter } In this cause the plaintiff appearing and the Defendant being called answering not, it is considered and adjudged by the court that the Judgment of the Justice be affirmed unless

Spring Term AD 1847

Herman Ehrs

6 ✓ Farley & Jewett } Submitted to the court

Moses Johnson Admr
7 ✓ of Garrett } Continued
The Commissioner of the Gen. Land Office } on motion

8 ✓ James Cole
Dupuy & Turner } Continued by plaintiff

9 ✓ John R. Harrison } Submitted to the
Moulton & Obrian } Judge

16 ✓ Isaac Cormer et al } Chambers 10 Nov 1846
Stephen M Pate } Bill for injunction in
Travis Dist. Court

This cause coming on to be heard on the
bill from the Dist. Court for Travis
County, and the same having been
argued by counsel and submitted to the court,
and the agreement between the parties having been entered
of record that the Judge should certify his opinion to
the clerk within thirty days and to be filed as the
Judgment of the court in said cause, and the
same having been duly considered it is decreed
It is considered ~~by~~ adjudged by the
~~court~~ that the injunction be made perpetual, and
that the defendant be forever enjoined from further
executing or enforcing the execution against the said Plain-
tiff, issued from the Probate court of Bastrop county and
complained of in said plaintiffs bill, and that the judgm
ent upon which said execution was founded be annull
and that the plaintiffs in this cause do recover against the
Defendant their costs in this behalf expended, for which execution
may issue ~~&~~ It is now ordered that this be made the Judgment
of the court P. B. Cook

15 ✓ Benj. Grayson } Set to the End of the
Docket

David F Brown
The Commissioner of } Submitted to the
the Genl Land Office } Judge

George W. Bassett
James M Long trustee &c } Continued
} for service

Spring Term A.D 1847

885. John R Slocumb

20 vs

Farley } In this cause the plaintiff appearing by his counsel and the defendant being called answering not it is considered and adjudged by the court that the plaintiff recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law

John R Slocumb
23 Aaron Latrian Admr } In this cause the plaintiff appearing
of John Vanlear
by his counsel and the Defendant being called answering not it is considered and adjudged by the court that the plaintiff recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law

24 Ernst & Kleberg
Cochran & Foreyth } Continued for service

Hardy Perry et al
vs } Continued
The Com Genl Land Office } for service
& Elenor Irving

Court adjourned until tomorrow morning at nine o the clock

Spring Term AD 1847

Thursday morning March 18th A.D. 1847

Court met pursuant to adjournment

Upon calling the Docket the following orders were made to wit

1 Alexander Reed } In this cause the
Alexander Richardson } Plaintiff appears by
his attorney and submits to a nonsuit
whereupon it is considered and adjudged by the court that the Defendant
recover of the Plaintiff all costs in
this behalf expended and that execution issue therefor

2 Haden Edwards } Continued
B. B. James } afterwards on motion
of Attorney for continuance set aside.

10 James H. Edrington } Continued on
Cox & Scott } motion of the
Defendant

12 James F. Johnson }
Joshua Holden } Continued by consent

14 James Powers }
Anson Jones President } Continued

James Powers }
The Republic of Texas } Continued

19 Austen & Williams } Continued by
Sam Houston President } Plaintiff.

Bond & Cronican } Change of venue
John M. Sneider } from Fayette ordered
to be Placed on the Docket

Upon Ann Allen } Pltf has leave to
Frances R. Bevier } Amend his Petition

4 A. Henderson } Judgment nisi set aside
H. G. Cabell } and case Continued for
Service

Spring Term AD 1847

✓	29	Mary Smith & Wm Scott	Continued
✓	31	Thos J Smith & Patrick Lisle	Appeal Dismissed It is therefore considered and adjudged by the court that the ~~Defendants do~~ Defendant do have and recover of the Plaintiffs all costs in this behalf expended for which execution may issue
✓	32	James H. Edrington & Lucien L Akers	Continued
✓		John W. Harrison & Vardeman Gray & Obrian	Judgment by Default set aside and case continued for service on Craig
✓		David J Brown & The Commissioners of the Land, Sea Office et als	This case coming on to be heard & the same having been argued & submitted to the court by consent of Parties, upon the bill & answers, and the premises being duly considered & understood, it is considered, adjudged & decreed by the court that the Injunction be dissolved and the Bill dismissed, and that the Defendants do recover of the Plaintiff the cost in this behalf expended for which Execution may issue. —

Court adjourned until to morrow morning at nine of the clock

Friday Morning March 19th 1858.

Court met pursuant to adjournment
On calling the criminal docket
the following orders were made viz

1 The State of Texas } In this cause the
George W. Barrett } State appeared by its
counsel the Dist. Attorney Alexander
Green and it appearing ~~that~~ to the
court that no service was ~~to~~ made
in the cause, on motion of the Dist
Attorney the court ordered the cause
to be continued to the next term
of this court, and that a pluries
capias issue

2 The State of Texas } In this cause
John Tibbs } the State appeared by its
counsel and on motion the
court ordered the case continued
until the next term, and that an
alias capias issue

3 The State of Texas } In this cause
Washington Secrets } the State appeared
by its counsel and on motion
the court ordered the case continued
and an alias capias was ordered to
the county of Fayette

4 The State of Texas } In this cause
Wilson Henry } the State appeared by its counsel on on motion
the court ordered the case continued
until the next term of this court
and that a pluries citation issue
against the Deft

5 The State of Texas } In this cause
Wm Green } the State
appeared by its counsel and on
motion the court ordered the
case continued and that a pluries
citation issue

Spring Term A.D. 1847

.B89. The State of Texas }

6 David B Underhill } In this cause the
State appears by its counsel and
on motion the court ordered
the case continued until the
next term of this court and that
a pluries citation issue

The State of Texas } In this cause
7 James M Harris } the court
on motion of the Dist Attorney
ordered a Nolle Prosequi

The State of Texas }
8 Martin Moore & Henry Blessing }
Selling goods without licence
in this cause the State appears
by its counsel the Dist: Attorney
Alexander Green Esq, and on
motion the court ordered the
case to be continued and pluries
citation issued against Henry Blessing

The State of Texas } Selling at Faro
9 John Roberts } In this cause
the State appearing by its counsel
and it appearing that no service
has been made On motion the
court ordered the case continued until
the next term and that a pluries
citation issue to the county of Harris

The State of Texas } In this cause
10 Peck Autry } the State appears
by its counsel and on motion the
court ordered the case continued
until the next term and that a
pluries citation issue to the
county of Wharton in county

Spring Term AD 1847

.Bgo.

11 The State of Texas } In this case the
James S Bumpass } Attorney
& In Vent court ordered the indictment to be
quashed

12 The State of Texas } Recovery Scaleboat
Jack Autes } In this case the state ap-
peared by its counsel and on motion the
court ordered the cause continued
until the next term and that a
Juries citation issue to the county
of Washington

13 The State of Texas } Burning Rowlett
Sheriff }
In this case the state appeared
by its counsel and on motion
the court ordered the cau continued
until until the next term of this
court and that a Juries cita-
tion be issued

14 The State of Texas } In this case the
Wm Allen } parties appeared
on on motion and affidavit of the
Defendant the court ordered the
case to be continued until the next
term

15 The State of Texas }
Martin Moon & Henry Blessing }
Retailing Liquor without
licence In this case the State
appeared by its counsel the Dist Att-
orney on on his motion the cau
was continued as to Moon the
continuance was alias ordered
against Henry Blessing

Spring Term 1846

391. The State of Texas }

16 George Davis } Retiring at Juro
In this cau the State appeard by its counsel and on motion the court ordered the cau continued and an alias capias to be issued

The State of Texas }
17 Reuben Chandler } In this cau the State appeard by its counsel and on motion the court ordered the cau continued and alias capias issued

The State of Texas } In this cau
18 A. P. Hector } the parties appeard by their counsel and on motion of the Defendant the court ordered the cau continued until the next term of this court

The State of Texas } In this cau
19 Calvin H Gibson } the parties appeard and on motion the cau was continued and pluries Citation ordered against Gibson

The State of Texas } In this cau the State
20 Benjamin F Hill } appeared by its Counsel and on motion the cause was continued and an alias Capias ordered

The State of Texas } In this cau the
21 Thomas Cocking } the parties appeared the State by its counsel the Dist: Attorney, and the Defendant in his own proper person whereupon the a Jury were empanneled (R. D. McAnally & others sworn) as the law directs to try the issue Joined between the State and the Deft After hearing the parties with their witnesses the Jury returned a verdict of the words & figures as follows, We the Jury find the Defendant not guilty

(Signed) R. D. McAnally Foreman

Spring Term AD 1846

The State of Texas } Continue and alias
22 Nathan Taylor } ordered
ordered

The State of Texas } Keeping a Force
23 John Roberts } Writ Continue
and Murrie citation ordered to
county of Harris

The State of Texas } Alias
25 Henry Taylor & Roberts } Continued
alias ordered

The State of Texas } In this cause
26 James P. Victor } the Parties
appear by their counsel and on
motion of the Pltf the cause was
continued by order of the court

The State of Texas } Retiring at June
27 Joshua Holden } this cause the
Parties State ~~by their counsel and~~
~~are not ready~~ the cause was continued until the next term of this court by order of the court

The State of Texas } Writ Process
29 John D. Blake & Thos Rice } continued as to
Blake and alias ordered to the county
of Rusk against Rice

The State of Texas } On motion of
31 Henry Sublett } the Pltf Attorneys this cause was continued and alias ordered

The State of Texas } Continued
32 Charles Radley } and alias ordered
George C. Hatch } & this cause is
vs
Antonio de la Garza }

Spring Term A.D. 1848

.B96. The State of Texas }
vs
95 Thomas Ward Sen } In this cau the par-
ties appeard the State by its counsel
the Dist: Attorney and Thomas Ward
in his own proper person whereupon a Jury to wit R.D. McDonald & Com other
was impanneled and
Sworn as the law directs to try the
issue joined between the State &
the Defendant, who after hearing
the parties with their witnesses & argu-
ment the following verdict to wit
We the Jury find the Defendant not
Guilty

Signed R.D. McDonald
Foreman

The State of Texas }
36 Wm Custar } On this cau the
by their counsel cau & on motion
of the Dist: Attorney, the cause was
continued

The State of Texas }
37 Joseph Pelant } Burglary cau co-
continued on motion of the Dist:
Attorney cau alias capias order
to be issued

The State of Texas }
39 Joshua Holden } Betting at Faro
Continued on ~~motion of the~~
~~Dist: Attorney~~ for reasons appearing
satisfactory to the court

The State of Texas }
Asa Harris } On motion of the
Dist: Attorney this cau was continu-
ed cau alias capias
ordered to be issued

~~Court adjourned until~~

to

The Grand Jury } Came into Court three being a full & legal panel, present &
returned into
court the following bill of
indictment, to wit,

Spring Term AD 1847

The State of Texas } For murder
Joshua Holden } "A true Bill" -

The State of Texas }
Alfred L Berry } perjury -
"A true Bill"

The State of Texas } Assault & Battery
Hugh R Lawson } Every with intent
to murder - "A true Bill" -

After which the grand Jury having no further business before them, were discharged by the court

The court adjourned until to morrow morning at nine of the clock

Saturday morning March 20th 1847

Court met pursuant to adjournment

Thomas Ware et al } In this case the
Moore & Blening } parties appear by their counsel and submitted the case to the court Whereupon the court overruled the motion of the District Attorney to set aside the Judgment of the last Term & reinstate the cause upon the Docket

Thomas Ware et al }
Wm N Thompson } In this case the parties appeared by their counsel and submitted the cause to the court, Whereupon the court overruled the motion of the District Attorney, to set aside the Judgment rendered at the last Term of this court & reinstate the cause upon the Docket

Spring Term AD 1847

595. Thomas Nash et al
7 King & Thompson } In this cause the parties appeared by their counsel and submitted the cause to the court whereupon the court overruled the motion of the District Attorney to set aside the judgment rendered in this case at the last Term of this Court & reinstate the case upon the Docket

Thomas Nash et al } In this cause the
8 Wade & Blessing } parties appeared by their counsel and the cause was submitted to the court whereupon the court overruled the motion of the District Attorney to set aside the judgment rendered at the last term of this court and reinstate the cause upon the Docket

John Norris } continued on motion
John Dahnberger } of defendant by the order of the court
Thomas Powers

16 The commissioner } In this cause
of the Genl Land office et al } the parties
appeared by their counsel and the
defendant Henry Smith moved the
court to dissolve the injunction
which motion was continued by
order of the court until the next
Term

The State of Texas } In this
T. G. Smith & James Carmen } cause the
parties appeared by their counsel
& the Motion Prosequi was entered by
order of the court as to Smith &
the cause of ~~Smith~~ Carmen was
submitted to a Jury to wit,
A. D. Pouncy, W. D. Parris, Martin James
David Henry Starr R. James, Powell
E. P. Hairston R. D. Mc Donald Geo.
Davis Eli Shepherd C. C. Browning
Michael Gorman after hearing the

Spring Term AD 1846

The parties with their witnesses &c. Jury returned the following verdict to wit

We the jury find the Defendant not guilty

Signed R. D. McConnell Foreman

The State of Texas } Betting at Faro
Joshua Holden } Misdemeanor see page

The State of Texas }
John Beck } Scire facias
On this cause the parties appear, the State by its counsel, the District Attorney, and the Defendant by his counsel, after hearing the parties the court exonerates the Defendant from the Judgment nisi rendered against him at the last term of this court for making default and failing to act as a juror

The State of Texas } Scire facias —
B. F. Chandler }
On this cause the parties appear the by their counsel Whereupon the court after hearing the parties exonerate the Defendant from the Judgment nisi rendered against him at the last term of this court for making Default and failing to attend as a Juror

The State of Texas } Scire facias
Martin Moore } issued by order of court and alias order returnable to the next Term of this court

The State of Texas } Permise
James Warren

The State of Texas } Dismiss
Elias Marshall }

Spring Term AD 1847

697. The State of Texas } Scire facias
Elias Marshall } Dismiss

The State of Texas } In this cause
Nelson Pettwick } the parties
appear by their counsel after
hearing them the court order-
ed the Judgment Nisi to be
set aside and ~~execution~~ rendered
rendered against him at the
last Term of this court for
making Default and failing to
allow said cause and service
thereof to be set aside

The State of Texas } In this cause
Robert Stewart } the State
appears by its counsel, and on
motion of the District Attorney the
court ordered the case to be continu-
ed and ~~an~~ scire facias to be is-
sued returnable to the next term
of this court

The State of Texas } Scire facias
Oliver Buckman } Dismiss

The State of Texas } Scire facias
Washington Anderson } In this cause
the parties appear by their counsel
and submit the cause to the
court after hearing the parties
the court ordered the Judgment Nisi
rendered against the Defendant at the
last term of this court to be set
aside

The State of Texas } Scire facias
Henderson Upchurch } Dismiss

The State of Texas } Scire facias
Thos A Bacon }
In this cause the parties appear
and submit the cause to the court
after hearing them the court ordered the
Judgment Nisi rendered against the Deft
at the last term of this court, to be set aside

Spring Term A.D. 1847

George C. Kuloh } In this cause the parties
vs
Antonio de la Garza } this cause appeared by their
attornies and in consequence of the Judge
having been interested as counsel it is
ordered by the court, the parties not agree
in upon a special judge, that the venue
be changed to the county of Bexar
It is further ordered that the clerk make
out a transcript of all the proceedings
had in this court and deliver the
same with all the original papers
had in the case, to the plaintiffs
attorney, or send them by some safe
conveyance, directed to the District
Clerk of Bexar County ~~as far as the pay~~
~~ment of all costs that have accrued~~
~~in this court~~

George C. Kuloh } On this cause the
vs
Antonio de la Garza } parties appeared
by their counsel and in consequence
of the judge having been interested
as counsel in the case, it is ordered
by the court, the parties not agree
ing upon a special judge that
the venue be changed to the county
of Bexar It is further ordered that
the clerk make out a complete
transcript of all the proceedings
had in this court and deliver the
same together with all the original
papers to the plaintiffs attorney
or send them by some safe con
veyance, directed to the clerk of the
District Court of Bexar County, ~~as~~
~~the payment of all costs which~~
~~have accrued in the court~~

Spring Term AD 1847

899. The State of Texas }

Joshua Holden } Murder

In this cause came the Dist: Attorney on behalf of the state, and the Defendant Joshua Holden, having been brought to the bar in the custody of the Sheriff and the bill of indictment preferred against him for the murder of Wm G. Cheatham by the grand jury of the said county having been read to him, he pleaded thereto not guilty & prayed a trial by a jury of the country, whereupon on motion of the District Attorney it is ordered by the court that the clerk do issue a venire facias directed to the Sheriff of the said county commanding him to summon forty eight good and lawful men of said county to be and appear before the Hon: the Dist: court for said county on Thursday the 25th inst: to be held at the next term thereof as jurors for the trial of said cause. And it is further ordered by the court that Thursday the 25th inst be set for the trial of said cause, and that the clerk cause the Defendant to be served with a copy of said indictment, the venire facias and a list of the jurors, to be summoned as aforesaid thereon, at least two entire days before the day set apart for the trial of said cause

Court adjourned until Monday morning at nine o the clock

Entered on the next Book of Min: Court, to be hereafter

Spring Term AD 1847

Monday Morning March 22nd AD. 1847

The court met pursuant to adjournment
On calling the Docket the following
orders were made to wit.

2 Hudson Edwards
M. B. Lamar president
of the Republic of Texas
of the State of Texas } In this cau the Attorney General
appeared on behalf of the ~~Pl~~ Defendant, and
the Plaintiff not appearing it is therefore
considered and adjudged by the court
that this cau be dismissed for the
want of a prosecutor and that the
Plaintiff pay all costs in this behalf
expended for which execution may
issue

3 M. C. Hamilton
The Commissioner
of the General Land office
and Jesse Barker } In this cau
the parties
appeared by
their counsel and on motion and
affidavit of the Defendant, it ordered
by the court that the venue be
changed to the county of Austrop
It is further ordered by the
court that the clerk make out a
transcript of all the proceedings had
in this court, and deliver the same
together with all the original papers
had in the cau to the Plaintiffs
Attorney, or send them by some safe
conveyance to the clerk of the District
court of Washington county

26 Inc Mullen & McGlocin
Sam Houston President } In this cau
the parties
appeared by their counsel, and on
motion of the Plaintiff the court
ordered the cau to be continued
until the next term of the court
Thos H Ross
M C Hamilton } In this cau the parties appeared by their Attorneys
the Defendant made to dismiss the attachment for informality which motion
sustained by the court it is therefore ordered that the Plaintiff
pay all costs accruing on the attachment up to the time
of the Defendants appearing in this court and that
the cau proceed as an other cases

Spring Term AD 1844

401. Wayne Barton vs

21 George I Glascock } In this cause the parties appeared by their counsel and consented that the case be dismissed at the cost of the Defendant It is therefore considered and adjudged by the court that the Defendant pay all costs in this behalf expended and that execution issue therefor

25 James Webb } In this cause the
George I Glascock } parties appeared by their counsel and consented that the cause be continued to the next term of this Court which continuance was ordered by the court

David G Burnet for the use of Stephen Whitney etal } In this cause
26 A.C. Horton Acting Governor } the parties
of the State of Texas } appeared by their counsel
appeared and on motion of the plaintiff the court ordered the cause to be continued until the next term of this Court

Ann T. Woodridge } Continued for
27 William L Cazneau } service by order of court

Ford & Cronican
John M Swisher acting } In this cause
Secretary of State of the } the parties
State of Texas } appeared &
by consent of parties the court ordered the cau to be continued until the next term of this court

Andrew Neill } In this cause came
35 Thomas G Western } the plaintiff by his Attorney on Wednesday the third day of this term and the Defendant although legally summoned came not to answer said complaint but made

default and on this day the eighth day of said Term to wit on monday the 22 day of March Inst: came the plaintiff again by his attorney and the Defendant being now again solemnly called comes not but makes default

It is now therefore considered and adjudged by the court that the said Judgment by default be made final and that the plaintiff do have & recover of the said Defendant the amount due upon the note sued upon to wit, the sum of one hundred and one hundred & sixty one dollars and thirty eight cents, ($161.38) Debt and all costs in this behalf expended for which execution may issue

Theodore Bird
to Lucretia Darling & } In this cause the
J. Beaver } parties appear by their counsel and consent to a continuance until the next term which is ordered by the court

Joshua Holden
to C. F. Keney Admr & } In this cause the
J. M. Dolson Dec'd } parties appear and submitted the cause to the court and the same having been duly considered It is considered adjudged & decreed by the court the Judgment by default be made final, and that the injunction be perpetuated and that the Defendant be forever enjoined from further executing or enforcing the execution against the said Plaintiff complained of in the said Plaintiffs bill and that the Plaintiff do have and recover of the Defendant all costs in this behalf expended for which an execution may issue

Charles F Keney Admr
of J M Dolson } In this cause
vs } the parties
Joshua Holden } appeared by

406. their counsel and submitted the cause to the court, and the same having been duly considered it is adjudged and decreed by the court that the Scire facias be quashed and that the Defendant do have and recover of the Plaintiff all costs in this behalf expended for which an execution may issue

Ch 1 C. R. Ruse Admr } In this cause the
James Burk } parties appeared by their counsel and on motion the cause was continued by order of the court

Wm P. Cox } In this cause the
3 Wm R. McClure } Plaintiff appeared by his counsel and it appearing to the court that no legal service was made upon the Defendant on motion the court ordered the case to be continued until the next term of this court for service

Charles B. Stewart }
6 The commissioner } In this cause
of the Genl Land office } the parties appeared by their counsel and on motion the court ordered the cause to be continued until the next term of this court

Succession of Samuel Norton }
The Commissioner of the } In this
General Land office } cause the
parties appeared by their counsel & on motion the court ordered the cause to be continued until the next term of the court

Jose Narciso Benigo } In this
Sam Houston Defendant } cause the
Defendant appeared by his counsel the Attorney General, & the court ordered the case to be continued to the next term

Cont'd

11 John N Savage trustee vs A Savage } In this cause the parties appear by their counsel and on motion the court orders the cause to be continued

12 Wm H. Murray vs The Pubs of A Thomas & J Jones } In this cause the parties appear by their counsel and on motion the court orders the cause to be continued until the next term

13 Thompson vs Whiting } In this cause the parties appear by their counsel and on motion the court orders the cause to be continued until the next term of this court

15 P. B. Lock vs Benj Grayson } In this cause the parties appear by their counsel and on motion the court orders the cause to be continued until the next term of this court

John R. Slocumb Comm Chancery vs of John Rowlan dec'd } In this cause the ~~Plaintiffs~~ parties appear by ~~his~~ counsel and on motion ~~the Plaintiff~~ the Interlocutory Judgment by default was set aside And the cause continued by order of the court for service

John Twohey vs The Commissioners of Grant Land Office } Ino C Owings appears in court by his attorney and prays to be made a party Defendant whereupon the court orders that the said C. Owings be made a party Defendant to this bill

405. Spring Term AD 1847

Thomas Wm Ward
vs
Wm Stumpes

In this cause the parties appeared and submitted the cause to a jury to wit R. R. Pouncy, Wm Allen, I. M. Slemin, I. R. Thompson, Harvey Smith John Crayton A W Bowles, John Duncan E P Halerston, Jonth Thompson R D McCaulley & Benjamin Grambs who after hearing the parties with their witnesses returned the following verdict, to wit,

We The Jurors find for the Plaintiff a verdict of six dollars and twenty eight cents

Signed R.D. McCaulley Foreman

It is therefore considered and adjudged by the court that the Plaintiff do have and recover the said sum of six dollars and twenty eight cents of the Defendent and all costs expended in this court, for which writ of fieri facias may issue on execution may issue

And it is further ordered by the court

Court adjourned until tomorrow morning at nine of the clock

Spring Term AD. 1847

Tuesday Morning March 23rd AD. 1847. 406.

Court met pursuant to adjournment

A. Graham
B. Bassford } In this cause the parties appeared and submitted their cause to the Judges and the same being duly considered it is consid-
ered and adjudged by the court that the judgment of the court
below be affirmed and that the plaintiff in the court below
do have and recover of the defendant and his securities Thomas Higham / Edward Evans & David Jones jointly & severally
the sum of forty five dollars debt / to be levied the ste amount of
the judgment in the court below with ten percent damages to be added
thereto & all costs in both courts in the behalf expended for which execu-
tion may issue

See Book Chancery

Wednesday Morning March 24th AD. 1847

Court met pursuant to adjournment

A. Arne
Joseph H. Robertson } In this cause the parties ap-
peared and on motion the cause was continued
by order of the court

John Twohig
The Commissioner } Application for a mandamus
of the General Land office }
& John C Ewing }

This day came the parties by their attornies, to wit the said John Twohig by James Webb Esquire, the said Thomas Wm Ward by Messrs by John H. Harris Esqr the Atty Gen-
eral of the State, and the said John C. Ewings by Barry Gillespie Esq, and the said cause having been fully argued, heard and considered upon the pleadings & hebits and testimony, filed in said cause, it is the opinion of the court that the said John Twohig is entitled to re-
cover the patents for the lands claimed in his petition, & it is therefore ordered, adjudged & decreed that the mandamus prayed for in said petition against the said Thomas Wm Ward commissioner of the General Land office of the State of Texas be awarded and made peremptory commanding him forthwith to issue patents to said John Twohig as assignee, for the lands surveyed under the military land warrants number 845 issued to Bird Collins for eight hun-
dred acres of land, and number 1153 issued

Spring Term AD 1847

to Suit Isaac Collins for four hundred and eighty acres of land, and it is further ordered, adjudged and decreed that the defendant John C Owings pay the costs of this suit and for which execution may issue - And the Defendent John C Owings prayed an appeal to the supreme court, which is granted

The State of Texas } Land claim
The Heirs of Pickens }

~~The the Jury~~ In this cause the parties appeared by their counsel and submitted the cause to a Jury to wit A B Pouncy, Wm Allen, James Thompson Joseph Thompson, Martin James, Hervey Smith, John Groton, James Dorsett Jackson Thompson, James Cole, M. D. Stamper, and John Mathews

After hearing the parties with their witness and the charge of the court, returned the following verdict to wit, We the Jury find the following facts as proved in this cause - viz that Isaac Pickner emigrated to Texas in December 1835, that he brought a company of troops with him and entered into the ~~service~~ army of Texas with his company in January 1836 that that he remained in the service under the command of Col Fannin until he was taken prisoner at the battle of the Colitte on 19th March 1836, & was massacred at Goliad on the 27th of March 1836 by the Mexicans - that the said Isaac Pickner was at that time a married man & the head of a family, and that the plaintiffs are his heirs, that his said family did not emigrate with him to Texas, but remained in Montgomery Alabama, where they have since continued to reside - & under the circumstances the land entitled the said Isaac Pickner to a league and labor of land as a citizen of the country, that we find for the plaintiffs and that they are entitled to a certificate for one league and one labor of land, but if the said Isaac Pickner was under the constitu-

tion and laws of the country entitle to only one third of league of land, then we find for the Plaintiff, and that they recover a certificate for one third of a league of land, and we pray the Judgment of the court upon the law of the case

Whereupon it is considered and adjudged by the court that the Plaintiff do recover of the State one third of a league of land and that a certificate do issue therefor - The Plaintiff gives notice of an appeal to the Supreme court

The State of Texas } Appearance Bond
Alfred L Murray } In this cause the State appeared by its counsel Hon. D. Green Esq - The District Attorney and the Defendant the said Alfred L Murray and his securities S. G. Jones & E.P. Houston although solemnly called as the law directs came not It is therefore ordered

B. D Basford
J. M. Graham } Appeal from Justices court by injunction & Citation

In this case came the parties by their Attorneys, and having waived the jury, & submitted the case to the court, and the testimony being heard & argument of counsel, it is considered & adjudged by the court that the Plaintiff Basford do recover of the Defendant Graham the sum of forty five dollars & cost of suit and ten per cent damages, for which execution may issue.

Court adjourned until tomorrow morning at eight o'clock

Spring Term AD 1847

Thursday morning March 25th 1847

A Lord
J. W. Robertson
} In this cause the parties appear by their counsel and on motion of the Defendant the court orders the cause continued until the next term of this court

The State of Texas
Joshua Holden
} Indictment for murder

In this cause came John C. Green Esqr. Dist: Attorney of the Second Judicial District of the State of Texas, on behalf of the state, and the Defendant Joshua Holden, having been brought to the bar in the custody of the Sheriff, the said Dist: Attorney moved the court, on his affidavit filed to continue the cause until the next Term of this court After hearing the argument of counsel, the motion was sustained and the court ordered the cause to be continued until the next term of this court whereupon the Prisoner was remanded into the custody of the Sheriff

This day personally appeared in open court A. H. Robertson Thomas Freeman Thomas Ward Jun, James F. Johnson, J. H. Raymond Thos. C. Collins J. D. Moore and John Elgin, witnesses on the part of the state, in the case of the State of Texas against Joshua Holden on the charge of murder - and severally acknowledged themselves to owe and be indebted to the State of Texas, in the penal sum of one thousand dollars to be levied of their goods and chattels, lands and tenements, to be void however; if they severally make their personal attendance at the next Term of the District court for said county of Travis, then & there to testify in said cause, and not to depart without leave of the court

Spring Term AD 1842

Geo. W. Glascock
vs
Thos Wm Ward Com=
Genl Land office

} In this cause the parties appeared and the cause was continued by order of the court

The State of Indiana
vs
The State of Texas

} In this cause the parties appeared and the cause was continued by order of the court

It is ordered by the court that all causes not otherwise disposed of be continued until the next term of this court

It is ordered that the court do now adjourn sine die

William E. Jones
District Judge of the
2d Ind. Dist

411. Fall Term Anno Domini 1847

Be it known that on the 17th day of Augst A D 1847 there was drawn by B D Basford clerk of the District Court, and Ashford B McGill clerk of the County Court for the County of Travis in the presence of Wm H Cushney Justice of the Peace in and for said County, the following persons to serve as jurors at the District Court for said Travis County at its fall

X Term 1847.

1 E. N. Wilson
2 R C Flanegan
3 Elisha Pruitt
4 M D Taylor
5 J W Whitaker
6 H McClure
7 John W Baker
8 Edwd Ore
9 Thos H Jones
10 Wathew Brown
11 Jno R Holland
12 Louis Monnelle
13 Geo A Davis
14 Horatio Grooms
15 Micheal Miller
16 Richmond Townsend
17 W A Young
18 B F Johnson
19 Geo Golden
20 Joshua Bennett
21 Daniel C Shelp
22 Wm Bratton
23 E O Connor
24 Isaac Boyce
25 C S Whitfield
26 Claybourne Pyle
27 James Owen
28 C C Cushman
29 Chal Walker
30 Archd Martin
31 S L Johnson
32 James Cunningham
33 R G Parris
34 Jno Warrenburger
35 David Connor
36 Leander Brown

B D Basford Clerk D. C. T. C.

A B McGill Ex C C Travis County.

W. A. Cushney J. P. T. C.

412 Fall Term A.D. 1847

Be it remembered that there was begun and holden at the city of Austin in the county of Travis a District court on Monday the 4th day of October A.D. 1847. Present A.H. Mathews Sheriff and B.T. Bonner Clk The Hon Wm E. Jones Judge of said court not being present the Sheriff adjourned the court until ten of the clock to morrow morning

Tuesday morning 5th A.D. 1847 Court met pursuant to adjournment present in court the Honorable William E. Jones Judge James H. Mathews Sheriff and B.T. Bonner Clerk The venire property drawn according to law being read called by the Sheriff the following persons answered to their names

1	William M. Wilson		
2	R.E. Flanagan	11 Joshua Bennett	For motion the
3	M.D. Taylor	12 Daniel C. Shelt	~~petit jurors~~
4	J.H. Whitaker	13 Wm Bratton	Wm Bratton
5	John H. Baker	14 Isaac Boyce	Elijah Pruett
6	Thos H. Jones	15 E.P. Whitfield	Wm McGuire
7	Nathan Brown	Claybourne Boyle	Edward Tittle
8	John R. Holland	C.C. Cochran	John R. Holland
9	George A. Davis	Charles Walker	Isaac Bennett
10	Michael Gillet	James Cunningham	Horatio Broom
		John Mahenberger	Michael Siller
		David Connor	H.C. Jones
		Leander Brown	B.F. Johnson
			George Golden
			Wm Bratton
			Eugene Escamez
			Isaac Boyce

The court then ordered a Special venire commanding the Sheriff to summon nineteen free holders or House holders good and lawful men of the county of Travis to be and appear forthwith to serve as jurors on which the Sheriff returned the following as having been summoned to wit

1	Wm Harper	6	James Cole
2	Alfred Smith	7	Jacob Boone
3	Jeriah F. Tucker	8	A.J. Matthews
4	Thos Freeman	9	Edward Tittle
5	Newel Randall	10	Benj. Pike

9 G. B. McCloskey
12 James F Johnson
13 Lamar Moore
14 Thos Collins
15 George J Glascock
16 Isaac Parson

17 Wm O Connell
18 George Hancock
19 M. C. Hamilton

On motion Lewis Moore, J. F. Johnson Thos Collins, Wm O Connell & George Hancock were excused from serving as jurors

The court then called the civil docket and made the following orders

X
Jno R. Jones
Frances R. Coyle
It is ordered by the court that the plaintiff has leave to amend his petition and the cause be continued for service

On motion of counsel for Plaintiff ~~the~~

6 James Powers
The State of Texas

On motion this cause continued by consent by order of the court

7 James Powers
Anson Jones Pres't

On motion the cause is ordered to be continued by consent of parties

8 James Scott et al
A. M. Jackson

Continued by order of last term renewed

~~Dan'l Baldwin vs Baldwin et al Continued by consent of the Court~~

115. Fall Term Anno Domini 1847

The following summoned as the original venire were drawn by the court to wit

	R. E. Flanagan		Eugene O Connor
	John R. Baker		Asher Boyce
	John R. Holland		James Owens
	George A. Davis		David Connor
	Michael Zeller		Leander Brown
	Daniel C Shultz		

The court appointed Claybourne Ryle as foreman of the Grand Jury and he was sworn accordingly The following were sworn as Grand Jurors

1	Wm M. Wilson		
	Thos J. C Jones	10	John Waltenberger
2	W. D. Taylor	11	Thos Freeman
3	J. R. Whitaker	12	Newell Burdett
	E. W. ~~Holland~~	13	Benj Pitts
+	Joshua Bennett	14	S. B. McCloskey
4	Nathan Brown	15	J. G. Mathews
	Jackie Arnold	16	Claybourne Ryle Foreman
5	William Bratton		
6	E. P. Whitfield		
7	C C Cochran		
8	Charles Walker		
9	James Tennessee		

The court then charged the Grand Jury in relation to their duties after which they retired to consider of their presentments

The court then adjourned until tomorrow morning at nine O the clock

Fall Term A.D. 1847. 4/16.

Wednesday morning October 6th A.D. 1847 Court met pursuant to adjournment On reading the minutes of the preceding day it appeared that the names of Thos H Jones and Joshua Bennet had been entered upon the record as Grand Jurors by mistake which was ordered to be corrected

On motion Br C Hamilton was excused from serving as a petit Juror

The court then proceeded to call the docket for trial of causes and the following proceedings were had (to wit)

No 1 A. Underwood
H. G. Collett } Served by publication
In this cause the plaintiff appearing by his Attorney, and the Defendant altho solemnly called answering not it is considered & adjudged by the court that the plaintiff recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law & the case stand continued until the next term of the court

3 Samuel Ricker
Samuel Whiting } On motion of the clerk it is ordered by the court that this cause be dismissed unless the plaintiff give security for cost on or before the first day of the next Term and that the cause be continued

Fall Term AD 1847

447. Wednesday morning Fall Term Oct 6th 47

James F. Johnson }
vs
Joshua Golden } In this cause the
parties appeared by their counsel and
the cause was submitted to a jury to wit,
1 Alfred Smith 2 I.G. Swesher 3 James Cole 4 R. Sowers
5 R.R. ~~Stanton~~ 6 H. Baker 7 Phelix Golden
8 James Sree 9 John Purcell 10 Daniel French
10 Wm Custer 11 James Murray, 12 George R. Glascock

After hearing the parties with their witness
the jury returned the following ver-
verdict (to wit) We the jury find for the
plaintiff three hundred and forty nine
dollars and ninety cents with stay of Exe-
cution ninety days

(Signed) James G. Swesher foreman

It is therefor considered and adjudged
by the court that the plaintiff do have
and recover of the defendant the sum
sum of three hundred and forty nine
dollars and ninety cents and all costs
in this behalf expended and that
at the expiration of ninety days
Execution issue therefor

13 Wm R. Smith }
vs
Samuel Whiting }

In this cause the plaintiff
appears by his counsel and the defendant
altho solemnly called answereth not
but still maketh default It is therefor
considered and adjudged by the court
that the preliminary judgment
entered at the last term of this
court now be made final and that
the plaintiff do have and recover
of the defendant the sum of four thousand
six hundred and ~~forty six~~ dollars & sixteen cents ($4646.16)
~~Victoria to the Defendant, Costs~~ and ~~Execution~~
($4000.72)
~~costs~~, and all costs in this behalf
expended and that execution issue
therefor

Fall Term AD 1846

Wednesday Oct 6th A.D. 1847 418.

15. Henry Adams
The heirs of Daniel Browning decease } In this cause the plaintiff appears by his attorney and on motion the cause was continued for service

18 Lewis G Burnett for
the use of Stephen Whitney etal
The State of Texas } In this cause the parties appeared and by consent the court ordered the cause to be continued until the next term

18 Ann T. Woolridge
William L Logan } Served by publication
In this case the plaintiff appeared by her counsel and the Defendant altho solemnly called answereng not it is considered and adjudged by the court that the plaintiff recover according to the prayer of her petition unless the Defendant plead and answer within the time prescribed by law & the case stand continued to the next term

23 Alexander Area
Samuel Whitney } Served by publicaton
In this cause the plaintiff appeared by his counsel and the defendant altho solemnly called answereng not but to make eng default it is considered and adjudged by the court that the plaintiff recover accordieng to the prayer of his petition unless the defendant plead and answer within the time prescribed by law and the cas stand continued to the next term.

24 Samuel Haysmith
Thos Johnson Admr } In this cause the
of Garrett Dec'd } plaintiff appears by his counsel & the cause continued for service

Fall Term A.D. 1847

Wednesday October 6th A.D. 1847

R. H. Grimes
25 Moses Johnson } In this cause the Plaintiff
Adms of Guerin } tiff appeared by his attorney and on motion the cause was continued for service

Theodore Bessel
26 Darling & Turner } In this cause the parties appeared and the court ordered the cause to be continued

27 D. H. McDonald } Served by publication
~~Sam Whiting~~
George W. Burkett } In this cause the Plaintiff appeared by his counsel and the Defendant altho solemnly called answering not it is considered and adjudged by the court that the Plaintiff recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law and the cause stand continued to the next term

28 David G. Burnett } Served by Publication
Anderson Hutcherson } In this cause the plaintiff appeared by his counsel and the Defendant altho solemnly called answering not it is considered and adjudged by the court that the plaintiff recover according to the prayer of his petition unless the defendant plead & answer within the time prescribed by law & the cause stand continued to the next term

David G. Burnet } Served by Publi-
29 Joseph Burton } cation
In this cause the plaintiff appeared by his counsel & the Deft altho solemnly called answering not it is considered and adjudged by the court that the Plaintiff recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law & cause continued

Face Sign. Apl 1846
October 6th A.D. 1847

420.

32 Smith B Adreance
James G Swesher } In this cause the
plaintiff appears & the Defendant
✓ with the solemn by caller answering not
it is considered and adjudged by the
court that the Plaintiff do have and
recover according to the prayer of his
petition against the Defts Plea and con-
fession within the time prescribed by law

33 Hamilton White
33 George N. Glascock } In this cause
the parties appear by their counsel
and submit the cause to a jury
(to wit) ~~Atkins~~ Smith J. G. Swesher
3 James Cole 4 N. Sours 5 N Baker 6 Phebit Golden
7 James Sice 8 John Norvell 9 Dan French
10 Ann Carter 11 I. P. Murray 12 Wm Johnson
Thos H Durand

after hearing the parties with
their witnesses the jury returned
the following verdict (to wit)
We the jury find for
the plaintiff White and assess
the damages at seventy five dollars
(Signed) James G. Swesher
Foreman
It is therefore considered and
adjudged by the court that the
Plaintiff do have and recover
of the Defendant the sum of
seventy five dollars and all
cost in this behalf expended
and that execution issue
therefor

35 John R. Woodbridge
Seymour Wright } In this cause
the parties appeared and
on motion of the account of
suit the cause was dismissed
at the cost of the Defendant

Fall Term A.D. 1847 Oct 6th 47

37. William P. Ors } Served by Publication
William R. McClure } In this cause the plaintiff appeared by his counsel and the Deft altho so solemnly called answering not it is considered and adjudged by the court that the plaintiff do recover according to the prayer of his petition unless the defendant plead and answer within the time prescribed by law and that the case be continued

52 Jno R. Slocumb }
J. M. Furley } In this cause the plaintiff appeared by his counsel and the Defendant altho solemnly called answering not it is considered and adjudged by the court that the plaintiff recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law

Ernst Rhodes surviving partner }
59 Cochrane and Forsyth } Served by Publication

In this cause the plaintiff appeared by his counsel and the Defendant altho solemnly called answering not it is considered and adjudged by the court that the plaintiff do have and recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by law and can continue

John M. McCalla }
George B. Jones } Served by Publication

And now comes the Plaintiff by his Attorney, & the Defendant not appearing although called, & no answer being filed, It is considered by the Court that the Plaintiff have & recover of the Defendant according to the prayer of his petition, unless the the Defendant appear plead, & shew cause to the contrary within the time prescribed by law & that the cause stand continued until the next Term of this Court

No 93. Wilhelmine Ellmendorff
vs
Carl Ellmendorff

This cause having by the consent of parties, filed among the papers of the cause, been removed from the District Court of Comal County to the District Court of this County, It is ordered by the Court, that the same be placed on the Docket

James P. Henderson Gov. } Continued for
Boyce & others } service

82 James F. Johnson
W. J. & B. H. Stamper } In this cause the Plaintiff appeared by his counsel and the Deft altho solemnly called answering not it is considered and adjudged by the court that the Plaintiff recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by Law

84 S. P. Burt
Deonah Gilliland } In this cause the Plaintiff appeared by his counsel and the Defendant altho solemnly called answering not this considered and adjudged by the court that the Plaintiff do recover according to the prayer of his petition unless the Defendant plead and answer within the time prescribed by Law

55 James M. Alexander
John S. Ford &
S. P. Ross }

Fall Term A.D. 1847 Oct. 6th

89 Henry McElroy et al
Daniel French et al } Continued for Service

91 L. B. Bacon
Thos Osborne } In this cause the Plaintiff appears by his counsel and the Defendt altho solemnly called answering not it is considered and adjudged by the court that the Plaintiff do have and recover of the court below be confirmed unless the Defendant plead and answer within the time prescribed by law

The Grand Jury returned into Court this day a full and legal panel presented their bill against David Chandler for the murder of negro man Claiborne, Signed Jas Bell Foreman

Claiborne Kyle foreman

By order of court Friday was set for calling the criminal Docket

Court adjourned until tomorrow morning at nine of the clock

Thursday Morning. Court met pursuant to adjournment

2 James F. Edrington
Cox & Scott } In this cause the parties appear by their counsel and submitted the cause to a jury, all of whom were good and lawful men of the county, sworn according to law

to wit 1 James G. Swisher, 2 Edward Smith 3 James Cole 4 William Eustace 5 John Newell 6 William Sowers 7 H. Baker 8 James Murray 9 Wm R. Starks 10 Sol. L. Johnson, 11 J Steain 12 Samuel Hazlette

After hearing the parties with their witnesses the jury returned the following verdict (viz) We the Jurors find a verdict for the plaintiff in this cause for one hundred dollars and costs &c

Signed James G. Swisher Foreman

It is therefore considered & adjudged by the court that the Plaintiff recover of the defendant the said sum of one hundred dollars and that execution issue therefor

James Cole } In this cause the parties
& Michael Zeller } appear and on motion of
counsel of Defendt the cause was dismissed
by order of court

Austin & Williams
The State of Texas } In this cause the parties
appear and on motion the Plaintiff has
leave to amend

32 George H. Glascock
Hamilton White } In this cause the
parties appear and on motion of Plaintiff
the court grants a new trial and orders
the cause to be continued to the next
term

36 C. B. Ben Adams
James Burke } In this cause the par-
ties appear and on
motion the cause was ordered to be
continued until the next term

38 Joseph F. Smith
Com Gen Land Office } In this cause the parties
appear and the court orders the cause
to be continued until the next term

40 Joseph Plumer
Com Gen Land Office } In this cause the par-
ties appear by their counsel and on
motion the court ordered the cause to be
continued

44 Jonathan Baines
Sam Houston Priddy } continued

425. October 7th A.D. 1847

48 Hammond } In this cause the parties ap-
Whiting } pearing and the cause was
continued by consent

P. B. Cocke
49 Benj. Grayson } In this cause the parties ap-
by consent
pearing submitted the cause to the court
upon the papers to be examined in
vacation and continued to the next term

50 James Power } In this cause the par-
ties appearing and the cause continued

Samuel R. Blish } Death of Blish suggested
53 Sam Hazlett } and order for Sci Facias to
the county of Bastrop to Mark. R. Blair
Admr of Blish and the cause continued

The State of Texas } Murder
David Chandler }

In this cause came John A. Green Dist:
Attorney of the second Judicial District of the
State of Texas on behalf of the State, and
the Defendant David Chandler, having
been brought to the bar in the custody of
the Sheriff and the bill of Indictment pre-
ferred against him by the Grand Jurors of
the county of Travis for the murder of Clau-
borne a negro man, having been read to
him he pleaded thereto not guilty and put
a trial by a jury of the country, whereupon
on motion of the District Attorney it is ordered
by the court, that the Clerk do issue a venire
facias directed to the Sheriff of the said county
returnable on Tuesday next the 12th day
of October 1847 commanding him to summon
forty eight good and lawful men of said
county to be and appear before the said
District court on the said 1st day of October
Instant to be impannelled upon as Jurors for the
trial of said cause and it is further
ordered by the court that Tuesday

this 12th Instant be set for the trial of said cause and that the clerk cause the defendant to be served with a copy of the indictment aforesaid, the venire facias and a list of the Jurors to be summoned as aforesaid thereon, at least two entire days before the day set apart for the trial of said cause

Cause adjourned until tomorrow morning at half past nine o'clock

Friday Morning Oct 8th 1847

Court met pursuant to adjournment

Edward Sanders was arrested in a fine of five dollars for absent non attendance as a Juror Fine afterwards remitted by the court

S. P. Birt
Diannah Gilliland } In this cause the parties appear and the cause was continued by consent

State of Texas
George W. Barret } In this cause the State appears by its counsel the District Attorney and on his motion the court ordered the cause to be continued and a second venire to issue

2 The State of Texas
John Tibbets } Permitted

3 State of Texas
Washington Secrets } In this cause the State appears by its counsel the District Attorney and on his motion the cause was continued and a venire facias ordered to the county of Travis

Law Term AD 1847
Friday Morning October 8th 1847

1 State of Texas } In this cau the state
William Kenny } appear by its Attorney
and a Rolle Pros was entered by order
of the court

The State of Texas }
5 William Dean } In this cau the State
appear by its counsel the Dist Atty
and on his motion the cause was continued
and a Pluries capias ordered to Travis County

6 State of Texas }
David B. Underhill } In this cause the State ap-
pear by its counsel the District attorney
and on his motion the cause was continued
by the court and alias process ordered to
Travis county

The State of Texas }
9 John Roberts } In this cause the State
appear by its counsel John A Green Esq
Dist. Attorney and on his motion the
cause was continued and Pluries Process
ordered to the county of Travis

State of Texas }
10 Jack Autrey } In this cause the State appe-
ar by its counsel the Dist. Attorney
and on his motion the cause was continued
and a Pluries ordered to the county of Travis

The State of Texas }
12 Jack Autrey } In this cause the State
appear by its counsel and on motion
the cause was continued and Pluries
ordered to the county of Travis

The State of Texas }
Shirley } In this cause the
State appear by its counsel and
on motion the cause was continued
and a second Pluries ordered to Travis County

17 State of Texas } In this cause the
Reuben Chandler } parties appear by their counsel and
on motion of the District attorney
the cause was continued

16 State of Texas } This cause was
George Davis } dismissed on motion of the Dist. Atty

The State of Texas }
William Allen } In this cause the
parties appeared the state by its
counsel Wm. Green Esqr. Dist. Atty
and the Defendant in his own proper
person and pleaded guilty and sub-
mitted the cause to a jury to wit
James G. Sweeper, George Golden, James Hall
George W. Glascock, John Hernandez
William Sowers, H. Baker, B Collins
Edward Sedes, B ~~Jesse Nugent~~ 10
S. E. Johnson and J. Steiner all good
and lawful men of the county of
Travis duly sworen according to law
after hearing the parties with their
witnesses the following verdict to wit, We the
Jury find the Defendant on account cost of suit This sentence con-
sidered and adjudged by the court that the Defendant pay to the
State the sum of one dollar and ~~his~~ cost in this behalf expended
~~but he remain in custody of the Sheriff until the sentence~~
~~be complied with~~

The State of Texas }
19 Cabniel & Gibson } In this cause the state
appeared by its counsel and on motion the
~~Court~~ cause Nolle Pros was ordered by
the court

State of Texas }
20 Benj F. Hill } In this cause the State
appears by its counsel the Dist. Atty
and on motion the cause was continued
and parties ordered

State of Texas } In this cause the state at-
Matthew Taylor } torney by its counsel and a
Nol Pros was ordered by the court

Fall Term A.D. 1847

129. Oct 8th 1847

23 The State of Texas } In this cause the state
John Roberts } appeared by its counsel
and on motion the cause was continued
and alias process ordered to Travis County

24 The State of Texas }
A. P. Henderson } continued

25 The State of Texas
James Taylor & John Roberts } In this cause the
State appeared by its counsel and on
motion the cause was continued and
alias process ordered against Taylor & Roberts

27 The State of Texas }
Joshua Holden } In this cause the state
appeared by its counsel and on motion
the cause was continued and alias process
ordered

28 The State of Texas }
Henry Bunting } In this cause the
state appeared by its counsel Att Gener-
al pro tem for the 5th Judicial District and
the Defendant being solemnly called an-
swering not but making Default & it
is ordered by the court that the bond for
his appearance be forfeited and the cause
continued and that alias process issue

49 The State of Texas }
Thomas Rice }
In this cause the State ap-
peared by its counsel and on motion
the cause was continued and pluries
ordered to Travis County

30 The State of Texas }
Samuel Haymarket } continued

32 The State of Texas }
Charles Bailey } continued and pluries
ordered

33 State of Texas } continued
A. P. Henderson }

October 8th 1847 Fall Term 1847. 400.

35 The State of Texas } Assault & battery
Lebedeus Glascock } In this cause the
parties appeared by their counsel and
submitted the cause to a jury (The Deft
Pleaded guilty) (to wit)
1 James G. Sweeten 2 Goven Golden 3 Jesse
Hall 4th George W. Glascock 5 John Norvell
6 William Sowers 7 Baker 7 B Cowden
8 B. Cobbs & Reuben Chandler 10 9 Sol Johnson
11 J Strain 12 Samuel Haslet all good &
lawful men of the county of Travis
duly elected and sworn according to law
who after hearing the pleadings & the
evidence & their verdict to wit (We the jury find the Defendant guilty
as per act of suit plaintiff) James G Sweeten foreman
It is therefore considered and adjudged by the court that the
defendant pay the state the sum of one dollar and costs
of suit and that execution issue to the county of
Travis therefor

37 The State of Texas }
Joseph Pilant } In this cause the state appeared
by its counsel and on motion the cause was
continued and Pluries capias ordered to the
county of Travis

39 The State of Texas }
Lostine Nolan } In this cause the State
appeared by its counsel and the cause
was continued and alias ordered

40 The State of Texas }
Ann Harris } In this cause the state appeared
by its counsel and the cause was continued
and an alias ordered

41 The State of Texas } In this
Joseph Nolan } cause the
State appeared by its counsel and
the cause was continued and alias
capias ordered

The State of Texas }
Hugh F. Lawhon } In this cause the state ap-
peared and the cause was continued &
capias ordered

481.

October 8th 1847

State of Texas } Felony good cause absent Secretary
Moore & Blessing } In this cause the State appears
by its counsel and on motion of
Sallie Price was ordered to Blessing
~~Present information in open Court Henry~~
~~of the State~~

The State of Texas }
Henry Blessing } Indictment for
Betting at Faro

In this case came John A. Green Esq.
District Attorney for the 2d Judicial Dist.
of said State on this behalf and the De-
fendant being called came not, nor is
appearing to the court that the said
Henry Blessing as Principal, & Zeller Michael
as his Security had executed their bond
payable to the Governor of the State of
Texas and his successors in office in the
sum of dollars each
conditioned that the said Henry Blessing
do make his personal appearance at
this term of the court to answer the charge of betting
at Faro made in said indictment against
him Whereupon the said ~~Indictment~~
Henry Blessing was solemnly called
three times to answer the charge in said
indictment and the said Henry Blessing
came not but made default, and the
said Zeller Michael was also solemnly
called three times, and required to bring
with him the body of the said Henry
Blessing which the said Zeller failed to
do. Therefore it is considered by the court
that the said bond of the said Henry
Blessing and the said Zeller Michael
be forfeited, and that the Governor of
the State of Texas recover of the said
Henry Blessing the sum of
and of the said Zeller the sum of
the amount of their said
bond, and that Scire Facias issue to
such of them entitled to the next
term of this court to shew cause why the
Judgment herein rendered shall not be made
final against them - It is further ordered
that the case be continued and that alias capias
issue against said Blessing returnable to the next term
of this court

Court adjourned until to morrow morning at nine of the Clock. 402.

Saturday morning October 9th 1847

Court met pursuant to adjournment

15 The State of Texas } Selling liquors
vs } without licence
Moore & Blessing

In this cause the State appeared by its counsel and on motion the cause was continued as to Moore and an alias capias ordered as to Henry Blessing

The State of Texas } Assault and
vs } battery with
James P. Hector } intent to kill

In this cause the State appeared by its counsel and the Defendant in his own proper person and submitted the cause to a jury (to wit)

R. D. McAnally, Daniel French, George Golden, Samuel Stone, James Mann, S. L. Johnson, John Harrell, George D. Glascock, B. Collins, G. G. Swisher & Richard Brannan all good and lawful men of the county of Travis duly drawn and sworn according to law. After hearing the parties with their witnesses the Jury returned the following verdict (to wit) We the Jury find the Defendant guilty of an assault & battery and assess the fine at one dollar and costs. G. G. Swisher foreman

It is therefore considered & adjudged by the court that the Defendant pay to the State of Texas the said sum of

October 9th A.D. 1849

of one dollar and all costs in this behalf expended for which execution may issue

The State of Texas } Bond Given
James P. Victor } before Justice

Assault & battery with intent to kill In this cause the parties appeared by their counsel and on motion a Nolle prosequi was ordered by the court

The State of Texas } Assault and
William Bustard } Battery

On this cause came the Dist: Attorney who prosecutes for the State in this behalf as well as the Defendant in his own proper person — and upon motion of the District Attorney and good cause shown to the court it is ordered by the court that this cause stand continued until the next term of this court

It further appearing to the court that one George Habermicht has been regularly summoned to attend at this term of the court as a witness in behalf of the State and the said Habermicht being solemnly called and appearing not It is therefore ordered by the court that the said Habermicht be fined in the sum of ten dollars for his non appearance and that Scirefacias issue to him returnable to the next term of this court to shew cause if any he have why the fine herein entered against him shall not be made final

Court adjourned until Monday ~~to-morrow~~ morning at nine O the clock

Court met pursuant to adjournment

17 State of Texas } In this cause the parties
Reuben Chandler } appeared and the court ordered the continuance
set aside and the indictment to be quashed

28 State of Texas }
J. P. Henderson } Indictment quashed

33 State of Texas }
J. P. Henderson } Continuance set aside
and indictment quashed

+

Samuel Ricker }
Isaac Whiting } In this cause the Plaintiff
by his attorney
appears, and on his motion the cause
was continued for service

10 Brownrig & Nalor }
B. B. Shepherd } In this cause the parties
appeared and submitted the cause to the
court

16 James Webb } This cause having been
George I Glascock } previously submitted to
B. Gillespie Esq by consent of parties and
he never therein having this day filed
and agreed by the parties to be made
the judgment of the court

It is therefore considered and adjudged
by the court that the Plaintiff do have
and recover of the Defendant the sum
of forty four dollars and ninety five cents
the amount awarded by the said
Gillespie and all costs in this behalf
expended for which execution may issue

30 W. D. McCloud } In this cause the
& Nalor } parties appeared by
their counsel and on motion Defendants
the court ordered the appeal to be dismissed
of the a Recognizance entered into the court below

Fall Term AD 1847 Oct 11th 1847

Wilhelmine Ellmendorff
vs
Earl Ellmendorff } Suit for divorce

No 93 This cause coming on to be heard, the Plaintiff appeared by her Attorney and there came a Jury of twelfe good & lawf ull men, viz, Claiborne Kyle, James G. Swisher James Cole, George B. McKeshey, Elijah Golden G. G. Browning Thomas Ward Sol. L. Johnson Collin Forbes, William Comp B. Collins and Daniel Frenah, who being duly elected, tried & sworn returned the following Verdict into Court "We, the "Jury find for the Plaintiff; affirming the material "allegations of the Plaintiff, in relation to the charges made "by the Plaintiff against the Defendant as to the cruel treat "ment, outrages & excesses committed by the Defendant on the "Plaintiff; the same being of such a nature, as to render their "future living together insupportable".

C. Kyle. Foreman

It is therefore ordered considered & decreed by the Court, that the Plaintiff, Wilhelmine Ellmendorff be and she is hereby divorced by separation from the Bonds of matrimony from the Defendant Earl Ellmendorff, and that the Plaintiff recover of the Defendants all the costs of this suit in her behalf expended, & that Execution may issue thereon.

Fall Term twelfth Ano 1847

Thursday, October ~~Twenty~~ A. D. 1847. 486.

The court met pursuant to Adjournment.

Wilhelmine Ellmendorff

No 93. vs application for a division of common property

Carl Ellmendorff

And now comes the Plaintiff by her Attorney & moves the Court for a division of the common property, And it appearing to the Court that the parties have agreed upon an amicable division of the property, owned jointly between them, as well as the custody of the children mentioned in the Bill of the plaintiff, which agreement is filed among the papers of the cause, and is in the following words, to wit:

"The State of Texas

" County of Travis, In the District Court.

"

" Wilhelmine Ellmendorff

" vs Suit for divorce &c &c

" Carl Ellmendorff

" The Plaintiff having sued herein for a divorce from the Bonds of matrimony also for a division of the common property, & having obtained such a divorce, the parties have agreed that the following division & settlement should take place -

" I. That the defendant is to retain all the personal property & real estate now owned by him in any manner, or to which he may have any claim free from all further controll, or claim of the Plaintiff with the exception of the Lot situated in the town of New Braunfels, County & State aforesaid, being Lot, Number Fifty one, on Seguin Street of said town -

" II. That the said town Lot, with all the personal property now in possession of the Plaintiff shall be settled upon the child of the said parties, mentioned in the petition of the plaintiff, called Karl.

" III. It is agreed between the parties, that the personal property in possession of the Plaintiff, shall be valued at, & it is hereby declared that the same is of the value of Five Hundred Dollars, lawful money of the United States of America.

" IV. It is agreed that the said Plaintiff is to retain the custody & controll of the said child, Karl, the child which may hereafter be born, - that the funds arising from the rents of said Lot & the improvements thereon situated, with the Five Hundred Dollars shall be applied to the support & education of the said child, mentioned in the Bill, under the controll, advice & direction of such person & persons, as may be appointed his Guardian by the proper judicial tribunals of the country.

" V. It is agreed, that as soon as any Guardian or Guardians shall be appointed over the said Infant child, Carl, the above mentioned house & Lot shall be placed at the his disposal, as well as the funds above mentioned shall be paid over to the said Guardian

467. Tale Term AD 1847

" VI It is agreed, that the agreement previously entered
" into between the said parties, & filed as part of the answer
" of the said defendant shall be declared null & void as
" far as it conflicts with this agreement.
" In Testimony whereof the said parties do severally set
" their hands & affix their seals (using scrolls instead of seals)

" Witnesses Wilhelmine Ellmendorff. Seal
" Justus Kellner.
" Augustus Fischer 6. Ellmendorff Seal

It is further agreed, that George Klappenbach Esq. & Mr.
Theodore Sinneking are to be the Guardians of the child
Carl mentioned in the foregoing Agreement.
Witness the hands & seals of the said parties using scrolls, in
stead of seals.

Witnesses
Augustus Fischer Wilhelmine Ellmendorff Seal
Justus Kellner,
6. Ellmendorff Seal

The State of Texas
County of Travis

Personally appeared before me, Joseph
Lee, a Notary Public duly commissioned to act in & for
the County of Travis, Augustus Fischer, well known to me,
who being duly sworn deposes & saieth, that he well perso-
nally present, when Wilhelmine Ellmendorff & Carl Ellmen-
dorff signed, sealed & delivered the above two Instruments
& that they desired him to attest the same as a subscri-
bing witness. In Testimony whereof I do hereunto set my
hand & affix the seal of my office this
eleventh Day of October in the year of our
Lord One Thousand Eight Hundred and
forty seven.

Seal

Joseph Lee.
Notary Public Travis County

It is therefore ordered, considered & decreed by the Court,
that the same be made & it is hereby made the judge-
ment and decree of this Court.

Saturday October 12th 1847 188.

Tuesday October 12th A.D. 1847
Court met pursuant to adjournment

Austin & Williams
The State of Texas } In this cause the
parties appeared by their counsel and sub-
mitted the cause to a jury (to wit)
Claybourn Boyce 1 James G. Sweeten 2 James
Cole 3 George B. Blakey 4 George Golden
5 C.C. Browning 6 Thomas Cook 7 G. F. Johns-
ton Forbes, 9 William Combs, 10 B Collins
and 12 Daniel French 12 all good and
lawful men of the county of Travis
elected and sworn according to law
After hearing the parties with
their witness the Jury retired to
consider of their verdict but afterwards
returned and informed the court
that they could not agree Where-
upon by agreement of parties the
court dismissed the Jury from the
further consideration of the cause
and awarded a new trial and
the cause continued until the
next term of this court

George W Glascock
The State of Texas } In this cause
the parties appeared by their counsel
and on motion, and affidavit of
the Defendant filed the court ordered
the cause continued until the next
term of this court

Succession of James Norton dec'd
The State of Texas } In this cause
the parties appeared by their counsel and sub-
mitted the cause to the court after hearing
the same the court sustained the demurrer
of the defendant and ordered the cause
to be dismissed at the cost of the Plaintiff

Fall Term AD 1846

Thereupon the plaintiff moves for an appeal to the Supreme court which is granted by the court

A Judgment
The Commissioner of } In this cause the
Pent Tax Office } parties appear
by their counsel and submitte the
cause to the court after hearing
the parties with witnesses it is con-
sidered and adjudged by the court
that the mandamus ni si be made
peremptory and that the clerk do issue
the same accordeng to the prayer of the
plaintiffs petition and that the plaintiff
pay the cost of this suit

Wednesday October 18th 1847

Court met pursuant to adjourn-
ment

The State of Texas
David Chandler } In this cause the
} State appeared by its
counsel John A. Green Esq. Dist.
Attorney for 11th Judicial Dist. and
daperties Potter and the defendant in
in his own proper person and sub-
mitted the cause to a jury to wit
1 Edward Sides
2 William T. Thomas
3 David E. Pright
4 Horace Baker
5 John R. Parlington
6 John Edwards
7 John F. Benning
8 Joseph Lea Scaife
9 Jacob Kinard
10 Abner Scaife
11 John Hamilton
12 Fleury Scaife

Good and lawful men
of the county of Bexar, being duly

elected, tried and sworn according to law and having heard the testimony the further progress of the cause was postponed until tomorrow at eight of the clock and the Jury retired by order of court under the charge of the Sheriff & Clerk except Court adjourned till tomorrow at (8) of the Clock Thursday morning Oct 14th 47

Court met persuant to adjournment

The State of Texas
vs
David Chandler
} Murder

In this cause the parties again appeared as of yesterday and again proceeded with the cause before the aforesaid Jury After the hearing the argument of the counsel in the said cause and the charge of the court the Jury returned the following verdict to wit

We the Jury find the accused guilty of manslaughter We the Jury also agree upon imprisonment for the term of one year of the accused

(Signed) John Edwards
Foreman

Whereupon it is ordered and adjudged by the Court that the Defendant David Chandler be by the Sheriff taken and confined in the Common jail of Travis County for the Space of one year according to the finding of the jury without Bail or mainprize and that he pay the costs of this prosecution in this behalf Expended for which Execution may issue

Motion in arrest of Judgment

In this cause the accused comes into court and suggests that no judgment can be rendered against him upon the finding of the Jury because the offence is alleged in the indictment to be a Slave and the evidence disproves the allegation in the indictment that the act charged was done with malice and now moves the Court to set aside and arrest the same and for other and good causes

(Signed) D. Chandler

Friday October 15th A.D. 1847

Court met pursuant to adjournment

James Cole }
Jos. H. Duncan } In this cause the parties appeared and submitted the cause to a jury to wit

1 Joel Manor 2 Jno. James Bussey
3 B. Collins 4 Mathew Brown 5 George W. Glascock 6 George Golden & ~~George Golden~~
8 George B. McCluskey 9 James Wade
10 John Noreen 11 L. L. Johnson and William Bratton all good and lawful men of the county of Travis duly elected tried and sworn according to law after hearing the parties with their witnesses the jury returned the following verdict to wit we the jury find in favor of the plaintiff the amount claimed in the original petition, six hundred and twenty dollars and 79 cents with lawful interest from May 1839 signed George Golden Foreman It is therefore considered and adjudged by the court that the plaintiff do have and recover of the defendant the said sum of six hundred and twenty dollars & 79 cents & two hundred fifty six interest thereon & all costs in this behalf expended for which execution may issue

Smith & Adriance }
James G. Swisher } In this cause the parties appeared and by agreement of parties it is ordered and adjudged by the court that the plaintiffs do have and recover of the defendant the sum of nine hundred and forty eight dollars and ten cents ($948.10) and all costs in this behalf expended for which execution may issue

30 Alexander Area }
Jos. W. Robenson } In this cause the parties appeared and by agreement of parties it is ordered and adjudged by the court that the plaintiffs do have and recover of the defendant the sum of two hundred and sixty nine dollars ($ 269) and all costs in this behalf expended for which execution may issue

John Flower
34 John Hatenbarger } In this cause the parties appeared by their counsel and submitted the cause to the court After hearing the parties with their witnesses the court ordered the appeal from the Justice to be dismissed and that a procedendo be awarded to the court below

Charles B. Stewart
40 Com Genl Land Office } In this cause the parties appeared the parties appeared and by agreement the court ordered the cause to be continued

Moses Johnson Adms
of Garretson
41 The Comr Genl Land Office } In this cause the parties appeared and by consent the court ordered the cause to be continued

John R. Harrison
45 Donelson & O'Brien } In this cause the Plaintiff appeared and on motion of the Plaintiff by the court ordered the cause to be continued to the next term

John R. Slocumb
54 Donelson & O'Brien } In this cause the parties appeared by their counsel and by consent

446. Fan Fam Ark 1847
October 15th A.D. 1847

Brownrigg & Hatch } Served by Publication
vs. } in this cause the
Wm. M. Shepherd } Defendant

Richard T. Brownrigg }
Samuel T. Hatch } Decree on original
vs. } bill
William M. Shepherd }

Be it remembered that in this cause coming on to be heard it appears after due service by publication according to law, no appearance or answer being made at the return term or the present term of this court after hearing the bill of the plaintiffs Brownrigg & Hatch against the said Defendant William M. Shepherd, and it appearing to the court that the said Defendant is a non resident, and the said plaintiffs adduced and presented to the court the bond of him said Shepherd as set forth in their bill. It is therefore adjudged ordered and decreed that all the interest that he the said William M. Shepherd had & held in and to the said certificates set forth in their bill and contained in said Defendants bond as before stated presented and shown to the court, and all the land that may be secured and covered by the same, be and the same is hereby divested out of the said Defendant William M. Shepherd and vested in them said Brownrigg & Hatch to wit, the head right certificate of George D. Pal No. 3 for one league and labor of land, dated 17th of March 1838 and issued to Rowlands bounty claim for twelve hundred and eighty acres No 2762 dated 4th of March 1838 & to Samuel Kellogs bounty claim for six hundred and forty acres No 1467 dated January 1st 1838,

also John Rubigs bounty claim for
six hundred and forty acres No 2754 44.
dated 3d of April 1838. Also Gaudeloupe De
Las Juntas bounty claim for six hundred
and forty acres No 1463 dated 1st of Jany 1838,
also Charles L. Widjeons bounty claim
for six hundred and forty acres No 1466
dated 1st of Jany 1838. Also John Miles bounty
claim for six hundred and forty acres
No. 1468, dated 1st of Jany 1838, Also Nancy
bounty claim for six hundred
and forty acres No 1465 dated 1st of Jany
1838, be and the same is hereby divested
out of him the said William M Shep-
herd and vested in them the said
Brownings & Hatch and that the defts
pay the costs of this suit

M. Mullen & M Gloin }
The State of Texas } In this cause
the parties appeared by their counsel
and by agreement the cause was con-
tinued with the understanding that
the depositions taken in the name
of M. Mullen alone are to be read
if no other legal objection to them
exists except the absence of M. Gloin
same as if presented in the
Commissioners return

Noah M. Smithwick & wife }
South Duty et al } In this
cause the parties appeared
on motion the court ordered the
cause to be continued for service

Louis Landes his }
of Saml Landes }
The State of Texas } In this cause
the parties appeared by their counsel
and on motion the demurrer was over
ruled and the cause continued
for trial

445. October 15th A.D. 1847

State of Texas
Isaac N Blenney } In this cause the parties appeared by their counsel and on motion of Pitts the court ordered the indictment to be quashed the forfeiture of the bond and continuance set aside

The State of Texas
Samuel Heyhmatt } In this cause the parties appeared by their counsel and on motion the court ordered the continuance set aside and a Not Prosequi to be entered

Saturday Morning Oct 16th 1847
Court met Pursuant to adjournment

Be it remembered that on this the 16th day of October A.D. 1847 before me Wm E. Jones Judge of the second Judicial District of the State of Texas in open court appeared Andrew P. Moore who having produced satisfactory testimony of his good moral character and producing a licence to practice law in the State of Missouri, It is therefore ordered that a licence issue to him authorizing him to practice in the District and inferior courts of this State

Nathaniel Townsend
Com Gen Land Office } In this cause the Dist: Attorney asks an appeal to the supreme court which is granted by the court and notice given to the Respondents Attorney

John H. Lancy trustee
of Savory
the parties appearing
court that the Judgment and decree thereto-
for rendered in this cause at the Fall term
1846 be amended so as to release the sale
of the negro mentioned therein now in
the possession of the Defft N. McCathern
and that a Judgment be and the same is
hereby rendered for the sum set forth in
said claim against said Savory for which
an execution may issue

In this cause the
It is ordered by the

The State of John Brown
The State of Texas
the parties appear by their counsel &
submitted the cause to a jury to wit
Wm G. Brown, Thomas Collins
Sol L. Johnson, William Bratton
Daniel Branch Bratton Mathew
Brown G. B. McCorkey, B Collens Thomas
Ward S. L. Greenlees and
all good and lawful men of the
county of Travis duly elected, tried and
sworn after hearing the parties with
their witnesses the jury returned the
following verdict to wit

In this cause
parties appear

We the jury find for the plaintiff
one third of a league of land

It is therefore considered and
adjudged by the court that the
plaintiff do have and recover of the
defendant the State of Texas one
third of a League of land and that
a certificate issue Number according to
said Deft asks an appeal to the
supreme court which is granted and it is
agreed by the parties that all the questions of law and fact arising in this cause may
be taken to the Supreme court without the necessity of a new trial being prayed for

Dove & Cronican

John H. Sweet Secretary of the State of Texas

In this cause the parties appear and submitted the cause to the court after hearing the law with their witnesses It is con

447. ruled and adjudged by the court that the Plaintiff has not supported his claim and that he pay the cost of this suit for which execution may issue

George W Barrett by his Attorney Martin Moore } In this
James M Long et al } cause the parties appeared and
the court orders the same to be
continued until the next term
of this court

John R. Slocum }
vs J. M. Turley } continued by
consent

Noah Smithwick & wife }
Sarah Duty et al } In this cause
the plaintiff asks leave to amend
his petition which is ordered granted
by the court

John E Lenz }
The State of Texas } In this cause the par-
ties appeared and submitted the cause to
a jury to wit 1 Wm Bratton 2 Dean Brown
3 Jesse H Collins 4 S. F. Johnson 5 B
M Corley 6 Wm G. Stevens 7 Benton
8 Manuel Brown 9 Thos Hall
10 Thos Collens 11 P. H. Grumbles all
good and lawful men of the county &
precinct duly elected tried and sworn
according to law after hearing the
parties with their witnesses the jury
returned the following verdict to wit
We the Jury find for the State

It is therefore considered and
adjudged by the court that the
defendant pay the costs of this suit for which
execution may issue and the plaintiff
gives notice of an appeal to the Su-
preme court which is granted

and it is agreed by the parties that all question of law and fact arising in this cause may be taken to the supreme court without the necessity of a new trial being asked for

M. B. Reynolds
James B Shaw complts } In this cause the parties appeared and on hearing the cause the court orders that the peremptory mandamus be refused and the cause dismissed and that the plaintiffs pay all costs in this suit for which execution may issue and the plaintiff moves for an appeal to the supreme court which is ordered on his complying with the requirements of the law and the clerk of this court is hereby ordered and required in the event of this cause being carried to the supreme court either by appeal or writ of error to send up with the papers the original stock certificates now on file in the cause

Albert G. Semble
Patrick Clark } In this cause the plaintiff appears by his counsel & produced the bond set forth in his petition and prays judgment nisi on which the court refuse since much as there was no evidence that the promissory note for which said bond was given had ever been paid The court therefore orders that the plaintiff pay the costs in this suit for which execution may issue

S. F. Johnson
D. S. & M. D. Stevens } In this cause the parties appeared and on motion of the Dft the court ordered the cause to be continued

449. Fall Term AD 1847

Augustine H. Gillam Libt &c
George M Gillam
The State of Texas } Continued
by order of court

Mary Minor Libt of
Dudley H. Minor
The State of Texas } Continued by
order of the court

91 S. B. Bacon
Thos Osborne } In this cause the par-
ties appeared and by consent the
court ordered the cause to be continued

63 The heirs of George Sayre
The State of Texas } Continued by consent

64 The heirs of Jas M Sharp
The State of Texas } continued by
consent

65 John Murphy
The State of Texas } continued by consent

66 The heirs of N. G. Walters
The State of Texas } continued
by consent

67 Arend Reese
The State of Texas } continued by consent

68 Daniel J. Woods
The State of Texas } continued by consent

69 The heirs of W. N. Cale } continued by
The State of Texas } consent

70 The heirs of T. S. Churchill } continued by
The State of Texas } consent

71 The heirs of J. P. Rambo }
The State of Texas }

72 The heirs of J Donoho }
The State of Texas }

73 The heirs of Robert Owen }
The State of Texas }

74 The heirs of N Martin }
The State of Texas }

75 The heirs of Rees }
The State of Texas }

76 The heirs of S. L. Wilson }
The State of Texas }

The heirs of J. S. Brown }
77 The State of Texas }

The heirs of Goodman }
78 The State of Texas }

Charles Keck }
79 The State of Texas }

80 Elizabeth Mary }
The State of Texas }

457. District Court Fall Term 1847

The State of Texas
vs
David Chandler

Be it remembered that in this case came the defendant in his own proper person and acknowledged himself to be indebted unto the Governor of James Pinckney Henderson Governor of the State of Texas and his successors in office in the sum of two thousand dollars well and truly to be paid by the said Chandler his heirs and legal representatives but to be void on condition that he appear at the next term of the District Court the following condition — That whereas the said David Chandler has been convicted by a jury of the County of Travis at this present term for the crime of of Manslaughter committed upon one Claiborne a negro man from which verdict and the judgement of the court thereon the Defendant has appealed to the Supreme Court Now therefore if the said Chandler shall well and truly make his personal appearance at the next term of the District Court of Travis County and from term to term thereafter then and there to abide whatever judgement or decree the Supreme Court may render then this obligation to be void else to remain in full force and virtue — — And then also came into open Court James Baker Horatio Broom Joseph H Robertson Edward Sievers and James Beale into open Court and acknowledged themselves jointly and severally held and firmly bound unto the Governor of the James Pinckney Henderson Governor of the State of Texas and his successors in office in the sum of two thousand Dollars to be levied of their goods and Chattels lands and tenements, but to be void upon the following conditions

That Whereas the above bound David Chandler has been convicted at the present term of the District Court of Travis County of the Crime of Manslaughter committed upon one Claiborne a negro man — and whereas the said Chandler has prayed his appeal from the verdict of the Jury and Judgement of the Court rendered thereon to the Supreme Court of the State of Texas. Now therefore if the said David Chandler shall well and truly make his personal appearance at the next term of the District Court for Travis County then and there to continue from day to day and term to term thereafter and then and there abide by whatever judgement or decree the Supreme Court may render in said cause then this obligation to be void else to remain in full force and virtue — —

State Sale Term A.D. 1847. 452.

State }
vs. } The defendent now appears in open court and moves for a new
David Chandler } trial in this cause because of the misdirection of the presiding Judge in his charge to the Jury

First that the admissions or confessions of the accused to a witness was the lowest character of evidence testimony to establish the guilt of the accused and upon such testimony the Jury were authorized to convict

Second for failing to charge the Jury as asked by the accused "that the relation between a white man and a slave is different from that between white men, that if the slave raises his hand against a white man the white man has then a right to use force sufficient to put down the opposition, and if the slave be unintentionally killed by the white, it is not the crime of murder or manslaughter" but the Judge charged that it might be the crime of manslaughter under the circumstances of the case and that a white man could be guilty of the crime of manslaughter on the body of a slave And that if the white man was in the act of whipping or beating the deceased without authority and in a conflict the deceased was unintentionally killed or inadvertently killed that it would be manslaughter

Third the Jury found contrary to law and evidence

(Signed) D Chandler by
his Atty

Which motion the Court overruled, to which opinion of the Court the defendant excepted & filed his bill of Exceptions which was signed by the Judge &c

456

Oct. October 16th 1847

James Hall }
Daniel French } In this cause the parties appeared by their counsel and submitted the cause to a Jury (to wit)
1. Anderson Harrell 2. Thos Ward
3. James Ward 4 ob. W. Pouncy 5 S. S. Johnson
6 J. B. McCloskey 7 Matthew Brown
9 Wm Bratton 11 James Freeman 12 Wm P. Thornton and James Dorsey all good and lawful men of the county of Travis duly elected tried and sworn according to law after hearing the parties with their witnesses the Jury returned the following verdict to wit) We the Jury find for the plaintiff (& 50.00) fifty dollars against the Deft French (signed) A. J. Harrell Foreman

It is therefore considered and adjudged by the court that the plaintiff do have and recover of the Defendant French the sum of fifty dollars and all costs in this behalf expended for which execution may issue The plaintiff may have a new trial which is overruled the Defendant then in open court excepted and appealed to the supreme court and the Deft excepting to the opinion of the court in refusing the new trial

Charles Hill }
Jno B. Bacon } In this cause the parties appeared and waived a jury and submitted the cause to the court & after hearing the parties It is considered and adjudged by the court that the plaintiff do have and recover of the defendant the sum of twenty one dollars and twenty five cents ($21.25) and all costs in this behalf expended. and that execution issue therefor

Fall Term AD 1847 454.

State vs Daniel Chandler J C

In this case after the motion for a new trial had been heard & refused the accused Daniel Chandler then filed his motion in arrest of the Judgment & appeals.

" State vs Daniel Chandler

"

In this case the accused comes into Court & suggest that no judgment can or should be rendered against him upon the finding of the Jury Because the deceased is alledged in the bill of Indictment to be a slave and the Indictment dis proves the allegation in said Indictment that the offence or act charged therein was done with malice And now here moves the Court to arrest & set aside the Same

And for other & good & sufficient reasons appearing therein

D C Chandler

And which motion also coming on to be heard. The Same is also overruled

To which opinion of the Court overruling said motion and also for refusing a new trial the Defendant in open Court gives notice of an appeal To the Supreme Court of Texas which is granted & he Thereupon entered into recognizance &

455. Law Term AD 1847

James Cole
vs
Thos A. Duggan

In this case came the attorney for the Defendant who moved for a new trial as follows - The Defendant moves for a new trial because the Verdict of the Jury is contrary to Law and the Evidence adduced in the case - Signed Webb atto for Defendant -

Which said motion being heard by the Court the Same is overuled & refused - to which the Defendant excepted & prayed an appeal to the Supreme court - and it is ordered that the Statement of facts & all & written testimony be sent up to the Supreme court -

It appearing to the court that the following persons were regularly summoned according to law to serve as Jurors at the present term of the court on the original venire (to wit)
H McClure Jones Monette Benj F Johnson and R. G. Parris and that they failed to attend in obedience to said writ it is therefore ordered by the court that a fine of ten dollars be entered against each and that a scire facias issue to each of them to appear on the first day of the next term of this court to show cause why the said Judgment nisi si should not be made final

And it also appearing to the court that the following persons were summoned according to law on a special venire commanding them to appear and serve as Jurors at the present term of this court in the case of the State against Thos A. Duggan and Isaac Smith and Samuel Haylett

Fall Term Anno Domini 1847 456.

Thomas Puckett Bruin & Reed

Millard M Parkerson Alexander Hamilton William Wilkes and that they failed to attend in obedience to said writ it is therefore ordered by the court that each of them be amerced in a fine of ten dollars and that a Scire facias do issue to each of them commanding them to appear before this court on the first day of the next term to shew cause why this judgment nisi shall not be made final

It is ordered do now adjourn Sine Die

William E. Jones
District Judge of the
Second Judicial Dist.

456 Be it remembered that on the 15th day of February A.D. 1847 the following named were drawn according to law to serve as Jurors at the next term of the Dist. court of Travis county, by B D Basset Clerk of said Dist. court & A.B. McGee Clerk of the county court of said county in the presence of Wm H. Cushney a Justice of the Peace in and for said county of Travis (to wit)

1 James Baker
2 Lewis Cobb
3 Samuel Taylor
4 R.T. McAnelly
5 James M Kenney
6 W.C. Rogers
7 Claybourne Osborn
8 John S Osborn
9 John Edwards
10 Blount Clements
11 Daniel French
12 Riley Bailey
13 Matthias Wilbarger
14 Lamar Mobley
15 John F. Webber
16 Thomas Brennan
17 Jeremiah Gregg
18 R.T. Chandler
19 J. S. Dodd
20 W.B. Burdett
21 J.D. Doxey
22 Owen O'Brian
23 Andrew O. Moore
24 J.L. Roundtree
25 William Sowers
26 George W. Glascock
27 William Simpson
28 F.N. Nash
29 H.D. Edwards
30 Isaac Pierson
31 James M Swisher
32 John D. Malone
33 S.P. Banning
34 J.J. Grumbles
35 Isaac Harris
36 Henry Chatham

B D Basset Clerk
D.C.T.C.

A B McGee
Clk C C T C

Wm H Cushney
J.P.T.C.

District Court Spring Term 1848

Be it remembered that there was began and held at the City of Austin in the County of Travis a District Court on Monday the 20th day of March A. D. 1848 present J. H. Mathews Sheriff and A. N. Hopkins Dpy Clerk the Hon. Wm E. Jones Judge of said court not being present the Sheriff adjourned court untill ten Oclock tomorrow Morning

Tuesday the 21st day of March 1848
Court met pursuent to Adjournment present J. H. Mathews Sheriff & A. N. Hopkins D. Clerk the Hon. Judge of the Court not being present the Sheriff Adjourned Court untill ten Oclock to Morrow Morning ——

Wednesday the 22d of March 1848
Court met pursuant to Adjournment present J. H. Mathews Sheriff & A. N. Hopkins D. Clerk the Hon. Judge of the Court not being present the Sheriff Adjourned Court untill tomorrow Morning ten Oclock

Thursday March the 23d 1848
Court met pursuant to Adjournment present The Hon. William E. Jones the second Judge of this District Mathew Sheriff & ~~A. N. Hopkins~~ D. Clerk and John A Green Dist attorney

The Sheriff returned into court the venire facias whereby it appeared that he had Summoned the following Persons good and lawful Men of said county to serve as Jurors at the present term of the court viz

1	Jas. Baker	13	Mathias Wilbarger	25	Wm Sowers
2	Lewis Capt x	14	Lamar Moore x	26	George W. Clay
3	Lemuel Taylor	15	John H. Webber x	27	Wm Simpson x
4	R. D. McAnnelly x	16	Thos Freman x	28	H. M. Nash
5	Jas. P. McKenny x	17	Jeremiah Gregg	29	H. D. Edwards
6	W. C. Rager x	18	R. T. Chandler	30	Isaac Pierson
7	Claybourn Osburn	19	J. S. Dodd	31	Jos. M Swisher
8	John S. Osburn	20	W. B. Burdett x	32	John D. McClow
9	John Edwards x	21	J. D. Doty	33	J. P. Bannin x
10	Blount Clement x	22	Owen O'Brien x	34	J. J. Grumbs
11	Daniel French x	23	Andrew C. Horn	35	Isaac Harris
12	Wiley Bailey	24	J. L. Roundtree	36	H. Cheatham

of these so Summoned the following persons appeared in Obedience thereto all good and lawful Men of said County & were all

1849. District Court Spring Term 1848.

Sworn to serve as grand Jurors at the present term of the court in accordance with law (to wit) Lewis Capt Robt D. McCa Jos A McKinny Wm C. Boyer. John Edwards. Blou Clements Daniel Branch Lamar Moore John H Webber Thos Freeman Wm B Burdett Owen O'Brien Wm Simpson H. M. Nash Jas M. Swisher J. A Banning A. J Grumbles Henry Chatham

The court appointed Lamar Moore Foreman of the grand jury & having rec'd the charge of the court touching their duties They retired in charge of Malkijah Haighsmith the Bailiff to consider of their presentments

The following persons were sworn to serve as petit Jurors During the present term of the court (to wit) G. W. Glopcock, Wm Lowen C. C. Cush Geo B. McClusky Thos Osburn. John R. Slocomb John M. Swisher Samuel Hogg M. W. Stampen Charles Walker D. C. Cu David Coleman

On Motion the following persons were Excused from serving as Jurors at the present term (to wit) William Lindsay. N. Boyce, Benjamin Grumbles Samuel Stone Jeremiah Gregg

Spring Term Anno Domini 1848.

22 The State of Texas vs. B. H. Johnson — In this case the parties appeared & the Court ordered the fine to be remitted & Defendant to pay all costs

26 The State of Texas vs. Samuel Hazlet — In this case the parties appeared and the Court ordered the fine to be remitted

29 The State of Texas vs. Willard Parkison — In this cause the parties appeared and the court ordered the fine to be remitted

30 The State of Texas vs. Alexander Hamilton — In this cause the parties appeared and the court ordered the fine to be remitted

31 The State of Texas vs. Wm Wilkes — In this cause the Parties appeared and the court ordered the ~~fine to be continued~~ remitted

+

No 5 John R. Jones vs. Francis W. Ogden Plaintiff — In this cause the ~~parties~~ appeared and on motion the cause was continued for service

James Scott et al vs. L. M. Jackson — In this cause on motion of the Clerk the court ordered the Plaintiffs to give security for costs on or before the first day of the next term of this court

No 19 P. B. Cocke vs. Benj Fraction — This cause was continued under the former order of the court

461. Spring Term AD 1848

Friday March 24th 1848 court met pursuant to Adjournment present the Hon Wm E. Jones Judy when upon the following proceedings were had and B. D. Basford Clerk

No 1 A. Underwood } In this case comes the plaintiff by
v.s. } his attorney and the Defendant being Solemly calld
H. G. Cottle } came not but Made Default it is therfore Ordered
by the court that the Judgment Nisi rendered at the
last term of this court be Made final & that the
plaintiff do have and recover the Sum of twenty seven & four hundred & 17
Dollars and 33/cc together with his costs in this
behalf Expended for which Execution May Issue

No 3 Samuel Ricker } In this case the plaintiff having
v.s. } failed to give Security for cost
Samuel Whiting } by the court that this cause be
it is Ordered } plaintiff cost — for which Execution
Dismissed at } May Issue —
May Issue —

No 5 John R. Jones } It is Ordered by the court
v.s. } that this cause be continued
Hranes Ogden } for Service

No 6 Josms Powers } Ordered by the Court that
v.s. } this cause be continued by
The State of Texas } consent of parties
Consent of parties

No 7 James Powers } It is Ordered by the court
v.s. } that this cause be
Anson Jones President } continued by consent of Parties

No 8 Jos Scott et al } On Motion of the clerk it is
v.s. } Ordered that the plaintiff in
Alden A. M. Jackson } this cause be ruled to give
to give Security for } cost whereupon came Geo W.
Glascock and Acknowledged himself bound as
Security for all cost in this Suit

Spring Term AD 1848

No 11	Austin and Williams vs. The State of Texas	In this cause it is Ordered by the Court that this cause be continued by consent of parties
No 12	M^c^Mullen & M^c^Glone vs. The State of Texas	It is Ordered by the Court that this cause be continued by consent of parties
No 15	Henry Adams vs. the Heirs of Daniel Browning	It is Ordered by the court that this cause be continued for Service
No 17	David G. Burnet for the use of Whiting & C^o^ vs. The State of Texas	It is Ordered that this cause be continued by consent of Parties
No 21	James H Ebbington vs. Susan L. Ward	In this cause comes the plaintiff by his attorney and the defendant having been Solemnly called came not but Made default wherefore it is Ordered that plaintiff have Judgment against the said Defendant unless She appear & Answer in the time prescribed by Law
No 23	Alexander Area vs. Samuel Whiting	It is ordered that this cause be continued by consent of parties
No 24	S. High Smith vs. Moses Johnson Admr of the Estate of J. W. Garrett Decd	~~It is ordered by the Court that this Cause be Continued by Consent~~ In this cause comes the plaintiff by his attorney & defendant being solemnly called came not but Made default whereupon it is ordered that plaintiff Judgment according to the prayr of his petition against the said Defendant unless he appear & Answer in the time prescribed by Law
No		

166. Spring Term AD 1878

No 25 R.H. Grimes
V.S.
Moses Johnson Admr
of the Estate of
J. W. Garrett Decst

In this cause comes the plaintiff by his attorney and the defendant being solemnly called comes not but makes default wherefore it is considered by the court that the the said plaintiff have judgement of said defendant according to the prayer of his petition unless the defendant appear and answer within the time prescribed by law.

No 26 Theodore Bissell
vs.
Darling and Mayor

In this cause the plaintiff asks leave to amend his petition whereupon it is ordered that he have leave leave according to his prayer. and that the cause be continued until the next term of the Court by consent of parties.

No 37 William P. Orr
vs
William R. McElroy

In this Cause comes the plaintiff by his attorney and the defendant being Solemnly Called comes not but makes default. whereupon it is ordered by the Court that the judgement ni. si. rendered at the last term of this court be made final, and that the plaintiff do have and recover of the said defendant the sum of dollars and together with his costs in this behalf expended for which execution may issue

No 38 Joseph F. Smith
vs.
Commissioner of the
General Land Office

It is considered by the court that this cause be Continued until the next term of the court

No 39 Joseph Plumma
vs
The Commissioner
of the General Land
Office

It is considered by the court that this cause be ~~continued by the court~~ until the next term of the court

District Court Spring Term 1848

464.

No 40 Charles B Stewart
vs
The Commissioner of the General Land office

It is considered by the court that this cause be continued until the next term of the court

No 44 Jonathan Bangs
vs
Sam Houston Pres.

It is considered by the court that this cause be continued until the next term of the court

No. 47 William H Murray
vs
The Heirs of Thomas L. Jones

It is ordered by the court that this cause be dismissed

No. 49 P.B. Cocke
vs
Benjamin Grayson of the court

It is ordered that this cause be continued under the order of the last term

No 50 James Powers
vs.
The Commissioner of the Genl Land Office et. al.

It is ordered that this cause be continued until the next term of the court.

No 52 John R. Slocum
vs
I.M. Turley

In this cause comes the defendant by his attorney and moves the court to dissolve the injunction & dismiss the Bill &c whereupon it is submitted to the court ~~for~~ upon the bill and answer

No. 59 John M. McCalla
vs.
George B Jones

In this cause comes the plaintiff by his attorney, and the defendant being solemnly called comes not but makes default. Whereupon it is considered by the court that the ~~said~~ judgement nisi rendered at the last term be made final and that the said plaintiff have and recover of said defendant the sum of dollars and cents together with his costs in this

District Court March Term 1848

behalf expended for which execution may issue

No 60 Jos. P. Henderson
governor
v.s.
Boyce & others

In this cause came the plaintiff by his Attorney and the Defendant being solemnly called came not but made default wherefore it is Ordered by the Court that the plaintiff have judgment against the said Defendants unless they appear and Answer in the time prescribed by law

No 84 S. P. Bent
v.s.
Deannah Gilliland
the plaintiff attorney

In this case the parties appeared by attorney and on Motion of it is Ordered by the Court that this cause be continued

No 85 Jos. M. Alexander
v.s.
John S. Ford &
S. P. Rose

In this cause it is Ordered by the Court that this cause be continued for Service as to Ford

No 87 Henry McElroy
v.s.
Daniel Frinch
and the Instance of the Clerk it Ordered by the

It is Ordered by the Court that this cause be continued per service court that the Defendant give Security for costs on or before the first day of the next Term of the Court the plaintiff attorney being present

No 91 J. B. Bacon
v.s.
Thos Osbourne
Jury (to wit) Geo W. Glapcoak Wm Sowers C. C. Cushman
Geo W. McClusky Leander Brown John R. Slocum
John M. Swisher Thos Puckett D. C Cady David Coleman
Charles Walker Wm G. Shaun

In this cause the parties appeared whereupon came the Jurors of a all good and lawful Men who being duely Sworn well and true to try the Issue joined between the parties returned into Court the following verdict (Viz) we the Jury find for the plaintiff twelve dollars it is therefor considered by the Court that the plaintiff have and recover the Sum of twelve dollars of the Defendant in ~~form aforesaid according to the verdict of the Jury~~ and that the ~~Defendant~~ plaintiff recover the cost in the Court below Expended & that the ~~Defendant~~ plaintiff have & recover of the said ~~Plaintiff~~ Defendant the cost in this Court expended for which Executions may issue &c which Executions may issue

District Court March Term 1848

It is Ordered by the court that Tuesday the 7th of March 1848 be set apart for the Trial of Criminal Causes —

No 95 D. P. Barbyatt
v.s.
C. C. Cushman
In this cause came the parties and on Motion of the Defendant it is Ordered that this cause be continued

No 96 Timothy McKeon
v.s.
M. Zillah
In this cause the Answer filed and Set for Wednesday the 29th March 1848

No 98 John G. Calison
v.s.
Rowland McKinzie
It is Ordered by the Court that this cause be continued for Service

Isaac Hogans
No 99 v.s.
The Heirs of
Aaron Boyce
Guardian ad Litem of the Minor heirs of said Aaron Boyce
In this cause it is Ordered by the Court that J. W. Webb be appointed

No 100 Henderson Monday
v.s.
William Bowen
In this cause came the plaintiff by attorney and the Defendant being solemnly called came not whereupon it is ordered by the court that the plaintiff have and Judgment against said Defendant unless he appear and Answer in the Time prescribed by Law

No 101 A. A. McJackson
v.s.
Carolin E Jackson
In this cause the plaintiff appeared by his Attorney & the Defendant being Solemnly called came not whereupon it is Ordered by the Court that the plaintiff have Judgment against the Defendant upon Default to be made unless he appear and Answer in the time prescribed by Law —

46. District Court Spring Term 1848

No 102 H. W. Munro
v.s.
John Crater
it is Ordered by
ruled to give security on or before the first day of
the next term of this court

In this cause the Defendant
filed his Answer & on Motion
the court that the plaintiff be

No 103 Cochran
administratrix
v.s.
John H Webber
came not whereupon it is Ordered by the
court that this ~~cause be~~ plaintiff have judgment
against the said Defendant unless he appear and
answer in the time prescribed by law

In this cause the plaintiff
came by attorney and the
Defendent being solemnly called

No 106 Edward Dyer
v.s.
Thos. McGee
Defendant being called came not but Made Default
whereupon it is Ordered by the court that the
plaintiff have judgment against said Defendant
unless he appear and answer in the time
prescribed by law

In this cause the plaintiff
appeared by attorney and the

No 108 B. M. Watson
v.s.
Samuel Stow

In this cause Duval appears
appeared for Defendant

No 109 The State of Texas
v.s.
Wm M McClure
came not but Made
by the court that
Said Defendant unless he appear and Answer in
the time prescribed by law

In this cause the plaintiff appears
& the Defendant being solemnly called
default whereupon it is ordered
the plaintiff have judgment against

District Court March Term 1848.

No 100 The Corporation of the city of Austin
vs.
Owen O'Brien

Defendant being called came not but Made Default whereupon it is Ordered by the Court that the plaintiff have Judgment against the said Defendant unless he appear and answer in the time prescribed by law

In this cause the plaintiff appeared by attorney and the

No 111 The State of Texas
vs.
F. M. Nash

Court to be Dismissed

In this cause the cost being paid it is ordered by the

No 112 The State of Texas
vs
Owen O'Brian

Solemnly called came not but Made Default whereupon it is Ordered by the court that the plaintiff have judgment against the said Defendant unless he appear and Answer in the time prescribed by law

In this cause the plaintiff appeared and the Defendant being

No 113 The State of Texas
vs.
Samuel Stop

being Solemnly called came not but Made default whereupon it is ordered by the Court that the plaintiff have Judgment against said Defendant unless he appear ~~and Answer in the time prescribed by law~~

In this cause the plaintiff appeared by attorney and the Defendant

× No 28. David G Burnet
vs
Anderson Hutchinson

This day came the plaintiff by his attorney, and the defendant being solemnly called, came not, and a Jury, to wit, C C Cushman, Geo. B. McClusky, John M. Swisher, John R Holcomb, Sam'l Hazlet, Charles Walker, D C. Cady, David Coleman, Thomas Pucket, Abner H Cook, P F Bowman and David Farr being sworn to enquire of damages in this suit, upon their oath do say that the plaintiff hath sustained damages, by reason of the defendants' non performance of his promise and assumption in the Petition mentioned, to Ninety five dollars and twenty two cents, besides his costs. Therefore it is considered by the Court that the plaintiff recover against the defendant his damages assessed as aforesaid, and his costs by him about his suit in this behalf expended.

District Court Spring Term 1848

Saturday Morning March the 25th 1848
Court Met pursuant to Adjournment present
the Hon. William E. Jones Judge A. H.
Mathews Sheriff and A.H. Copher Deputy
Jno A. Grundy Dist Atty
Clerk whereupon the following Proceedings were
had (to wit)

No 165 Hamilton White
vs.
Geo W. Glasscock
attorneys whereupon came the Jurors of a Jury
(to wit) C.C. Cushman, Geo. B. McClusky,
John M Swisher, John R. Slocomb Samuel
Hazlet, Charles Walker D. C. Cady David Coleman
Thos Puckett Abner H. Cook P. H. Bowman
David Harr all good and Lawful Men ~~to~~
who being duely Sworn Accordnig to law
will and truely to try the Issue joined between
the parties retired to consider of their verdict and
having dispersed without rendering a verdict, it
is ordered by the court that a mistrial be awarded
& case continued on Motion of the Defendants
counsel ~~the~~ it is ordered by the court that the plaintiff
by rules to give security for costs on or before the
first day of next Court whereupon came W. B. Burdett
and Acknowledged himself bound for all costs which
has or may accrue in this cause

No 165 Hamilton White
vs.
Geo. W. Glasscock

In this cause it is Ordered
by the court that the Sheriff
be fined Ten dollars for allowing the Jury
to dispers without leave of the court and that
the Jurors respectively (to wit) C. C.
Cushman, Geo. B. McClusky, John M. Swisher
John R. Slocomb Samuel Hazlet, Charles
Walker, D. C. Cady, David Coleman, Thos.
Puckett Abner H. Cook, P. H. Bowman
David Harr be fined five dollars, Each for
dispersing without permission of the court —

District Court Monday March the 27th 1848

No 98 David G. Burnet
vs
Anderson Hutchins
} In this cause the

Ordered by the Court that Court adjourn
until 10 Oclock Monday Morning next

Monday Morning March the 27th 1848

Court met pursuant to adjournment present
the Hon. William E. Jones Judge. J. H. Mathews
Sheriff. A. Hopkins Deputy Clerk and Jno A. Green
Dist attorny whereupon the following proceedings
were had (to wit)

Harvey Smith
vs
O. Wilcox
} In this case comes the defendant and
moves the court that this case be dismissed
Whereupon it is ordered by the court that the plaintiffs suit be
dismissed, and that the plaintiff pay the costs of this suit
for which execution may issue

David G. Burnet
vs
Louisa Barton
} This day came the plaintiff by his attorney
and the defendant being solemnly called
came not, and a jury, to wit, John M.
Swisher, C C Cushman, George B. McCluskey, John R Slocomb,
Charles Walker, David Coleman, Abner H. Cook, P. F. Bow-
man, David Farr, ~~C C Browning, Alfred Smith~~ Leander
Brown, Samuel Stone, Geo W. Glasscock, being sworn diligently
to enquire of damages in this suit, upon their oath do say
that the plaintiff hath sustained damages by reason
of the defendants non performance of the promises and
assumptions in the plaintiff's petition mentioned, to two
hundred and ninety dollars, fifty two cents, besides his
costs — Therefore it is considered by the Court that the
plaintiff recover against the defendant his damages
assessed as aforesaid, and his costs by him in this behalf
expended. for which Execution may issue

471. District Court Monday March 27th 1848

No 19 Harvey Smith
v.s.
C. Willcox } On this cause came the parties
By their attorneys & on Motion of defendants
Counsel it is Ordered by the court that this
cause be dismiss at the cost of the plain=
=tiff for which Execution May Issue

No 53 Samuel H. Blair
v.s.
Samuel Hazlet } On this cause came the
W. Bain Administrator of the Estate of Blair Defendant & on Motion N.
was made plaintiff & this cause Ordered to be
continued by Consent of parties until the
next Term of this court

No 57 John M. McCalla
George Bones } In this cause the parties
appeared by their counsel and on motion
the court ordered the Judgment final by
default set aside and the cause continued
until the next Term of this court

No 61 Roark B. Smithwick
& wife
vs
Joseph Dewey et al } continued

District Court March Term 1848.

462.

E. P. Bird
Deanah Gittelson

Henry Jones
George I Slascock

In this cause the parties appearing by their counsel and on motion of the Plaintiff the court orders the cause to be continued to the next term of this court

Isaac Harris
The heirs at law of
Aaron Boyce

H.B. District Court March Term 1848

The Grand Jury came into Court ~~and returned~~ thus being a full and legal panel present and returned the following bills of indictment and presentment to wit:—

~~The Grand Jury returned into~~ ~~Court a bill of indictment~~ ~~against~~ ~~Wm J. Stamper~~ ~~for~~ ~~Betting at a Faro Bank~~

The State of Texas } Betting at a Faro Bank
Wm J. Stamper } A true Bill "Lamar Moore Foreman"

The State of Texas } Betting at a Faro Bank
Charles Bailey } a true Bill Lamar Moore Foreman

The State of Texas } Betting at a
Martin W Stamper } Faro Bank
a True Bill
Lamar Moore
Foreman

The State of Texas } Betting at a Faro Bank
John Connor } bank a true Bill
Lamar Moore
Foreman

The State of Texas } Exhibiting a Faro Bank
Jeremiah W. Robertson } Bank - a true Bill
Lamar Moore
Foreman

The State of Texas } Betting at a Faro Bank -
Jeremiah Robertson } Bank - a true Bill
Lamar Moore
Foreman

The State of Texas } Betting at a Faro Bank
Alexander Allen } Bank a true Bill
Lamar Moore
Foreman

The State of Texas } Exhibiting a Faro Bank
Michael Burches } bank A presentment by
the Grand Jury

The State of Texas } Betting at a Faro Bank
Adolphus Sloane } bank a true Bill
Lamar Moore
Foreman

The State of Texas } Betting at a Faro Bank
James M. Henderson } Bank a true Bill
Lamar Moore
Foreman

District Court March Term 1878

464. 8.

The State of Texas } Betting at a Faro Bank a true Bill
James Willie } Lamar Moore Foreman

The State of Texas } Betting at a Faro Bank a true Bill
McRea } Lamar Moore Foreman

The State of Texas } Betting at a Faro Bank a true Bill
Dooly } Lamar Moore Foreman

The State of Texas } Betting at a Faro Bank a true Bill
Wm H. Stewart } Lamar Moore Foreman

The State of Texas } Betting at a Faro Bank a true Bill Lamar Moore Foreman
Benj F. Tankersley }

The State of Texas } Betting at a Faro Bank a true Bill
Michael Busches } Lamar Moore Foreman

The State of Texas } Betting at a Faro Bank a true Bill Lamar Moore Foreman
Lee Gray } Assault & Battery a true Bill. Lamar Moore Foreman

The State of Texas } Betting at a Faro Bank a true Bill Lamar Moore Foreman
Henry Lewis }

The State of Texas } Betting at a Faro Bank a true Bill
Abel S. Cunningham } Lamar Moore Foreman

The State of Texas } Exhibiting a Faro Bank a Presentment by the Grand Jury
Pitcoff }

The State of Texas } Betting at a Faro Bank a Presentment
Peter Kenfro }

The State of Texas } Exhibiting a Faro Bank a Presentment by the Grand Jury
Hamilton }

The State of Texas } Exhibiting a Faro Bank a Presentment by the Grand Jury
Joseph Walker }

The State of Texas } Betting at a Faro Bank a true Bill
John A Greer } Lamar Moore Foreman

District Court March Term 1848

The State of Texas } Exhibiting a Faro
Reuben Autry } Bank A true Bill
Lamar Moore
Foreman

The State of Texas } Betting at a Faro
Robt Williamson } Bank a true Bill Lamar Moore
Foreman

The State of Texas } Exhibiting a
Abram Taylor } Faro Bank A true Bill
Lamar Moore
Foreman

The State of Texas } Betting at a
Everett H. Scott } Faro Bank a true Bill
Lamar Moore
Foreman

The State of Texas } Exhibiting a
Reuires } Faro Bank "a presentment
by the Grand Jury"

The State of Texas } Exhibiting a
Wm R. Gourney } Faro Bank A true Bill
Lamar Moore
Foreman

The State of Texas } Exhibiting a
Eaza } Faro Bank a true Bill
Lamar Moore
Foreman

The State of Texas } Exhibiting a
Wm B. Underhill } Faro Bank A true Bill
Lamar Moore
Foreman

The State of Texas } Exhibiting a
William T. Brown } Faro Bank A true Bill
Lamar Moore
Foreman

The State of Texas } Betting at a Faro
Francis Hatch } Bank a true Bill
Lamar Moore
Foreman

The State of Texas } Exhibiting a Faro
Elliot } Bank a true Bill. Lamar Moore
Foreman

The State of Texas }
Millard R. Parkerson } Assault & Battery
a true Bill Lamar Moore
Foreman

The State of Texas } Assault with in-
Millard R. Parkerson } tent to Kill A true Bill
Lamar Moore Foreman
Exhibiting a Faro Bank

The State of Texas } ~~Assault & Battery~~
William R. Olon } ~~Indictment~~
a true Bill Lamar Moore
Foreman

District Court March Term 1848

The State of Texas
William I Wilburn
Exhibiting a Bare Bond
a true Bill Lamar Moore Foreman

The State of Texas
Rawley Cheney
Betting at a Faro Bank
a true Bill Lamar Moore Foreman

The State of Texas
William M Green
Betting at a Faro Bank
a true Bill Lamar Moore Foreman

The State of Texas
Robert H. Wynne
Betting at a Faro Bank a true Bill Lamar Moore Foreman

The State of Texas
James Denison
Betting at a Faro Bank a true Bill Lamar Moore Foreman

The State of Texas
Jonah Drew
Betting at a Faro Bank a true Bill Lamar Moore Foreman

The State of Texas
Jack Davis
Betting at a Faro Bank a true Bill Lamar Moore Foreman

The State of Texas
Thomas I Jennings
Betting at a Faro Bank a true Bill Lamar Moore Foreman

The State of Texas
Perone B. McGowen
Betting at a Faro Bank a true Bill Lamar Moore Foreman

The State of Texas
Thomas Caliber
Exhibiting a Faro bank a true Bill Lamar Moore Foreman

The State of Texas
Wm B. Edwards
Betting at a Faro Bank a true bill Lamar Moore Foreman

The State of Texas
Raphael Garza
Exhibiting a Faro Bank a true Bill Lamar Moore Foreman

The State of Texas
Zimri W. Eddy
Betting at a Faro Bank a true Bill Lamar Moore Foreman

177.

District Court March the 27th 1848.

The State of Texas } Betting at a Faro Bank
Wm T. Saddler } A true Bill Lamar Moore Foreman

The State of Texas } Betting at a
Rankin } Faro Bank a true
Bill Lamar Moore Foreman

The State of Texas } Betting at a
James T. Mayfield } Faro Bank a true
Bill Lamar Moore Foreman

Court adjourned until tomorrow morning at
eight o'clock

Tuesday Morning March the 28th 1848
Court Met pursuant to Adjournment present
the Hon. William E. Jones Judge J. W.
Mathews Sheriff B. D. Baffore Clerk, John A.
Green &c. whereupon the folowing proceedings
were had (to wit)

Henry Adams }
The heirs of Daniel } In this cause the par-
Browning decd } ties appeared by their
counsel and on motion the court ordered
the continuance to be set aside and by
consent the Defendant has until the ~~not~~
first day of the next term to file his
defence and the cause continued by con-
sent

The heirs of George Dyer } In this cause
The State of Texas } the parties ap-
peared by their counsel and submitted the
cause to the court on demurrer. After
the arguments of the counsel it is agreed
by the parties the decision of the cause
be held up until the next term of this
court

1 The State of Texas } Assault & Battery with
George W. Barret } intent to kill

In this cau the State appears by its counsel and a Nolle Prosequi was ordered by the court on motion of the Dist: Atty

3 The State of Texas } Betting at Faro
Washington Scrits }

In this cause the state appears by its counsel and a Nolle Prosequi was ordered by the court on motion of the Dist: Atty

5 The State of Texas } Keeping a Faro Bank
William Dean }

In this cause the State appears by its counsel and a Nolle Prosequi was ordered by the court on motion of the Dist: Atty

6 The State of Texas } Keeping a Faro Bank
David R Underhill }

In this cause the state appeared by its counsel and a Nolle prosequi was ordered by the court on motion of the Dist: Atty

9 The State of Texas } Betting at Faro
John Roberts }

In this cause the State appears by its counsel and a Nolle Prosequi was ordered by the court on motion of the Dist: Atty

10 The State of Texas } Betting at Rowlette
Dock Dailey }

In this cause the state appeared by its counsel and on motion the court ordered capiases capias and the cause continued until the next term of this court

District Court March the 28th 1848

179.

12 The State of Texas } Recognizance Taos Bank
Dock Autry }

In this cause the State appears by its counsel and on motion the court ordered a pluries capias and the cause continued

The State of Texas } Recognizance Rowlett
13 Shirley } State

In this cause the parties appeared by its counsel and a Nolle prosequi was ordered by the court on motion of the Dist Atty

The State of Texas } Betting at Faro
20 Benjamin F. Hill } In this cause the parties appeared by counsel and on motion the court ordered the indictment to be quashed

The State of Texas } Recognizance Faro Bank
23 John Roberts }

In this cause the State appeared by its counsel and suggested the death of the Deft whereupon the court ordered a Nolle Prosequi to be entered on motion of the Dist Atty

The State of Texas } Betting at Faro
Joshua Holden } In this cause the ~~parties~~ State appeared by its counsel and on motion the cause ordered a pluries capias and the cause continued

The State of Texas } Unlawful gaming
John T. Blakeman } betting
29 Thomas Rice } In this cause the ~~cause was~~ State appeared by its counsel and on motion the cause was continued as to Rice and capias ordered to the county of Austin

District Court March the 28th 1848. 480.

The State of Texas } Assault and Battery
William Custer }

In this cause the State appears by its counsel and a Capias Prosequi was ordered by the court on motion of the Dist: Atty

The State of Texas } Betting at Faro
Henry Tubbs }

In this cause the State appears by its counsel and on motion the court ordered the indictment to be quashed

37 The State of Texas } Keeping and exhibiting a
Joseph Pilcher } Faro Bank

In this cause the State appears by its counsel and on motion of the Dist Atty a Capias Prosequi was ordered by the court on motion of the Dist Atty

38 The State of Texas } Betting at Faro
Joshua Holden }

In this cause the State appears by its counsel and on motion a Alias Capias was ordered by the court and the cause continued

40 The State of Texas } Keeping a Faro Bank
and Harris }

In this cause the State appears by its counsel and the absence of the Defendant being suggested the court ordered a Capias Prosequi to be entered on motion of the Dist Atty

41 The State of Texas } Murder
Joshua Holden }

In this cause the State appears by its counsel and on motion the court ordered a capias to issue and the cause to be continued until the next term of this court

481. District Court March the 28th 1848

42 The State of Texas } Assault and Battery
vs } with intent to kill
Henry Swishon }

On this cause the State's Attorney appeared by its counsel and on motion the court ordered a Pluries capias to the county of Bastrop and the case to be continued

The State of Texas } Retailing Liquors
vs } without License
Martin Moore & }
Henry Blessing }

On this cause the District attorney and also came the Defendant Martin Moore in his own proper person and submitted the cause to a jury to wit John M Swisher and eleven others after Lawful oath. The parties with their witnesses the Jury returned the following verdict to wit.
We the Jury find the Defendant not Guilty
Signed, John M Swisher
Foreman

Isaac Harris }
vs }
The Heirs at Law of }
Aaron Boyce }

This cause came on for trial upon the Bill Answer Exhibit & testimony and the parties appearing by their attorneys and the facts at issue being submitted to a jury of good & lawful men (to wit) John M. Swisher, David Farr Geo. B. McCusky C. A. Cushman, David Coleman C. C. Browning, Wm Hotchkiss, Joseph Duty, Samuel Stone John Stone William J Stamper George W. Glopcock
who being duly Sworn According to law they returned the following verdict to wit we the jury find that the allegations set forth in plaintiffs petition are true whereupon it is Ordered adjudged & decreed by the Court that the said plaintiff Isaac Harris have & receive of the Defendants Mark Mos. and Maryann Mos his wife Isaac Boyce Stephen Boyce

District Court March 28th 1848

Elizabeth Boyce Elvira Boyce Malvina Boyce Aaron Boyce, William Boyce, and John Boyce in fee simple the real Estate as set forth in the said plaintiffs petition and described as follows (to wit) a Survey for Isaac Harris out of a league of land Granted to Aaron H. Boyce Beginning on the center of the N. W. Boundary line 200 varas on the East side of the west fork of Gilliands Creek at a Mound of Stone & dirt thence South 60° East 300 varas to another Mound of Stone & dirt, thence South 30° West 607 varas to Gilliands Creek thence North 30° West 85 varas with said creek thence South 30° West 695 varas to a Mound for the South East corner thence North 60° West 1130 varas to a Mound for the Southwest corner thence North 30° East 1221 varas to the place of beginning containing one hundred Acres

It being hereby Ordered Adjudged & decreed that the said plaintiff Isaac Harris his heirs and assigns have and hold the aforesaid premises with the appurtenances & that this Decree have the force and effect of a Deed of conveyance to the said plaintiff his heirs & assigns conveying in fee simple all the right title and Interest of the said Defendants in and to the premises aforesaid as well as all the Right Title and Interest that the said Aaron H. Boyce had at the time of his Death and it is Decreed that the Clerk of this Court Issue and Deliver to the plaintiff a certified Copy of this Decree as a Muniment of title and it is Ordered and Decreed that the plaintiff pay all cost of this suit within thirty days or that Execution May Issue as at Law

Martha J. Orr Administratrix
of Wm S. Orr and
Thos King
V.S.
William R. McCurr

In Chancery

It appearing to the Satisfaction of the court that process in this case was duly served by publication According to

486. March 29th 1848

Law on the Defendant Wm R. M Clure previous to the fall Term 1847 of this Court and the said Defendant tho. Solemnly called not appearing to Answer the Bill of the Complainant at said fall Term 1847 a Judgment by Default nisi was then & there rendered against him for want of Answer to said Bill & the said Defendant was then & there Ordered to Answer the same on or befor the first day of the present Term of this court or said Judgment by Default would be Made final, and the Matters and things Contained in said Complainants Bill be taken as confessed and Decreed Accordingly - and the said cause coming on to be heard now at the present Term of this court the said Defendant tho- Solemnly called again failed to appear & Answer said Bill wherefore said Judgment by Default was Made final, and the Matters & Things in said Bill taken as ~~confessed~~ & it appearing to the Court that after the commencement of this Suit the said Thos. A. King Duely transfered to the said William S. Orr then in life all his right title & Interest in & to all of the lots of land Mentioned in said Bill & the Subject of Controversy in this Suit & that the said Martha J. Orr as Administratrix of the estate of said William S. Orr is now the Only party plaintiff in Interest in said Suit, it is therefore Ordered Adjudged & decred that the said Martha J. Orr as Administratrix aforesaid recover from the said William R. M Clure all his undivided Interest in the lots Number four, Six, Seven & Eight in Block No Seventy in the City of Austin as described in said Complainants Bill & that the clerk of this Court Make and Execute to said Martha J. Orr, Administratrix aforesaid, a good & Sufficient Deed for all of said M Clures right title & Interest in & to said lots, & it is further Ordered Adjudged & Decred that the complainant recover her costs in this behalf Expended & for which Execution may Issue

Wednesday Morning March the 29th 1848

Court Met pursuant to Adjournment present the Hon. William E. Jones Judge, J. H. Mathy Sheriff B D Botsford Clerk John A Green District Atty whereupon the following proceedings were had (to wit)

No 55 Ernest Kleburg Surviving partner &c.
vs.
J. H. Cochran &
T. H. W. Forsyth

In this cause comes the plaintiff by his attorney & the Defendant although Solemnly called come not but Make default and the said cause having been Duly continued from the fall term of said court and being again duely called and the Defendants not appearing Then final Default is entered now on this fifth day after the opening of the present Session of said court the cause came on to be heard & the court having duely inspected the said Instrument Made to petitioner by the said Cochran the Same is decreed to be a Morgage & it is considered by the court the same be foreclosed & that the petitioner recover of the said John H. Cochran the Sum of fiftyfive dollars with interest on the Same from the 19th day of March 1842 until paid together with his costs in this behalf Expended and that an Execution Issue to the Sheriff to sell the said premises in the said Morgage discribed for cash without appraisment and that a further Execution Issue if necessary as prescribed by ~~Law~~ Statute

And it is further Adjudged & Decreed that the said Thos. H. W. Forsyth be Divested of the title to said Land & that the Same be adjudged & decreed to the purchaser under the Sale by virtue of said Mortgage So far as the said Forsyth & his heirs are concerned & that the Title be quieted in such purchaser & that the petitioner have his full costs out of said fund if the same be Sufficient

485. March 29th 1848.

The State of Texas
County of Travis

No 101

Alden A. M. Jackson
vs
Caroline E. Jackson

In the District Court Spring Term 1848

And now at this day that is to say on the twenty ninth day of March in the year of our Lord one thousand Eight hundred and forty Eight before the Hon. William E. Jones Judge &c. comes the said Alden A. M. Jackson the plaintiff in the said petition by Alfred Groce his attorney and the said Caroline E. Jackson though called comes not but makes Default and it appearing from the records that the said defendant had been duely cited to appear and answer to the petition of the said plaintiff & a jury of twelve good & lawful men having been duely empannelled & Sworn to try said cause and true verdict give according to Evidence (to wit) Geo. W. Glapcock, H. C. Cushman George B. McClusky John M. Swisher David Coleman David Harr, C. C. Browning, Samuel Stone John R. Slocomb, Leander Brown, Francis Dutrich and John Stone, returned the following verdict (to wit) We the Jury find that the allegations alledged in the within petition are true Signed Jno M Swisher Foreman

whereupon it is considered Adjudged and Decreed by the Court upon the aforesaid verdict of the jury affirming all the Material Allegations in the plaintiffs petition that the bonds of Matrimony heretofore subsisting between the said plaintiff Alden A. M. Jackson and the said Defendant Caroline E. Jackson be & the same are hereby ~~Dissolved~~ forever Annulled & dissolved & that a divorce from said bands of Matrimony be & the same is hereby adjudged & decreed in favor of the said Alden A. M. Jackson. It is further ordered that Caroline E. Jackson Clarence Jackson & Jane Jackson children of the said parties be placed under the care & guardianship of the said Alden A. M. Jackson

March 29th 1848 .486.

It is further ordered by the court that the said Caroline E. Jackson retain a certain female slave named Amy and dispose of her as she may deem meet and proper.

It is further Ordered by the court that the plaintiffs pay all costs in this suit Expended for which Execution may Issue

In this cause the
George Glascock } parties appeared & the cause
vs } continued by con
The Commissioners of } sent
the Scott Circuit Court }

In this cause the parties
C. R. Reese Admr } appear and on motion
vs } the court the cause to be
James Burk } continued

In this cause the parties
Hardy King et al } appear & by consent
vs } the court order the
The Com'rs Scott Co. } cause to be continued
Office et al .

James F. Henderson }
vs } In this cause the
Boyce & others } plaintiff appeared by counsel the parties appeared
and by ~~consent~~ on his motion the
court ordered the cause to be contin
ued until the next term of this court

Henderson Monday } In this cause the
vs } parties appeare
Wm Bowers } and on motion the court orde
the cause to be continued

Cockrane Admr } In this cause the
John F. Webber } parties appeare
and on motion the Plaintiff has
leave to amend and that the writ
be quashed and that an alias issue
and the cause be continued to the
next term

Edwards Dyer } In this cause the
Thos M'Clure } parties appeared and
the plaintiff submits to a nonsuit

487. March 29th 1848.

53 The State of Texas } Exhibiting a
vs } Faro Bank
Michael Burgher }

In this cause the parties appeared and on motion and affidavits of the defendant the court ordered the cause to be continued to the next term

34 The State of Texas }
vs } Betting at a
Wm D Stamper } Faro Bank

In this cause came John D. Green Esq. District Attorney for the Second Judicial District on behalf of the State and the Defendant in his own proper person On hearing the indictment and the Defendant pleading guilty to the charges therein. Whereupon a Jury was called by order of the court to ~~assess~~ determine the assessment of the fine to be imposed to wit John M. Swisher G. W. Glascock. C. Buckman George B. Mclosky David Coleman David Barr C. C. Browning Joseph Bowman Joseph Duty Samuel Stone ~~John Stone~~ Leander Brown Francis Dutrich & John R. Slocomb all good and lawful men of the county of Travis, duly elected tried & sworn according to law

After hearing the parties & the charge of the court the Jury returned the following verdict to wit. We the Jury assess the fine at twenty dollars, and recommend the defendant to the mercy of the court

(Signed) John M. Swisher
Foreman

Whereupon it is considered by the court that the State of Texas recover of the Defendant the sum of twenty Dollars the amount of fine assessed as aforesaid together with all costs in this behalf expended for which Execution may issue

March 29th 1845. 488.

35 The State of Texas } Betting at a Faro
Burton W. Stamper } Bank

In this cause the State appeared by its counsel and the Defd in his own proper person and pleaded not guilty to the charges set forth in the indictment and moved for a continuance ~~of this~~ or whereupon the court ordered the cause to be continued to the next term

36 The State of Texas }
John Connor } In this cause the State appeared by its counsel and the Defendant in his own proper person and pleaded not guilty whereupon on motion and affidavit of the Defd the court ordered the cause to be continued to the next term

The State of Texas } Betting at a Faro
Jeremiah R. Robertson } Bank

In this cause the State appears by its counsel the Dist: Attorney and the Defd in his own proper person and pleaded not guilty and asks for a continuance whereupon the court on the affidavit of the Defd orders the cause to be continued to the next term

The State of Texas } Betting at a Faro
Jeremiah R. Robertson } Bank

In this cause the state appears by its counsel the Dist: Atty and the Defd in his own proper person and pleaded not guilty and moves for a continuance to the next term which on the affidavit of the defendant is ordered by the court

189. District March the 30th 1848

The State of Texas } Bellamy et al a Face Book
Alexander Allen }

In this cause the State appears by its counsel the Dist: Attorney and the Defendant in his own proper person & hearing the indictment read the Defendant pleads not guilty and files an affidavit for a continuance whereupon the court orders the cause to be continued to the next term of this court

The State of Texas } Bellamy et al a Face
Charles Railey } Book

In this cause the State appears by its counsel the Dist: Attorney and the Defft by his counsel pleads privilege from arrest as a member of the Legislature of the State of Texas, which plea is sustained by the court and the defendant discharged, and an alias ordered and the cause continued to the next term of this court

Court adjourned until tomorrow morning at half past eight o'clock

Spring Term Annodomini 1848

Thursday ~~Friday~~ Morning March 30th 1848

Court met pursuant to Adjournment present the Hon. William E. Jones Judge &c. H Mathews Sheriff B. D. Bagord Clerk and John A. Green Dist Atty &c. whereupon the following proceedings were had (to wit)

R. S. Grimes
25 Moses Johnson } In this cause the Adm's of Sorrety } parties appeared by their counsel and by consent of parties the court ordered the cause be continued

James Nightsmith
26 Moses Johnson } In this cause the Adm's of Sorrety } parties appeared by their counsel and by consent of parties the court ordered the cause to be continued to the next term of this court

Hammon
Jon. Whiting } In this cause the parties appeared by consent the court ordered the cause to be continued to the next term of this court

John R. Slocomb
Farley } In this cause the parties appeared on motion the court orders the injunction to be dissolved and bill to stand over as an original bill, to which opinion of the court the Deft excepts and the cause continued by consent with the agreement that neither party shall be forced to trial at the next term

District Court

191. Thursday March 30th 1848

John K Slocomb
vs Owen Obrian
Admr of the estat of
John Nowlan dec'd
} In this cause the parties appeared by their counsel and submitted the cause to a Jury. To wit George W. Glascock, G.G. Bushman, George B. Kilkosky, John H. Swisher, David Coleman, Duke Farr, Matthias Welborger, Benj. Pitser, G.G. Browning, Samuel Stone, P. F. Bowman Francis Pierce all good and lawful men of the county of Travis duly elected and sworn according to law after hearing the parties with their witnesses the Jury returned the following verdict

We the Jury find for the plaintiff the sum of five hundred dollars Signed John K Slocomb Foreman

It is therefore considered and adjudged by the court that the plaintiff recover of the defendant the sum of five hundred dollars & all cost in this behalf expended for which an execution may issue

112 The Corporation of the city of Austin
vs Owen Obrian
} In this cause the parties appeared and the rule for security for costs not being complied with the court ordered the cause to be continued to the next term of this court

James F Edmonston
vs Isaac L Rice
} In this cause the parties appeared and the plaintiff submits to a non suit

District Court March 31st 1848. 192.

Friday Morning March 31st 1848

Court met pursuant to adjournment present the Hon. William E. Jones Judge. S. H. Mathews Sheriff B. D. Bayford Clerk &c. whereupon the following proceedings were had (viz)

James Scott & al } In this cause the
Alden A. McJackson } parties appear by their counsel and on motion the court orders the continuance set aside and Judgment to be rendered on agreement filed (to wit)

L. B. Stanley for the use of }
James Scott } Travis District
Alden A. McJackson } Court

It is hereby agreed by the attorneys in the above stated cause that Judgment be rendered against the Defendant in favor of the plaintiff for two hundred and seventy four dollars and thirty three cents with interest from the eighteenth day of September A.D. 1839. as being equivalent for eight hundred and twenty in the note for the recovery of which this suit was brought, and that the remaining one hundred and seventy seven dollars stand as the individual interest of the said L. B. Stanley not being considered as in litigation in this suit And it is further agreed that upon the said Alden A. McJackson executing and delivering to the said Scott or his Attorney a good and sufficient title in fee simple to three hundred & twenty acres of land (patented before the making of this agreement) before the next term of this court, then & in that event the said Scott is to give to the said McJackson a full release and acquittance against this Judgment, but upon his failing so to do then execution is to issue and it is further agreed that the said Defendant pay the costs of this suit

but this further understood that no execution is to issue upon this Judgment before the next term of this court and if the said Jackson denies the correctness of the agreement spoken of above then the said Judgment is to be opened and set aside and said case stand for trial as tho this Judgment had not been entered

St George W. Burnet
James M. Long et al } In this cause the parties appeared and submitted the cause to the court whereupon the court orders the injunction to be dissolved and bill to be dismissed and the plaintiff to pay all costs in this behalf expended for which an execution may issue

Timothy McKane
M. Julien } In this cause the parties appeared and on motion & affidavit of the Defendant the court ordered the cause to be continued to the next term of this court

H. W. Munroe
John Gibson } In this cause the parties appeared and submitted the cause to a jury to wit John M. Swisher Thos M Eure C. C. Cushman J David Coleman D David Ravis C. C. Browne G Reuben Brown Nathan Robbins & Samuel Stone J John Howard 10 Jeremiah Robinson 11 Timothy McKane 12 Hugh Smithwick all good and lawful men of the county of Travis duly elected and sworn according to law After hearing the parties with their witnesses the jury returned the following verdict (to wit) We the Jury find for the plaintiff the sum of three hundred three dollars & 33 1/2 Signed

Jno McLeod Anderson

Spring Term AD 1848 .194.

It is therefore considered and adjudged by the court that the plaintiff do have and recover of the defendant the sum of three hundred & three dollars and three cents (303,03) and all costs in this behalf expended for which an execution may issue Whereupon the defendant gave notice of an appeal to the supreme court

Morgan C. Hamilton
The Comr of the Genl
Land Office & the Admr
of J Barker } And now at
this day came the parties by their Attorneys and a Jury being waived, and the cause being submitted to the court, and the court having heard the testimony and the matters and things contained in the petition of the plaintiff & the answers of the Defendant, and because it appears to the court that there is no reason or just cause why the commissioner of the Genl Land office has not issued to the said plaintiff a patent for the lands claimed by him in his said petition, It is therefore ordered adjudged & decreed that a peremptory mandamus issue from this court commanding & directing George W. Smyth Esq the commissioner of the General Land office to issue to said Hamilton & plaintiff in this cause a patent for the land mentioned in his said petition

James F. Johnson
Williams Jones
& Wm Stamper } In this cause the parties appeared and a jury being waived the cause was submitted to the court whereupon it is considered and adjudged by the court that the plaintiff do have and recover of the Defendants the sum of

~~190~~ Saturday April 1st 1848

two hundred dollars and

all costs in this behalf expended
for which an execution may issue
to which opinion of the court the
defendant excepts and gives notice
of an appeal to the supreme court

Court adjourned until to morrow morning
at half past eight of the clock

Saturday morning April 1st 1848
Court met pursuant to adjournment
present as before

107 Morgan Cryer &
McAlred Cryer
v.s.
Joseph Duty et al

In this cause it is ordered by the Court that the plaintiffs have leave to Amend their Petition so as to Make other parties and that the Defendants who have Answered be permitted to withdraw their Answer without any prejudice to their rights & that they be permitted to Answer after parties are fully Made & Cause continued

115 John Chinworth
v.s.
Thos Whitehead

It is Ordered by the court that this cause be continued for Service

116 John Chinworth
v.s.
Thos Whitehead

It is Ordered by the Court that this cause be Continued for Service

Saturday the 1st day of April 1848

41 The State of Texas vs. Adolphus Stern — On Motion of Dist atty it is Ordered by court that this cause be continued & Capias Ordered to Nacogdoches County

42 State of Texas vs. James W. Henderson — On Motion of the Dist atty it is Ordered by the court that this cause be continued and Capias be Ordered to Harris County

43 State of Texas vs. James Miller — On Motion of the District atty it is Ordered by the court that this cause be continued & capias be Ordered to Washington County

44 State of Texas vs. M'Rea — On Motion of the Dist atty it is Ordered by the court that this cause be continued & Capias be Ordered to Sabine County

45 State of Texas vs. Dooley — On Motion of Dist atty it is Ordered by the court that this cause be continued & Capias Ordered

46 State of Texas vs. Wm H. Stewart — On Motion of Dist atty it is Ordered by court that this cause be continued and Capias Ordered to Gonzales County

47 State of Texas vs. Benjamin F Yankey — On Motion of the Dist atty it is Ordered by the court that this cause be continued & Capias Ordered to Harris County

Saturday April the 1st 1848

48 State of Texas
v.s.
Rowly Autry
On Motion of the Dist atty it is Ordered by the court that this Cause be continued & Copias Ordered to Washington County

49 State of Texas
v.s.
Hamilton
On Motion of the Dist atty it is Ordered by Court that this cause be continued and Copias Ordered to

50 State of Texas
v.s.
Peter Rinfro
On Motion of Dist atty it is Ordered by the court that this cause be continued & Copias Ordered

51 State of Texas
v.s.
Putoff
On Motion of the Dist atty it is Ordered by Court that this cause be continued and Copias Ordered

52 State of Texas
v.s.
Abel S. Cunningham
On Motion of Dist atty it is Ordered by the court that this cause be continued & Copias Ordered to Victoria County

53 State of Texas
v.s.
Henry Lewis
On Motion of Dist atty it is Ordered by court that this cause be continued and Copias Ordered

54 State of Texas
v.s.
Michael Burcher
On Motion of Dist atty it Ordered by court that this cause be continued & Copias be Ordered

55 State of Texas
v.s.
Lu Gray
On Motion of Dist atty it is Ordered by court that this cause be Continued & Copias Ordered

Saturday April the 1st 1848. 198.

56 State of Texas
vs.
Robert Williamson
On Motion of Dist atty it is ordered by court that this cause be continued and capias Ordered to Washington County

57 State of Texas
vs.
Abram Taylor
On Motion of the Dist atty it is Ordered by the court that this cause be continued & capias Ordered

58 State of Texas
vs.
Everett H. Lott
On Motion of the Dist atty it is Ordered by the court that this cause be continued and Capias Ordered to Nacogdoches

59 State of Texas
vs.
Wm R. Young
On Motion of the Dist atty it is Ordered by the court that this cause be continued and Capias Ordered

60 State of Texas
vs.
Hains
On Motion of the Dist atty it is Ordered by court that this cause be continued & Capias Ordered

61 State of Texas
vs.
William S. Brown
On Motion of Dist atty it is Ordered by court that this cause be continued & capias Ordered

State of Texas
62 vs.
Garcia
On Motion of the Dist atty it is Ordered by court that this cause be continued & capias Ordered to Bexar

63 State of Texas
vs.
Wm B Underhill
On Motion of the Dist atty it is Ordered by court that this cause be continued & Capias Ordered to Washington County

Saturday April the 1st 1848

64 State of Texas vs. Millard M. Parkison — On Motion of the Dist atty it is Ordered by Court that this cause be Continued and Capias Ordered

65 State of Texas vs. Eliot — On Motion of the Dist atty it is Ordered by Court that this cause be Continued & Capias Ordered

66 State of Texas vs. Francis Hatch — On Motion of the Dist atty it is Ordered that this cause be continued & Capias Ordered to Montgomery Co.

67 State of Texas vs. Wm S Wilburn — On Motion of the Dist Atty it is Ordered that this cause be continued & Capias Ordered

68 State of Texas vs. Wm R. Allen — On Motion of the Dist atty it is Ordered by Court that this cause be continued & Capias Ordered to Washington County

69 State of Texas vs. Millard M. Parkison — On Motion of the Dist atty it is Ordered that this cause be continued & Capias Ordered

70 State of Texas vs. Wm McAbron — On Motion of the Dist atty it is Ordered by the Court that this cause be continued & Capias Ordered

71 State of Texas vs. Rowley Autry — On Motion of the Dist atty it is Ordered by the court that this cause be Continued & that Capias be Ordered to Washington county

Saturday, April the 1st 1848. 300.

72 ✓ State of Texas vs. Josiah Drew — On Motion of the Dist atty it is Ordered by the court that this cause be continued & Capias Ordered to Harris County

73 ✓ State of Texas vs. James Denson — On Motion of the Dist atty it is Ordered by court that this Cause be continued & Capias Ordered to Matagorda County

74 ✓ State of Texas vs. Robert H. Wynne — On Motion of the Dist atty it is Ordered by the Court that this cause be continued & Capias Ordered to Galveston County

75 ✓ State of Texas vs. Thomas J. Jennings — On Motion of the Dist atty it is Ordered by the Court that this Cause be continued and Capias Ordered to Nacogdoches County

76 ✓ State of Texas vs. Jack Davis — On Motion of the Dist atty it is Ordered by the Court that this Cause be continued & Capias Ordered to Liberty County

77 ✓ State of Texas vs. Wm C. Edwards — On Motion of the Dist atty it is ordered by the Court that this cause be continued & Capias to San Augustine County

78 ✓ State of Texas vs. Joseph Walker — On Motion of the Dist atty it is Ordered by the Court that this cause be continued & Capias Ordered

Saturday April the 1st 1848

79 State of Texas
vs.
John A Green
On Motion of the Dist atty it is Ordered by the Court that this Cause be Continued ~~and Capias be Ordered to~~

80 State of Texas
vs.
Charles L Mayfield
On Motion of the Dist atty it is Ordered by the Court that this Cause be Continued

State of Texas
81 vs.
Wm T Sadler
On Motion of the Dist atty it is Ordered by the Court that this cause be Continued & Capias Ordered to Houston County

82 State of Texas
vs.
Lyman Wm Eddy
On Motion of the Dist atty it is Ordered by the Court that this be Continued & Capias be Ordered ~~to~~

83 State of Texas
vs.
Winkler
On Motion of the Dist atty it is ordered by Court that this Cause be Continued & that Capias Issue ~~to~~

84 State of Texas
vs.
Thos Colliper
On Motion of the Dist atty it is Ordered by the Court that this Cause be Continued & Capias Issue

85 State of Texas
vs.
Jerom B McCown
On Motion of the Dist atty it is Ordered by the court that this cause be Continued & that Capias Issue to Montgomery County

86 State of Texas
vs.
Raphael Garcia
On Motion of the Dist atty it is Ordered by the court that this Cause be Continued & Capias Issue to Bexar County

108 B. M. Watson Appt vs. Samuel Stone at Sp sur being good & lawful Freeman. N. M. Benjamin Piper Timothy M Dean, John B. Woodbridge who being duely Sworn according to Law returns the following Verdict (to wit) we the Jury find for the Defendant believing the Consideration to have been the Dumps. It is therefore considered adjudged and decreed that the Defendant recover his costs in his said suit expended in the Court below and also in this Court. for which execution may issue. And the said plaintiff by his Attorney moves the court for a new trial which was overruled by the Court, whereupon the plaintiff prays an appeal to the Supreme Court which is granted upon the said plaintiff entering into bond with security according to law &c.

Wm Williams to the use of W. H. Gantt

In this cause the parties appear by their attorneys and the fact Submitted to a Jury of twelve Men (to wit) John M. Swisher Lucket Geo B. McClusky, Jeremiah Robertson, Leander Brown Freeman B. Beck, J. H. Whitaker David Coleman. David Ham

M. C. Hamilton vs. Commissioner Gen & Jesse Barker

In this cause the parties Litigant by their attorney come and Suggest to the Court that they are in no default in this controversy that the whole Controversy & costs have arisen in consequence of the Acts of Thos. William Ward the Commissioner General of the Land office and now Move that he be Taxed with the costs & that a Judgment Nisi be entered against him & he cited to appear & Show cause why said Judgment Should not be Made final &c. which motion being heard by the court the Same is granted. & it is ordered that a copy of this rule be Served on the said Thomas William Ward twenty days before the next Term of this Court it is further ordered that the Judgment of the Court in relation to the costs of this case be Suspended until next Term

503. Spring Term. Anno Domini. 1848.

It is Ordered by the court that a fine of ten dollars be entered against the following persons as defaulting Jurors on the Original Venire (to wit) Clayburn Osburn, John L. Osburn R. F. Chandler J. S. Dade J. D. Doxy H. D. Edwards Isaac Harris Lemuel Taylor & that Scirafacias Issue to each of them returnable to the next Term to show cause why the same should not be made final.

It is ordered by the court that the fine of five dollars heretofore imposed upon the ~~following~~ Petit Jurors at the present Term, for dispensing without the leave of the court be remitted in the case of White vs Glascock be remitted -

It is ordered that the Court do now adjourn Sine die

William E. Jones
Dist. Judge
2nd Jud Dist

507.

Venire Sad Term AD 1848

Be it remembered that on this the 4th day of September A.D. 1848 the following names were drawn according to law to serve as Jurors at the next term of the Dist. court for the county of Travis by B.T. Bagby clerk of the District court of Travis county and A.B. McGill clerk of the county court of said county in the presence of S.G. Haynie a Justice of the Peace duly and for said county to wit,

1 Benj. F. Johnson
2 Fedeis Menelle
3 John Harrell
4 David Enright
5 Hugh McClure
6 Davis Thomas
7 Henry G. Edmonson
8 Albert Bigon
9 Jackson Thompson
10 Wm M. Nelson
11 Charles F. Compton
12 Wm Cockburn
13 Wm Wilkes
14 A. F. Davis
15 Thos Wm Reed
16 John Falk
17 Thomas Puckett
18 Nathaniel Gillilan

Benjamin Piper
19 ~~W. C. Collingsworth~~
20 William Clements
21 ~~Robt~~ Philip Golden
22 Thomas Pratt Rossington
23 Joseph Boorhaart
24 Nelson Merrill
25 Noah Smithwick
26 Benjamin C. Bennet
27 D. H. Davis
28 William Cartar
29 I. D. Darlington
30 D. C. Cady
31 M. A. Portefield
32 Michael Bonnicon
33 William D. Parris
34 ~~M~~ M. C. Burdett
35 Josephus Scott
36 George Isbell

B.T. Bagby clerk of Dist. court of Travis County
A.B. McGill
ex officio

S.G. Haynie
J.P. & C

Court met pursuant to adjournment

S. G. Reed

Dock Inspector