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District Court, Travis County, June Term 1872.

Caption

The State of Texas } At a Term of the District Court of Travis
County of Travis } County, begun and held at the Courthouse
thereof in Austin on the 3d Mon of June, AD 1872, the same
being the first Monday in said month, and the time fixed
by law for the meeting of the said Court: Present the Hon.
J. W. Oliver, Judge of the Thirty-Third Judicial District of the
State of Texas, presiding; T. B. Pinkerton Sheriff of Travis
County: and A. R. Morris, Clerk of the District Court of
Travis County By Frank Brown, Deputy: the following
Proceedings were had, to wit:

Grand Jury

And thereupon the Court ordered the Sheriff to call the
names of those persons appearing upon the venire issued by
the Clerk and duly summoned. for the Grand Jury And from the list
thereof a sufficient number not appearing the Court
ordered the Sheriff to summon a sufficient number
of bystanders to complete the panel of Grand Jurymen
Whereupon, of the persons so summoned as aforesaid,
the following were empannelled tried, and sworn to
act as the Grand Jury of Travis County for and during
the present term of the District Court of said County
to wit:

Names

A. B. Burleson. 6 L. Freeman. 5 S. Lockwood. Ben
Weir. 4 Isom McArthur. 5 Caesar Givens. 6 Nat Grumbles.
John Johnson. 7 Sam'l Scott. 8 Jas Bird. 9 J. W. Nicholson. 10 Jefferson
Miller. 11 Nat. Moore. 12 H. C. Eanes. 13 Robert Parr. 14 John
Holland. 15 A. Musgrove. 16 Wm Saunders. 17 Bryce Boyd. 18
And thereupon the Grand Jury Court having appointed
A. B. Burleson foreman of the Grand Jury, the said Grand
Jury were charged by the Court concerning their duties and
ordered to retire upon a discharge of the same under charge
of the Sheriff.

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

Tuesday, June 4th 1872.

Court met at 9 o'clock, A. M. pursuant to adjournment.
Present Hon. J. W. Oliver, Judge 33d Judicial District presiding.
Whereupon the following Proceedings were had by said Court, to wit:

Criminal Docket

And thereupon It is ordered that the Criminal Docket
be set for hearing and trial for the 3d Monday of the Term

187 Robert Mitchell v. M. C. & J. Burditt. Ordered upon motion
that this cause be continued, as upon consent of parties.

1658 Susan Taylor v. J. N. A. Carter et al. Cause continued on motion.

1958 Susan L. Ward v. Thomas Wm Ward. Continued by consent of parties.

2013 C. Henry v. A. M. Davidson. Continued by consent.

2536 W. S. Harney v. J. M. Blackwell. Continued by consent.

2543 Tom Hampton v. Thomas Burleigh et als. And now on
this day came the parties to this cause by their attorneys

June Term, Tuesday, June 4th 1872.

and moved the Court to dismiss the cause at the cost of the Defendants. Whereupon It is ordered by the Court that said Cause be dismissed from the docket and that the parties go hence: and that the Defendants pay all the cost of this proceeding, for all which execution may issue.

2595 Amos Morrill vs Houston and Cook. Continued as per agreement on file

2596 Amos Morrill v. McGuire and Cook. Continued as per agreement on file

2598 Amos Morrill v. Moore and Cook. Continued as per agreement on file

2599 Amos Morrill v. Wood and Cook. Continued as per agreement on file

2644 S. M. Swenson vs G. H. Herndon et als. Continued for Service

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

2715 Isaac Jalonick et al. v. Pleasant Taylor et al. Continued as per agreement on file

2745 Headley Pack v. Thos F. McKinney et als Ordered upon motion that this cause be continued to await action of the Supreme Court in Cause No 2744, of Headley Pack vs C. W. Whitis.

2803 D. R. Townsend et al. vs McKinney and Bayles. Ordered upon motion that this cause be continued as per agreement on file.

2891 A. Sockett v Richard Warren. Continued by Consent.

2905 F. H. Arlett v. S. S. Brush. Ordered that this cause be continued as per agreement on file.

2931 Thos F. McKinney v. A. M. Cox. Continued by Consent.

2955 Abby Thompson, Admx et al. v. A. H. Barnes. Continued by Consent.

2956 Abby Thompson, Admx v. R. W. Riley et al. Continued by Consent.

2957 Abby Thompson Admx. v. R. A. Rutherford. Continued by Consent.

2958 Abby Thompson, Admx et al. v. George Saunders Continued by Consent.

2959 Abby Thompson, Admx et al. v. Charles Barnes Continued by Consent

2960 Abby Thompson, Admx et al. v. A. L. Raven. Continued by Consent.

2966 W. A. Morris v. Reuben Sheely et al. Continued as per agreement on file.

2973 S. B. Brush v. E. Raven. Continued by the Plaintiff on motion.

2976 Geo. H. Gray v. M. J. Donovan et al. Continued upon motion.

2981 W. C. Philips v. A. A. Scroggin et al. Continued for service.

3010 D. L. Cross v. Geo. L. Robertson. Continued by agreement of parties

3070 Raymond & Whitis v. E. C. Dewey And now on this day came the parties to this Cause by their attorneys and upon motion It is ordered that the said Cause be and is hereby dismissed from the docket and that the plaintiffs James A. Raymond and C. W. Whitis, under their firm name of Raymond and Whitis, pay all the Cost by them incurred in this behalf and that the Defendant E. C. Dewey pay all the cost by him incurred in this behalf for all which Execution may issue

3076 M. A. Taylor v A. H. Longley. Continued by consent of parties.

June Term, Tuesday, June 4th 1872.

3186. A. B. Burleson vs Mary Ann Burleson. Continued for service.

3090 Frank Mathews et al vs M. A. Taylor. Continued as per agreement filed

3107 A. J. Mitchell v. Risher and Hall. Continued by consent.

3109. Wm Chapman v. W. A. Davis. And now on this day came the Plaintiff in this cause and claims a judgment by default. And because it appears to the Court that the Defendant W. A. Davis has been cited by personal Service and has failed to answer within the time Prescribed by law and wholly made default, It is ordered adjudged and decreed that the said Plaintiff Wm Chapman do have and recover of and from the Defendant W. A. Davis according to the prayer of his petition: and It is further ordered that a Writ of Inquiry be awarded.

3117 J. M. Sitton vs I. R. Worrall. Ordered upon motion, that this cause be continued to make Parties

3121 Wm Coats v. M. C. Hames. Continued by consent of parties.

3123. Thomas O'Connor v. Wm Penfield. Continued by Consent of parties

3124 Thomas O'Connor v. Wm Penfield Continued by Consent of parties

3125 James M. Brown v. A. B. Burleson. This day came the parties. When upon motion, It is ordered that the cause be continued as upon application of plaintiff: that the Defendant herein have leave to amend his answer filed.

3148 R. N. Lane v. G. W. Sitton et al. Ordered that this Cause be continued

3150 W. A. Shaw et als. v. John Norwood et als. Cause continued

3151 Charles Shepherd v. J. J. Sneed et al. Ordered that the cause be continued as upon consent of parties.

3159. A. and E. Raven vs P. de Cordova et al. Ordered that this cause be continued as upon consent of parties.

3145. John & Eliza Holland v. John B. Conner On this day appeared the parties by their attorneys: when the Defendant by Counsel submitted his motion to continue the cause, supported by affidavit. upon a hearing and consideration of the same It is ordered that said motion be granted and that the cause be continued

3180 Wm Eborn vs Geo. B. Zimpelman At this term the plaintiff by his attorney and upon motion It is ordered that the said plaintiff have leave to amend his petition

3181 J. H. Cantwell v. E. C. Dewey. On this day came the parties by their attorneys and upon motion It is ordered that said cause be dismissed from the docket the cost having been paid.

3184. Simms and Levy v. Charles Culmore. And now on this day came the plaintiffs to this cause by their attorneys and moved the Court to empannel a jury to assess the damages in accordance with the judgment by default entered in this cause at the last term of this Court. And thereupon came a jury of twelve good and lawful men of Travis county, consisting of A. D. Rector and eleven others, who being

June Term, Tuesday, June 4th 1872.

tried, empannelled and sworn according to law, heard the petition, the evidence, and the charge of the Court, and retired to consider of their verdict. Whereupon the Jury returned into Court the following verdict, to wit: "We, the Jury, find a verdict for the Plaintiffs Simms & Levy v. Charles Culmore, defendant, in the sum of Three Hundred and Seventy Five Dollars and Seventy One Cents, with interest thereon from 1st Jany 1870 at 8 pr cent. to date, amounting to Eighty Two Dollars and eighty Six Cents, making a total of four hundred and fifty Seven dollars and sixty eight cents. June 4. 1872. A. D. Rector, Foreman." Whereupon It is ordered, adjudged and decreed that the plaintiffs Thomas Simms and Lionel C. Levy, surviving partners of the late firm of Simms, Levy and Denegre, do have and recover of and from the Defendant Charles Culmore, the sum of Four Hundred and Fifty-Seven Dollars and sixty-eight cents, so found due by the Jury, and all the Cost hereof to be taxed, for all which execution may issue.

1 \3186 William Chapman vs. W. A. Davis. And now on this day came the plaintiff in this cause by his attorneys and claims a judgment by default. And because it appears to the Court that the Defendant has been cited by personal service and has wholly failed to answer within the time prescribed by law and made default, It is ordered that the said plaintiff Wm Chapman do have and recover of and from the Defendant W. A. Davis according to the prayer of his petition in this case and that a writ of inquiry be awarded at the present term.

1 \3205 John Newman v. E. C. Dewey. Comes the plaintiff, and upon motion It is ordered that the said plaintiff have leave to amend his petition.

1 \3230 D. M. Wilson v. Dt Schmitz. Comes the Plaintiff, and upon motion It is ordered that the said Cause be dismissed from the docket, and that the Defendant go hence and recover of and from the plaintiff D. M. Wilson, all the cost of this suit to be taxed, for which execution may issue

1 \3244 Leon and Dt Blum vs. S. D. Meeks. Ordered upon motion, that this Cause be continued as upon Consent of Parties.

\3335 J. J. McClelland v. C. M. Rowe. Ordered upon motion that the plaintiff in this cause have leave to amend his Petition.

1 \3336 Horace Rowe, a Pate. And now on this day came on to be heard the petition of Horace Rowe, a minor over the age of Seventeen years, praying to have his disabilities as a minor removed. And it appearing to the Court that the grounds set out are sufficient and that it is advisable and advantageous to said minor, in person and property, that this disabilities as a minor be removed. The premises duly considered and by the Court fully understood, It is ordered

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and decreed by the Court, that the disabilities as a minor of the said Horace Rowe, be and they are hereby removed. and that the said Horace Rowe be and he is hereby deemed and held for all legal purposes, of full age, and held responsible as such, and have all the privileges and advantages as if he were of full age, except voting, until he arrives at the age of twenty one years: and that he pay the costs of this Proceeding.

And Court adjourned till to-morrow at 9 am.

Wednesday, June 5th 1872.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty-Third Judicial District Presiding. Whereupon the following Proceedings were had by said Court, to wit:

Wills Spain & Parte — Ordered, upon petition of the District Attorney, accompanied by the Statement of the Grand Jury that they can present no charge against Wills Spain, accused of Felony, and there appearing to the Court no reason why the Defendant should be retained in custody, It is ordered that said Prisoner be discharged from custody at once.

2228 A. Fenwick v. Henry and Hamilton. Continued by consent.

2229 A. B. McGill v. Henry & Hamilton. Continued by Consent.

3029 J. T. Chandler v. E. R. Babbington et al. On this day came the parties to this cause by their attorneys. Whereupon on motion It is ordered that the cause be dismissed from the docket and that the Plaintiff, J. T. Chandler, pay all the cost in this behalf to be taxed, for which execution may issue.

3106 National Bank of Texas v. Jno. M. Swisher. Cont'd by consent.

3211 Charlotte Kuhing v. S. Lockwood. Continued by agreement.

3212 A. B. Palm v. Desha Denton. And now on this day came the Plaintiff and claims a Judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and the cause of action being liquidated, It is wholly made default. It is ordered that the Plaintiff, A. B. Palm, do have and recover of and from the Defendant Desha Denton, the sum of Three Hundred, Twelve & 50 Dollars, in com. with twelve per centum per annum interest from date until paid, that being the sum due upon the instrument sued on and the rate of interest agreed to be paid, together with all the cost in this behalf laid out and expended, for all which execution may issue.

3214 Joseph Carothers v. J. D. C. Davis, Admr. Continued as per agreement on file.

3223 N. dela Zerda v. A. Bledsoe, Comp't. Comes the plaintiff and upon motion It is ordered that the cause be dismissed, the cost being paid.

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3224 L. B. Galpin et.al. v. Almeda Brickta et.al. Ordered, upon motion, that the cause be continued to Perfect Service.

3225 E. H. Cushing v. Schutze and Dietzel. Comes the Plaintiff by his attorney and claims a judgment by default as against the Defendant Dietzel. And it appearing that the Defendant Dietzel has been duly cited and failed to answer within the time prescribed by law and wholly made default, It is ordered that the Plaintiff recover the amount claimed in his petition. And came also the Defendant Schutze by attorney And the plaintiff and said Schutze announced ready for trial, and agreed to waive a Jury and submit the case to the Court. And upon hearing of the case It is ordered by the Court that the Plaintiff, E. H. Cushing, do have and recover of and from the Defendants J. Schutze and O. Dietzel the sum of One Hundred, Ten & 50/100 Dollars, that being the amount of principal and interest due upon the instrument Sued on to date, and all the cost in this behalf laid out and expended, for all which execution may issue.

3228. Sampson & Hendricks v. Samuels & Mosson. Continued by Consent.

3229. J. W. Sator v. J. W. Whipple and Sarah C. Whipple. On this day came the plaintiff by attorney and upon motion It is ordered that this cause be dismissed from the docket and that the Defendants pay the cost hereof, for which execution may issue

3231 Carl Krohn v. Mor and Celia Maas. Comes the plaintiff and asks a judgment by default. And because the Defendants have been cited by personal service and have failed to answer within the time prescribed by law and have made default. It is ordered that the Plaintiff do have and recover of and from the Defendants according to the prayer of his petition and that a Writ of Inquiry be awarded.

3232 W. H. Walton v. A. G. Dutour and Jacob Knechler. And now on this day came the Plaintiff and the Defendant Knechler. And it appearing to the Court, that the Defendant Knechler is endorser upon the instrument sued on, and that since the bringing of this suit he has paid to the plaintiff the full amount of money due thereon from the principal A. G. Dutour, and praying to be substituted as plaintiff herein, And it appearing to the Court that said Dutour has been cited by personal service and has failed to answer within the time prescribed by law, and makes default, And the cause of action being liquidated, It is ordered that said Jacob Knechler do have and recover of and from the Defendant A. G. Du Tour the sum of Two Hundred and Fifty One Dollars, that sum being the amount of principal

June Term, Thursday, June 6th 1872.

and interest due upon the instrument sued on to this date, together with Ten percentum per month interest thereon from date until paid, together with all the cost hereof to be taxed, for which execution may issue.

3236 Atkin, Ward & Co. v. Wm. H. Thompson. Ordered upon motion that the Cause be dismissed from the docket, at the cost of the Plaintiffs. And thereupon It is considered that the plaintiffs herein pay all the cost of this proceeding, for which execution may issue.

3242 E. A. & L. Ray v. D. L. Cross. Come the parties and upon motion It is ordered that this cause be dismissed from the docket and that the Plaintiffs Elizabeth A. Ray and Lucretia Ray pay all the cost hereof to be taxed, for which execution may issue.

J. M. Denton and Frank Cotton

And now on this day came into Court J. M. Denton and Frank Cotton. And thereupon the said Denton and Cotton, each of them acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of One hundred Dollars, each, to be levied upon his Goods, Chattels, Lands, Tenements and Estate, But to be void upon condition that the said Denton and Cotton make their personal appearance before the Mayor of the City of Austin, at his office in Austin ante-meridian ten o'clock A.M. then and there to answer the charge of disturbing the peace.

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

Thursday, June 6th 1872.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

3174 Kitschke & Bley v. Creary and Cotton. Kitschke and

And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came on to be heard the motion of the Defendants to quash the attachment in this cause, which being heard and argued by counsel, and duly considered, It is ordered that the motion be sustained. Whereupon It is ordered that the Defendants recover of the plaintiffs and the securities on their cost bond to wit: G. W. Glascock and A. G. Randall all the cost incurred by reason of the attachment sued out in this case, for which execution may issue. And thereupon the parties announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of A. C. Farr and eleven others, who being tried, elected, empanelled and sworn according to law, heard the pleading, the evidence, the argument of counsel and

June Term. Thursday, June 6th, 1872.

the charge of the Court, retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict, to wit: "We, the Jury, find that the Defts Creary & Cotton jointly owe as a firm Nitschke & Bley (Jeffus as firm) the sum of $177 $\frac{75}{100}$ together with interest on the same at 8 per Cent from the 1st day of January 1872 to the 5th day of June 1872, amounting to $6.07, being in all $183 $\frac{32}{100}$ A. E. Farr, Foreman." Whereupon It is ordered adjudged and decreed that the plaintiffs C. L. Nitschke and C. H. Bley, under their firm name of Nitschke and Bley, do have and recover of and from the Defendants E. Creary and J. Cotton, the sum of One Hundred Eighty three and $\frac{32}{100}$ Dollars, so found to be due by the Jury aforesaid and all the cost of this suit, (except the cost incident to the attachment) for which execution may issue.

1 \3231 Carl Krohn v. Max and Clara Maas. And now on this day came the plaintiff and asks the Court to empannell a Jury to assess the damages and fix the lien charged in the Petition. And the Defendants having appeared and admitted the demand of the plaintiff: and thereupon came a Jury of twelve good and lawful men of Travis county, Consisting of A. D. Rector and eleven others, who being tried, elected, empannelled and sworn according to law, heard the pleading, the evidence, the argument of counsel and the charge of the Court retired to consider of their verdict. Whereupon the Jury returned into Court the following verdict, to wit: "We, the Jury, find that Max and Clara Maas the Defendants are indebted to Carl Krohn Plaintiff in the sum of five hundred dollars (specie) with interest at 10 per cent. thereon from the first of January 1871 amounting to this date to Seventy One Dollars and fifty-three cents, making the sum total Five Hundred and Seventy One Dollars and fifty-three cents, and the same is a lien on Lots Nos. 5 and 6 in the subdivision of Lot 29 in Division E of the City of Austin. A. D. Rector, Foreman."

Whereupon It is ordered that the plaintiff Carl Krohn do have and recover of and from the Defendants Max Maas and Clara Maas the sum of Five Hundred and Seventy One dollars and fifty-three cents, in specie, with interest thereon at the rate of ten per centum per annum from this date until paid, and all the costs herein to be taxed, for which execution may issue. And it appearing that Lots five and six in the subdivision of Lot No. twenty nine in Division E, of the City of Austin is liable for said judgment, and that the

June Term, Thursday, June 6th 1872.

note sued on was delivered in part payment therefor and is a lien upon said lots for its satisfaction. It is therefore ordered, adjudged and decreed that the mortgage lien of the plaintiff on said Lots be foreclosed, and that the Clerk of this Court do issue an Order of Sale directed to the Sheriff of Travis County, commanding him to sell, as under execution, the said real estate, and that he apply the proceeds 1st. to the payment of the costs of the suit; 2. to the satisfaction of the principal of this judgment and interest to grow due; and 3. the remainder, if any, pay over to the Defendants or their attorneys.

3205 John Newman v. E. E. Dewey. Continued by consent.

3275 E. F. Millett v. Jackson and Johnson. Continued by consent.

3317 D. P. Kinney et.als. v. G. B. Zimpelman Shff et.al.
And now on this day came the Parties to this cause by their attorneys and announced ready upon the motion to dissolve the injunction, and upon the exceptions and demurrer to the petition. And thereupon the parties submitted their said motion to dissolve the injunction, and exceptions, which being heard and argued by counsel and duly considered, and the points of law arising thereon being well understood, It is ordered that the injunction in this case be and the same is hereby dissolved; that the cause be dismissed from the docket and that the Defendants recover of and from the plaintiffs D. P. Kinney, M. A. Taylor, B. Radkey and S. McGinn and the securities on their injunction bond, to wit: E. T. Sipson and F. W. Sator all the cost in this behalf to be taxed, for which execution may issue. And thereupon the plaintiffs give notice in open Court of an appeal to the Supreme Court.

3113 G. A. Gibson v. E. E. Dewey. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of Geo. W. Moore and eleven others, who being tried, elected, empannelled and sworn according to law, heard the pleadings, the evidence, argument of Counsel and the charge of the Court, and retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict, to wit: "We, the Jury, find in favor of the Plaintiff for six months and six day's Services, at the rate of Seventy five dollars coin per month, together with interest from the 4th day of Jan. 1870 to the 6th day of June 1872 at 8 per cent. Principal $462.50
Interest for the same time at 8 per cent 56.08

June Term, Friday, June 7th 1872.

Total Amount $578.57 cts
Geo W. Moore, foreman. "

Whereupon It is ordered by the Court that the plaintiff J. A. Gibson do have and recover of and from the Defendant C. C. Dewey, the sum of Five Hundred, Eighteen and 57/100 Coin Dollars and all the cost of this proceeding, for which execution may issue

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

Friday, June 7th 1872.

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. W. Oliver, Judge of the Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

3147 A. Musgrove v. W. R. Baker. And now on this day came the plaintiff and asks for a judgment final by default. And because the Defendant has been cited and failed to answer within the time prescribed by law and wholly made default: and the cause of action being liquidated It is ordered that A. Musgrove, do have and recover of and from the Defendant W. R. Baker, the sum of One Hundred, Sixty-three and 87/100 Dollars, principal and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from date till paid, and all the cost bill of to be taxed, for which execution may issue.

3326 Catherine A. Horan and John A. Green Executors of John Horan, dec'd v. A. H. Cook Jr. and A. H. Cook, Sr. In this case now come the plaintiffs: and the defendants being solemnly called came not, but made default. And it appearing that the plaintiffs action is based upon a liquidated demand and the defendants have been duly served with process and failed to answer, It is ordered that said plaintiffs Catherine A. Horan and John A. Green, as Executors of John Horan deceased, have and recover of the Defendants A. H. Cook Jr. and A. H. Cook, Sr. the Defendants, the Sum of two thousand three hundred and three 74/100 Dollars, debt and interest accrued, and that this judgment shall bear interest at the rate of twelve per centum per annum from date till paid. It is further ordered that the plaintiffs recover of the Defendants all the costs, for which execution may issue

3281 Bernard Lindeman v. Wm. Clements. In this case comes the plaintiff, and the Defendant being solemnly called, came not but made default. And it appearing that the Defendant has been duly served with the process of this Court and had failed to file an answer: and it further appearing that the action of the plaintiff is founded upon a liquidated

June Term Friday June 7th 1872.

demand. It is ordered and adjudged by the Court that the plaintiff Bernard Lindemon, have and recover of the defendant William Clements the sum of One Hundred and fifty three 8/100 Dollars in the lawful coin dollars of the United States, together with all costs for which execution may issue

3232 W. M. Walton v. A. G. Dutour & Jacob Kuechler. And now comes the plaintiff and upon motion and it appearing that the judgment entered in this case at a former day of the term was inadvertently rendered, It is ordered that said judgment be and the same is hereby vacated, set aside and held for naught. And now comes again the plaintiff and the Defendant Kuechler. And it being shown that said Kuechler is endorser upon the instrument sued on, and that since the bringing of this suit he has paid to the Plaintiff the full amount of money due thereon from the Principal A. G. Dutour and praying to be substituted as plaintiff herein. And it appearing to the Court that said Du Tour has been cited by personal service and has failed to answer within the time prescribed by law and makes default: and the cause of action being liquidated, It is ordered that said Jacob Kuechler do have and recover of and from the Defendant A. G. Du Tour the sum of Two Hundred and fifty one Dollars, principal and interest due upon the instrument sued on to this date, together with interest thereon at the rate of ten per centum per month from this date until paid together with all the cost of this suit, for which execution may issue.

2982. A. H. Cook v. James Allison and Joseph Harrell. And now comes the plaintiff and asks a judgment final by default. And it appearing that the Defendants have been served with process and wholly failed to answer within the time prescribed by law and made default, and plaintiffs cause of action being liquidated, It is ordered that the Plaintiff A. H. Cook, do have and recover of the Defendants James Allison and Joseph Harrell the sum of Two Hundred, Twenty-Eight and 40/100 Dollars principal and interest thereon upon the instrument sued on to this date, together with ten per centum per annum interest thereon, from this date until paid, and all the cost of this suit, for which execution may issue.

3233 Fish Brothers v. C. N. Rector & Co. Come the plaintiffs & ask a judgment by default. And it appearing that the Defendants have been cited and have failed to answer within the time prescribed by law and made default It is ordered that the Plaintiffs recover of and from the Defendants according to the prayer of their petition &

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that a writ of inquiry be awarded.

3237 Mary P. Watson v. D. J. Schutze Continued by agreement.

3238 J. C. & S. P. Smith Hrs. v. E. K. Mitchell et al Cont. by agreement.

3241 Schuck & Perkson v. Rowe and Dawson. Cont. for Service

3254. Harrison & Huston v. E. C. Dewey. And now on this day came the plaintiffs by their attorneys and claim a Judgment by default. And because the Defendant has been cited & failed to answer within the time Prescribed by law, and makes default. It is adjudged that the said Plaintiffs do have and recover of the Defendant according to the prayer of this petition and that a Writ of Inquiry be awarded.

3256 C. Klein & Son v. C. M. Schutze Defts. and Chas. Wolf Garnishee And now comes the Plaintiffs and ask for a Judgment by default. And it appearing that the Defendant has been cited and failed to answer within the time prescribed and makes default. and the plaintiffs demand being unliquidated It is ordered that the Plaintiffs recover of the Defendant Carl M. Schutze according to the prays of their petition and that a Writ of Inquiry be awarded. And thereupon came on to be heard the answer of the Garnishee Chas. Wolf from which it appears that said Wolf is not indebted to the Defendant It is adjudged that said Garnishee go hence discharged and recover of the Plaintiffs all the cost of the said Garnishment, for which execution may issue

3257. M. W. Townsend v. David Pearson. Come the Parties: and it appearing that the Subject matter of this suit has been Settled. It is adjudged that the Cause be dismissed, and that the plaintiff M. W. Townsend, pay the cost of the Same to be taxed, for which execution may issue

3258 Walker & Sterzing v. N. P. Larsen. And now on this day came the plaintiffs by their attorneys and ask a judgment by default. And the Defendant having been cited and failed to answer within the time prescribed and wholly made default And the Cause of action being unliquidated It is ordered that the plaintiffs recover of the Defendant according to the prayer of their petition and that a Writ of Inquiry be awarded. And thereupon came a Jury of twelve good and lawful men of Travis County Consisting of A. D. Rector and eleven others, who being tried, elected, empannelled & sworn, heard the pleadings, the evidence and the charge of the Court and retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict to wit "We the Jury find a verdict for the plaintiffs Walker & Sterzing v. N. P. Larsen, Defendants, in the sum of two hundred and Ninety Nine Dollars and Sixteen Cents in Specie. A. D. Rector, Foreman"

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Whereupon It is ordered that Ben. Walker and H. Stenging under their firm name of Walker & Stenging, do have and recover of and from the Defendant N. P. Larsen the sum of two hundred ninety nine & 16/100 Dollars in Specie together with all the cost in this behalf laid out and expended, for which execution may issue. And it appearing that by virtue of the attachment sued out in this case the Sheriff has levied upon, as the property of the Defendant, a lot of goods as specified in the list attached to said writ on file in this case. It is ordered that said Sheriff do proceed to advertise and sell, as under execution, the said goods so levied upon, and devote the proceeds to the satisfaction 1st of the costs of this proceeding 2 to the payment of the principal and interest to grow due upon this judgment and 3 the balance if any, to pay over to the Defendant.

3259 Wm Nease v. Risher & Hall. Continued by consent.

3260 A. J. Ward et al. v. J. J. and C. H. McGinnis. Continued for service

3261 Jack Davis v. T. L. Wren. Continued by consent.

3262 Jack Davis v. J. D. Wren et al. Continued by consent.

3268 S. H. Johnson et als. v. Henry Johnson. On this day appeared the Plaintiffs and ask a Judgment by default. And the Defendant having been legally cited and failed to answer within the time prescribed by law and made default: and the cause of action being unliquidated, It is ordered that the Plaintiffs do recover of the Defendant according to the prayer of their petition and that a Writ of Inquiry be awarded

3270 W. G. Denny v. J. Schutze. And now on this day came the Plaintiff and asks for a judgment by default. And because the Defendant has been duly cited and failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered that said W. G. Denny do have and recover of and from said J. Schutze the sum of One Hundred and Nineteen dollars specie, and interest thereon at the rate of ten per centum per annum from this date until paid, and all the cost of this suit, for which execution may issue.

3272. C. F. Millett v. Wm Smyth. Cause continued

3273 C. F. Millett v. Joshua Wright. On this day comes the Plaintiff. And the Defendant being called comes not but wholly makes default. Whereupon the Plaintiff takes a judgment by default and a Writ of Inquiry. And then comes a Jury of twelve good and lawful men of Travis county, to wit: A. C. Farr and eleven others who having heard the petition and the reading in evidence of the written contract or agreement between Plaintiff and Defendant by which Defendant acknowledged himself to be indebted to Plaintiff in the sum of fifty nine gold dollars for carpenter work and materials on a house ten by twelve feet, the same situate on Lot No three (3) in Block No One hundred and

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Sixty three in the City of Austin Texas, and interest thereon from the first day of March A D 1872, at the rate of twelve per cent. per annum: and having heard the charge of the Court, retired to consider of their verdict And thereupon returned into Court the following verdict, to wit:

"We the Jury find the material allegations Contained in the petition of C. F. Millett in the case of C. F. Millett vs. Joshua Wright, No. 3273 just and true; and therefore find a verdict in favor of Plaintiff (C. F. Millett) for the amount of the note $59 gold together with interest on Same from March 1st 1872 to June 7th 1872 at 12 Per cent. being $1.89 Amounting in all to $60.89 gold. A. E. Fair, Foreman."

Whereupon It is ordered that C. F. Millett, do have and recover of and from the Defendant Joshua Wright the Sum of Sixty $\frac{89}{100}$ Dollars in Gold, with interest thereon at the rate of 12 per centum Per annum from this date until paid and all the costs of this suit, for all which execution may issue.

And it further appearing that said Sum of money is due for Carpenter work and materials furnished said Defendant in the construction of a house ten by twelve feet situated on Lot No. Three in Block No. One Hundred and Sixty-three in the City of Austin, Texas, and that the debt aforesaid is a lien on the said house. It is ordered and decreed that the said lien be foreclosed, and that the Sheriff of Travis County proceed to advertise the said house for sale and sell the same as under execution at the time and place required for Sheriff's sales in Travis County, and sell the Same to the highest bidder for Cash in Coin: and the proceeds of such sale he shall apply 1st to the costs of this suit 2 to the payment of the principal & interest to grow due & 3 the remainder if any he shall pay over to the Defendant.

3276 A. B. Palm v. Wm Clements. And now comes the plaintiff & claims a judgement final by default. And it appearing that the Defendant has been cited by personal service & has failed to answer within the time prescribed by law and made default, And the cause of action being liquidated, It is ordered that the Plaintiff A. B. Palm, do have and recover of and from the Defendant Wm Clements the sum of Nine hundred, fifteen and $\frac{73}{100}$ Dollars principal and interest due upon the note sued on to this date, together with twelve per centum per annum interest thereon from this date until paid and all the costs hereof to be taxed, for which execution may issue.

3282 E. M. Pease v. T. T. Pendley et als. On this day comes the plaintiff and asks a judgment by default. And because the Defendants have accepted service of the petition and

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have failed to answer within the time prescribed by law
It is ordered that a Jury the Plaintiff recover of the Defend-
ants according to the prayer of his petition and that a Writ
of Inquiry be awarded.

3283 F. L. McDermott v. A. R. Clark. Continued under the rule for cost.

3285 G. R. Freeman v. J. F. Lemon et al. Continued by operation of law.

3288. W. Ryburn et al. v. A. Washington et al. Continued by operation of law.

3296. G. Schleicher v. W. Thaxton. Continued by consent.

3304. M. J. Wells et al. v. J. L. Warren et al. Continued for cause.

3305 Thacker & Darnell v. P. Brass et al. And now on this
day came the plaintiffs and ask for judgment by
default. And thereupon it appearing that the Def-
endants herein have been cited, and have failed to
answer within the time prescribed by law and made
default. And the cause of action being investigated.
It is ordered that the Plaintiffs recover of the Defendants
according to the prayer of their petition and that a
Writ of Inquiry be awarded.

3311 W. H. Kelly. v. A. Hanson. Continued for cause.

3315 G. B. Zimpelman et al. v. J. D. McArthur et al. And now on this
day came the plaintiffs and ask for a judgment by
default. And because it appears that the Defendants
have been duly cited and have failed to answer
within the time prescribed by law and made default.
And the cause of action being investigated, It is or-
dered that the plaintiff recover of the Defendants ac-
cording to the prayer of his petition and that a writ
of inquiry be awarded.

3318 W. M. Walton v. J. W. Johnson. And now on this day
came the plaintiff and asked a judgment by default.
And because it appears that the Defendant has been
legally cited and have failed to answer within the
time prescribed by law and made default. It is ordered
that the Plaintiff recover of the Defendant according
to the prayer of his petition and that a writ of inquiry
be awarded.

3324 C. F. Millett v. Andrew Major. And now on this day
came the plaintiff and asked a judgment by default
And because it appears that the Defendant has been
legally cited and have failed to answer within the time
prescribed by law and made default It is ordered that
the Plaintiff recover of the Defendant according to the
prayer of his petition and that a writ of inquiry be
awarded.

3331 Geo. W. Honey v. E. J. Davis et al. And now on this day
came the plaintiff and claims a judgment by default

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And because the Defendants have been cited by personal service, and have failed to answer within the time prescribed by law and wholly made default, It is ordered by the Court that the Plaintiff do have and recover of and from the Defendants in this case according to the prayer of his petition and that a writ of Inquiry be awarded.

Petit Juries

And it appearing that the following named persons have been serving on the Jury during the present week the number of days opposite their names respectively It is ordered that the Clerk of this Court issue Certificate to said jurors for the times they have served at the rate of two dollars per day, as follows to wit.

1.	John Dillingham	5 days	$10.00	13 Haywood Cross	4 days	$8.00
2.	S.H. Fowler	5 "	10.00	14. A.C. Hart	4 "	8.00
3	R.L. Henedon	5 "	10.00	15. J.H. Smith	4 "	8.00
4	A.D. Rector	5 "	10.00	16. Geo. W. Moore	4 "	8.00
5	Charles Robinson	5 "	10.00	17. J.D. Doxey	4 "	8.00
6	John Musgrave	5 "	10.00	18. E.R. Blackie	4 "	8.00
7	Roger Blount	5 "	10.00	19. P. Meyer	3 "	6.00
8	Joseph Clay	5 "	10.00	20. Wm Wehmer	5 "	10.00
9	Gus. Evans	5 "	10.00	21. Jo. Sweringer	5 "	10.00
10	John Burton	5 "	10.00	22. Madison Porter	5 "	10.00
11	Nicholas Sansberry	5 "	10.00	23. Simon Butler	5 "	10.00
12	John Marshall	5 "	10.00	24. Ed. Smith	5 "	10.00
				25. Owens 1 =	$2.00	
				26. B.C. Stephenson	4 days	$8.00

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

Saturday, June 8th 1872

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court to wit.

John Glascock

It appearing from the Statement of the Grand Jury that they have examined all charges against John Glascock and recommend that he be discharged, accompanied by request from the District attorney to that effect. It is ordered that said John Glascock be and he is hereby discharged from custody.

Grand Jury

And now on this day appeared in open Court the Grand Jury of Travis County, duly elected, tried, empanelled, sworn and charged for and during the present term of the District Court of Travis County, and through their foreman, A.B. Burleson, presented to the Court the following Bills of Indictment to wit.

2446 The State of Texas v. Wash. Hill, charged with Murder

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2447 The State of Texas v. Williams Clark, Charged with Murder.
2448 The State of Texas v. Wm. Schubard alias James Bayfield, Charged with Murder.
2449 The State of Texas v. Davidson Walker, S. J. Dowty and Charles Peterson Charged with Murder.
2450 The State of Texas v. J. B. Hill alias J. B. O'Hill Theft of Mule.
2451 The State of Texas v. Columbus Samuels Theft from a House
2452 The State of Texas v. Columbus Samuels Theft from a House
2453 The State of Texas v. Angel Lara. Theft of a Mule.
2454 The State of Texas v. James Jones Theft of two Mules
2455 The State of Texas v. J. H. Sullivan Sodomy.
2456 The State of Texas v. Jas Phelps Theft from a House
2457 The State of Texas v. Jas Phelps Theft from a House
2458 The State of Texas v. Isaac D. Barefoot. Assault with intent to kill and murder
2459 The State of Texas v. J. G. Dearborn Theft from a house
2460 The State of Texas v. Lyon Glasscock, Wm Gibson and John Rodriguez
2461 The State of Texas v. Fletcher Bennett Assault with intent to kill and murder. Theft of Cow
2463 The State of Texas v. J. L. Griffith. Theft from a House
2463 The State of Texas v. Jackson L. Griffith Theft of a Mule

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

3329 F. C. Smith, Admr v. Anna V. Lacy et al. Ordered upon motion that the Plaintiff herein have leave to amend this petition

3307 Fred. Carleton v. Thomas G. Martin et al. And now on this day came the plaintiff and claims a Judgment by default. And because the Defendants have been cited and failed to answer within the time prescribed by law and made default. And pltffs cause of action being maturing and It is ordered that the Plaintiff recover of and from the Defendants according to the prayer of his petition and that a Writ of Inquiry be awarded.

3174 Pitts Chase & Bley v. Creary & Cotton. On this day appeared the parties. Whereupon the Defendants submitted the motion for a new trial, which being heard and argued by Counsel, and the same being duly considered It is ordered that said motion be overruled. Whereupon the Defendants give notice in open Court of an appeal to the Supreme Court.

2982 X A. H. Cook v. Allison & Harrell. And now on this day comes the Defendant Allison by his atty and submits his motion for a new trial to set aside the judgment by default rendered in this cause at a former day of the term. And the same being heard and considered It is ordered that said motion be granted, and that said judgment by default be set aside vacated and held for naught as to the Defendant Allison.

And Court adjourned till Monday morning at 9 o'clock A M.

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Monday, June 10th. 1872

Court met at 9 o'clock A M pursuant to adjournment
Present Hon. J. W Oliver, Judge Thirty-Third Judicial
District of the State of Texas presiding. Whereupon the
following Proceedings were had by Said Court to wit:

3222 Sarah J. Glasscock et.als. v. George W. Glasscock Jr. et.als.
And now on this day came Sarah J. Glasscock, Annie E.
Glasscock and A. J. Glasscock minors by their Special
guardian B. H. Davis duly appointed by this Court at
last term and George W. Glasscock Jr. Albert H. Glass-
cock, Alonzo T. Logan and Elizabeth Logan his wife by
their attorneys: and the Report filed in this Court by
the Commissioners of Partition duly appointed by this
Court at its last February term 1872 to Partition
the land mentioned in the decree of this Court made at
said last term, between the above named Parties, came
on for examination, and no exceptions being made to said
Report: and the Court being Satisfied that said Partition
has been fairly made and in accordance with said
decree, the premises duly considered and by the Court
fully understood It is therefore ordered and decreed
by the Court, that said Report be and is hereby confirmed,
and that the same be recorded together with the oath
of said Commissioners endorsed on the back of the certified
Copy of said decree.

And it is further ordered and decreed by
the Court that the right, title and interest in and to
said land mentioned in said Report, be and is
hereby divested out of each of said Parties to the
share set apart to each of the others: and the same be,
and is hereby vested in each of them, to the extent of
the share set apart to each in said Report, and that
this decree stand as a muniment of title to each of
said Parties as to their respective shares so set apart
in said Report. And it is further ordered and de-
creed that the costs of this proceeding be paid by
each of said parties in proportion to the shares re-
ceived, and that the said B. H. Davis Special Guardian
be allowed the sum of Sixty Dollars to be paid out of
the estate of said minors.

Oath of Report of Commissioners &c

John J. Stubblefield, Richard Ratliff and Ph. C. Dalrymple
the three Commissioners appointed in the within decree,
being duly sworn, say that they will faithfully
impartially discharge their duties in making partition
of the land mentioned in said decree between said parties
therein set forth.

J. J. Stubblefield

June Term, Monday, June 10

W. C. Dalrymple.

Sworn to and subscribed before me February 1872
To certify all of which I hereto set my hand and the
Seal of my office on the day and date above written.
W. T. Dalrymple, Clerk Dist.
Court of Wilbarger Co.

To the Hon. District Court of Travis County State of Texas.
The undersigned heretofore on the 16th day of February 1872
appointed by the Hon. District Court aforesaid Com-
missioners to Partition certain lands of the estate of
Geo. W. Glasscock, Dec'd to and among the legatees of
said Estate, respectfully report: that in compliance
with the Order of their said appointment they have
made said Partition as follows to wit: Of the headright
of Geo. W. Glasscock 4108 acres they have set apart and
Sarah J. awarded to Sarah J. Glasscock what is designated in
the accompanying plot or sketch as Survey No. 1 with
metes and bounds as follows: Beginning at the S.E.
corner of said Original Survey: Thence N. 19° W. with
Original East line 1058 varas to a stake in prairie for
corner. Thence S. 71° W. crossing both the North and South
forks of Berry's creek at 3656 varas a mound of stones
in the East line of a 320 acre Survey made out of said
headright for Eugene Bremond, from which an Elm tree
7 in. in dia. bears N. 75° W. 20 varas, and a Live Oak
16 in. in dia. bears S. 44° W. 27 varas distant. Thence
S. 19° E. with Bremond's East line to a stake set at
1058 varas and in the South line of League from which
a Live Oak tree 16 in. in dia. bears N. 26° W. 80 varas
distant. Thence N. 71° E. with said South line, crossing
Berry's Creek at 3656 varas the place of beginning.
Ann E. And to Anne E. Glasscock they have set apart and awarded
Survey No. 2 as shown in said accompanying sketch with field
notes as follows. Beginning at the N.W. corner of the Bremond
320 acre Survey. Thence N. 19° W. with the West line of
Original league crossing the South fork of Berry's
Creek 3656 varas to the N. W. corner of League being
the N.W. corner of this Survey a stake from which a
Pecan tree about 20 in. in dia. bears N. 81½° W. 170
varas distant. Thence N. 71° E. 1058 varas to a stake
set in the North boundary line of league for S.E. cor-
ner. Thence S. 19° E crossing the South fork of Berry's
Creek at 3656 varas a mound of stones in the
North line of Bremond's Survey from which a Live
Oak 8 in. in dia. bears N. 65° W. 17 varas and a
Post Oak 16 in. in dia. bears S. 83½ E. 14 varas

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Andrew J.

distant Thence S. 71° W. with the North line of Benoud 1058 varas to the place of beginning.
To Andrew J. Glasscock your Commissioners have awarded Survey No. 3 as represented in said Sketch with the following field notes: Beginning at a stake set in the North boundary line of Survey No. 1, and 715 varas N. 71° E. from the N. W. corner of the same: thence N. 19 W. crossing the South fork of Berry's creek at 4942 varas find a stake set in the North boundary line of league. Thence S. 71° W. with said boundary line 1002 varas to the N. E. corner of Survey No. 2. Thence S 19° E. with East line of 2 crossing the South fork of Berry's creek 3656 varas a stone mound made in the North line of the aforesaid Benoud Survey from which a Live Oak tree 8 in. in dia. bears N. 65° W. 17 varas, and a Past Oak 16 in. in dia. bears S. 83½° E. 14 va. varas distant Thence N. 71° E. 287 varas to a Benoud N. E. corner a mound of stones, from which a Past Oak tree 14 in. in dia. bears S. 62° W. 8 varas, and another Past Oak 10 in. in dia. bears N. 1° E. 8½ varas distant. Thence S. 19° E. 286 varas to the N. W. corner of said Survey No. 1: Thence N. 71° E. with North line of No. 1 715 varas to the place of beginning. To Albert H. Glasscock was set apart Survey No. 4 with the following metes and bounds. Beginning at the S. E. corner of Survey No. 3 at a stone mound from which a Live Oak tree 18 in. in dia. bears S. 49° E. 37 varas distant. Thence N. 19° W. Crossing the South fork of Berry's Creek at 3942 varas to a stake set in the North boundary line of League the N. E. corner of No. 3 the N. W. corner of this Survey. Thence N. 71° E with North boundary line of League, crossing the North fork of Berry Creek at 981 varas a stake for N. E. Corner. Thence S. 19° E crossing, recrossing and again crossing the said North fork of Berry's creek, and crossing the South fork of said Creek at 3942 varas set a Stake in a ravine in the North line of Survey No. 1 from which a Live Oak tree 12 in. in dia. bears N. 86½ W. 9 varas, and an Elm Sapling 5 in. in dia. bears S. 71° W. 17 varas distant. Thence S. 71° W. with North line of No. 1 981 varas to the place of beginning. To Geo. W. Glasscock was assigned Survey No. 5 with field notes as follows. Beginning at a Stone mound in the East line of Survey No. 4, and 575 varas N. 19° W. from the S. E. corner of the same from which a Past Oak tree 18 in. in dia. bears S. 78° W. 12½ varas: and another Past Oak 36 in. in dia. bears N. 24° W. 28 varas. Thence S. 19° W. with East line of No. 4, crossing, recrossing, and again crossing the North

Albert H.

Geo. W.

Grau

John

Pet

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fork of Perry's Creek at 3367 varas a stake in the North boundary line of Logue for N.W. corner of Survey. Thence S. 71° W. with said boundary line 1960 varas to N.E. corner of Logue and of this Survey a stake from which a Line Oak tree about 8 in in dia. bears N. 2° E. 25 varas distant. Thence S. 19° E. with East boundary line of Logue 582 varas a stake for corner. Thence S 71° W. 981 varas to a stake from which a Line Oak tree 18 in. in dia. bears N. 85° W. 160 varas: another Line Oak 18 in. in dia. bears W. 151 varas distant. Thence S. 19° E. 2785 varas set a stake for corner, from which an Elm 5 in in dia. bears N. 58° W. 44½ varas and a Black Jack 5 in. in dia. bears S. 7° W. 9 varas distant. Thence S. 71° W. crossing the North fork of Perry's Creek at 979 varas the place of beginning. And finally to Elizabeth J. Logan your Commissioners have set apart Survey No. 6 described by the following field notes viz: Beginning at a Stake set in the East line of Logue at the N.E. corner of Survey No. 1. Thence S 71° W. with said No. 1 crossing both the North and South fork of Perry Creek 1960 varas to a stake set in a ravine from which a Line Oak tree 12 in in dia. bears N. 86° W. 9 varas, and an Elm sapling 5 in in dia. bears S. 71° W. 17 varas distant. Thence N. 19° W. crossing the South fork of Perry Creek at 575 varas a stone mound from which a Post Oak tree 18 in. in dia. bears S. 78° W. 12½ varas: Another Post Oak 36 in. in dia. bears N. 24° W. 28 varas distant. Thence N. 71° E. crossing the North fork of said Perry creek at 979 varas a stake from which a Black Jack 5 in. in dia. bears S. 7° W. 5 varas and an Elm 5 in. in dia. bears N. 58° W. 44½ varas distant. Thence N. 19° W. 2785 varas to a stake from which a Line Oak tree 18 in. in dia. bears N. 85° W. 160 varas and a Line Oak 18 in. in dia. bears W. 151 varas distant. Thence N. 71° E. 981 varas to the East boundary line of Logue. Thence S. 19° E. with said boundary line 3360 varas to the place of beginning. These Several tracts of land are decreed by your Commissioners of equal value one with another, being equal in area, and each having timber, water and excellent soil.

E. J. Logan

E. J. Logan

In further compliance with your said decree your Commissioners have partitioned the John McQueen tract setting apart to Elizabeth J. Logan the Northern half (in value) of said tract the same being described by field notes as follows: Survey No. 1 Beginning at the N.W. Corner of the W.H. Hems by Augmentation (370 acres) Survey: a stone mound from which a Post Oak tree bears N. 71° E 5 varas and one bearing S. 86° W. 5 varas distant Thence S. 19° E 1402 varas to a stone mound on the West line of said Hems by

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Survey. Thence S. 71° W. 656 varas to a stake set in the east line of T. D. Davy's quarter league Survey. Thence N. 19° W. 1060 varas to the N. E. corner of said Davy. Thence N. 71° E. 662 varas to the S. E. corner of the James Shelton quarter League Survey. Thence N. 19° W. with East line of said Shelton 2500 varas to a stake. Thence N. 71° E. 1439 varas to the N. W. corner of the J. M. Harrell League Survey: thence S. 19° E. 1660 varas with Harrell's West line to the N. E. corner of a tract known as the A. W. Davis Survey. Thence S. 71° W. 213 varas to said Davis N. W. corner. Thence S. 19° E. 1500 varas. Thence S. 71° W. 1182 varas to the place of beginning, containing eight hundred and fifty nine (859) acres of land.

Pet'n

Sarah J. To Sarah J. Glascock was assigned Survey No. 2 as represented in accompanying Plat, with field notes as follows: Beginning 400 varas S. 19° E. from the N. W. corner of the W. M. Harris by Augmentation Survey. Thence S. 19° E. crossing Lake creek at 2162 varas a corner on the West line of Graham's Survey. Thence S. 71° W. 1543 varas to a corner on the West line of the John McQueen Survey from which this tract is taken Thence N. 19° W. 722 varas to a corner in the W. M. Hornsby quarter league. Thence N. 71° E. 887 varas to the said Hornsby's S. E. corner. Thence N. 19° W. 1440 varas. Thence N. 71° E. 656 varas to the place of beginning, containing three hundred and sixty two (362) acres of land.

Anne E To Anne E. Glascock Survey No. 3 was assigned described by field notes as follows: Beginning at the S. E. corner of Survey No. 2 Thence S. 19° E. 328 varas to the S. W. corner of the Graham Survey. Thence N. 71° E. 100 varas. Thence S. 60° E. 100 varas to the N. W. corner of Wm Hornsby third league Survey. Thence S. 30° W. 2000 varas to the S. W. corner of said Hornsby. Thence S. 71° W. 287 varas. Thence N. 19° W. 1778 varas to the S. W. corner of Survey No. 2: thence N. 71° E. 1543 varas to the place of beginning, containing three hundred and sixty two (362) acres of land. It will be perceived that Mrs Logan has been awarded an excess in area in this last division which was supposed by the Commissioners to be due her the northern end of this tract being found inferior quality and location to the Southern end. all of which is respectfully submitted

John

J. J. Stubblefield
Richard Ratliff
W. C. Dalrymple
Commissioners

Grant

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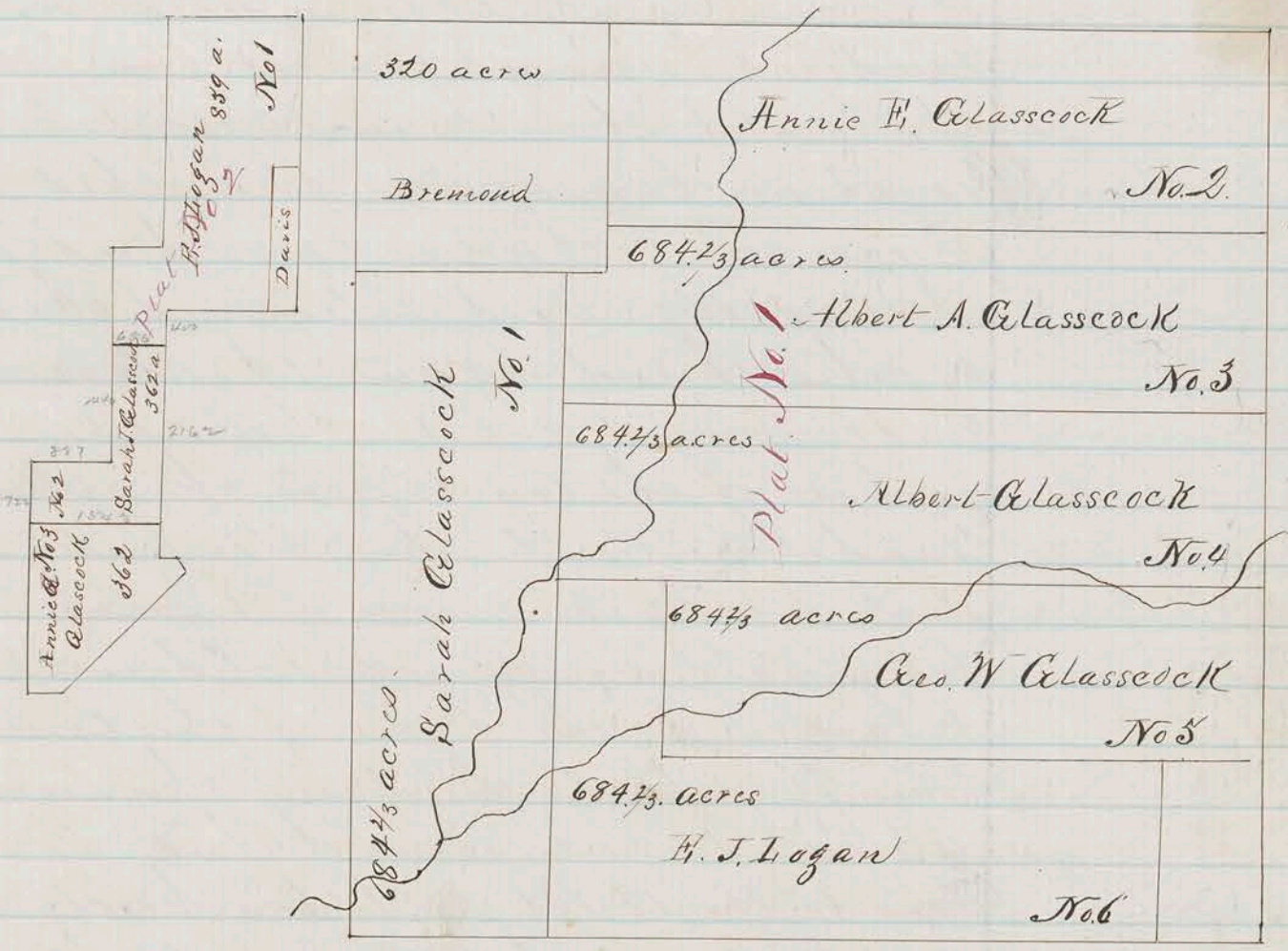
Plats



Grand Jury. Came now on this day appeared in open Court the Grand Jury of Travis County, duly elected, tried, empanelled, sworn and charged, to inquire in and for the body of the County aforesaid, and through their foreman, A. P. Dutton presented to the Court the following Bills of Indictment to wit.

2464. State of Texas v. Sam Williams Charged with theft of a Mare.
2465. State of Texas v. Wm Glasscock. Charged with intent to kill & murder
2466 State of Texas v. Wm Glasscock Carrying Deadly Weapons
2467 State of Texas v. Bill Piper. Theft of Neat Cattle
2468 State of Texas v. Pat Johnson Permitting Cards to be played in his house.
2469 State of Texas v. Wm Cottingham Betting at Monte
2470 State of Texas v. Cad. Peace & Neil Cain Theft of a Cow.
2471 State of Texas v. Cad. Peace & Neil Cain Theft of Neat Cattle.
2472 State of Texas v Anthony Meeks. Threatening to kill
2473 State of Texas v. Anthony Meeks Disturbing the Peace.
2474 State of Texas v Anthony Meeks. Assault and Battery
2475 State of Texas v Mike Fowler. Aggravated Assault
2476 State of Texas v. Neil Cain & M. A. Jones Theft of Gelding.
2477 State of Texas v. Jack Cannot Assault with Intent to kill & murder.

And the Grand Jury having suggested to the Court that there is still further business pending before them they were ordered to retire upon a discharge of the Panel.

3 1154 M. B. McAlpine et al. v. E. M. Peace et al.
And now come the parties by their attorneys, the minors by their special guardian And it appearing to the Court from the return of the Sheriff

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of Travis County, that in accordance with the decree rendered herein at the last term of this Court, that the Certificates therein described were sold and conveyed in the manner prescribed by law and said decree. It is therefore considered adjudged and decreed that said Sales and the conveyances made by virtue thereof be and the Same are hereby ratified and confirmed. It further appearing to the satisfaction of the Court from the return of the Sheriff of Guadalupe County that Scrip No. 531 for 640 acres patented in the name of Daniel Chandler and situated in said county, was sold in the manner provided by law and the Order of this Court and that said Sheriff realized therefrom the Sum of Eleven hundred and forty nine dollars. It is therefore considered by the Court, and it is hereby ordered, adjudged and decreed that said Sale and the conveyances made by virtue thereof, be and the Same is in all things fully ratified and confirmed.

And the Commissioners appointed at the last term of this Court to make Partition of the lands belonging to the heirs and distributees of Daniel Chandler, deceased, having returned into Court a Report of said partition: and the Court having Considered the Same and being fully advised and well satisfied that said Commissioners have in all things fairly and legally made and conducted said partition, It is therefore considered by the Court and it is hereby ordered adjudged and decreed that said Partition be and the Same is in all things ratified and confirmed. It is further ordered, adjudged and decreed that said Report of Partition with the plats accompanying it, be recorded in the words and figures following. It is further ordered that each of said heirs and distributees be furnished by the clerk of this Court with a copy of this decree relative to said partition together with a copy of the decree rendered at the last term of this Court in the Same subject upon paying for the Same at the rate fixed by law.

Report of Comrs

The State of Texas } In obedience to a decree of the
County of Travis } Hon. Dist. Court of Travis County in Cause No. 3054 of Wm R McAlpin et al vs E. M. Pease et al bearing date the 14th day of February 1872 we the undersigned Commissioners appointed by said Court to make partition of certain lands therein named, have

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partitioned said lands among the parties named as instructed in said decree according to quantity and quality, and as appears by the accompanying general plat of said lands showing the divisional lines and number of acres in each share, viz:

In lieu of his interest in the other tracts of land we have set apart to John L. Chandler:

John L. Chandler. 1st. 671 acres in Pasque County as follows: All of Survey No. 126 by Toby Scrip No. 524 containing 640 acres, together with 31 acres off the N. W. side of Survey No. 126 by Toby Scrip No. 578 of 640 acres, said 31 acres being a strip 92 varas wide by 1900 varas in length and is adjoining said Survey No. 126

2nd 154 acres in Bexar District off the South side of Survey No. 1819 by Toby Scrip No. 579, commencing at the S. W. Corner of said Survey No. 1819, on the East bank of South Concho, thence East 3780 varas to the S. E. Corner of said Survey, thence N. 234 varas thence W. 3666 varas to the South Concho thence up said stream to the Place of Beginning, being 154 acres.

3rd 413/4 in Guadalupe County, being the North part of Survey No. 490 by Toby Scrip No. 560 - beginning at the North corner of said Survey, thence S. 54 W. 476 varas. thence S. 51 E 525 varas thence N. 45 E 476 varas, thence N. 51 W. 525 varas to the Beginning.

Miranda B. Macfarlin 1st. To Miranda B. Macfarlin we set apart: 609 acres in Bosque county, part of Survey No. 126 by Scrip No. 518 & being the entire said Survey except a strip of 31 acres adjoining its N. W. line cut off by a line running parallel with and 92 varas from the said N. W. line.

2nd 346 1/2 acres out of Survey No. 1819 by Toby Scrip No. 579 Commencing on the South bank of the South Concho at the N. W. corner of 154 acres out of said Survey set apart to John L. Chandler, thence East 3666 varas to the East boundary line of said Survey: thence North 547 varas. thence West 3665 to the South Concho, thence up said stream to the place of beginning, being 346 1/2 acres.

3rd 360 acres in Bexar District, out of the adjoining Survey No. 1817 by Toby Scrip No. 495 Commencing at a Point on the South bank of the South Concho 179 varas North of the South boundary line of said Survey No. 1817; thence East 3784 varas to the East boundary line of said Survey: thence North with said boundary line 636 varas, thence West 3822

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varas to the South Concho, thence up said stream to the place of beginning

4th 97 1/2 acres in Guadalupe county, the South East part of Survey No. 490, by Toby Scrip No. 560, beginning at the East corner of said Survey, thence N. 51 W. 652 varas, thence S. 45 W. 834 varas to the S. W. line of said Survey thence S. 51 E. 652 varas to its South Corner: thence N. 45 E 834 varas to the beginning

Sarah G. Chandler — To Sarah G. Chandler one Set apart 160 acres in Bexar District out of Survey No. 1817 by Toby Scrip No. 495, beginning at the N. W. or lower corner on South Concho of the said Survey: thence East 3859 varas: thence South 255 varas thence West 3822 vrs to the bank of South Concho: thence down said stream to the beginning

Other Heirs — To the other heirs we set apart 1st. 448 acres in Bexar County being the entire Survey No. 137 by virtue of Scrip No. 560

2nd. 235 1/2 acres in Bexar District: 120 acres thereof being part of Survey No. 1817 by Scrip No. 495, beginning at the upper S. W. corner of said Survey: thence East 3784 varas, thence North 179 varas. thence West 3784 varas to the South Concho: thence up said stream to the beginning and 115 1/2 acres being part of Survey No. 1819 by Scrip No. 519, beginning at the N. W. corner of said Survey, being its lower corner on South Concho: thence East 4063 varas: thence South 169 varas: thence West 3665 varas to the South Concho: thence down the same to the beginning

3rd 32 1/2 acres in Guadalupe County in the West Corner of Survey No. 490 by Scrip No. 560 beginning at the West corner of said Survey: thence N. 45 E. 358 varas, thence S. 51 E. 525 varas: thence S. 45 W. 358 varas: thence N. 51 W. 525 varas to the beginning

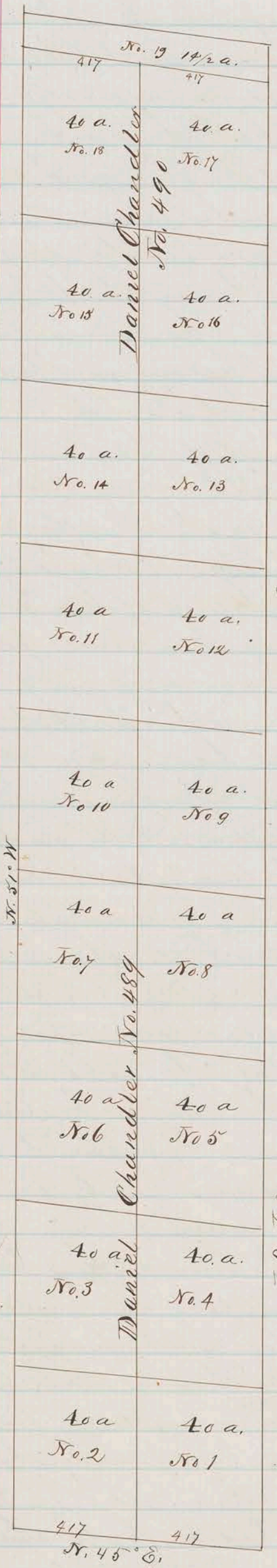
All of which is shown by the plats of Surveys hereto attached & made a part of this Report.

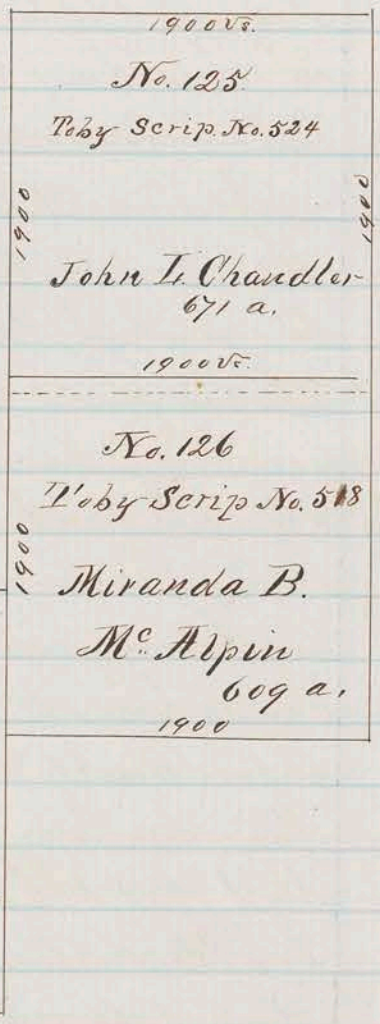
Chas. W. Pressler.
Jacob Kuechler.
W. von Rosenberg.

Commissioners fees for making the above Partition To Jacob Kuechler $10.00 To Chas. W. Pressler $10.00. To W von Rosenberg $10.00 = $30.00

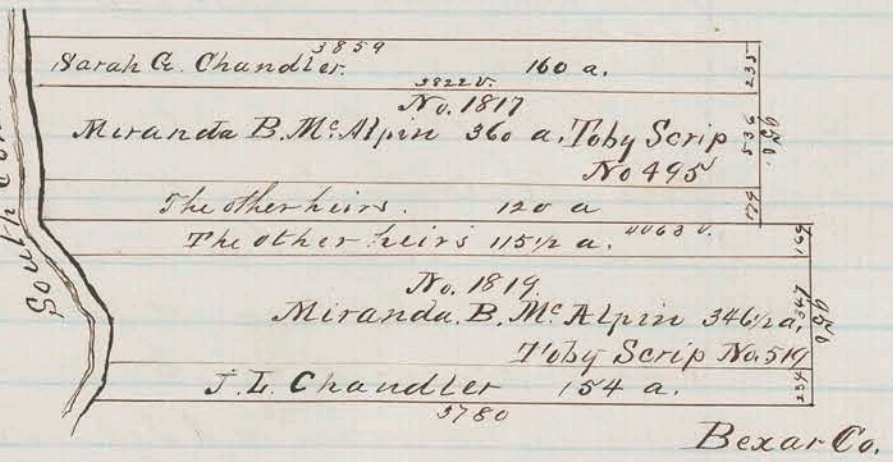
Jane Texas, Monday, June 10, 1872

Plats

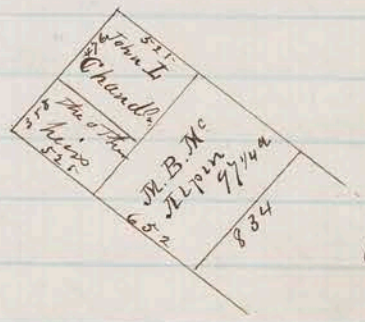




Bosque Co.



Bexar Co.



Guadalupe Co.

W. D. Miller

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3293 Loomis & Christian v. Blumentritt and Wolf. Anjuon on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon the Defendant submitted his demurrer to the plaintiffs petition, which being heard and considered the same is overruled, to which ruling the Defendant excepts And thereupon came a Jury of twelve good and lawful men of Travis County, consisting of F. Dohme (4) eleven others, who being tried elected empannelled and sworn according to law, heard the pleading, the evidence, and the charge of the Court and retired to consider of their verdict. Whereupon the Jury returned into Court the following verdict, to wit.

"We the Jury find for the Plaintiff the sum of four hundred gold Dollars principal and twenty two $\frac{33}{100}$ Gold Dollars interest, and that the material allegations of the Plaintiff are true: and that Chas Wolf is only security, and that plaintiff has foreclosure of lien on house described in plaintiffs petition. F. Dohme foreman. $422\frac{33}{100}$ Gold."

Whereupon It is ordered that the plaintiffs S. Loomis and Ed. Christian, under their firm name of Loomis & Christian, do have and recover of and from the Defendants L. Blumentritt and Chas Wolf the sum of Four hundred, twenty two & $\frac{33}{100}$ dollars in gold with twelve per centum per annum interest thereon from this date until paid, and all the costs of this suit, for which execution may issue. And it appearing that the plaintiffs have a mechanic's lien upon a certain house erected by them on Lot No. Eight in Block No. four in Somers addition to the City of Austin, being a subdivision of Out Lot No. One in Division A. It is ordered that said lien be and the same is hereby foreclosed and that the Clerk of this Court issue an Order of Sale directed to the Sheriff of Travis County Commanding him to sell said lot, house, as under execution, and the proceeds thereof he shall pay out as follows: 1st to the payment of the costs of this suit: 2. the satisfaction of the principal and interest to grow due and 3 the remainder, if any, he shall pay to the Defendants. And it appearing that the Defd. Wolf is surety for his co-Defendant Blumentritt, It is hereby ordered that if the said Wolf shall, in any event, be compelled to pay any portion of this judgment to the plaintiffs herein, then execution shall issue in favor of the said Wolf as against said Blumentritt for the amount he shall so pay

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2975 James A. Chandler v. J. E. Chisom et al. Continued by agreement.

2982 A. H. Cook v. Allison & Harrell. Ordered upon motion that the Defendant Allison have leave to amend answer.

3167 A. B. Burleson v. Wm. Morgenthall. Ordered upon motion that the Plaintiff have leave to amend his petition.

3265 Schenck & Burleson v. S. Newman. Continued by consent.

3266 Schenck & Burleson v. D. Newman. Continued by consent.

3279 Thomas Freeman v. A. Eanes. On this day appeared the parties and thereupon the plaintiff submitted his motion to dismiss the appeal bond for the want of a sufficient bond. And it appearing to the Court from a hearing of the motion that the bond is not in double the amount of the debt and cost as required by law. It is ordered by the Court that the motion be sustained that the appeal be dismissed and that a Procedendo be awarded to the Justice J. W. Smith. It is further ordered that the Plaintiff recover of the Defendant all his cost in this behalf laid out and expended, for which execution may issue.

3286 Sampson & Henricks v. Aldredge & Jones. On this day appeared the plaintiffs by their attorneys and upon motion duly made, It is ordered that this cause be dismissed from the docket and that the plaintiffs pay all the cost hereof to be taxed for which execution may issue.

3290 Ingram & Whaley v. E. C. Dewey. Continued for Service.

3291 Joseph Robertson v. Wm. D. Edwards. Continued as on affidavit of Defendant.

3292 Wm. Clements v. J. H. Robinson & Son. Ordered upon motion that the Plaintiff in this Cause have leave to amend his petition.

3297 Sampson & Henricks v. Samuels & Olson. Cont'd by consent.

3298 Geo. W. Glascock v. Jane H. Glascock. Continued for Service.

3301 G. R. Freeman v. L. H. Sackett. Continued for Service.

3302 George Hancock v. M. C. Hawes et al. And now on this day came the parties to this cause by their attorneys and announced ready for trial. And waiving a Jury agreed to submit the Case to the Court. And upon a hearing of the plea of the Defendant Walton, as endorser that he is not liable as such, It is ordered that said Walton be released, and go hence discharged and recover of and from the plaintiff all his cost for which execution may issue. And it appearing that the other Defendants in this Case are indebted to the plaintiff as shown by the instrument sued on, the same being liquidated, It is ordered that said George Hancock do have and

June Term, Tuesday, June 11th 1872.

recover of and from the Defendants W. C. Hames and B. F. C. Davis the sum of Two Hundred Forty two & 70/100 Dollars in Principal and interest due upon the note sued on to date, with ten per centum per annum interest thereon from this date until paid and all the costs of this suit, for which execution may issue.

3321 J. A. Green et al. v. P. W. Hawkins. Ordered upon motion that the Plaintiffs herein have leave to amend their petition.

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

Tuesday, June 11th 1872.

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

Aug. Dierks — The State of Texas } In District Court June Term 1872
County of Travis } And now at this term of Court comes August Dierks formerly of the Province of Schleswig-Germany, who has resided in the United States of America four years and within the State of Texas one year. And shows to the Court that he is twenty six years of age. And being desirous of becoming a citizen of the United States of America he the said August Dierks does hereby before the District Court of Travis County in the said State of Texas declare on oath that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign Prince, Potentate, State, or Sovereignty whatsoever and particularly to William Emperor of Germany the Sovereignty whereof he the said August Dierks has heretofore been a citizen & subject.

Aug. Dierks

Sworn to & subscribed before me this 11th day of June 1872

A. R. Morrison By F. Brown deputy

Grand Jury — And now on this day came into Open Court the Grand Jury of Travis County, duly elected, tried, empannelled sworn and charged to inquire in and for the body of the County aforesaid for and during the present Term of the District Court of Travis County, and through their foreman A. B. Burleson presented to the Court the following Bills of Indictment to wit.

2478 The State of Texas v. Geo. W. Honey and J. H. Burns Embezzlement
2479 The State of Texas v. Geo. W. Honey and J. H. Burns Embezzlement
2480 The State of Texas v. W. R. Mitchell Theft of Saddle

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2481 The State of Texas v. Neil Cain. Theft of Calf.
2482 The State of Texas v. J. H. Burns & E. G. Hopkins. 2483 State of Texas v. J. H. Burns book charge. Both Defendants Counsel.
And the Grand Jury suggesting that there is still further business pending before them they were ordered to retire upon a discharge of the same.

3263. John H. Brown & Co. v. B. Marsh & Adm. Cont. by agreement filed
3267 C. Pfluger v. W. C. Cain et al. Come the parties and upon motion It is ordered that the Plaintiff and Defendants respectively have leave to amend their pleadings.

3323 Stuart & Fitch v. Glenn and Evans. Cont. by consent of parties
Concepcion Dorris
Gilbert Fuller
It appearing that the Grand Jury have investigated charges against Concepcion Dorris and Gilbert Fuller and find that they are not guilty of any offence, and the District Attorney joining in the request It is ordered that said prisoners be released from custody and they are hereby discharged.

2982 A. H. Cook v. Allison & Harrell Continued
3167 A. B. Burleson v. Wm. Morgenthall. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of F. W. Schoffmit and eleven others, who being tried, elected, empannelled and sworn according to law heard the pleading the evidence argument of counsel and the charge of the Court retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict to wit: "We, the Jury find for the Defendant F. W. Schoffmit. Foreman." Whereupon It is ordered that the plaintiff take nothing in this behalf: that the cause be dismissed and that the Defendant go hence and recover of and from the Plaintiff and the securities on his cost bond, to wit: R. H. Lane and Wm. S. Johnson all the cost herein for which execution may issue

3269 P. W. Wynne et al v. D. M. Wilson Cont. on affidavit of plaintiffs
3306 F. W. Chandler v. Thos. J. Pitt. Continued by consent
3307 Fred Carleton v. Thos. G. Martin et al. In this case came the Plaintiff by his attorneys. And it appearing to the Court that the Defendants have both been duly served with legal process and that a Judgment by default has been rendered in this case against both the Defendants for want of an answer: and the plaintiff announced himself ready for trial. Thereupon came a Jury of twelve good and lawful men of Travis County, to wit: F. Dohme and eleven others, who being duly tried, empannelled and sworn according to law, after hearing the evidence, introduced by the Plaintiff, and charge of the Court, retired to consider of their verdict. And returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff four hundred and

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ninety gold dollars principal and Seventy One & 67/100 Gold Dollars interest and that the material allegations of the plaintiffs petition are true. F. Dohme, foreman." It is therefore ordered adjudged and decreed by the Court that the plaintiff Fred. Carleton do have and recover of and from the Defendants Thomas Martin and C. A. Martin as principals and F. W. Chandler as endorser, the sum of Five Hundred, Sixty One and 67/100 Dollars in gold, with interest at ten per cent from this date until paid, together with all the costs of this suit. It is further ordered adjudged and decreed that the vendors lien upon the forty yearling colts and one mare and colt described in the obligation sued on in this case, be and the same is hereby foreclosed and an Order of Sale be directed to the proper officer to seize and sell as many of said horses as he may be able to find now owned and in the possession or under the control of the Defendants Thomas & and C. A. Martin and that plaintiff have execution for the remainder

3308 F. W. Suter v. Thomas Dieterich. On this day came the Plaintiff by his attorney, and upon his motion in open Court It is ordered that this cause be dismissed from the docket and that the defendants pay the cost of this suit for which execution may issue

3309 F. W. Suter v. James Dieterich On this day came the Plaintiff by attorney and upon his motion in open Court It is ordered that this cause be dismissed from the docket and that the Defendant pay the cost of this suit for which execution may issue

3312 Peter Jones v. Cornelia Jones. On this day this cause being called for trial, the plaintiff came not, except to say that he prosecutes this suit no further. And the Defendant having filed her cross bill, setting up grounds of divorce then came a Jury of twelve good and lawful men of Travis County consisting of F. Dohme and eleven others, who being tried, empannelled and sworn according to law, heard the pleading the evidence and being charged by the Court retired to consider of their verdict. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury find the material allegations in the Defendants Cross bill to be true. F. Dohme foreman." Whereupon It is ordered adjudged and decreed that the bonds of matrimony heretofore existing between the said Cornelia Jones & Peter Jones be and the same are hereby dissolved. And it is ordered that the care, custody and maintenance of the three children of the parties, to wit: Grace Jones, Mary Jane Jones and John Jones, be committed to the said Cornelia Jones, the mother of said children, the

June Term, Wednesday, June 12th 1872.

being the most suitable person to have the care of said children, and that the Plff pay the cost of this suit for which execution may issue. J. A. Green et al. v. P. W. Nowlin. Cash or affidavit of Plaintiff

3321 3316 Mary Steen v. W. G. McCormick. This cause being called for trial, came the Plaintiff and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of F. Dohme and eleven others who being tried, empannelled and sworn according to law heard the petition, the evidence, and the charge of the Court and retired to consider of their verdict. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury find for the Plff in the Sum of One Hundred and fifty Specie Dollars principal and sixty-eight 50/100 Specie Dollars interest: and we the Jury further find for the Plaintiff One Hundred and Six Dollars in Currency principal and forty six 50/100 Dollars in currency interest F. Dohme, foreman."

Whereupon It is ordered that the plaintiff Mary Steen, do have and recover of and from the defendant W. G. McCormick the sum of Two Hundred Eighteen and 50/100 Dollars in Specie and the further sum of One hundred fifty-two 50/100 Dollars in Currency and the cost of this suit for all which execution may issue.

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

Wednesday, June 12, 1872

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. W. Oliver Judge Thirty Third Judicial District presiding. Whereupon the following proceedings were had by said Court to wit:

3076 M. A. Taylor v. A. H. Longley et al. On this day came the parties to this cause by their attorneys and upon motion It is ordered that the Continuance entered in this cause at a former day of the term be set aside, vacated and held for naught. And upon motion It is further ordered that said cause be dismissed from the docket, and that the cost of this suit be adjudged against the Defendant A. H. Longley, for which execution may issue.

3175 J. W. Hamrig v. E. Cusary & Frank Cotton Defts. and D. F. Cotton, Claimant. On this day appeared the parties to this cause by their attorneys - Whereupon the motion to quash the attachment issued in this cause coming on to be heard, and the same being considered, It is ordered that said motion be sustained. Whereupon plaintiff gives notice in Open Court of an appeal

June Term Wednesday June 12th 1872

to the Supreme Court. And thereupon the cause is continued by consent.

3318 W. M. Walton v. J. W. Johnson. And now on this day appeared the plaintiff and asks the Court to execute the writ of inquiry awarded in this case. And then came a Jury of twelve good and lawful men of Travis County consisting of John Cameron and eleven others who being tried, empannelled and sworn according to law heard the pleading, the evidence and the charge of the Court, retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict, to with: "We, the Jury, find for the plaintiff in the sum of Five Hundred Dollars. John Cameron, Foreman." Whereupon It is ordered by the Court that the said W. M. Walton do have and receive of and from the Defendant J. W. Johnson the sum of Five Hundred Dollars and all the cost of the suit, for which execution may issue.

3328. Edward Parker v. M. P. Caldwell et.als. On motion It is ordered that John H. Washington be and he is appointed Special Guardian of the minors in this suit, to wit: Mary, Henry, Emma and Eula Caldwell. And that the bond of said Special Guardian be fixed at $100. And ordered that the cause be continued.

3331 Geo. W. Honey v. E. J. Davis et.al. On this day came the parties when came on to be heard the motion to set aside the judgment by default rendered in this cause at a former day of this term. And the same being heard and argued by Counsel and duly considered It is ordered that said Judgment by default be set aside and vacated. And further ordered that the Defendants be allowed to file answers in said cause. And upon motion It is further ordered that the Plaintiff have leave to amend his petition.

3324 C. F. Millett v. Anderson Majors. And now on this day came the plaintiff and asks for the writ of inquiry awarded in this case. And thereupon came a Jury of twelve good and lawful men of Travis County consisting of W. H. Hill and eleven others who being tried, elected empannelled and sworn according to law, heard the pleading, the evidence and the charge of the Court, retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff the sum of $177 38/100 dollars in coin, and that plaintiff has a lien on the house and land described in the petition

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to secure the payment of the sum so found. W. H. Hill foreman. Whereupon It is ordered that the said C. H. Millett do have and recover of and from the Defendants Anderson Majors the sum of One Hundred, Seventy-Seven and 38/100 Dollars in coin, and all the cost of this suit for which execution may issue.

And it appearing that the plaintiff has a mechanic's lien upon Lot No 55 in Division D out of the Out Lots adjoining the City of Austin, and that said land and the house situated thereon are liable for the payment of this Judgment It is ordered that said lien be foreclosed and that an order of Sale issue requiring the Sheriff of Travis County to sell, as under execution, the land and house herein before described and devote the proceeds thereof to the satisfaction 1st of the costs of this suit. 2 to the principal and interest to grow due and 3 the remainder, if any, pay over to the Defendant

3256 C. Klein & Son v. Carl M. Schutze. And now on this day appeared the plaintiffs and ask that a Jury be empannelled to assess their damages in this case. And thereupon came a Jury of twelve good and lawful men of Travis county consisting of R. Bertram and eleven others, who being tried elected, empannelled and sworn according to law, heard the evidence, and the charge of the Court, and retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiffs the sum of Six hundred, thirty and 60/100 Dollars in Coin. R. Bertram, foreman." Whereupon It is ordered that the Plaintiffs C. Klein and Arnold Klein under their firm name of C. Klein & Son do have and recover of and from the Defendant Carl M. Schutze the sum of Six hundred, thirty and 60/100 Dollars in coin, and the cost hereof to be taxed for which execution may issue.

3267 C. Pflugen v. W. C. Cain et.al. Ordered upon motion that the Defendant herein have leave to amend his answer.

3295 C. H. Sanders v. F. Schieffer. This cause being reached and called for trial, came the plaintiff and announced ready. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of R. Bertram and eleven others, who being tried, elected, empannelled and sworn according to law, heard the petition and answer, the evidence, and the charge of the Court, and retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict, to wit: "We the Jury find for plaintiff One hundred and thirty three coin Dollars. R. Bertram, Foreman." Whereupon It is ordered by the Court that C. H. Sanders do have and recover

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of and from the Defendant F. Schieffer the sum of One Hundred and Thirty three Coin Dollars and interest thereon at the rate of ten per centum per annum from this date until paid, and all the costs of this suit, for which execution may issue

3319 J. C. Minter vs W. C. Walsh et.al. Continued for service on Baker.

Grand Jury And now on this day appeared in open Court the Grand Jury of Travis county, and through their foreman A.B. Burleson presented to the Court the following Bills of Indictment to wit:

2484 An Indictment against Charles Dewy for Betting at Monte
2485 An Indictment against Doctor Thompson for Exhibiting Monte
2486 An Indictment against Billy Thompson for Betting at Monte
2487 An Indictment against James Moon for Exhibiting Monte
2488 An Indictment against Judge Phant for Betting at Keno
2489 An Indictment against Billy Brennan for Exhibiting Monte
2490 An Indictment against Lem. Chambers for playing at a game with cards in a Public place
2491 An Indictment against Wm Puckett for Betting at Keno
2492 An Indictment against Wm Wilson for Betting at Monte
2493 An Indictment against Buck Walton for Betting at Monte
2494 An Indictment against Jake a German for Exhibiting Monte
2495 An Indictment against Holmes for Exhibiting Monte
2496 An Indictment against Lewis Dryfuse for Exhibiting Monte
2497 An Indictment against Charley Smith for Exhibiting faro
2498 An Indictment against Lewis Green for Playing at a game with cards in a public place
2499 An Indictment against Matt. Thompson for Exhibiting Monte
2500 An Indictment against Hall for Exhibiting Monte
2501 An Indictment against Jimmie Rauls for Exhibiting Monte
2502 An Indictment against N. B. Mitchell for Betting at Monte
2503 An Indictment against Stewart for Betting at Monte
2504 An Indictment against Bill Long for Betting at Monte
2505 An Indictment against John Bond for Dealing Monte
2506 An Indictment against Billy Foster for Betting at Monte
2507 An Indictment against Matt. Woodlief for Exhibiting Monte
2508 An Indictment against Thomas Bowles for Exhibiting Monte
2509 An Indictment against Ben Thompson for Dealing Monte
2510 An Indictment against Neil Cain for Betting at Monte
2511 An Indictment against Jim Moore for Betting at Monte
2512 An Indictment against Bratman for Exhibiting Monte
2513 An Indictment against Ed. Pearce for Betting at Monte
2514 An Indictment against Jo. Inman for Betting at Monte
2515 An Indictment against Emmett Carrington for Betting at Monte
2516 An Indictment against Richd C. McLaren for Forgery
2517 An Indictment against Fairbanks for Exhibiting Monte
2518 An Indictment against Ch. Fugett for Betting at Monte

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2519 An Indictment against Ch. Fugett for Dealing Mont.
2520 An Indictment against Charles Smith for Exhibiting Monte.
And the Grand Jury suggesting that there is still further business pending before them they were ordered to retire upon a discharge of the Same.

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

Thursday, June 13th 1872.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

✓ 3245 Emma Hill v. Tom Hill. Ordered upon motion that the Defendant and Plaintiff herein respectively have leave to amend their pleadings.

✓ 3267 Conrad Pfluger v. N. C. Cain et.al. On this day came the parties And thereupon on motion It is ordered that this cause be dismissed from the docket and that the Plaintiffs pay all the cost of this suit, for which execution may issue.

✓ 3330 J. W. Hannig v. C. Hanson et.al. comes the counsel for the plaintiff and suggests the bankruptcy of the Defendant. And thereupon the cause is continued

✓ 3331 Geo. W. Honey v. E. J. Davis et.al. Ordered upon motion that the Defendants herein have leave to amend

✓ 3333 Geo. W. Glasscock v. Thomas Blanchard Cause Continued

✓ 3054 M. B. McAlpine et.al. v. E. M. Pease et.al. And now on this day appeared Frank Brown, Special Commissioner appointed in this cause and submitted to the Court the following Report and Exhibit of his actions in said cause which being inspected and examined in open Court the same is hereby approved and ordered to be recorded in words and figures as follows to wit:

Report. To the Hon. District Court of Travis County:

The undersigned Special Commissioner appointed by the Court in the Cause No. 3054 of M. B. McAlpine et.al v. E. M. Pease et.al begs leave to report that he has received and disbursed the funds as provided by the Decree in said cause as follows to wit:

1. That he received from G. B. Zimpelman Sheriff of Travis county the amount realized from the Sale of Land Certificates in U.S. Currency the sum of $616.00
2. From Sales of Land in Guadalupe County made under Order of Sale issued in said Cause 1052.07
Total $1668.07
3. Your Commissioner has paid out the following sums under said decree (see p. 587 Rec book K)
1872 apl 9 By Sheriff's Costs paid G. B. Zimpelman Sheff Travis Co Voucher 1 $37.59

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" " " By Costs paid Clerk District Court Travis
County in said cause Voucher 2 69.55
" " 10. By costs paid Robards & Jackson Voucher 3 329.87
" " " By Cash paid Special Court as fees " 4 76.00
" " " " " " C. R. Johns & Co " 5 113.06
" " " " " " W. S. Hotchkiss Guardian ad Litem " 6 20.00
" " " " " " Commissioners of Partition " 7 30.00
" " 12 " " " Gov. E. M. Pease judgt " 8 977.00
" " " " " on land Due Goldthwaite Comm (pd to W.S. Robards) 15.00
$1668.07

Grand

1528

The State of Texas }
County of Travis } Frank Brown Special Commissioner, being duly sworn, says the foregoing Exhibit is true and correct, and that the same is a true Statement of the matters to which it relates
Sworn to and subscribed before me Frank Brown
this 13th June 1872. J. W. Oliver Dist. Judge

Singleton Thompson v. Josiah Dyches et al.

And now on this day the above entitled cause coming onto be heard and on application Leave of the Court having been granted to John Hancock and C. S. West and to John J. Dimmitt to intervene herein and make themselves parties hereto, appeared the parties by attorneys and in their own proper persons and announced themselves ready for trial. And then came a Jury to wit: John Cameron foreman and eleven others to wit good and lawful men of Travis county, who being duly elected, tried, empannelled and sworn according to Law, after hearing the evidence retired under the charge of the Court to consider of their verdict and returned into Court the following verdict, to wit:

" Thompson v. Dyches et al. No. 1528. We the Jury find that the interests of the parties to the above suit in the headright League and Labor of land granted to William Lewis Senr. dec'd is as follows:

Singleton Thompson	1948 2/7 acres
Hancock & West	1476 acres
J. J. Dimmitt	590 10/28 acres
Joicy Dyches	295 5/28 acres
William Lewis Jr	295 5/28 acres.

John Cameron foreman.

It is therefore ordered adjudged and decreed by the Court that the Plaintiff Singleton Thompson, John Hancock and C. S. West, John J. Dimmitt, Joicy Dyches and William Lewis, junior, are seized and possessed as co-tenants of the Head Right League and Labor of land in Travis county granted to William Lewis Senior deceased by Patent dated

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the 11th day of March 1841 in the following proportions
un divided to wit:
Singleton Thompson has and owns in said League and labor
of land 1948 2/3 acres. John Hancock and C. S. West own as
joint tenants 1476 acres. J. J. Dimmitt owns 590 5/28
acres. Joicy Dyches owns 295 5/28 acres and William Lewis
Jr. 295 5/28 acres in said League and labor of land And it is
further ordered by the Court that John B. Costa, John A.
Green, and Michael Doyle be and they are hereby appointed
Commissioners to partition and divide said League and labor
among the owners thereof as ascertained by this Decree, and
that said Commissioners in making said partition, have re-
gard to the quality of said land as well as the quantity, to
which the owners thereof is entitled as herein decreed.
And it is further ordered that said Commissioners report
to this Term of this Court their action under this Decree.

3268 S. H. Johnson et al. v. Henry Johnson.

In this cause at a previous day of this term a Judgment by
default having been rendered in favor of the Plaintiffs Samuel
H. Johnson, Emma V. Johnson, Edward W. Johnson and James
T. Johnson against the Defendant Henry Johnson according to
the prayer of their petition: and a writ of inquiry having been
awarded in said cause to find the facts therein. And now on this
day came a Jury of twelve good and lawful men to wit: John
Cameron and eleven others, who being duly tried, empannelled
and sworn, after hearing the Plaintiffs Petition and the evidence
adduced, and the charge of the Court retired to consider of their verdict And thereupon the
Jury returned into Court the following verdict, to wit: "We the
Jury find for Plaintiffs Lot No 4 in Block 91 the same being
the land described in plffs petition. John Cameron foreman"
It is therefore ordered adjudged and decreed that the Defendant
Henry Johnson be divested of all right, title, claim and interest
in and to Lot No four in Block No Ninety One in the City of
Austin, Texas, and that the same be vested in the Plaintiffs
Samuel H. Johnson, Emma V. Johnson, Edward W. Johnson and
James T. Johnson, and that they be forever quieted in their title to
said Lot No 4 in Block No. Ninety One in the City of Austin, Texas
against all the right, title and claim of said Henry Johnson. It
is further ordered that the clerk of this Court shall issue a writ
of possession directed to the Sheriff of Travis county commanding
him to put the Plaintiffs in possession of said Lot No. four in Blk
No. Ninety One and dispossess all claiming by, through, or under him since April 8, 1872
and rest the said Henry Johnson from the posses-
sion of the same. And that the Plaintiffs recover their cost
for which execution may issue

3325 John A. Green et al. v. F. W. Chandler and A. P. Blocker.

On this day came on for trial the above named cause

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and the Plaintiffs and the Defendant F.W. Chandler appeared by their attorneys. But the Defendant Blocker appeared not. And it appearing to the Court that he had been duly cited in the manner prescribed by law and had wholly failed to answer plaintiff's suit. It is therefore ordered that the Pffs and the Defendant F. W. Chandler do have and recover of and from the Defendant Blocker according to the prayer of their petition. And thereupon came a Jury of twelve good & lawful men of Travis county, duly empannelled tried and sworn, to wit: E. W. Holler and eleven others, who after hearing the pleadings of plaintiffs & Deft Chandler read and the evidence adduced, retired to consider of their verdict, who returned the following verdict, to wit.

" We the Jury find for the plaintiffs the sum of Five Hundred, Thirty-Eight and 34/100 Dollars and we further find that Chandler & Blocker were sureties on the note and that Chandler having paid $529. he is entitled to recover that sum against the Defendant Blocker. E. W. Holler Foreman." It is therefore ordered by the Court that the Plaintiffs John A. Green and Catherine Horan Executor of John Horan, Deceased do have and recover of and from the Defendants A. P. Blocker and F. W. Chandler the sum of Five Hundred Thirty-Eight and 34/100 Dollars and the costs of this suit for which execution may issue. And it is further ordered that the said F.W. Chandler do have and recover of and from the said A. P. Blocker the sum of Five Hundred and Forty Nine Dollars and his cost, or so much thereof as the said F.W. Chandler may be compelled to pay the plaintiffs herein by reason of this Judgment in their favor against him and his Defendant Blocker for all which execution may issue after he has paid said sum or sums of money.

Grand Jury

And now on this day appeared in open Court the Grand Jury of Travis county, duly elected, tried, empanelled sworn and charged to inquire within and for the body of the County aforesaid and through their foreman A. B. Burleson presented to the Court the following Bills of Indictment, to wit:

2522 An Indictment against Charles Murray for Playing Cards in a certain place.
2523 An Indictment against Blue for Betting at Monte
2524 An Indictment against Melrose for Betting at Monte
2525 An Indictment against Geggett H. Honey for Embezzlement.
2526 An Indictment against Sam Evans for Betting at Monte
2527 An Indictment against Bob. Fields for Betting at Monte
2528 An Indictment against Frank Cotton for Exhibiting Monte
2529 An Indictment against Wall Good for Exhibiting Monte

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2530 An Indictment against Watt Good for Betting at Monte.
2531 An Indictment against Dave Wells for Betting at Monte
2532 An Indictment against Hank Cotton for Betting at Faro
2533 An Indictment against Pitch & Stewart for Permitting Games to be played in their house.
2534 An Indictment against Warnell for Betting at faro.
2535 An Indictment against Joe Wills for Betting at Monte.
2536 An Indictment against Wright for Betting at Monte.
2537 An Indictment against Charles Murray for Betting at Monte.
2538 An Indictment against Maroney for Betting at Monte
2539 An Indictment against Jas Phelps for Theft of Gelding
2540 An Indictment against Wm Foster for Betting at Monte
2541 An Indictment against Phil Lewis Jr. for Theft of Mare.
2542 An Indictment against Raphael Castillo for theft from a house
2543 An Indictment against Dyson Glascock for Theft of Gelding.
2544 An Indictment against Bill Rodgers for Betting at Monte.
2545 An Indictment against John Brown for Exhibiting Monte.
2546 An Indictment against Charles Reade for Exhibiting Monte
2547 An Indictment against McLennan for Betting at Monte.

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

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

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Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. W. Oliver. Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

3329. Felix E. Smith Admr of Israel Pickens, Deceased vs Anna P. Surey and her husband W. C. Surey, Cora D. Slaughter, Francis Slaughter, Alice Slaughter and Lucy Slaughter.

This cause being regularly reached on the Docket at this term of the Court, and the Court having appointed B. H. Davis Esq Special Guardian of the minors Cora D., Francis Alice and Lucy Slaughter: And said B. H. Davis having filed his bond and taken the statutory oath as special guardian of said minors. And thereupon it appearing to the Court that all the Defendants have been served with process. And the Defendants Anna P. and W. C. Surey came not but make default. And thereupon on motion of plaintiff a Judgment by default is rendered against them. And thereupon the demurrer and exceptions and answer of B. H. Davis, Special Guardian of said minors, having been read and considered by the Court, the Court doth overrule the said demurrer and exceptions of the said special guardian And the case coming on for trial. And thereupon

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comes a Jury, to wit: R. Bertram and seven others good and lawful men of Travis county, duly empanelled tried and sworn, who after hearing the pleadings of the parties, evidence adduced and charge of the Court and after deliberation returned into Court their verdict as follows:

Ina. "We, the Jury find for Plaintiff Twelve Hundred and Sixty four 97/100 Dollars. We also find cost to be due on Case No. 2306 $14.90 and cost to be due on case in Justice Court No. 23 $3.90. R. Bertram, Foreman."

It is therefore considered, ordered and adjudged by the Court that the Plaintiff Silas E. Smith, Administrator of the Estate of Israel Pickens deceased, do have and recover of the Defendants Anna P. Lurey and her husband W. C. Lurey, and Cora B. Slaughter, Francis Slaughter, Chic Slaughter and Lucy Slaughter the sum of Twelve Hundred and Sixty-four 97/100 Dollars and ten per cent interest thereon from date of this judgment and the further sum of Eighteen & 95/100 Dollars and all costs of this suit. And to satisfy this Judgment the Court doth order and decree that an Order of Sale do issue directing the Sheriff of Travis county to levy on and sell so much as may be necessary of the property described to the said Anna P. Lurey, widow of and Cora B. Francis, Chic and Lucy Slaughter, children and heirs of A. B. Slaughter, dec'd and in the possession of said widow and children, upon any and all of which property the Sheriff may enter, seize, and sell to satisfy this judgment and costs, save and except the homestead. And it is further ordered that a fee of Fifty ——— Dollars be allowed B. H. Davis, Special Guardian of said minors to be taxed and collected in the Bill of Costs herein.

3274 C. F. Millett v. Henry Kleinert. On this day came the parties by their attorneys: when the Defendant submitted his demurrer to the petition which being heard and considered, the same is overruled. Whereupon, it is further ordered, upon motion, that the Defendant have leave to amend his answer.

3292 Wm Clements v. J. H. Robinson & Son. And now on this day appeared the parties when, upon motion It is ordered that the Defendants have leave to amend their answer. And thereupon came on to be heard Defendant's demurrer to the petition of plaintiff, which being argued by counsel and duly considered by the Court, the same is overruled to which ruling the Defendant excepts.

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√ 3314 John T. Allan vs. The State of Texas.

And now on this day this cause coming on to be heard in its regular order on the docket under the provisions of An Act of the Legislature of this State, entitled "An act to authorize the late State Treasurer to institute suit against the State of Texas" approved December 2d 1872, come the respective parties hereto, the Plaintiff by his attorneys and the State of Texas represented by the Attorney General. And the said parties having adduced their respective proofs and allegations. And it appearing to the Court that the said Plaintiff, as late Treasurer of this State, while in the discharge of his duties as such, and without any fault or lack of diligence on his part, lost by theft from the safe wherein the public funds were kept, the sum of Six thousand nine hundred & sixty & 10/100 Dollars ($6960 10), That he advanced to Gov. E. M. Pease the sum of One thousand Dollars which was disbursed in aid of indigent persons during the yellow fever epidemic at Brenham and other places, by approval and ratification of the Military Commander of the Fifth Military Department of the United States. Whereof the said plff has filed proper vouchers. That said plaintiff took in the course of his duties by inadvertence and without lack of care and diligence, the sum of Two Hundred and fourteen Dollars ($214 00) supposed to be counterfeit U. S. Currency, and in like manner the sum of Ninety Nine & 95/100 Dollars ($99.95) in mutilated currency of the United States, which since said period have by the laws of Congress been made current and receivable, and that said last two items of two hundred and fourteen and ninety-nine & 95/100 Dollars were receipted for to said plaintiff by his successor in office. And it further appearing to the Court that the State of Texas is indebted to the said plaintiff in the sum of Eighty One & 2/100 Dollars ($81 02) for funds advanced by said plff to supply a special fund relating to a deposite for county taxes included in the aforesaid theft and also that the State of Texas is indebted to the said plff in the further sum of Seventy Six & 38/100 Dollars for value of Salary due him at the time of surrendering and turning over said office to his successor making in both of said last named items the sum of One hundred and fifty Seven & 40/100 Dollars. Now, therefore It is by the Court here considered and adjudged that the said plaintiff is entitled in the settlement of his accounts as late Treasurer of this State, with the accounting officers of the same, to be credited with the several respective sums of Six thousand eight hundred and Seventy nine & 0/100 Dollars, the subject of theft as aforesaid being net amount after deducting eighty one & 02/100 Dollars herein otherwise allowed said Plaintiff: one thousand Dollars advanced to Gov. E. M. Pease as aforesaid, two hundred and fourteen Dollars

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supposed counterfeit U. S currency as aforesaid and ninety nine & 95/100 Dollars for mutilated U.S. currency as aforesaid and that the Comptroller of Public Accounts of the State of Texas be and he is hereby authorized and required to settle the accounts of the said plaintiff as late Treasurer of this State in accordance herewith And it is further considered and adjudged that the said plaintiff have and recover of and from the State of Texas the aforesaid sum of eighty One & 02/100 Dollars, being for the Special fund on account of County taxes advanced by the said plaintiff to cover this amount as aforesaid: and that said Plaintiff have and recover of and from the State of Texas the further sum of Seventy Six & 38/100 Dollars, assessed salary due him on surrendering and returning over said office to his successor: and that the Comptroller of Public Accounts of the State of Texas be and he is hereby authorized and required to audit and settle said last named items, amounting to the sum of One hundred and fifty Seven & 40/100 Dollars in favor of the said plaintiff, as duly authenticated and verified accounts against the State of Texas. And it is further ordered that the Plaintiff pay the costs of this suit for which execution may issue.

3292 W. M. Clements v. J. H. Robinson et.als. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of E. W. Holler and eleven others, who being tried, elected, empannelled and sworn according to law, heard the evidence, argument of counsel and the charge of the Court, retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict, to wit: "We the Jury find that the property levied on is not subject to the execution of the Defendants and therefore find for the Plff. in this suit. June 14/72. E. W. Holler, foreman." Whereupon It is ordered that the Sheriff of Travis county and the Defendants J. H. Robinson and Albert H. Robinson be perpetually enjoined and restrained from levying upon and selling, or in any manner interfering with a certain Steam engine, with fixtures and attachments one set of corn burrs, with fixtures and attachments, and one cotton press with fixtures and attachments, by virtue of the execution described in the petition, & that the Defendants pay all the cost of this suit for which execution may issue.

3254 Harrison & Huston v. E. C. Dewey. And now on this day came the plaintiffs by their attorneys and ask that a Jury be empannelled to assess the damages. And then came a Jury of twelve good and lawful men of Travis county consisting of G. W. Schobey

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and eleven others, who being tried, elected, empannelled and sworn according to law, heard the evidence introduced by the plaintiff, & the pleading of said plaintiff, and returned retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict, to wit: "We, the Jury, find for the Plaintiff Five Hundred Gold Dollars principal and Ninety Eight 98/100 Gold Dollars Interest G. W. Schobey Foreman." Whereupon It is ordered by the Court that the Plaintiffs T. S. Harrison and E. G. Huston do recover of and from the Defendant E. C. Dewey the sum of Five Hundred Ninety Eight and 98/100 Gold Dollars and all the cost of this suit, for which execution may issue.

✓ ✓ 3299 Mary J. Lee v. R. H. Griffin Continued by consent

✓ 3300 Mary J. Lee v. J. D. Sedwick Continued by consent.

Grand Jury And now on this day appeared in open Court the Grand Jury of Travis County, and through their foreman A. B. Burleson presented to the Court the following Bills of Indictment to wit:

2548 An Indictment against G. M. Brass for Selling Liquors in Quantities less than a quart

2549 An Indictment against Mexican Charley for Selling Liquors

2550 An Indictment against G. M. Brass for selling liquor without license

2551 An Indictment against G. M. Brass for Selling liquor without license

2552 An Indictment against Joseph Leefe Theft of Pants

2553 An Indictment against Charley Clinger for theft of Stallion

2554 An Indictment against James Mapp & James Canton for theft of bridles

2555 An Indictment against Blair for Theft of a Gelding.

And thereupon the Grand Jury suggesting to the Court that there is still further business pending before them they were Ordered to retire upon a discharge of the Same.

Jury Service 2d Week And it appearing that the following named persons have served the length of time set opposite their names as Jurors during the present week It is ordered that the Clerk of this Court do issue to them Certificates for such service at the rate of two dollars per day.

27	J. N. Hancock	5 Days	$10.00	38	G. W. Schobey	5 Days	$10.00
28	J. Cameron	5 "	10.00	39	F. W. Schaffrit	" "	10.00
29	E. W. Holder	5 "	10.00	40	J. W. Abercrombie	" "	10.00
30	J. W. Darlington	5 "	10.00	41	Geo. Burne	" "	10.00
31	F. Dohme	5 "	10.00	42	R. Bertram	" "	10.00
32	A. Wahrmann	5 "	10.00	43	J. H. Sink	" "	10.00
33	C. H. Isley	5 "	10.00	44	W. R. Robinson	" "	10.00
34	J. Bainer	5 "	10.00	45	James Harrington	" "	10.00
35	H. N. Jargenson	5 "	10.00	46	A. Sandberg	" "	10.00
36	A. Majors	5 "	10.00	47	J. W. Burton	" "	10.00
37	Ch. Marshall	5 "	10.00	48	C. Grandwood	" "	10.00

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49 Lew. Chambers 6 Days $10.00 — 50 Milton Wallace 5 D. $10.00

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

Saturday June 15th 1872.

Court met at 9 o'clock A. M pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

3274 C. F. Millett v. Henry Kleinert. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of Geo W. Schoby foreman and eleven others, who being tried, elected empannelled and sworn according to law heard the pleadings, the evidence argument of counsel and the charge of the Court and retired to consider of their verdict. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff two hundred Dollars gold & Twenty-one & 66/100 Dollars currency principal and Eleven Dollars Interest and that Plaintiff have foreclosure of lien on premises (house and lot described in his petition. G. W. Schoby foreman."

Whereupon It is ordered that the said C F Millett do have and recover of and from the Defendant Henry Kleinert the sum of Two Hundred Dollars gold and twenty one and 66/100 Dollars currency, principal, and eleven dollars interest, together with all the costs of this suit, and that interest be allowed on said sums from date until paid at the rate of ten Percentum Per annum, for all which execution may issue.

And it appearing to the Court that the Plaintiff has a mechanic's lien upon the property described in the petition, to wit: the East one-half of Lot No. 33 in Division E of Out Lots adjoining the City of Austin, and the improvements thereon, and that the same is liable for the payment of the judgment rendered in this case It is ordered that plaintiff's lien thereon be foreclosed And that an Order of Sale issue commanding the Sheriff to sell said ground and improvements as under execution and apply the proceeds thereof to the Satisfaction 1 of the costs of this suit 2, the payment of the several sums herein before adjudged and interest to grow due thereon and 3 the remainder, if any, pay over to the Defendant.

3315 G. B. Zimpelman, Adm. &c. vs. James P. & Alvira M. Austin.

And now on this day came the plaintiff by his attorney and asks that a Writ of Inquiry

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be awarded upon the judgment rendered by default at a former day of this term. And thereupon came a Jury of twelve good and lawful men of Travis county, consisting of R. Bertram foreman and eleven others, who being tried, elected, empannelled and sworn according to law, heard the petition, the evidence, argument of counsel and the charge of the Court and retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict, to wit: "We, the Jury find for Plaintiff Nine hundred and Seventy three Dollars and the same to be a lien on the land described in Peffis petition, for which the Note was given in part payment. R. Bertram, foreman."
And it appearing that the Plaintiff has a lien upon the following described property, mentioned in the petition, to secure the payment of this judgment, to wit: Situated upon the waters of Slaughter or Boggy creek, being Six hundred and forty eight and one half acres of land purchased of Wm R Cannon in two tracts, one by title bond dated the 23d of January 1865, recorded in Travis county in Book I, page 270: the other procured by Deed of 20th March A.D. 1855 recorded in Book H, page 483 in said Record and which description calls have been since surveyed by the County Survey or Corwin under an Order of the District Court of Travis County in the Sale in the case of Cborn vs Cannon. Beginning at the South West corner of B.F. Johnson tract of land on the North Bank of Boggy Creek, thence West 2647 varas to the Bissel League line. Thence South 30° West 1510 varas with the Bissell League line to the Slaughter League line. Thence East 2829 varas to the corner of Terry tract from which a Liv. Oak 10 inches in dia. bears N. 45° West 9 1/2 varas and another Live Oak bears N. 12° E 10 varas. Thence North 30° East 1438 varas a corner of the Terry tract on the South East line of B.F. Johnson's tract. Thence North 67° E West 157 varas to the place of beginning. It is ordered that said lien be foreclosed, and that an Order of Sale issue requiring the Sheriff of Travis county to sell as under execution the above described land, and apply the proceeds thereof to the Satisfaction 1 of the costs of this suit 2 to the payment of the principal and interest to grow due of this Judgment and 3 the remainder, if any, he shall pay over to the Defendants.

3245 Emmd Hill vs. Tom Hill. And now on this day came the parties to the above entitled cause in person and by attorneys and announce themselves ready for trial. And thereupon came a Jury to wit: G.W. Scholey and eleven others, to the good and lawful men of Travis

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county who being duly empannelled and sworn according to law, after hearing the evidence and argument of counsel retired under Charge of the Court to consider of their verdict and returned into Court the following verdict, to wit: "We the Jury find the material allegations in plaintiffs petition to be true. G. W. Scholey Foreman." It is therefore ordered adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Plaintiff Emma Hill and the Defendant Tom Hill be and the same are hereby forever dissolved and that said parties are hereby forever absolved from all duties, obligations and liabilities to each other by reason of their said marital relation. And it appearing to the Court that all disputes and controversies between said plaintiff and Defendant and all issues made by the pleadings herein with respect to money and property have been settled by an agreement in writing signed by said parties and on file among the papers in this cause, which agreement was submitted to the Court as evidence in this cause and asked to be enforced by both parties as the decree of this Court said agreement being in the following words to wit:

"Emma Hill v. Tom Hill. No. 3245. In the above entitled cause the Plaintiff and Defendant therein in their own proper persons, for the purpose of settling all disputes and controversies with regard to property and to save themselves costs and expense in that regard, do agree that on the decree of a divorce from the bonds of matrimony in said cause the following disposition shall be made by said decree of all questions connected with the property owned by either of said parties to wit: 1. The order granted in Chambers awarding alimony shall be set aside, cancelled and annulled.

2. That Lot No. 4 in Block No. 138 in the City of Austin now in possession of plaintiff, and any and all money now in her possession shall be set apart and decreed to her as her separate property.

3. That Lots Nos. 1, 2 and 3 in Block No. 44 in the City of Austin, with the improvements thereon, now in possession of Defendant and any and all money which may be in his possession shall be set apart and decreed to Defendant as his separate property.

4. That the decree of the Court, in case a divorce be granted shall follow this agreement with regard to property. In witness we hereto sign our names and affix our seals this 13th day of June 1872.

Emma Hill

Tom his mark Hill

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attest: J. M. Morphis. N. G. Shelley. Witnesses for Tom Hill
Thos. C. Sneed David Sheats

It is therefore ordered by the Court that said Plaintiff do recover from defendant Lot No 4 in Block No 138 in the City of Austin, with improvements thereon and all money and property now in possession of said Plaintiff, and that all right or claim of Defendant in said money and property be divested and vested in said Plaintiff

And it is further ordered and decreed by the Court that the Defendant Tom Hill do recover from said plaintiff Emma Hill Lots Nos (1) one (2) two and (3) three in Block No 44 in the City of Austin, with improvements thereon and all property And money now in possession of said Defendant as his Defendants separate property, and that all right or claim of said plaintiff in and to said separate property of said Defendant be divested out of said plaintiff and that the title thereto be vested forever in said Defendant and that he be forever quieted in his title to and possession of the same. And it is further ordered that the order granted in Chambers awarding to Plaintiff twenty five Dollars per month as alimony dated 16th March 1872 be and the same is hereby set aside, cancelled and annulled, and that said Plaintiff take nothing by said order awarding alimony. And it is further ordered that Plaintiff recover from Defendant all the costs of this suit for which execution may issue

3113 G. A. Gibson v. E. B. Dewey. And now on this day appeared the parties by their attorneys when the Defendant submitted his motion for a new trial. And the same being heard and considered It is ordered that said motion be overruled. And thereupon the Defendant gives notice of an appeal to the supreme Court

3316 Mary Steen v. W. G. McCormick. And now on this day came the parties to this cause by their attorneys when the Defendant submitted his motion for a new trial. And the same being heard and argued by counsel and duly considered the same is overuled. Whereupon the Defendant gives notice in open court of an appeal to the Supreme Court.

3331 G. W. Honey v. E. J. Davis et al. On this day appeared the parties, when Defendant submitted his motion to strike from the files an "amended petition" filed June 14, 1872, which being heard and considered the same is overruled

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

Monday, June 17th 1872

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. W. Oliver Judge Thirty Third District presiding. Whereupon the following proceedings were had by said Court to wit:

June Term, Saturday, June 17th 1872.

3315 G. B. Zimpelman, Admr. v. James P. and Sebina McArthur. On motion It is ordered that the Judgment rendered in this cause on Saturday last be amended so as to read as follows:

"And thereupon It is ordered that G. B. Zimpelman Admr of the Estate of Thomas Eborn Deceased, do have and recover of and from the Defendants James P. McArthur and Sebina McArthur the sum of Nine Hundred and Seventy-Three Dollars, with interest thereon at the rate of ten per centum per annum from this date until paid and all the cost of this suit for which execution may issue. And it is further ordered that in awarding the Order of Sale in this case, the Sheriff will cause the land to be sold to be divided into lots of not less than ten nor more than forty acres, and so offered for sale.

3269 Peter W. Wynne and Mary M. Wynne v. D. M. Wilson et al. And now on this day came on to be heard the motion of Plaintiffs to have entered on the Minutes the Interlocutory Judgment made by Judge J. P. Richardson in Chambers. And thereupon the Court proceeds to hear the case for advisement, and on this day the Court, after deliberation, doth order and decree that the said Order of Judge J. P. Richardson be and the same is entered of record, which is accordingly done and is as follows: "Upon the hearing of the foregoing motion in Chambers this May 11th 1872, It is ordered that the Injunction heretofore granted in the case be dissolved. Whereupon the Defts. gives notice of appeal to the Supreme Court.

J. P. Richardson Judge

2480. The State of Texas v. W. A. Mitchell. And now on this day came the District Attorney on behalf of the State, and came also the Defendant in his own proper person and by his attorneys Messrs. Fulmore and Freeman appointed by the Court. And the Defendant pleading not guilty came a Jury of twelve good and lawful men of Travis county, consisting of E. R. Blake and seven others who being tried, elected, empannelled and sworn according to law, heard the plea, the Indictment, the evidence, the argument of counsel and the charge of the Court, retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict to wit: "We the Jury find the Defendant W. A. Mitchell not guilty. E. R. Blake, foreman." Whereupon It is ordered that the said Defendant go hence fully acquitted and discharged.

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1317 The State of Texas v. J. H. Esmond. alias Capias and continued
1352 The State of Texas v. J. E. Caperton et al. al. Capias & cause continued
1382 The State of Texas v. H. Chamberlain. alias Capias and cause continued
1468 The State of Texas v. John Martin. alias Capias and cause continued
1691 The State of Texas v. Aurora Alexander alias Capias and cause continued
1929 The State of Texas v. Green. Alias Capias and Cause continued
1931 The State of Texas v. Ara Carpenter et al. alias Capias and cause cont'd
1938 The State of Texas v. Charles Sublett. alias Capias and cause continued
1939 The State of Texas v. Charles Sublett. alias Capias and cause continued
1941 The State of Texas v. F. B. Walker & C. W. Bryant. alias Capias & cause continued
1942 The State of Texas v. Gathin and Gathin. alias Capias and cause continued
1944 The State of Texas v. Jim Carleton alias Capias and cause continued
2008 The State of Texas v. J. M. Neil. alias Capias and cause continued
2090 The State of Texas v. Charley Moore. alias Capias and cause continued
2095 The State of Texas v. Geo. Cravens. alias Capias and cause continued
2104 The State of Texas v. Dain Lane. alias Capias and cause continued
2120 The State of Texas v. Wm. Dotson - alias Capias and cause continued
2126 The State of Texas v. Jo. W. Allen. Capias and cause continued
2133 The State of Texas v. Tidwell Gathin. alias Capias and continued
2134 The State of Texas v. Thomas Barnes. alias Capias and cause continued
2139 The State of Texas v. Miller. alias Capias and cause continued
2142 The State of Texas v. Peter Kenner. alias Capias and cause continued
2160 The State of Texas v. Wade Harrison et al. alias Capias and cause continued
2152 The State of Texas v. Thos. Stephens. alias Capias and cause continued
2153 The State of Texas v. Ezekiel Wimberley. alias Capias and cause continued
2167 The State of Texas v. Jack Lyons. alias Capias and cause continued
2187 The State of Texas v. Dale Carines et al. alias Capias ordered to Hays, Travis and Caldwell counties and continued
2227 The State of Texas v. Tom Jordan. Cause Dismissed
2228 The State of Texas v. Ed. Grooms. Cause dismissed
2229 The State of Texas v. Allen McFarland. Cause dismissed
2230 The State of Texas v. Josh Eagle. Cause dismissed
2249 The State of Texas v. Josh Eagle. Cause dismissed
2252 The State of Texas v. Andrew Davis et al. Alias Capias and continued
2265 The State of Texas v. M. T. Walters. It appearing to the Court that this cause has been disposed of so far as the Defendant George Thompson is concerned, It is ordered that the papers in said cause be transmitted to the Clerk of the District Court of Bastrop County for further proceedings as against the other Defendants herein, the cause having originally come from said county on change of Venue.
2276 The State of Texas v. W. S. Williams alias Capias ordered to Hays, Travis and Bell Counties
2286 The State of Texas v. Gabriel Kelley. alias Capias and cause continued
2311 The State of Texas v. Aaron Pilkingsley Cause dismissed
2313 The State of Texas v. Archie Moore. Cause dismissed

June Term, Tuesday, June 18th 1872.

2324. The State of Texas v. Sonny Smith. Capias ordered and cause cont'd
2211 The State of Texas v. Geo. H. Slaughter.

This cause being called for trial the Defendant George H. Slaughter failing to appear and answer to the Indictment in this cause he and his securities Nat. Moore and A. B. Burleson being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant George H. Slaughter, with the said Nat Moore and A. B. Burleson as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 22d day of February 1872 payable unto The State of Texas in the Sum of One Hundred Dollars conditioned that the said Defendant George H. Slaughter make his personal appearance at the District Court of said County of Travis, forthwith, then in session at the Courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant George H. Slaughter by the Grand Jurors of Travis county at the June Term A.D. 1872 for Betting at Monte, and there remain from day to day and from term to term of said Court and that he do not depart there without Leave of said Court which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said George H. Slaughter the said sum of One Hundred Dollars and of his said securities the said sum of One Hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant George H. Slaughter did not appear. And further Ordered that Citations do issue to the said securities.

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

Tuesday, June 18th 1872.

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. W. Oliver Judge Thirty Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

2296 The State of Texas v. Erastus Craft. This cause being called for trial the Defendant Erastus Craft failing to appear and answer to the Indictment in this case he and his securities Jno. S. Craft and J. B. Craft being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Erastus Craft, with the said

June Term, Tuesday, June 18th 1872.

Jno. S. Craft and J. B. Craft as his securities, did execute the Bail Bond on file in this case, substantially as follows: Dated 7th day of April, 1872, payable unto The State of Texas in the sum of two hundred Dallars conditioned that the said Defendant Erastus Craft make his personal appearance at the District Court of said County of Travis on the 1st Monday in June, 1872, to answer the Indictment preferred against the said defendant Erastus Craft by the Grand Jurors of Travis County at the October Term A D 1871 for Theft of a Heifer, and then remain from day to day and from Term to Term of said Court and that he do not depart thence without leave of said Court, which said Bond is forfeited, And it is considered by the Court that the State of Texas do have and recover of the said Erastus Craft, the said sum of Two Hundred Dallars and of his said securities the said sum of Two Hundred Dallars and that this judgment will be made final unless good cause be shown at the next term of this Court or why the said Defendant did not appear. And further ordered that Citations do issue to the said securities.

2296 The State of Texas vs. West. Craft. This cause being called for trial the Defendant West Craft failing to appear and answer to the Indictment in this case, he and his securities Jno. S. Craft and J. B. Craft being distinctly called at the door of the Courthouse of Travis County. and the Defendant after a reasonable length of time, still failed to appear. And it appearing to the Court, that the Defendant, West. Craft, with the said Jno. S. Craft and J. B. Craft as his securities, did execute the Bail Bond on file in this case, substantially as follows: Dated 7th day of April, 1872, payable unto The State of Texas in the sum of two hundred Dallars, conditioned that the said Defendant West. Craft make his personal appearance at the District Court of said County of Travis on the 1st Monday in June, 1872, to answer the Indictment preferred against the said Defendant West. Craft, by the Grand Jurors of Travis County, at the October Term AD 1871 for Theft of a Heifer and there to remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court, that the State of Texas do have and recover of the said West. Craft the said sum of ~~Two~~ One hundred Dollars and of his said securities the said sum of ~~Two~~ hundred Dallars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant did not appear. And further ordered that citations do issue to the said securities.

June Term, Tuesday, June 18th 1872.

2394 The State of Texas v. Albert Tobler. This cause being called for trial, the Defendant Albert Tobler failing to appear and answer to the Indictment in this case, he and his securities Julius Tobler and Otto Mackensen being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Albert Tobler, with the said Julius Tobler and Otto Mackensen as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated 22d. day of January, 1872, payable unto the State of Texas in the sum of One Thousand Dollars, conditioned that the said Defendant Albert Tobler make his personal appearance at the District Court of said County of Travis on the 1st Monday in February 1872 to answer such Bill of Indictment as may be preferred against him by the Grand Jury of Travis County for the theft of four hundred dollars from the possession of Capt. A. Evans in said county, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court. Which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Albert Tobler and of the said Julius Tobler and of the said Otto Mackensen the said sum of One Thousand Dollars. and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Albert Tobler did not appear. And further ordered that Citations do issue to the said securities.

2461 The State of Texas v. Fletcher Bennett. On this day came into Court Fletcher Bennett, as principal, and R. B. Bennett, C. Spaulding and F. W. Suter as securities. and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Three Hundred Dollars, to be levied upon their Goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that the said Fletcher Bennett be and remains in attendance upon the District Court of Travis county, now in session, at the Courthouse thereof in Austin and there remain from day to day and from term to term of said Court, to answer the Indictment preferred against the said Fletcher Bennett by the Grand Jury of Travis county, at the June term of said Court, 1872, for making an assault with intent to kill and murder, and that he do not depart the Court without leave.

June Term, Wednesday, June 19th 1872.

2464. The State of Texas v. Sam. Williams. On this day appeared in open Court Sam. Williams as principal, and James O. Rice and Cyrus Puckett as securities, and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Five Hundred Dollars, to be levied upon their Goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that the said Sam. Williams, principal, make his personal appearance before the District Court of Travis county, now in session at the Court house thereof in Austin, there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against the said Sam. Williams by the District, Grand Jury of Travis County at the June Term 1872 of the District Court of said county for the Theft of a Mare, and that he do not depart the Court without leave.

2076 The State of Texas v. R. C. M'Laren. On this day appeared in open Court R. C. M'Laren as principal, and A. B. Burleson and John T. Miller as securities, and they acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of One Thousand Dollars, to be levied upon their Goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that the said R. C. M'Laren make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against the said R. C. M'Laren by the Grand Jury of Travis county, at the June term 1872 of the District Court of said County, for Forgery, and that he do not depart the Court without leave.

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

Wednesday June 19th 1872.

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. W. Oliver Judge Thirty Third Judicial District presiding. Whereupon the following proceedings were had to wit:

Henry Johnson Ex Parte. And now on this day came on to be heard the application of Henry Johnson, under writ of Habeas Corpus, praying for a discharge from custody. And Geo. B. Zimpelman, Sheriff of Travis County, having made return according to law, that he holds the prisoner by virtue of a commitment issued out by the Clerk of the District Court of Hays County. And the Court having heard the petition, the return of the Sheriff, and the evidence. It is ordered that the prisoner, Henry Johnson, be and he is hereby discharged from custody, and that the Clerk issue a writ to that effect.

John Pitts Ex Parte. It appearing to the Court, from the Statement of the Grand Jury that after full investigation of all charges against one

June Term, Thursday, June 20th 1872.

John Pitts, now confined in jail and finds no facts that warrant the prosecution of an Indictment, and ask that he may be discharged, which Statement is concurred in by the District Attorney. It is ordered that said John Pitts be discharged from custody.

James Hart (issued) ordered that a Certificate issue to James Hart for the sum of Twelve Dollars for services as Bailiff to the Grand Jury during the first week of the Court.

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

Thursday, June 20th 1872.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following Proceedings were had by said Court, to wit.

3285 T. W. Parr & Co. v. J. P. Maloney. On this day appeared in open court the parties to this cause by their attorneys and upon motion It is ordered that said cause be dismissed from the docket and that the Defendant pay all the costs hereof to be taxed for which execution may issue

3322 E. R. Blake vs. Catherine Blake. And now on this day came the plaintiff by his attorney, and upon his motion It is ordered that this cause be dismissed from the docket and that the said Plaintiff pay all the cost hereof to be taxed for which execution may issue

Grand Jury And now on this day appeared in open Court the Grand Jury of Davis county and through their foreman A B Rueleson presented to the Court the following Bills of Indictment to wit:

2559 An Indictment against L. E. Edwards for Betting at faro

2560 An Indictment against D. Forbes for Betting at Monte

2561 An Indictment against Wm H. Morris for Betting at Monte

2562 An Indictment against F. J. Coupe Sapsha for Betting at Monte

2563 An Indictment against F. J. Cooley for Betting at faro

2564 An Indictment against John Sanches for Betting at Monte

2565 An Indictment against Jack P. Jones for malicious Mischief

2566 An Indictment against Fitz Smith for Betting at Monte

2567 An Indictment against Jon Burdett for Betting at Monte

2568 An Indictment against Wm Brust for Betting at Keno

2569 An Indictment against James Kirk for Theft of Gelding

2570 An Indictment against W A Anderson for Malicious Mischief

2571 An Indictment against San. Harris for Theft of Cow

2572 An Indictment against James Clanton & James Mays for Theft of Cow

2573 An Indictment against A. C. McClaren for Theft from a house

2574 An Indictment against Sam Williams for Taking up and using estray mare

2576 An Indictment against Tiffin Jackson for theft from a house

2577 An Indictment against F. F. Cooley for Dealing in Grey Goods

June Term, Friday, June 21st 1872

2576 An Indictment against Ch. Smith for Exhibiting Monte
2577 An Indictment against H. C. Hawes for Permitting Gaming in his house
2578 An Indictment against Howard for Betting at Faro
2579 An Indictment against Wilus Miller for Betting at Monte
2580 An Indictment against A. B. McCoy for playing Cards at Public Place
2581 An Indictment against Frank Britton for Betting at Monte
2582 An Indictment against Frank Britton for Betting at Monte
2583 An Indictment against Kit Owsley for Betting at Monte
2584 An Indictment against Jo Mabbox for Betting at Monte.
2585 An Indictment against H. C. Hawes for Permitting Keno to be played &c
2586 An Indictment against Block Davis for Betting at Keno
2587 An Indictment against Wm Cotton for Betting at Monte
2588 An Indictment against Ed Cotton for Playing Cards &c
2589 An Indictment against James Crank for Betting at Faro
2590 An Indictment against Wm Davidson for Betting at Faro
2591 An Indictment against Giles Burditt Jr. for Betting at Monte
2592 An Indictment against W. P. De Normandie for Betting at Faro
2593 An Indictment against The Anderson for Betting at Monte
2594 An Indictment against Senator Taylor for Betting at Monte
2595 An Indictment against Senator Taylor for Betting at Faro
2596 An Indictment against Alex. Swisher for Betting at Faro
2597 An Indictment against Kit. Owsley for Betting at Faro
2598 An Indictment against James Pickle for Betting at Monte
2599 An Indictment against Geo. Price for Betting at Monte
2600 An Indictment against E. Phillips for Betting at Faro

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

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

Friday June 21st 1872.

Court met at 9 o'clock A M pursuant to adjournment. Present Hon. J. W. O'Brien Judge Thirty Third Judicial District presiding. Whereupon the following Proceedings were had by said Court, to wit:

2539 The State of Texas vs Jas Phelps. And now on this day appeared the District Attorney on behalf of the State, and came also the Defendant in person and by his attorneys Messrs. Denton & Moore appointed by the Court And the Defendant being arraigned pleads not guilty. And thereupon came a Jury of twelve good and lawful men of Travis County, consisting of A. D. Baton and seven others who being tried, elected, empannelled and sworn according to law, heard the plea, the evidence, argument of counsel and the charge of the Court retired to consider of their verdict. Whereupon the Jury returned into

June Term, Friday June 21st 1872

Court the following verdict, to wit: "We the Jury find the Defendant Jas Phelps, guilty of the Theft of a Gelding, as charged in this indictment, and assess his punishment at ten years Confinement in the Penitentiary. A. D. Rector, Foreman."
Whereupon It is ordered that the Defendant stand committed to the County Jail to await judgment and sentence.

2451 The State of Texas vs. Columbus Samuels. Audrow on this day came the District attorney on behalf of the State and came also the Defendant in his own person and by his attorney James R. Morris Esq and announced ready for trial appointed by the Court, and the Defendant pleading not guilty, came a Jury of twelve good and lawful men of Travis County consisting of John Dougherty and eleven others who being tried, elected, empannelled and sworn according to law heard the plea of guilty the evidence and the charge of the Court, retired for deliberation and returned into Court the following verdict to wit: "We the Jury find the Defendant guilty and assess the punishment in the State Penitentiary for the term of two years. Jno. Dougherty foreman." Whereupon It is ordered that the Defendant stand committed to the County Jail to await judgment and sentence

2452 The State of Texas vs J. G. Dearborn. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by his attorneys Messrs O'Mally and Wheeler and the parties announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of S. G. Hemphill and eleven others who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court retired to consider of their verdict. And thereupon the Jury returned into Court the following verdict to wit: "We, the Jury, find Defendant guilty and assess his punishment to 2 years in the State Penitentiary.
S. G. Hemphill, foreman."
Whereupon It is ordered that the Defendant stand committed to the County Jail to await judgment and sentence.

2452 The State of Texas vs Columbus Samuels. Comes the District Attorney and upon motion It is ordered that this cause be dismissed and the Defendant go hence discharged.
And thereupon Court adjourned till to morrow morning at 9 o'clock.

Saturday June 22d 1872

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty Third Judicial District

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presiding. Whereupon the following proceedings were had by said Court, to wit:

Grand Jury. And now on this day appeared in open court the Grand Jury of Travis county, duly elected, tried, empannelled, sworn and charged to inquire within and for the body of the County of Travis, and through their foreman A. B. Burleson, presented to the Court the following Bills of Indictment, to wit:

2601 An Indictment against Jeb Porter and Scott Porter for Theft of Gray Colt

2602 An Indictment against Zacharias Eschner for an Assault

2603 An Indictment against Peter Burns for Aggravated Assault

2604 An Indictment against Peter Burns for Aggravated Assault

2605 An Indictment against Willis Jackson for theft from a house

2606 An Indictment against Scott Porter for theft of Paint Mare

2607 An Indictment against Charles Sutherland for theft from a house.

And the Court, upon suggestion, ordered that the said Grand Jury be adjourned until Thursday of next week, at 9 o'clock A.M. when they are ordered to resume their labors.

3233. Fish Brothers vs. B. N. Rector & Co.

And now on this day came the plaintiffs to this cause by their attorneys and ask that a Jury be empannelled to assess the damages in accordance with the order of the Court. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of A. D. Rector, foreman, and eleven others, who being tried, elected, empannelled, and sworn according to law, heard the pleading, the evidence, and the charge of the Court, retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit:

" We, the Jury, find a verdict for the Plaintiffs Fish Brothers, Agents against B. N. Rector & Co. Baxter Springs Kansas for One Draft of One thousand and forty-two dollars principal and fifty Dollars and sixty-five Cents interest thereon to date. Also, on another Draft for One thousand and forty-two dollars principal, and forty-three dollars and forty-two cents interest thereon to date. Dated respectively July 17 & 18th 1871, due at sixty days and four months, and numbered 433 and 434, amounting in the aggregate to two thousand, one hundred and seventy-eight dollars and seven cents. A. D. Rector, foreman, June 22. 1872."

Wherefore It is ordered that Titus G. Fitch and Abner B. Fish, under their firm name of Fish Brothers do recover against W. N. Rector and Wm. H. Ingersoll, who sign by the firm name of B. N. Rector & Co. the sum of two thousand One hundred and Seventy-eight and 07/100 Dollars and the cost of this suit, for all which execution may issue.

Petit Jurés. It appearing that the following named persons have served on the Jury during the present week, for the

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length of time set opposite their names It is ordered that certificates do issue to the said parties for such service at the rate of two dollars per day, as follows to wit:

51	Alex. Chalmers	6	days	$12.00	63	John Dougherty	6 days — $12.00
52	J. M. Tibaut	6	"	12.00	64	Peter Marbele	6 " 12.00
53	John Penn	6	"	12.00	65	S. Kemphill	6 " 12.00
54	E. Krohn	6	"	12.00	66	H. Younger	2 " 4.00
55	Ed. Wilkerson	6	"	12.00	67	W. S. Barnes	6 " 12.00
56	D. McKenzie	6	"	12.00	68	N. M. Lackey	6 " 12.00
57	Ned. Baker	6	"	12.00	69	Deforand Wood	6 " 12.00
58	Ed. Summerow	6	"	12.00	70	F. W. Schaffuit	5 " 10.00
59	Milton Wallace	6	"	12.00	71	Geo. Byrne	6 " 12.00
60	A D Rector	6	"	12.00	72	W. Wilmer	6 " 12.00
61	Duke Mitchell	6	"	12.00	73	John Sneed	6 " 12.00
62	E. R. Blake	6	"	12.00	74	H. M. Maltz	6 " 12.00

2653 E. M. Smith vs The Treasurer of the State of Texas

On this day came the parties of record, W. S. Richards and W. A. Blackburn by their attorneys, the Defendant being represented by William Alexander, the Attorney General of the State of Texas, a jury being waived and the matters of law and fact being submitted to the Court. And the demurrer of Defendant being submitted on argument of counsel; and the Court being fully advised It is considered by the Court that said demurrer be overruled. And it appearing to the court that the headright certificate of Samuel Gorcher, deceased, of 1476 acres was located within the limits of what is now the City of Austin and that field-notes of the same were returned to the General Land office before said city was established under the act of the 14th January 1839: that under and by virtue of said act the sum of three dollars per acre for said 1476 acres was fixed and determined by the Commissioners appointed for that purpose: that Samuel Gorcher, deceased, left surviving him only three children or heirs, to wit: Jane, (who subsequently married Charles Spaulding): William R. and James Gorcher having died without issue and left surviving him the said Wm R. Gorcher and Jane Spaulding, his next of Kin and only heirs: and the plaintiff, on the 27th day of August, 1853, having by deed duly recorded purchased one-third of the interest of the said William R. Gorcher in and to said location and survey and thereby acquired one-sixth interest in the whole of the same. And it further appearing to the Court that by the Act of the 18th Dec. 1866 and the 33d Section of the 3d Article of the Constitution of the State of Texas of 1866, the plaintiff was duly authorized to institute this suit. And it further appearing to the Court the

June Term, Monday, June 24th 1872.

no testimony was introduced by said Attorney General or any other person interested in the subject matter, that the head right certificate of Samuel Goucher, deceased, was ever transferred or assigned to Edward Burleson or any other person and that the same still remains the property of the heirs of Samuel Goucher, dec'd. or their assigns, except those who are barred by limitation, and that the plaintiff in this suit is the only person who has availed himself of the benefits of said Act and constitutional provision. It is therefore considered by the Court, and it is hereby ordered adjudged and decreed that the Plaintiff have and recover of the State of Texas, to be paid by the Treasurer of said State out of any funds appropriated for that purpose, the sum of two thousand six hundred and ninety-eight $\frac{62}{100}$ Dollars together with all costs in this behalf expended. It is further ordered adjudged and decreed that all the right, title, interest and claim of the plaintiff in this suit in and to the land located by virtue of said headright certificate of the said Samuel Goucher, deceased be and the same is hereby divested out and from the Plaintiff, that the same be vested in the State of Texas, and that the title of the State of Texas in and to the same be forever quieted.

And it is further ordered that the plaintiff pay the cost of this suit, and that execution may issue therefor against the said plaintiff and the security on his cost bond, to wit: W. S. Rolands and A. M. Jackson. for which execution may issue

And Court adjourned till Monday morning at 9 o'clock.

Monday, June 24th 1872.

Court met at 9 o'clock. A. M. pursuant to adjournment. Present Hon. J. W. Oliver Judge Thirty-Third Judicial District Presiding. Whereupon the following proceedings were had by said Court to wit:

2331

The State of Texas vs Bill Fleming. On this day came the District attorney, and the Defendant by J. H. Burts, his attorney, and announced ready for trial. Thereupon came a jury of twelve good and lawful men of Travis County, consisting of Geo W. Moore and eleven others, who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the Indictment, the evidence, and the charge of the Court, and retired for deliberation. And thereupon the jury returned into Court the following verdict, to wit: "We, the Jury, find the Defendant guilty and assess the fine at ten dollars. Geo. W. Moore, Foreman." Whereupon It is ordered by the Court that the

June Term, Monday, June 24th 1872.

State of Texas do have and recover of and from the Defendant, Bill Fleming, the sum of ten dollars and all the cost of this proceeding, for which execution may issue. And it is further ordered that a capias may issue against the body of the Defendant, to hold him in custody until the said fine and costs are paid in full.

2389 The State of Texas v. Ed. Grooms. And now on this day came the District attorney on behalf of the State, and came also the Defendant in person and by his attorneys Messrs. Fisher, Wheeler & Moore: and the Defendant presented his application for a change of the venue, which being considered by the Court, is overruled. And the parties announced ready for trial — when came a jury of twelve good and lawful men of Travis county, consisting of Geo. W. Moore and eleven others, who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, and retired for deliberation. Whereupon came a jury of twelve good the jury returned into Court the following verdict, to wit: "We the jury find the Defendant guilty of an aggravated Assault & Battery and assess the fine at One hundred dollars. Geo. W. Moore foreman." Whereupon It is ordered that the State of Texas do have and recover of and from the Defendant — Ed. Grooms, said sum of One hundred Dollars and the cost of this prosecution, and that he remain in the custody of the Sheriff until the same are paid in full: and that execution may issue to collect the same.

2541 The State of Texas v. Phil Lewis, Jr. And now on this day came the District attorney on behalf of the State; and came also the Defendant in person and by his attorney Mr. Billups, appointed by the Court. And the parties having announced ready for trial, thereupon came a jury of twelve good and lawful men of Travis county, consisting of J. D. Shepherd and eleven others who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, retired to consider of their verdict. Whereupon the jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty & assess the punishment in the State Penitentiary for five years. J. D. Shepherd, foreman."

Whereupon It is ordered that the Defendant stand committed to the County Jail to await judgment and sentence.

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

June Term, Tuesday, June 20th 1872

Tuesday, June 20th 1872

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty Third Judicial District presiding. Whereupon the following Proceedings was had by said Court, to wit:

J. W. James Ex Parte

And now on this day came on to be heard the application of J. W. James for license to practice as an Attorney and Counsellor at Law in the several District & Inferior Courts of the State of Texas. Accompanied by the proper certificate that he is a man of good moral character and honorable deportment. And upon motion It is ordered that said applicant be examined in open Court touching his qualifications and that the following gentlemen act as a committee to conduct said examination in open Court: R. A. Smith, Wm. J. M. Dayton and Jno. D. Sheets.

H. Sterzing Bill $4.00

Ordered that H. Sterzing Bailiff to the Grand Jury, be allowed Fifty-Four Dollars for services during the first three weeks of the term.

2463 The State of Texas v. Jackson L. Griffith. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by his counsel T. D. Wheeler Esq appointed by the Court, and announced ready for trial. And the Defendant pleading not guilty, came a Jury of twelve good and lawful men of Travis County, consisting of Geo. W. Moore foreman and eleven others who being tried, elected, empannelled and sworn according to law heard the plea, the evidence, argument of counsel and the charge of the Court and retired for deliberation. And thereupon came a Jury of law the Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at five years hard labor in the State Penitentiary Geo. W. Moore, foreman." Whereupon It is ordered that the Defendant stand committed to the County Jail to await Judgment and sentence.

2574 The State of Texas v. Jackson L. Griffith. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by his attorneys Wheeler and Moore and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis county consisting of and eleven others, who being tried, elected, empannelled and sworn according to law, heard Defendant's plea of not guilty, the evidence argument of counsel, and the charge of the Court, retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We, the Jury find Defendant guilty and assess his punishment to five years in the State Penitentiary. S. G. Hamphill, foreman." Austin June 20, 1872." Wherefor It is ordered that the Defendant stand committed to the County Jail to await judgment and sentence.

June Term, Tuesday, June 20th. 1872

2424. The State of Texas v. James Rawles. On this day came the District attorney and the Defendant in person and announced ready for trial and waiving a Jury submitted the case to the Court. And Defendant pleading guilty, and the Court then fixing the fine at ten Dollars. It is ordered that the State of Texas recover against the Defendant James Rawles said sum of ten dollars and the cost of the prosecution, and that Defendant remain in custody of the Sheriff till the same are paid in full. And execution may also issue against the property of the Defendant.

2446 State v. W. S. Hill. Continued as upon affidavit of the State.

2486 State of Texas v. Billy Thompson. On this day came the District attorney and the Defendant in person and announced ready for trial, and waiving a Jury submit the case to the Court. And Defendant pleading guilty and the Court here fixing the fine at ten dollars, It is ordered that the State of Texas recover of the Defendant Billy Thompson said sum of ten dollars and the cost of the prosecution and that the Defendant remain in the custody of the Sheriff until the same are paid in full. And execution may also issue against the property of Deft.

2489 The State v. Billy Brennan. On this day came the District Attorney and the Defendant in Person and announced ready for trial, and waiving a Jury submit the case to the Court. And defendant pleading guilty and the Court here fixing the fine at $25. It is ordered that the State of Texas recover of the Deft. Billy Brennan said sum of twenty-five dollars and the cost of the Prosecution, and that Deft. remain in the custody of the Sheriff until the same are paid in full. And execution may also issue against the property of Deft.

2501 The State of Texas v. Jimmie Rawls. Comes the District attorney and enters a nolle prosequi. Wherefore It is ordered that the Defendant go hence discharged.

2511 The State of Texas v. Jim Moore. On this day came the District attorney, and the Defendant in person and announced ready for trial, and waiving a Jury submit the case to the Court. And Defendant pleading guilty and the Court here fixing the fine at $10, It is ordered that the State of Texas recover of the Defendant Jim Moore said sum of ten dollars and the cost of the prosecution and that Defendant remain in the custody of the Sheriff until the same are paid in full. And execution may also issue against the property of Defendant

2515 State v. Emmett Carrington. On this day came the Distrct Atty and the Defendant in person and announced ready for trial, & waiving a Jury submit the case to the Court. And Defendant pleading guilty and the Court here fixing the fine at $10. It is ordered that the State of Texas recover of the Defendant Emmett

June Term, Tuesday, June 25th 1872.

Carrington said sum of ten dollars and the cost of the prosecution and that Defendant remain in the custody of the Sheriff until the same are paid in full. And execution may also issue against the property of the Defendant.

2538. The State v. Maroney On this day came the District attorney and the Defendant in person and announced ready for trial, and waiving a Jury submit the case to the Court. And Defendant pleading guilty, and the Court hereafixing the fine at $10, It is ordered that the State of Texas recover of the Defendant Maroney said sum of ten dollars and the cost of the prosecution, and that Defendant remain in the custody of the Sheriff until the same are paid in full. And execution may also issue against the property of the Defendant.

2567. The State v Wm Brush. On this day came the District attorney and the Defendant in person and announced ready for trial, and waiving a Jury submit the case to the Court. And Defendant pleading guilty, and the Court hereafixing the fine at $10, It is ordered that the State of Texas do recover of the Defendant Wm Brush said sum of ten dollars and the cost of the prosecution, and that Defendant remain in the custody of the Sheriff until the same are paid in full. And execution may also issue against the property of the Defendant.

2455 The State of Texas v. J. H. Sullivan And now on this day came the District attorney and the Defendant in person and by attorney and announced ready for trial, And thereupon came a Jury of twelve good and lawful men of Travis county, consisting of J. D. Shepherd and eleven others, who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, and retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We the Jury, find the Defendant guilty as charged, and assess his punishment at five years

2555 The State of Texas v. Blair. And now on this day came the District attorney and the Deft in person and by his atty Mr. Hill, appointed by the Court, and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis county, consisting of A. D. Rector and eleven others, who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, and retired for deliberation. Whereupon the jury returned into Court the following verdict, to wit: "We the Jury, find the Defendant guilty as charged, and assess his punishment at five years

June Term, Wednesday, June 26th 1872

impriosonment in the Penitentiary. A. D. Rector, foreman." And it is ordered that the Defendant stand committed to the county jail to await judgment and sentence.

1 | F.W. James & Paste

F.W. James having been examined in open Court by the Committee appointed for that purpose, touching his qualifications to Practice as an Attorney and Counsellor at Law and the Committee having made the following Report.

Hon. J.W. Oliver, Sir: The undersigned appointed a committee to examine F.W. James as to his qualifications to practice law, have the honor to report that we have discharged that duty, and recommend that the prayer of the said applicant be granted. Respectfully

June 26/72

R.A. Smith
David Sheets
J.M. Denton
Committee

And the Court being satisfied that said applicant is qualified, It is ordered that said F.W. James be and he is hereby admitted to practice as an Attorney and Counsellor at Law in the Several Districts and Inferior Courts of the State of Texas and that a License issue accordingly.

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

Wednesday, June 26th 1872.

Court met at 9 o'clock A.M. Pursuant to adjournment. Present Hon. J.W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court to wit:

2450 | The State of Texas v. J.B. Hill. And now on this day came the District attorney on behalf of the State and came also the Defendant in Person and by his attorney John B. Costa Esq appointed by the Court, and announced ready for trial. And there came a Jury of twelve good and lawful men of Travis county, consisting of W.T. Norton and eleven others who being tried elected empannelled & sworn according to law heard the plea of guilty & the charge of the Court and retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We the Jury find defendant guilty and assess his punishment to ten (10) years hard labor in the State Penitentiary. W.T. Norton, Foreman. Austin June 26. 1872." Whereupon It is ordered that the Defendant stand committed to the County Jail to await judgment and sentence.

2368 | The State of Texas v. Bad. Harn. On motion of the District attorney it is ordered that this cause be dismissed.

June Term, Wednesday, June 26, 1872.

2113 The State v. A. Campbell et als come the Defendants and submitted their exceptions to the Indictment in this case, which being heard and considered the same are sustained: and it is ordered that the cause be dismissed and Defts. go hence disch?

2133 The State of Texas v. Tidwell Gatlin: And now on this day came the District Attorney and the defendant in Person and by his attorney and by agreement of parties the continuance entered in this cause is set aside: and the parties thereupon announce ready for trial. When came a Jury of 12 good and lawful men of Travis county, consisting of and eleven others who being tried, elected, empannelled and sworn, according to law, heard the plea of not guilty: the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: And thereupon the District attorney, upon motion, dismisses the case: and the Defendant is held over to answer any charge that may be preferred against him by the Grand Jury at the present term.

2341 Austin City v. P. Brass. Continued

2344 State v. Brown. alias Capias to Harris county and continued

2351 State v. Sam Scott. alias Capias ordered and continued

2352 State v. Sam Scott. alias capias and cause continued

2353 State v. Pink Bedford. alias Capias and continued

2355 State v. Frank Hook Nol. Pros. and Deft. discharged.

2365 State v. W. W. Leggett. alias Capias and cause continued

2366 State v. R. A. Brown alias Capias to Caldwell & cause continued

2374 State v. R. A. Brown. alias Capias to Caldwell county & cont?

2375 State v. R. A. Brown. Capias to Caldwell county & continued

2381 State v. Bryant & James. Nol. Pros. and Defts. discharged

2383 State v. B & Fields. Continued and Capias ordered

2385 State v. Wright. Cause continued

2390 State v. W. S. Williams. Capias ordered and continued

2391 State v. W. S. Williams. Capias to any county where found.

2396 State v. Dock Thompson. Cause continued

2405 State v. Wm Wilson. And now comes the District attorney and the Defendant by his attorney and announced ready for trial: and waiving a Jury submit the case to the Court. And the Court hereupon hearing Defendant pleading guilty and fixing the fine at $10. It is ordered that the State of Texas do have and recover against the Defendant Wm Wilson said sum of ten dollars and the cost of the prosecution, and that a Capias issue to collect the same: and further ordered that an execution may issue against the property of the Defendant

2406 State v. D. Wills. Capias ordered and cause continued

2413 State v Blue. Nol. Pros. and Deft. discharged.

June Term, Wednesday June 26th 1872

2419 State v. Jack Conner. Cause continued
2420 State v. Joe Wills. Capias and cause continued
2425. State v A. S. Mason. Capias and cause continued
2426 State v. A. S. Mason. Capias and cause continued
2429. State v. Meeks et al. Cont. & Capias for John Meeks & O. B Baker.
2430. State v. Meeks et al. Continued as to Dick Meeks and capias ordered for other two Defendants.
2431 State v. P. Brady. Nol. Pros and Defendant discharged
2432 State v. James Kellow. Capias ordered and cause continued
2435 State v. Al. Musgrove. Nol. Pros. and Dft. discharged
2439 State v Franz Stentzen. Nol. Pros. and deft. discharged
2290 The State of Texas v. Ed. Grooms. And now on this day came the District attorney on behalf of the State and came also the Defendant in person and by attorney, and announced ready for trial. And then came a jury of twelve good and lawful men of Travis county, consisting of George W. Moore and eleven others who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the Indictment, the evidence, argument of counsel, and the charge of the Court retired for deliberation. And the jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at two years hard labor in the State Penitentiary. Geo. W. Moore, foreman." Whereupon It is ordered by the Court that the State of T. Defendant be committed to the County Jail to await judgment and Sentence.
2396 The State of Texas v. Dock Thompson. And now on this day came the parties by their attorney and announced ready for trial and waiving a Jury agree to submit the case to the Court. And the continuance being set aside by agreement of Parties. And the Defendant pleading guilty the Court here fixes the fine at $10. And it is ordered that the State of Texas do have and recover of and from the Defendant Dock Thompson said sum of two dollars and the cost of the prosecution and that a capias issue to collect the same. And Execution may also issue against the property of the Defendant for said fine & costs.
2491 The State of Texas v Wm Puckett. Came the District attorney and the Defendant by attorney and announced ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty the Court here fixes the fine at $10. And it is ordered that the State of Texas do have and recover of Wm Puckett said sum of ten dollars and the cost of the prosecution and that a capias issue to collect the same. And further ordered that execution may issue against the property of the Defendant.
2499 State v. Mart. Thompson. Nol. Pros. and Dft. discharged
2485 State v. Doctor Thompson. Nol. Pros. and Deft. discharged

June Term, Thursday, June 27th 1872.

Aug. Court adjourned till to-morrow morning at 9 o'clk
Thursday, June 27th 1872

Court met at 9 o'clock A. M. Pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty-Third Judicial District Presiding. Whereupon the following proceedings were had by said Court, to wit:

J J 1844 Alexander Thompson et al. Vs E S & Robertson. Now on this day come the parties, to wit: Thomas C Thompson, J. F. Thompson Susanna C Turner (joined with her husband T. C. Turner) Lucy R Thompson widow of Francis A Thompson, & since intermarried with Conta who is joined herein. Wm A. Mary E and Ann F Thompson, Children and heirs of Francis A Thompson deceased. J A Burton, surviving husband of Mrs Elizabeth M Burton, and Mrs Elizabeth House (joined by her husband Henry House) T J Burton, J A Burton, Susanna Medora (joined with her husband G M T Webb.) Laura Virginia (joined with her husband S F Norris) Mary Eliza Burton and Emma Catharine Burton Children and heirs of said Elizabeth M Burton. (the said Emma C. also represented by her father J A Burton duly appointed and qualified as her special Guardian herein) and also the heirs of W D Thompson Decd. interested as parties herein, to wit: his Widow P. A. R Thompson, and Alex C, Daniel D, Jasper M, Leonora L, and F Knox Thompson, Louisa R (joined with her husband John Gordon) and Bettie I (joined with her husband Jno. O. Johnson) Children and heirs of said W D Thompson decd. which said parties are the heirs of the said Alexander Thompson deceased, and of Alex J R Thompson Decd.

And the defendant in person and by Attorney, and the parties waive a jury and submit the entire matter of law and fact to the Court. And thereupon the Court being fully advised doth order that the plea to the jurisdiction of the Court being withdrawn in Open Court by defendant, be and the same is held for nothing, and 2d The Court doth sustain the demurrer and exceptions of the defendant to so much of the bill of the plaintiffs as seeks to establish a trust in their favor in lands acquired by the Defendant other than donation and premium lands.

3d And it further appearing to the Court, that by the agreement between S. E. Robertson deceased (under whom Defts claims) and Alex Thompson (under whom Pltffs claim) made on Sept 15th 1837, it was by them stipulated that of what are termed premium lands the said Robertson was to have 4/5 and the remaining 1/5 to be conveyed to the heirs of Alex Thompson, and that Robertson obligated himself to convey to said Alex Thompson one half of what was by both parties considered a Donation of five Leagues, the said Thompson to pay office and surveying fees on the lands to be conveyed to him and his heirs: And it further appearing to the Court, that the title to the block of five Leagues & Labors supposed

to have been" donated by the Government to said Robertson" was not confirmed, but entirely failed, and that there was confirmed of preminm lands only 15 leagues & 23 labors. Of which had been transfered by the said Sterling Robertson acting for the parties Robertson & Thompson. and prior to the decree confirming title to the preminm lands against the state, five leagues & 22 labors leaving owned by the parties & Subject to partition the following tracts of land, in all ten leagues & one labor, To wit: 1 league No 7. on the W Bank of Brazos in Burleson County. 4 leagues, Block on East bank of the Brazos river in Falls County. 2 Leagues in String prairie. Burleson County. 2 leagues at Mouth of Brushy in Milam County. 1 league, balance of Elm creek tract in Milam County. and one labor in Falls county.

And the said Defendant Proposes as an equitable and just partition that plaintiffs have one league of the 5 league block in Fall county and 1/2 leagues in Milam County at the Mouth of Brushy, and the plaintiffs assent thereto, and it appearing to the Court that said 2 1/2 leagues are of equal Value to an average of the lands subject to partition, and that a partition of said lands upon such basis would be just. Wherefore the Court doth Order and decree, that the said Plaintiffs do have and recover of the defendant the one fifth part of the lands acquired by Sterling Robertson as preminum lands not disposed of, and subject to partition at the institution of this suit & above described. And that in discharge and satisfaction of such recovery, Plaintiffs have and recover the following tracts of land, Viz: A tract of one and one half leagues out of a grant of two leagues by the government of Mexico to Sterling C Robertson, Made april 25th 1835. being all the grant except one half league heretofore conveyed by the defendant to the heirs of A S Lipscomb deceased. The Said two leagues being described as follows

Two leagues in a block on the San Gabriel & Brushy in Milam County, west of the Brazos river, titled to Sterling C Robertson as part of his preminm land as empresario on the 25th day of april AD 1835. and which title was confirmed by decree of the District Court of Travis county in Civil Case No 38, and more fully described in the 11th designation filed by the plaintiff in said suit No 38 referred to in the decree therein, and which description is as follows.

Commencing at the Mouth of Brushy Creek at an ash tree marked 2 & 3, from which an ash 8 inches in diameter bears S. 69° E. 4 vs & an ash 10 in dia bears N 22° W 6 varas. Thence S 19° E 7.917 varas. set a post for S E Corner, from which a black jack 14 in dia bears N 71° E 13 vs & a post Oak 12 in dia bears S 50° W 6 vs. Thence S. 71° W 2500 varas to a post Oak marked as a corner, Thence N 19° W at 265 vs. corners on a post Oak. Thence S. 71° W at 2500 vs. set a post for the S W corner of said two leagues of land, Thence N. 19° W at 7.293 vs crosses Brushy Creek. Continued at 9.723 vs Encountered the San Gabriel and Cornered on a hackberry 6 in. in diameter. Thence down the river with its Meanders to the place of beginning. (Survey made in 1835,

and also another league, being part of the five leagues of land in a block on the East bank of the Brazos river, below the falls, in Falls County, and granted by the Mexican Government to Sterling C Robertson, and Confirmed by the Decree of the District Court of Travis County in Cause No 38 of S C Robertson Vs Sam Houston, President of the Republic of Texas. The league part of said Block is described as follows. Viz: Beginning at the N W Corner of a survey of 2391 acres conveyed by E S C Robertson to D W Conliss & Oliver Carter at a Stake on the East bank of the Brazos river, as will more fully appear by reference to transfer Made by E S C Robertson to Oliver Carter on the 22nd of June 1860 as of record in the Office of the County Clerk of Robertson County, Book N. page 510. Thence N 60° E. with the north boundary line of said Carter's survey to the N E Corner of the same in the eastern boundary line of said 5 league block. Thence N 30° W with said line to the N E Corner of the lower League of said Block; Thence N 60° E 840 vs to the S E. Corner of the second league from below, counting up the river in said five league Block. Thence N 30° W. with the East boundary line of said five league Block to a point in said line, running at right angles from which (to wit S. 60° W. to the Brazos river, and thence down the said river with the Meanders of the same to the place of beginning, so as to comprize within said boundaries 4428 acres, or 25,000,000 Square Varas of land, after deducting fifty acres of land heretofore sold by said Robertson to Chancellor on the river front of the above described Survey. It is further Ordered that the defendant do warrant the title in said 2½ leagues unto the plaintiffs, and that he be quieted in his title and possession in the remaining of the premises lands aforesaid. And it is further adjudged by the court, that the plaintiffs do have and recover of the defendant all costs herein expended for which execution May issue.

And it is further Ordered and decreed by the court that of the said land so recovered by the plaintiffs, that Thos C Thompson take one sixth, Jno T Thompson one sixth, Mrs Susanna C Turner one sixth, the said heirs of Mrs Elizabeth M Burton one sixth, the said heirs of Mr W D Thompson one sixth, and the said heirs of Francis A Thompson one sixth in Common, and that this decree be a muniment of title conveying all rights in and to said land, to the said plaintiffs

↓ 3030 Giles H Burditt vs W B Burditt et al. In partition of estate of Jesse Burditt. And now comes Giles H Burditt, the plaintiff, as well as the several defendants by themselves, their Attorneys and their Special Guardians, And it appearing to the court that Alice Davidson, one of the Minor Children of Martha Davidson, and represented here by her father A M Davidson as special Guardian had intermarried since the last Continuance with Wade Smith of Travis County, it is Ordered that the said Alice and her said Husband Wade Smith be Made parties hereto in their own right. And it further appearing that Caroline Burditt, surviving widow

of Wm B Burditt a Son of Newell W Burditt had since the last continuance intermarried with one Wardlow of the County of Travis, it is ordered that her said husband be made a party hereto, And thereupon came on to be heard the report of Giles H Burditt, Commissioner for the sale of the lands heretofore ordered to be sold for the purpose of partition among the heirs and distributees of Jesse Burditt deceased, and his account for expenditures commissions and allowances in his Management of the said Sales and the Collection of Moneys under the trusts imposed on him by the former decree of this court in this case at the June term 1871, and his expenditures and allowances thereunder, showing a balance in his hands at this term of the Court for distribution among the said heirs and distributees of Eleven thousand Seven hundred and Sixty nine 57/100 gold dollars.

And the said report and account being unexcepted to, and the matters stated being fully understood by the Court, the same is in all things confirmed and allowed, which said report and account is in the following words and figures.

"3030 Giles H Burditt
vs
W B Burditt et al } In the District Court of Travis County, for partition of Estate of Jesse Burditt.

Giles H Burditt administrator of the estate of Jesse Burditt and Commissioner of this Court, appointed to sell the property of said Estate for the purpose of partition, and Charged with the collection of the assets of said estate for the purpose of partition as aforesaid, begs leave to make the following report.

That he has Collected from the apets of said Estate and from the sales of land as heretofore reported as follows. 1871. Amount of rent from Thomas Miller for the Rice or Campbell tract for the year 1870— Gold 200 00

Amount of Rent of the Wallace place from Stillman & others for 1870 being part of the crop, which he sold—156 bush Corn 75c 117 Co

500 lbs Cotton 6½c 33.00 150 00

1871— Amt of Rent of Wallace place for 1871 from Stillman 230 bush Corn which he sold at the Crib at 75c pr Bush—gold. 172 50

1871 Amt Collected from J D Moseley Commissioner for sale of Densmore, Simpson & Eldridge tracts to effect partition between the estate of Jesse Burdett & Jourdon & Wife Isabella as settled by Decree of the District Court of Travis County—in the case of Jordon & Wife vs Giles H Burditt admr. Currency $1442.71

Sept 5. 1871— Received from M D Sherman on lot No 14. 10 acres. Wallace tract. in full 75 00

Nov 2d 1871. From James Manor on a/c of his purchases in Wallace tract 2000 00

Jan 8. 1872. From Henson Clark Cold. in full for lot 2. 40 acres & lot 12. 65 acres. Lucas Munos tract— 153 75

Jan 10th 1872. From A D Houston in full for 100 acres. John Sitton league 12 50

Mch 6. 1872— From J Davidson Cold in full for lots 5 & 8 of 40 acres each 175 50

Mch 9. " From James Manor on his purchases on Wallace tract (1st pay) 4228 48.

Mch 13 " From J Forster on his purchase of lot 9. 40 acres. Wallace tract 304 50

Apl 4/72 From E McLaughlin for his purchase of lots 6 & 7. of 40 a Lucas Munros tract	118	53
apl 5/72 S L Jarman on his purchases of lots 3 & 4. Rice or Campbell tract	2794	00
Apl 5/72 From S L Jarman on a/c of purchase of Newton Collins of lots 5 & 6. of 40 acres. & 7 & 8 of 30 a Rice tract	865	00
Apl 15/72 From E W Walker on a/c of purchases by him in Wallace. Rice & Lucas Munros tracts $600. & 100	700	00
Apl 18/72 From S L Jarman on a/c of purchase by Newton Collins aforesaid. in full	1.165	97
Sept 5/71 R G Smith on a/c of purchase of lot 13. 10 acres Wallace tract	52	50
" " " A R Morris for purchase of lot 4. 40 acres Lucas Munros tract	82	00
" " " My purchases. as reported in report to Oct term 1871 & confirmed by the Court. being lots 10. of 40 acres. 11 of 27 acres & 13 of 32 acres. Lucas Munros tract & lot 1. 40 acres Rice tract.	857	50
Cy $1442.71 — gold	14,129	71
Your Commissioner reports the following amounts or a/cts in his hands as uncollected viz.		
Due from Thomas Miller for rent of Rice or Campbell place for the year 1871. for which he has brought suit in the District Court of Travis County	200	00
Uncollected of E W Walker on his purchases of land. with Int	350	00
Uncollected of James Mauer of his purchases of land	360	02
He also refers to his report to be made to the present term as to sale made by him on the 2d apl. 1872.		
And your administrator and Commissioner further reports that he is entitled to a credit for the following sums in U S Currency		
Sept 5 1871. paid for advertising June Sales 1871	32	50
Nov 23 " Costs of Court in this case	261	96
Nov 29 " Taxes for 1871. per Rect	180	25
May 8 " Taxes on Lucas Munros tract 1871	13	10
Costs of Court in Admr case No 207	30	25
	518	06
And also that he is entitled to a credit for the following sums in gold Coin.		
This amt due administrator on settlement of Administratorss a/c June term 1871. as per a/c and Decree	250	00
Sept 14/71. Paid J E Campbell surveyors fees for subdividing land for sale	25	00
" 5th " " W H Carr Auctioneers fees at Sale of Sept 5th/71	50	00
Jany 13/72 paid Statesman office for advertising sale for Feby 6/72	4	00
March 6/72 paid for posters for sale of Apl 2/72	4	50
Apl " " " " " Sale under deeds trust May 7/72	16	00
	349	50
" " paid for Internal revenue Stamps on 13 deeds - sale of Sept 5/71	17	50
" John A Green's fee for drawing 13 deeds. Mortgages & Notes, for assistance in making report & obtaining decrees of Oct term 1871 Feby Term 1872 & June term 1872	30	00
Cash paid out as expenses actually on the following trips to Marlin & elsewhere in Attention to the Suit of Giles H Burditt Admr vs Chas L Horley et al in Falls Co.		
May 1871. 7 days travel to Marlin. Buggy & two horses	24	00

July 1871 9 days to Marlin	45	00
June 11 Extra Travel to Leesburg Gonzales Co to take Dep of Webb & others 7 days	21	00
Nov " Ex to Court at Marlin 10 days	50	00
Oct " Trip to San Antonio to get Weeds Dep 10 days	50	00
" " Trip to Bastrop to take Dep of Nash 3 days	12	00
" " Trip to Marlin to get Court to take depositions in said Case 9 days	18	00
Feby 1872 attendance at Court at Marlin in same Case 7 days	45	00
For 62 days absence from home in 1871 & 1872 as above Stated in Attention on said Case, loss of time, and attention on the business of prosecuting said suit $5. pr day	310	00
June 1871 paid for postage Stamps to circulate notices of sale Sept 5/71	2	00
May 1872 Paid Ed Simms Auctioneer for making sale of Apl 2/72	25	00
" " " for Statement from G L Office	"	50
Brought forward. Amount Collected of		
J D Moseley currency $1442.71		
Less 4% of expenses above & payments Made 518.06	1442	71
Less 10% Comm in Coll & disbursing $1442.71 144.27		
Less this Amt retained by Commr to pay taxes & further expenses & Costs of this Suit say 200.00		
862.33	862	33
To be distributed at this time C/y, convert into gold at 90c — — —	580	38
	58	03
The currency Converted into gold amounts to —	$ 522	35
To which Add gold as above 14.129.71		
Less 4% above of expenses $1269.50		
Less 10% for Collecting & disbursing $14.129.71 1412.97		
Less this Amt retained by Comr against expenses of Suit in Falls Co & other Matters say 200.00 — 2.882.47	11.247	44
Amount in gold to be distributed	11.769	59

This Sum of Eleven thousand Seven hundred and Sixty nine 59/100 Dollars in gold Coin is subject to be distributed to eight shares in the estate of Jesse Burditt, because the advancements made to Joel A Burditt in the life time of his father is so great that no distribution can come to him or his heirs in this account - In Order therefore to distribute equitably the above Mentioned fund, the advancements made to them of the other share holders should be Charged to them, which are as follows

Advance to Josephine Benford and Charged against her in the Decree of June 1871	150	00
Advanced and Charged in said Decree to the Share of Nemell W Burditt & Children	291	25
Advanced and Charged in Decree to Henry N Burditts Share	913	00
To which Add Cash in hand to be distributed as above reported	11,769	59
	13.123	84

Each Share is one Eighth and should be distributed as follows

Josephine Benford wife of R A Benford one share	1640	48
Less advancement Charged	150	00
	1490	48

Each alike

W B Burditts share $1640.48
M C Burditts " 1640.48
Giles H Burditts " 1640.48
4921.44
Which belong to Giles H Burditt. 4,921 44
The husband & Children of Mearthe Davidson 1.640 48
The wife & Children of N W Burditt $1640.48
Less advancements x 291.25 1349 23
Henry N Burditt 1640.48
Less advancements Charged 913.00 727 48
The Children of Jesse H Burditt 1640 48
$11,769 57

And your commissioner and administrator prays for Decree accordingly.

The State of Texas } G H Burditt Administrator and Special Commis-
County of Travis } sioner in the matter of the estate of Jesse Burditt
Sr deceased, being duly sworn says the foregoing exhibit is a true statement of the matters and things to which it relates.

G H Burditt

Sworn to and subscribed before me June 8th 1892

A R Morris Clerk. By Frank Brown Deputy Clk

And it appearing from the said report and the evidence in said Cause, that Joel A Burditt had heretofore received and been Charged as advancements made to him in the life time of his father more than his distributive share in the property now to be distributed among the heirs of said Jesse Burditt will amount to, It is Ordered that the remaining eight shares be distributed and paid as set forth in said Report as follows:

The Share of Josephine Benford wife of R A Benford 1640,48.
Less advancements heretofore Charged 150. 1490 48
The Share of W B Burditt 1640,48
The Share of M C Burditt 1640,48
The Share of Giles H Burditt 1640,48 4921 44
shall be paid to Giles H Burditt who is the owner of his own share as well as those of W B Burditt and M C Burditt
The Share of Henry N Burditt 1640,48
Less advancements heretofre Charged to him 913.00
To be paid to him 727 48

The Share of the husband of Martha Davidson one of the daughters of Jesse Burditt, and her surviving descendants and to be paid to the following parties.

To A M Davidson Surviving Husband one third of the said Share as his life estate in the share of his said deceased wife, to be secured as directed in this decree $546.82

To John E Campbell, Special Guardian of his daughter Margaret by his deceased wife Lorinia a daughter of Mearthe Davidson 182.27⅓

To Andrew M Davidson, Special guardian of James H,

Edward Hill. Children of Edward Hill by his deceased wife Margaret Davidson, a daughter of Martha Davidson } 182.27 2/3

To A M Davidson Special Guardian of Andrew Hill a son of Almedia Davidson deceased, a daughter of Martha Davidson by her husband William Hill } 182.27 2/3

To Alice Davidson a daughter of Martha Davidson, and wife of Wade Smith } 182.27 2/3

To M A Davidson Special guardian of his son A M Davidson Jr by his deceased wife Martha } 182.27 2/3

To A M Davidson Special Guardian of his daughter Martha B. by his deceased wife Martha } 182.27 2/3

The Share of Newell W Burditt one of the sons of Jesse Burditt 1640.48

Less advancements charged in former decree against his share 291.25

₰ 1349.23.

which sum shall be paid as follows. To Mipouri C Manor now Wife of James Manor a life estate in one third of said sum of 1349.23 to be taken by her in the manner provided in this decree. 449.74

To Caroline Wardlow. Wife of Wardlow. and surviving wife of W B Burditt a son of Newell W Burditt who died intestate. leaving no child or children or their descendants One half of which would have been the share of her said Husband. } 89.95

The remainder of what would have been the share of said W B Burditt being divided among his brothers and sisters.

To Thomas P Burditt a son of said N W } 202.38 2

To Mildred Davis a daughter of N W Burdett. now Wife of Glenn Davis } 202.38 2

To Mrs Mipouri C Manor Special Guardian of her son Newell W Burditt a son of Newell W Deceased } 202.38 2

To Mrs Mipouri C Manor Special Guardian of her daughter Kate Burditt by her deceased husband N W Burditt } 202.38 2

₰ 1349.23

To William Hornsby Guardian of Mary. Reuben and Whitfield Burditt. Children of Jesse F Burditt deceased a son of Jesse Burditt, the share due to their said father } 1640.48

₰ 11769.59

And it further appearing that Andrew M Davidson is the surviving husband of Martha Davidson, and that in all the property ordered to be sold from which the said monies have arisen, he was entitled to a life estate. as the separate property of his deceased wife, which is now cut off and destroyed by the sale of said property, it is ordered that his said life estate shall follow the proceeds of said property; and attach to the monies in the hands of the Commissioner, or which may arise from said Sales and the said Davidson proposing to the Court to secure the same, it is ordered adjudged and decreed that one third of the same as it

arises shall be paid over to him, as his life estate in the property sold, to be used by him during his natural life, upon his executing his Mortgage and causing the same to be recorded, upon his separate interest in lands in Travis County, to run with said land to secure the repayment of the Money which may now or hereafter be paid to him, the said Mortgage being Made payable to his said Children and the distributees of the share of his deceased wife Martha aforesaid, to be a Charge on said land, and payable at the termination of his natural life.

And it further appearing that Mipsori E Meanr is the surviving wife of Newell W Burditt one of the Children of Jesse Burditt to whom descended a share of his fathers Estate, and that the Money in the hands of the Commipsoners, as well as that which is to accrue by virtue of the sales ordered by this Court in this case, is the proceeds of real estate which descended to the Children of said Jesse Burditt and that in the share of her said deceased she was entitled to a life estate of one third, it is adjudged and decred that said life estate shall attach to the money now in the hands of said Commipsioner, and that one third of the share of her said deceased husband in the sales of said land be paid over to her, to be used and enjoyed by her for her natural life, upon sufficient security for the repayment of said sums that may be so paid to her being given to the heirs and distributees of her said deceased husband.

And the said Mipsori E Manor, having filed her petition in this case alleging that there was an Anti nuptial contract in view of Marriage entered into between her and her said present husband James Meanr in which it is stipulated that the property or rights owned or posessed by the parties to said Contract, or which might come by gift devise or descent should be at the entire disposition and Management of each, without the right of interference on the part of the other. And she having further alleged that for her reason her and present husband refuses to act in the premises or to join her in executing such deeds or apsurances that the Court may require upon her separate property, so as to enable her to secure the one third of the Money coming to her husbands share for her natural life in lieu of the life estate she had in the lands sold as befre stated. And it appearing to the Court that the state= ments as represented are true, and that without the interposition of the Court she will be cut off from the enjoyment of any interest in her life estate as aforesaid by the refusal of her said husband to act.

It is adjudged and decred that she be allowed in all matters per= taining to her interest in her said deceased husbands estate in this suit to act as a feme sole, without the necepity of her husband joining with her to give her acts validity and effect.

And the said Mipsori E Manor having proposed to the Court to execute an apsurance upon her separate interest in the homestead place of hersely and her deceased husband Newell W Burditt on Walnut Creek in Travis County with the exception of about

eighty acres of said land which is about being sold to pay debts of the estate of her deceased husband, which said Homestead place is seven hundred and thirty eight acres, being the south half of a tract of fourteen hundred and seventy six acres, granted to Albert Silsbee. And it appearing that said proposed security is amply sufficient. It is adjudged that the said Misouri C Manor be allowed to take for her natural life the one third of the moneys now in the hands of the said Commissioner or which may come into his hands from the sale of lands which belong to the share of said Newell W Burditt in this case, upon her executing to the heirs and distributees of said Newell W Burditt and causing the same to be recorded in Travis County a deed of Mortgage upon the said south half of said Silsbee third league, less said Eighty acres to be sold, conditioned that the same shall be a charge upon the interest of the said Misouri C Manor to run with the land, and to be paid out of the same at her death to the said heirs and distributees of Newell W Burditt. All other Matters in this case are continued for the further order of this Court.

3030 Giles H Burditt. vs W B Burditt et al. In this case now comes Misouri C Manor, and in accordance with the preceding decree in this cause presents to the Court the following deed of Mortgage, to wit;

" The State of Texas, Travis County. Know all men by these presents that I Misouri C Manor, authorized by the District Court of Travis County to act in this behalf without the necessity of being joined by my husband, James Manor, for and in consideration of one dollar to me in hand paid, the receipt of which is acknowledged, and for the other considerations herein after Mentioned, have bargained and sold, and do hereby bargain sell, alien and convey unto Thomas P Burditt, Caroline Wardlow wife of Wardlow, Mildred Davis Wife of Glenn Davis Newell W Burditt Junior, and Kate Burditt, and their heirs, all of them being my Children by my deceased husband Newell W Burditt with the exception of Caroline Wardlow who is the surviving wife of my deceased son Wm B Burditt by my said deceased husband Newell W Burditt The following described tract or parcel of land in the County of Travis in said State of Texas, My seperate interest in the same being one half of a tract of fourteen hundred and seventy six acres on Walnut Creek granted to Albert Silsbee, less about Eighty acres which is about being sold for the purpose of paying the debts of My said deceased Husband Newell W Burditt. The said land being the homestead place, and Common property between Me and my deceased husband Newell W Burditt. To have and to hold the above described tract or parcel of land unto the said vendees their heirs and assigns forever. This deed is executed for the following uses and purposes, and no other. That whereas the District Court of Travis County at its June term 1872 in the case of Giles H Burditt vs Wm B Burditt and others No 3030, for the partition of the estate of Jesse

Burditt has decreed that I the said Missouri C Manor shall be entitled to receive and use for My natural life the one third of the proceeds of the share in land which was descended to My deceased husband Newell W Burditt of his fathers Estate, and which lands were ordered to be sold in said Case for the purpose of partition, in lieu of my right as surviving wife of said Newell W, to a life estate in kind to the said lands, upon my executing a Mortgage upon the land aforesaid, and having received from Giles H. Burditt Commissioner of said Court under said decree the sum of four hundred and forty nine 74/100 gold Dollars, and being entitled to receive in like manner further sums whenever the same shall be collected, This instrument is made, and is intended to secure the same, and is to be a Charge upon My separate interest in the homestead place of Myself and My deceased husband Newell W Burditt, to run with the land,

I therefore by this instrument charge the said land, and My interest therein with the payment to My said Children and the said Caroline Wardlow, at My death, or to their heirs, their respective share or shares of the Money received by Me as aforesaid, or which may be received by Me under the provisions of said decree, to which they may be entitled as heirs and distributees of the estate of Newell W Burditt, The Charge hereby Created may be satisfied and discharged at any time by My paying or giving to the parties respectively interested the Money to which they would be entitled, or property which shall be accepted by them of sufficient amount for that purpose.

In Witness Whereof I hereto set My hand this 27th June 1872

Witness
J. B. Wheeler, Jno A Green.

Missouri C Manor

The State of Texas }
County of Travis } Before Me James W Smith a Notary Public for said County duly Commissioned and qualified personally appeared Missouri C Manor, to Me well known, who acknowledged the execution of the Instrument of writing hereto attached for the uses, purposes and consideration therein Stated:

Witness My hand, and affix My Official seal, at Office in the City of Austin, this 27th day of June A D 1872,

James W Smith, Notary Public, Travis County Texas"

and the Court being satisfied therewith, and it appearing that the security offered is amply sufficient, it is adjudged that the same be accepted, and that the said Mortgage shall operate as a lien upon the land embraced therein, to run with the said land. It is further ordered that the Clerk of this Court record the said Mortgage in the record of deeds of the County of Travis, and that the same remain of file in the papers of this Cause, subject to the rights of the parties respectively interested therein,

2273 The State of Texas v. John Buttery. And now on this day came the parties to this cause and announced ready for trial When came a Jury of twelve good and lawful men of Travis county, who being tried, elected, empaneled and sworn, heard the plea of not guilty, the evidence, ar-

June Term. Thursday, Jan 27th 1872

gument of counsel and charge of the Court, returned the following verdict, to wit: "We, the jury, find the Defendant not guilty. Geo. W. Moore, foreman." Whereupon It is ordered that the Defendant go hence acquitted and discharged

2427 The State of Texas v. D. Pierson. And now on this day came the District Atty on behalf of the State, and came also the Defendant in Person and by attorney and announced ready for trial. And then came a jury of twelve good and lawful men of Travis county, who being duly tried, elected, empannelled and sworn, heard the plea of not guilty, the evidence and the charge of the Court, and after retirement returned the following verdict into Court: "We, the Jury, find the Defendant not guilty as charged in the Indictment. B.b Bennett, foreman." Whereupon It is ordered that the Defendant go hence acquitted and discharged.

2428. The State of Texas v. D. Pierson. And now comes the District Attorney and the Defendant in person and by attorney and announce ready for trial. And then came a Jury of twelve good and lawful men of Travis county, duly tried, elected, empannelled and sworn, who heard the plea of not guilty, the evidence & the charge of the Court, and returned the following verdict, to wit: "We the Jury find the Defendant not guilty. B. b Bennett, foreman." Whereupon It is ordered that the Defendant go hence acquitted and discharged.

1940 The State of Texas v. F. B. Waeker. Nol. Pros. and deft. discharged

2341 The City of Austin v. P. Brazo.

2342 The State of Texas v. Cad. Pearce. Continued by the State.

2367 The State of Texas v. Cad. Harn. On this day appeared in open Court the Defendant Cad. Harn as Principal, and J. S. Mills and Samuel B Harn as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One thousand dollars to be levied upon their goods and chattels, lands, tenements and estate. But to be void upon condition that said Cad. Harn make his personal appearance before the District Court of Travis county, now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against him, the said Harn, by the Grand Jury of Travis county at the February term 1872 of the District Court of Travis county for Accepting a Bribe, and that he do not depart the Court without leave

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

Friday, June 28th 1872

Court met at 9 o'clock a.m. Pursuant to adjournment

June Term. Friday, June 28th 1872.

Present Hon. J. W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

2581 The State of Texas v. Frank Britton. And now comes the District attorney and the Defendant by attorney and announce ready for trial and waiving a Jury submit the case to the Court. And the Court hereafixing the fine at $10. It is ordered that the State of Texas do have and recover of the Defendant Frank Britton said sum of ten dollars and the cost of the prosecution and that a capias ifsue to collect the same. And further ordered that execution may ifsue against the property of the Defendant.

2582 The State of Texas v. Frank Britton. Deft. discharged case dismissed

2271 The State of Texas v. Thomas Kimbell. This cause being called for trial the Defendant Thomas Kimbell failing to appear and answer to the Indictment in this case, he and his securities O. S. Kimbell and Mary L. Kimbell being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear and it appearing to the Court that the Defendant Thomas Kimbell with the said O. S. Kimbell and Mary L. Kimbell as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated 15th day of March 1872 payable unto the State of Texas in the sum of Eight Hundred Dollars conditioned that the said Defendant Thomas Kimbell make his personal appearance at the District Court of said County of Travis on the first Monday in June 1872 to answer the Indictment preferred against the said Defendant Thomas Kimbell by the Grand Jurors of Travis county at the October term A.D. 1871 for aiding, abetting & inciting one Geo. W. Barnes to murder one Joseph Phiefot, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Thomas Kimbell, O. S. Kimbell and Mary L. Kimbell the said sum of Eight Hundred Dollars, and that this judgment will be made final unless good cause be shewn at the next term of this Court why the said Defendant Thomas Kimbell did not appear. And further ordered that citations do ifsue to the said securities

2392 The State of Texas v. James M. Brown. This cause being called for trial the Defendant James M. Brown failing to appear and answer to the Indictment in this case, he and his securities A. J. Cope and R. D. Hock, being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time still failed to appear. And it ap-

June Term, Friday June 28th 1872.

pearing to the Court that the Defendant James M. Brown with the said A. J Cope and R. D. Heck as his securities did execute the Bail Bond on file in this case substantially as follows. Dated 28th day of March 1872 payable unto the State of Texas in the sum of Five Hundred Dollars conditioned that the said Defendant James M. Brown make his personal appearance at the District Court of said County of Travis on the 1st Monday in June, 1872, to answer the Indictment preferred against the said Defendant James M. Brown by the Grand Jurors of Travis county at the February term A D 1872, for making an affrayet with intent to kill and murder, and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court; which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said James M. Brown and A. J. Cope and R. D. Heck the said sum of five hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant James M. Brown did not appear. And further ordered that Citations do issue to the said securities.

2393 The State of Texas v. James M. Brown. This cause being called for trial the Defendant James M Brown failing to appear and answer to the Indictment in this case he and his securities A. J Cope and R. D. Hock being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant James M. Brown, with the said A. J Cope and R. D. Hock as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 28th day of March 1872 payable unto The State of Texas in the sum of One Hundred Dollars, conditioned that the said Defendant James M. Brown make his personal appearance at the District Court of said County of Travis on the first Monday in June, 1872, to answer the Indictment preferred against the said Defendant James M. Brown by the Grand Jurors of Travis county, at the February term A.D. 1872 for Carrying Deadly Weapons, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said James M. Brown and the said A. J. Cope and R. D. Heck the said sum of One Hundred Dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant James M. Brown did not appear. And further ordered that Citations do issue to the said securities

June Term, Friday, June 28th 1872.

2449. The State of Texas v. Davidson Walker. on this day came Defendant Davidson Walker as principal, and John H. Robinson and Philip Johe as his securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Thousand Dollars to be levied upon their Goods and Chattels, Lands, Tenements and Estate But to be void upon condition that the said Davidson Walker make his personal appearance before the District Court of Travis county, to be held at the Courthouse thereof in Austin on the first Monday in October, 1872, and from term to term thereafter, then and there to answer the Indictment prefered against the Defendant Davidson Walker, by the Grand Jury of Travis county, at the June term 1872 of the District Court of said County, for Murder, and that he do not depart the Court without leave

2449 The State of Texas v. S. J. Dowty. On this day came the Defendant S. J. Dowty as principal and John H Robinson and Philip Johe as his securities, who acknowledges themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Thousand Dollars to be levied upon their Goods and Chattels, Lands, Tenements and Estate. But to be void upon condition that the said S. J. Dowty make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in October, and from term to term thereafter, 1872, then and there to answer the Indictment prefered against the Defendant S. J. Dowty by the Grand Jury of Travis county, at the June term 1872 of the District Court of said County, for Murder, and that he do not depart the Court without leave

2449 The State of Texas v. Charles Peterson. On this day came the Defendant Charles Peterson as principal and John H Robinson and Philip Johe as his securities, who acknowledges themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Thousand Dollars, to be levied upon their Goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that the said Charles Peterson make his personal appearance before the District Court of Travis county, to be held at the Courthouse thereof in Austin on the first Monday in October, and from term to term thereafter, 1872, then and there to answer the Indictment prefered against the Defendant Charles Peterson by the Grand Jury of Travis county, at the June term 1872 of the District Court of said County, for Murder, and that he do not depart the Court without leave

2449. The State of Texas v. Davidson Walker et al. And now on this day appeared in open Court the following witnesses on behalf of the Defendants in the above entitled cause, to wit: Ed. Creary, L. Seligmann, Monroe Pratt, A. Hirsch, R. Platt, John H. Robinson, N. B. Metz, M. M. Long, Nathan Meyer, Wm Brown, Joe Wade-

June Term, Friday June 28th 1872

worth, John T. Miller and Dick Mitchell. Whereupon each of said witnesses acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of Two Hundred and Fifty Dollars to be levied upon his Goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that each of said witnesses make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in October, 1872, then and there to testify on behalf of the Defendants in the above cause of The State of Texas v. Davidson Wacker et al. charged with Murder, and that he do not depart the Court without leave.

2565 The State of Texas v. Fritz Smith. On this day came the District attorney and the Defendant by his attorneys and announced ready for trial and waiving a Jury submit the case to the Court. And Deft. pleading guilty, and the Court hereby fixing the fine at $10. It is ordered that the State of Texas do have and recover of and from the Defendant Fritz Smith said sum of ten dollars and the costs of the Prosecution, and that a capias issue to collect the same. And that execution may also issue against the property of the Defendant.

2566 The State of Texas v. Tom Burditt. On this day came the Distrct Atty & the Deft by atty and announced ready for trial and waiving a Jury submit the case to the Court. And Deft pleading guilty & the Court thereupon fixing the fine at $10, It is ordered that the State of Texas do have and recover of and from the Defendant Tom Burditt said sum of ten dollars and the cost of the prosecution, and that a capias issue to collect the same And execution may also issue against the property of the Defendant.

2441 The State of Texas v. J. R. Burns. And now comes the District attorney on behalf of the State, and came also the Defendant in person and by attorneys and announced ready for trial, and then came a Jury of twelve good & lawful men of Travis county, consisting of W. T. Norton & eleven others, who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, returned the following verdict, to wit: "The State of Texas v. J. R. Burns. We the Jury find the Defendant not guilty W. T. Norton, foreman." Whereupon It is ordered that the Defendant go hence fully acquitted and discharged.

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

Saturday, June 29th 1872

Court met at 9 o'clock A. M. pursuant to adjournment: Present Hon. J. W. Oliver, Judge Thirty Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

June Term, Saturday, June 29th 1872.

13282 E. M. Pease v. T. T. Pendleton et al. And now comes the Defendants by attorney and move the Court to set aside the judgment by default entered in this cause at a former day of the term. And the same being heard and duly considered by the Court, It is ordered that the said judgment by default be set aside, vacated and held for naught, and that the Defendants be permitted to answer.

Grand Jury And now on this day appeared in open Court the Grand Jury of Travis county duly elected, tried, empannelled and sworn according to law and presented to the Court the following Bills of Indictment to wit:

2610 An Indictment against Major Chambers for taking up & using estray

2611 An Indictment against Wm Gillum for taking up & using estray

2612 An Indictment against Aaron Robinson for Disturbing the Peace

And said Grand Jury suggesting that there is no further business pending before them they are ordered to go hence discharged

Per Diem And further ordered that Certificates of pay for service of said Grand Jurors at this term be issued for 21 days each except H. C. Eames who has served but 20 days.

13030 Giles H. Burditt v. W. B. Burditt et al. In this case now comes John B. Costa attorney for Davis H. Bradley and his wife Pally, formerly Pally Burditt, a daughter of Jesse F. Burditt, and heretofore represented in this case by her guardian William Hornsby and suggests to the Court that since the last continuance the said Pally has been intermarried with the said David H. Bradley of Travis county. It is therefore adjudged by the Court that the said Pally Bradley and her said husband be made parties hereto, and that the one-third of the share of her father Jesse F. Burditt, be paid to said Pally Bradley instead of being paid to William Hornsby as Guardian, as heretofore ordered at this term, and that the order heretofore entered be corrected accordingly.

13030 Giles H. Burditt v. W. B. Burditt et al.

In this case comes now Giles H. Burditt, Commissioner of this Court to sell the land belonging to the estate of Jesse Burditt for partition, and reports that on the 2d April, 1872, at the South East corner of Block No 70 in the City of Austin in Travis county at public auction to the highest bidder on a six months credit for gold coin with ten per cent. interest thereon from date of sale, after having duly advertised the sale thereof, he offered the remainder of the land heretofore ordered to be sold in this case for sale as required by the decree of this Court at its former term, the said lands being all lots or parcels of the tract known in the decrees heretofore as the Lucas Munos tract of 485 acres on Walnut creek in Travis county, when the

June Term, Saturday June 29th 1872

following persons became bidders and the lands were respectively struck off to him

For Lot No 1 containing forty acres = William Binford (Colored) became the Purchaser at the sum and price of Nine $\frac{50}{100}$ Dollars Per acre

For Lot No 9, containing forty acres, H. Delay Eanes became the purchaser at the sum and price of Seven $\frac{50}{100}$ Dollars per acre.

For Lot No 14 containing thirty five acres, D. C. Sundell became the Purchaser at the sum and price of Eight Dollars Per acre.

For Lot No 15 containing forty acres, Andrew M. Davidson became the Purchaser at the Sum and price of Sixteen $\frac{25}{100}$ Dollars per acre

And the Court being satisfied that said Sales were fairly made and in conformity with law and the former decrees of this Court, It is ordered and adjudged that they be confirmed to the purchasers respectively aforesaid: and the Commissioner Giles A. Burditt shall make to said parties respectively deed or deeds to their respective purchases upon their compliance with the terms of said sales. It is adjudged that the compliance with the terms of the sale by William Binford be accepted

It is further ordered and adjudged that if the remaining purchasers shall fail to comply with the terms of the sale aforesaid, for their respective purchases, for thirty days from the date of this decree their respective lots shall be declared forfeited: and the said Commissioner shall proceed as directed in the former decrees of this Court, to sell the same and report to this Court at the next term hereof.

All matters not disposed of in said cause by this decree, are continued till the further order of this Court.

Giles A. Burditt
v.
W. B. Burditt et al.

3030

And now comes A. M. Davidson and presents to the Court in this case the mortgage to the distributees of Martha Davidson in accordance with the terms of the decree of the Court, at the present term of the Court. as follows.

State of Texas
Travis County

Know all men by these presents, that I Andrew M. Davidson of the County and State aforesaid, for and in consideration of one dollar, to me in hand paid the receipt of which is acknowledged, and for the further consideration hereinafter mentioned, have bargained and sold, and do, hereby bargain, sell, alien, and convey unto Margaret Campbell the daughter of Lavinia Campbell

and her husband John. A. Campbell, Jonnie, and Edward Hill children of Margaret. and Edward Hill. Andrew Hill, a son of Almedia and William Hill. Alice Davidson now wife of Wade Smith. Andrew M. Davidson Junior, and Martha B. Davidson— all of whom are my children, or grandchildren by my deceased wife Martha, a daughter of Jesse Burditt, and their heirs, the following described tract or parcel of land. in Travis County viz: Four Hundred Acres, being the upper, or Northwest part, or portion of a tract of land, of about six hundred acres acres, bought by me of Joseph Rowe on the 21 February 1849 as shown by the records of Travis County, and being the same place occupied by me, as a homestead with my deceased wife Martha, and which is still occupied by me, the said four hundred acres being the remainder of the said six hundred acre tract remaining unsold by me, be the same, more, or less, for a more complete description of all which, reference is made to the records of Travis County. Said tract is part of the Santiago del Valle grant, on the Colorado River, and is about five miles below the city of Austin, To have, and to hold the above described tract or parcel of land, unto said Vendors their heirs, and assigns for ever.

And I declare that the whole of said tract of land, is my separate property, the same having been paid for, out of my own separate property. This deed is executed for the following purposes and no others, That whereas at the June Term of the District Court of Travis County Texas, 1872, in the case of Giles A. Burditt vs. W.B. Burditt and others, No. 3030 for the partition of the Estate of Jesse Burditt, Decd.

There was decreed to be paid to me, in lieu of my life-estate in the lands of my deceased wife Martha, the one third of the monies which had arisen, or might arise by virtue of the sales, made under the decree of the said District Court, in said case of lands, which were descended to my deceased wife, Martha from her fathers estate, and in which lands I had a life-estate. — And the Commissioner of the Court Giles A. Burditt having paid to me under said decree the sum of five hundred and fifty six 82/100 gold dollars, and being entitled to further sums in future, this instrument is executed to secure repayment to the heirs, and distributees of my deceased wife Martha at the termination of my life, of all such sums as I may so receive.

I do therefore charge the land hereby conveyed with the repayment of the said sums, at the termination of my natural life, which said charge shall run with the title to said land, but which may be discharged, by me, upon payment to the parties respectfully entitled to distributive shares in the estate of my said Wife Martha, deceased, the sum, or sums of money received, or to be received under said decree by me to which they owned respectively be entitled

Witness my hand this 29th. June AD, 1872

A. M. Davidson

Witnesses.
Jno. A. Green.
Geo. A. Gray.

The State of Texas } Before me A.R. Morris, Clerk of the
County of Travis. } District Court, within, and for the county and State aforesaid, personally came, and appeared A M. Davidson to me well known, who acknowledged the execution of the above, and attached instrument of writing for all the uses, purposes, and considerations therein stated

Given under my hand, and the seal of said Court, at the Office in the City of Austin. June 29th 1872

A.R. Morris Clerk

By M.L. Dunn. Deputy.

And the Court being satisfied therewith, and that the Security offered is amply sufficient: It is adjudged, that bond be accepted and that the lien created thereby, shall be a chagge upon and run with the title to land mentioned therein.

It is further ordered that the said deed be recorded in the records of deeds of Travis County, and that it be filed with the papers of this cause, subject to the rights of the parties, respectively interested therein.

2574 The State of Texas v. Phil. Lewis Jr. On this day came the parties by their attorneys and the Defendant submitted his motion heretofore filed for a new trial. And the same being argued by counsel, and duly considered It is ordered that said motion be overruled

2290 State of Texas v. Ed. Grooms. And now on this day came the parties by their attorneys and the Defendant submitted his motion for a new trial: which being argued by counsel and duly considered It is ordered that the said motion be overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

2500 State of Texas v. Hall. Comes the District Attorney and the Defd. by atty and announce ready for trial and waiving a Jury submit the case to the Court: and the Court hereby fixing the fine at $25 It is ordered that the State of Texas do have and recover of the said Defendant Hall the said sum of twenty-five dollars and the cost of the prosecution, and that a capias issue to collect the same. And further ordered that execution may issue against the property of the Defd.

2578 The State of Texas v. Ch. Fugett. Comes the District atty and the Defd by atty and announce ready for trial, and waiving a Jury submit the case to the Court. And the Court hereby fixing the fine at $10. It is ordered that the State of Texas do recover against said Charles Fugett said sum of ten dollars and the cost of the prosecution, and that a capias issue to collect the same. And further ordered that execution may issue against the property of the Defd.

2579 The State of Texas v. Ch. Fugett. Ind. Pros. entered & Defd. discharged

2603 The State of Texas v. Peter Burns. On this day came the District atty on behalf of the State and came also the Defendant in person and by his attorneys and announced ready for trial. Whereupon

June Term, Saturday, June 29th 1872

came a Jury of twelve good and lawful men of Travis county, who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant not guilty. Geo. W. Moore, foreman" Whereupon it is ordered that the Defendant go hence discharged.

Bailiffs to Grand Jury.

Ordered that the following named Bailiffs to the Grand Jury be allowed the following sums for service at this term:

J.P. Hart $36
F. Stenzing
H. Stokes
J.H. Maddox

J.P. Hart for 18 days = Thirty-Six Dollars
F. Stenzing for 6 " = Twelve Eighteen Dollars
H Stokes 24 " = Forty-Eight Dollars
H. Maddox 24 " = Forty-Eight Dollars

Juries

And thereupon It is ordered that the following named persons receive certificates of pay at the rate of two dollars per day for jury service during the present week of the Court.

75 Geo W. Moore 6 days = $12.00
76 C.E. Smith 6 " = 12.00
77 N.B. Metz 6 " = 12.00
78 Bud Sawyer 6 " = 12.00
79 A.M. Metz 6 " = 12.00
80 Thos Knight 6 " = 12.00
81 Milton Wallace 6 " = 12.00
82 W.J. Johnson 6 " = 12.00
83 W.W. McLaughlin 6 = 12.00
84 J.D. Shepherd 6 = 12.00
85 W. Gibson 6 = 12.00
86 Harry Hawkins 6 = 12.00
87. S.G. Hemphill 6 days = $12.00
88. Wash. Norton 6 " = 12.00
89. James Fowler 6 " = 12.00
90. Ed. McLean 6 " = 12.00
91. John Wracha 6 " = 12.00
92 B.B. Bennett 6 " = 12.00
93 L.T. Wilson 6 " = 12.00
94. Geo Byrnes 6 " = 12.00
95. A.D. Rector 6 " = 12.00
96. Geo. W. Logan 6 " = 12.00
97. H. Brown 6 " = 12.00
98. Delgrand Wood 6 " = 12.00

Ex Parte John Williams

And now on this day came on to be heard the application of John Williams under writ of habeas Corpus asking to be discharged from custody. And the case being heard and considered It is ordered that the said applicant John Williams be and he is hereby discharged from custody

And thereupon Court adjourned till Monday morning at 9 o'clock.

Monday, July 1st 1872.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.W. Oliver, Judge Thirty-Third Judicial District Presiding - Whereupon the following proceedings were had by said Court, to wit:

3331 Honey v. Davis et al. } Whereas the Commissioners heretofore appointed to examine and report, on the condition and facts, as they appear in the State Treasury &c. in the concluding paragraph of their report, refer to several packages of Warants, which were found in

the vaults, and safes, some of which were allowed as credits in favor of the Treasurer, but no account is taken of those allowed, therefore it is ordered by the court, that said Commissioners, be and they are hereby ordered to so amend their report as to particularly show all the facts in relation to said Warrants, and report the same together with an inventory thereof, as soon as practicable.

Robert Brooks Ex Parte — comes the Applicant Robert Brooks, and upon motion It is ordered that the said Robert Brooks be and he is hereby discharged from custody.

2484 — The State v. Charles Dewy. Comes the District Attorney and the Deft. and announced ready for trial and waiving a Jury submit the case to the Court. And the Court hereby fixing the fine at $10. It is ordered that the State of Texas do have and recover of the said Charles Dewy said sum of ten dollars and the cost of the prosecution and that a Capias issue to collect the same. And further ordered that execution may issue against the property of the Defendant.

2496 — The State of Texas v. Lewis Dryfuse. Comes the District Attorney & the Defendant and announced ready for trial, and waiving a Jury subm it the case to the Court. And the Court hereby fixing the fine at $25, It is ordered that the State of Texas do have and recover of the Defendant Lewis Dayfuse said sum of twenty-five dollars and the cost of the prosecution and that a Capias issue to collect the same. And execution may also issue against the property of the Defendant.

2562 — The State of Texas v. John Swisher. Comes the District Attorney and the Defendant and announced ready for trial, and waiving a Jury submit the case to the Court. And the Court here fixing the fine at $10, It is ordered that the State of Texas do recover of the Defendant John Swisher said sum of ten dollars and the cost of the prosecution and that a Capias issue to collect the same. And execution may also issue against the property of the Defendant.

2563 — The State v. John Swisher. Nol. Pros and Deft. discharged.

2583 — The State v. Kit Owsley. Comes the District Attorney and the Deft. and announced ready for trial, and waiving a Jury submit the case to the Court. And the Court here fixing the fine at $10 It is ordered that the State of Texas do have and recover of the Defendant Kit Owsley said sum of ten dollars and the cost of the prosecution and that a Capias issue to collect the same. And execution may also issue against the property of the Defendant.

2584 — The State v. Jo. Maddox. Comes the District atty and the Deft. and announced ready for trial, and waiving a Jury submit the case to the Court. And the Court here fixing the fine at $10 It is ordered that the State of Texas do have and recover against said Jo. Maddox said sum of ten dollars and the cost of the prosecution and that a capias issue to collect the same. And execution may also issue against the property of the Defendant.

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12597. The State of Texas v. Kit Owsley. Stol. Pros. and Deft. discharged.

George W. Honey
vs. 3331.
E. J. Davis et al.

In the above stated cause, at the present term to-wit; on the 15th. day of June 1872, the Plaintiff by his Attorneys appeared, and dismissed his suit without prejudice as to the Defendants E. J. Davis, James Davidson, C. R. Johns, John D. Elliott, W. L. Rolands, and James A. Raymond, and as to the damages, and waived the trespass so far as this suit is concerned; it is therefore ordered, adjudged, and decreed by the Court that this suit be, and the same is hereby dismissed, as to the above named defendants, and as to the ~~[illegible]~~ trespass, without prejudice to the Plaintiff, and that the above named Defendants to go hence without day, that they have and recover of, and from the plaintiff all the costs of this suit expended, for, or on account of the foregoing named Defendants, for which execution may issue. And it is further ordered that the remaining branch of this suit, in the name of George W. Honey against the Defendant B. Graham stand for trial.

And thereupon the Plaintiff submitted to the Court of his special exceptions filed on the 15th. June 1872, to so much of the amended answer, filed on said day, as alleges that the Plaintiff is indicted for embezzlement of the funds of the State and to all that part of the Defendants answer, as set up, and plead in off-set and recomvention, the sum of $750.000. The same having been considered by the Court, it is ordered by the Court that said exception be, and the same is hereby sustained, and so much of said amended answer is hereby stricken out.

And thereupon the plaintiff submitted to the Court his exceptions filed on the 15 inst. to the separate answer of the Defendant B. Graham, filed on said 15th inst, and the same having been considered by the Court, it is ordered, adjudged and decreed by the Court that said exceptions be, and the same are hereby overruled, and thereupon the parties Plaintiff and Defendant by their attorneys announced themselves ready for trial and waived a jury, and submitted the matters in controversy to the Court.

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

Tuesday July 2d 1872

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

2607 The State of Texas v. Charles Anderson. And now on this day came the District attorney on behalf of the State and the Defendant appeared in person and by his attorneys Messrs. Shelley and Robertson appointed by the Court.

June Term, Tuesday July 2d 1872

And thereupon came a Jury of twelve good and lawful men of Travis county, who being tried, elected, empanelled and sworn according to law, heard the plea of guilty, & the charge of the Court and retired for deliberation whereupon the Jury returned into Court the following verdict, to wit: "We, the Jury, find the Defendant guilty and assess his punishment at two years in the Penitentiary. J. H Walker, foreman." Whereupon It is ordered that the Defendant stand committed to the County jail to await judgment and sentence.

2472 The State v. Anthony Meeks. Nol. Pros. and deft discharged

2460 State v. Byron Glasscock et al. Comes Isaac Graham a witness on behalf of the Defendant in the above entitled cause and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of fifty dollars, to be levied upon his goods and chattels, lands tenements and estate, but to be void upon condition that the said witness appear before the District ~~Attorney~~ Court of Travis county now in session at the courthouse thereof in Austin, to testify on behalf of the Defendant in said cause and there remain from day to day and from term to term thereafter, and that he do not depart the court without leave.

2461 State of Texas v. Fletcher Bennett. Comes Fletcher Bennett as principal, and B. C. Bennett, C. Spalding and F. W. Suter as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of three hundred dollars to be levied upon their goods and chattels lands tenements and estate But to be void upon condition that the said Fletcher Bennett be and remain in attendance upon the District Court of Travis county now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter, to answer the Indictment Prefered against the said Fletcher Bennett by the Grand Jury of Travis county, at the present term of the District Court of said County, for Making an affauet with intent to kill and murder, and that he do not depart the Court without leave.

2473 The State of Texas v. Anthony Meeks. And now comes the District attorney and the Defendant in person and by attorney and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis county, who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess his fine at twenty-

June Term, Tuesday, July 2nd 1872.

five Dollars. J. H. Walker, foreman." Whereupon It is ordered that the State of Texas do have and recover of the Defendant Anthony Meeks said sum of twenty-five dollars and the cost of the Prosecution and that he remain in the custody of the Sheriff until the same are paid in full.

2476 The State of Texas v. M. R. Jones Comes now M. R. Jones as Principal, and A. A. McWright and Samuel Williams as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of five hundred dollars to be levied upon their Goods and Chattels, Lands, Tenements and estate, But to be void upon condition that the said M. R. Jones appear before the District Court of Travis county now in session at the Court House thereof in Austin and there remain from day to day and from term to term thereafter, to answer the Indictment prefered against the said M. R. Jones by the Grand Jury of Travis county at the June term 1872 of the District Court of said county, for theft of a Gelding, and that he do not depart the Court without leave

2478 The State of Texas v. Geo. W. Honey and J. H. Burns And now on this day appeared Geo. W. Honey and J. H. Burns as principals and S. P. Hallingsworth, Bill Odum and Geo. F. Gage as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of two thousand dollars, to be levied upon their goods and chattels, lands tenements and estate But to be void upon condition that the said Geo. W. Honey and J. H. Burns make their personal appearance before the District Court of Travis county now in session at the Court House thereof in Austin, there to remain from day to day and from term to term thereafter, to answer the Indictment prefered against said Defendants by the Grand Jury of Travis county at the June term 1872 of the District Court of said county, for Embezzlement, and that they do not depart the Court without leave

J. D. Elliott witness

And also came and appeared John D. Elliott and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum ~~of fifty~~ one hundred dollars, to be levied upon his goods and Chattels, lands, tenements and estate, But to be void upon condition that the said John D. Elliott make his personal appearance before the District Court of Travis county now in session at the Court House thereof in Austin, there to remain from day to day and from term to term thereafter, to give evidence on behalf of the Defendant in the above entitled cause, and that he do not depart the Court without leave.

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2479. The State of Texas v. Geo. W. Honey and J. H. Burns. And now on this day came Geo. W. Honey and J.H. Burns as principals and S. P. Hollingsworth, B. M. Odum and Geo. T. Gage as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of five hundred dollars to be levied upon their Goods and Chattels, Lands, Tenements and Estate. But to be void upon condition that the said Geo. W. Honey and J.H. Burns make their personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against the said Honey and Burns by the Grand Jury of Travis county at the June term 1872 of the District Court of said County for Embezzlement, and that he do not depart the Court without leave.

J. D. Elliott — And comes also J. D. Elliott and acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of One hundred Dollars to be levied upon their Goods & Chattels, Lands, tenements and Estate. But to be void upon condition that the said J. D. Elliott appear before the District Court of Travis county now in session at the Courthouse thereof in Austin there to remain from day to day and from term to term thereafter, to give evidence on behalf of the Plaintiff and Defendant in the above entitled cause, and that he do not depart the Court without leave. J D

2482 The State of Texas v. Geo. W. Honey and J.H. Burns. And now on this day came the Defendants Geo. W. Honey and J.H. Burns as principals and J. M. Bennett, M. M. Long, B. M. Odum and Alfred Smith as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One thousand Dollars to be levied upon their Goods and Chattels, Lands, Tenements, and Estate, But to be void upon condition that the said Honey and Burns make their personal appearance before the District Court of Travis county, now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against the said Honey and Burns by the Grand Jury of Travis County at the June term 1872 of the District Court of said County for Embezzlement, and that they do not depart the Court without leave.

J D Elliott — And comes also J. D. Elliott and acknowledges himself justly to owe and be indebted unto The State of Texas in the sum of One hundred dollars to be levied upon their Goods and Chattels, Lands, Tenements and Estate, But to be void

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upon condition that the said J.D. Elliott make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter to give evidence on behalf of the Defendants and plaintiffs in the above entitled cause of The State of Texas v. Geo. W. Berry and J.H. Burns charged with Embezzlement, and that he do not depart the Court without leave.

12483 The State of Texas v. J.H. Burns. And now comes J.H. Burns as principal and J.M. Bennett, M.M. Berry, B.M. Odum and Alfred Smith as securities, and they acknowledged themselves justly to owe and be indebted unto The State of Texas in the sum of one Thousand Dollars to be levied upon their Goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that the said J.H. Burns make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against the said Defendant by the Grand Jurors of Travis county, at the June term 1872 of the District Court of said county for Embezzlement, and that he do not depart the Court without leave.

J.D. Elliott And now comes J.D. Elliott and acknowledges himself justly to owe and be indebted unto The State of Texas in the sum of One hundred Dollars to be levied upon their Goods and Chattels, Lands, Tenements and Estate But to be void upon condition that the said J.D. Elliott make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter, to give evidence on behalf of the plaintiff and Defendant in the above entitled cause and that he do not depart the Court without leave.

2605 The State of Texas v. Willis Jackson. And now comes the District attorney and the Defendant in person and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis county, consisting of L. McKenzie and eleven others, who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court retired for deliberation and returned into Court the following verdict, to wit: "We the Jury find the Defendant not L. McKenzie, foreman." Whereupon It is ordered that the Defendant go hence acquitted and discharged.

2422 The State of Texas v. Esau Jackson. And now on this day came Esau Jackson as principal and F. Clements,

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M. McKinney, Sam. Mason and J. A. Jackson as Securities and acknowledged themselves jointly and severally justly owe and be indebted unto The State of Texas in the sum of three hundred dollars, to be levied upon their Goods and Chattles Lands Tenements and Estate, But to be void upon condition that the said Esau Jackson make his personal appearance before the District Court of Travis county, to be held at the Courthouse thereof in Austin on the first Monday in October, 1872, then and there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against the said Esau Jackson by the Grand Jury of Travis County, at the February term, 1872, for theft from a horse, and that he do not depart the Court without leave

2422 The State of Texas v. Esau Jackson. It appearing to the Court that the following named witnesses to wit. Bill Walters, Martin Jackson Martin Hughey, Alfred Jenkins and Fred Sawyer, have been duly summoned as witnesses on behalf of the plaintiff in the above entitled Cause, and have failed to be in attendance when the case is called for trial, It is ordered that each of said witnesses befined in the sum of Twenty Five Dollars and that Scire facias issue to each of said witnesses returnable to the next term of this Court commanding them Hereon &c. to appear and show cause, if any they can, why this fine and judgment nisi should not be made final against them

2447 The State v. Wm Clark. Capias ordered and Cause Continued

2448 The State v. Wm Shubard. Capias ordered and Cause continued

2453 The State v. Angel Lara. Stat. Pros and Deft. discharged

2456 The State v. Jas Phelps. Cause continued

2457 The State v. Jas Phelps. Cause continued

2458 The State v. Isaac D. Barfoot. Capias ordered & continued

2460 The State v. Byron Glascock et al. And now on this day appeared Henry Arch, A. H. Smith, Henry Ruggles Thomas Standifer, witnesses for the Defendants and acknowledged themselves to owe be indebted unto The State of Texas in the sum of Fifty Dollars each to be levied upon their Goods and Chattels, Lands Tenements and Estate, But to be void upon condition that said witnesses appear before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in October 1872, then and there to remain from day to day and from term thereafter, to give evidence on behalf of the Defendant in the above entitled cause of The State of Texas v. Byron Glascock et als, and that said witnesses above named do not depart the Court without leave. And further ordered that the cause be continued by the Defendant.

2461 The State of Texas v. Fletcher Bennett Continued by consent.

2464 The State of Texas v. Sam Williams. Stat. Pros & deft. discharged.

John
Frank

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2465. The State of Texas v. Wm Glasscock. Capias ordered and cause continued
2466. The State of Texas v. Wm Glasscock Capias ordered and cause continued
2467 The State of Texas v. Dill Piper. Capias ordered and cause continued
2468 The State of Texas v. Robert Johnson, This cause being called for trial the Defendant Robert Johnson failing to appear and answer to the indictment in this case heard his securities Perry Parsons and Mort. Durst being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Robert Johnson, with the said Perry Parsons and Mort. Durst as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 11 day of June 1872 payable unto The State of Texas in the sum of One Hundred Dollars conditioned that the said Defendant Robert Johnson make his personal appearance at the District Court of said County of Travis now in session at the Courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant Robert Johnson by the Grand Jurors of Travis county at the June Term A D 1872 for Permitting Gaming with Cards to be played in his house and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Robert Johnson, Perry Parsons and Mort. Durst the said sum of One hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Robert Johnson did not appear And further ordered that Citations do issue to the said securities

2469. The State of Texas v. Wm Cothingham. Capias ordered and cause cont'd
2516 The State of Texas v. R. C. McLaren. Comes the Defendant R. C. McLaren as principal, and M. R. Jones and W. J. Moore as securities, and they acknowledged themselves jointly and severally justly to one and be indebted unto The State of Texas in the sum of Five Hundred Dollars to be levied upon their Goods and Chattels, Lands Tenements and Estate But to be void upon condition that the said R. C. McLaren make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter to answer the Indictment preferred against the said R. C. McLaren by the Grand Jury of Travis County at the June Term, 1872, for Forgery and that he do not depart the Court without leave.

John McInnis and Frank Meeks

And also came John McInnis and Frank Meeks and acknowledged themselves to each of them acknowledged himself justly to one and be indebted unto The State of Texas in the sum of One Hundred Dollars to be levied upon his Goods and Chattels, Lands Tenements and Estate, But to be void upon

June Term, Tuesday, July 2d 1872

condition that the said John Mc Innis and Hank Meeks make their appearance before the District Court of Travis county in session at the Court house thereof in Austin, there to remain from day to day and from term to term thereafter to give evidence on behalf of the Defendant in the said cause of The State of Texas vs. A. C. McLaren and that he do not depart the Court without leave.

2525 The State of Texas v. Geo W. Honey. Now comes Geo W. Honey as principal and J. A. Horton, R. Perkins and S. F. Hollingsworth as securities and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate, But to be void upon condition that the said George W. Honey make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin there to remain from day to day and from term to term thereafter to answer over the Indictment preferred against the Defendant by the Grand Jury of Travis county at the June Term 1872 of the District Court of said County for Embezzlement and that he do not depart the Court without leave.

J D Elliott And now comes J. D. Elliott and acknowledged himself to owe and be indebted unto The State of Texas in the sum of One hundred Dollars to be levied upon his Goods and Chattels, Lands Tenements and Estate, But to be void upon condition that the said J. D. Elliott make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter to give evidence on behalf of the pff. and Defendant in the above entitled cause and that he do not depart the Court without leave.

2552 The State of Texas v. Joseph Lee. And now comes Joseph Lee as principal and George L. Robertson and Frank Broom as securities and They acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, To be levied upon their Goods and Chattels Lands, Tenements and Estate, But to be void upon condition that the said Joseph Lee make his personal appearance before the District Court of Travis County now in session at the Courthouse thereof in Austin, and there remain from day to day and from term to term thereafter, to answer the Indictment Preferred against the said Defendant Joseph Lee by the Grand Jury of Travis county at the June term, 1872, of the District Court of said County, for Theft of Rails, and that he do not depart the Court without leave

2572. The State v. A. C. McLaren And now comes Samuel Williams and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of two hundred Dollars to be levied

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upon ~~their~~ Goods and Chattels lands tenements and estate But to be void upon condition that the said Samuel Williams make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin there to remain from day to day and from term to term thereafter to give evidence on behalf of the Plaintiff in the above entitled Cause and that he do not depart the Court without Cause.

And also came the Defendant R. C. McLaren as principal and N. J. Moore and M. R. Jones as securities and they acknowledged them selves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of five hundred Dollars, to be leived upon their Goods and Chattels, Lands Tenements and Estate But to be void upon condition that the said R. C. McLaren make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter to answer the Indictment preferred against the said Defendant R. C. McLaren by the Grand Jury of Travis county at the Instant 1872 of the District Court of said County, for theft from a house, and that he do not depart the Court without Cause.

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

Wednesday, July 3d 1872.

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

1528

Singleton Thompson vs. Joicy Dyches et als

And now on this day came the parties by their attorneys and the Commissioners Report of the Partition of the league and labor of land decreed to be partitioned at the present term of this Court came on to be heard. And no exceptions having been made to said Report, and the Court having examined the same carefully and being satisfied that said Partition has been fairly made according to law and the decree of this Court.

It is therefore ordered and decreed by the Court that said Report be and is hereby approved and the same be here recorded, which Report is in words and figures as follows to wit:

Report.

Singleton Thompson vs Joicy Dyches et al No. 1528. Travis County District Court, June Term 1872

To the Honorable District Court of said County

The undersigned Commissioners appointed by said District Court at its present term, to make Partition of a league and labor of land, between the parties mentioned in the Decree of Partition made at the present term of said Court, your Commissioners in obedience to said decree proceeded to have said tract of land duly Surveyed by a competent Surveyor, and the share of each of said Parties laid off, field notes and plat of

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each share made out, and numbered as Tract One, Two, Three, Four & Five. And your Commissioners have set apart Tract No One, to Singleton Thompson, containing 1948 7/10 acres the Field Notes of which are hereto attached marked No 1

To J. J. Dimmitt Tract No Two Containing 590 1/2 acres the field notes of said tract are hereto attached mark No 2 — To William Lewis, tract No Three, Containing 290 5/28 acres, the field notes of which are here attached marked No 3

To John Hancock and S. Ost. Tract No Four 1476 acres, the field Notes of this tract are hereto attached marked No 4: and to Joicy Lyches Tract No Five, the field notes of which are hereto attached marked No 5 Contain 295 5/28 acres. The following are the field notes of said tracts

Tract No 1 State of Texas: } Field Notes Tract No 1 William Lewis County of Travis } League & Labor Dry Cr. made for Singleton Thompson: Known as Tract No 1, according to the plat of division & bounded and described as follows

Situated about 8½ miles S. 30° E. of Austin City on the West side of the Colorado River & South of Onion Cr. Beginning at the S. W. corner of the stake M. Bain Survey and the N. W. corner of this Survey at a stake & mound Thence S. 60° E. 4500 varas to a stake and pile of rocks from which a Mesquite 8 in dia. brs. S. 15° W. 10 varas Thence S. 30° W. 2450 varas to a stake & mound Thence N. 60° W. 4500 varas a stake & mound, Thence N. 30° E. 2450 to the place of beginning, containing in all One thousand nine hundred and forty eight 7/10 acres of land, more or less. Surveyed June 20th A. D. 1872

M. J. Doyle, Surveyor.

Field Notes of Tract No 2 of J. J. Dimmitt, William Lewis Co. Labor, Dry Creek.

Beginning at the S. W. corner of Tract No 1 at a stake & mound in the Prairie. Thence S. 60°. E. 4500 varas to a stake & mound on the East line of said League Labor. Thence S. 30° W. with said Lea. line 750 varas to a stake & mound in Prairie. Thence N. 60° W. 4500 varas to a stake & mound. Thence N. 30° E. 750 varas to the beginning, containing in all five hundred and ninety 5/14 acres land more or less. Surveyed June 20th 1872 M. J. Doyle, Surveyor.

Field Notes Tract No 3. in the name of Lewis Jr

Beginning at the S. W. corner of Tract No 2 stake & mound Thence S. 60° E. 4500 varas a stake & mound Thence S 30° W. 372 varas a stake & mound Thence N. 60° W. 4500 varas a stake & mound

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Thence N. 30° E. 372 varas to the beginning, containing in all two hundred & ninety-five $\frac{5}{28}$ acres of land more or less. Surveyed June 20th 1872 M. J. Doyle, Surveyor.

~~League & Labor~~ Field Notes of Tract No 4 William Dewis League & Labor on Dry Creek in the names of John Hancock & H S West and bounded and described as follows:

Beginning at the S.W. corner of tract No 3 in the name of William Dennis, Jr.

Thence S 60° E 4500 varas to a stake & mo? on the East line of league labor.

Thence S 30° W. 1828 varas, crossing Dry Creek 5 times to a stake on the S bank of Dry Creek, from which a hackberry 14 inches dia: bears N. 32° E. 400 varas.

Thence N. 45° W. 3000 varas to a stake from which a Mesquite 10 in. dia. bears S. 75° W. 40 varas.

Thence S 45° W. 2220 varas a stake & mound.

Thence N. 60° W. 1080 varas a stake & mound.

Thence N. 30° E. 3078 varas to the beginning containing in all one thousand four hundred and Seventy-Six acres of land, more or less. Surveyed June 21st A. D. 1872

M. J. Doyle, Surveyor.

Field Notes of Tract No 5 Wm Dewis Jr. League and Labor of land on the Waters of Dry Creek in the name of Joicy Riches & bounded & described as follows.

Beginning at the S.W. corner of Tract No 4

Thence S. 60° E. 1050 varas to a stake & mound

Thence S 45° W. 2280 varas to a stake & mound.

Thence N. 60° W. 400 varas to a stake & mound

Thence N. 30° E. 2150 varas to the beginning

Containing in all two Hundred & ninety-five $\frac{5}{28}$ acres of land more or less. Surveyed June 21st A D 1872

M. J. Doyle, Surveyor.

Your Commissioners further report that in making said partition and division of said league and labor between said parties, had due regard to the quality of said land as well as the quantity, and made said partition accordingly, and hereto attached the field notes and plat showing each tract well marked, of each of said tracts, as part of this of our Report in the Premises, all of which is herewith submitted, for the approval of our acts, by the Court, and that we be discharged &c

John N. Costa } Commissioners
M. J. Doyle }

Sworn to and subscribed before me
July 3d 1872. A. R. Morris Clk By F. Brown, dep. Clk.

M. J. Doyle, Surveyors fee $60.00 coin
Commissioners fees 50.00 Total $110.00

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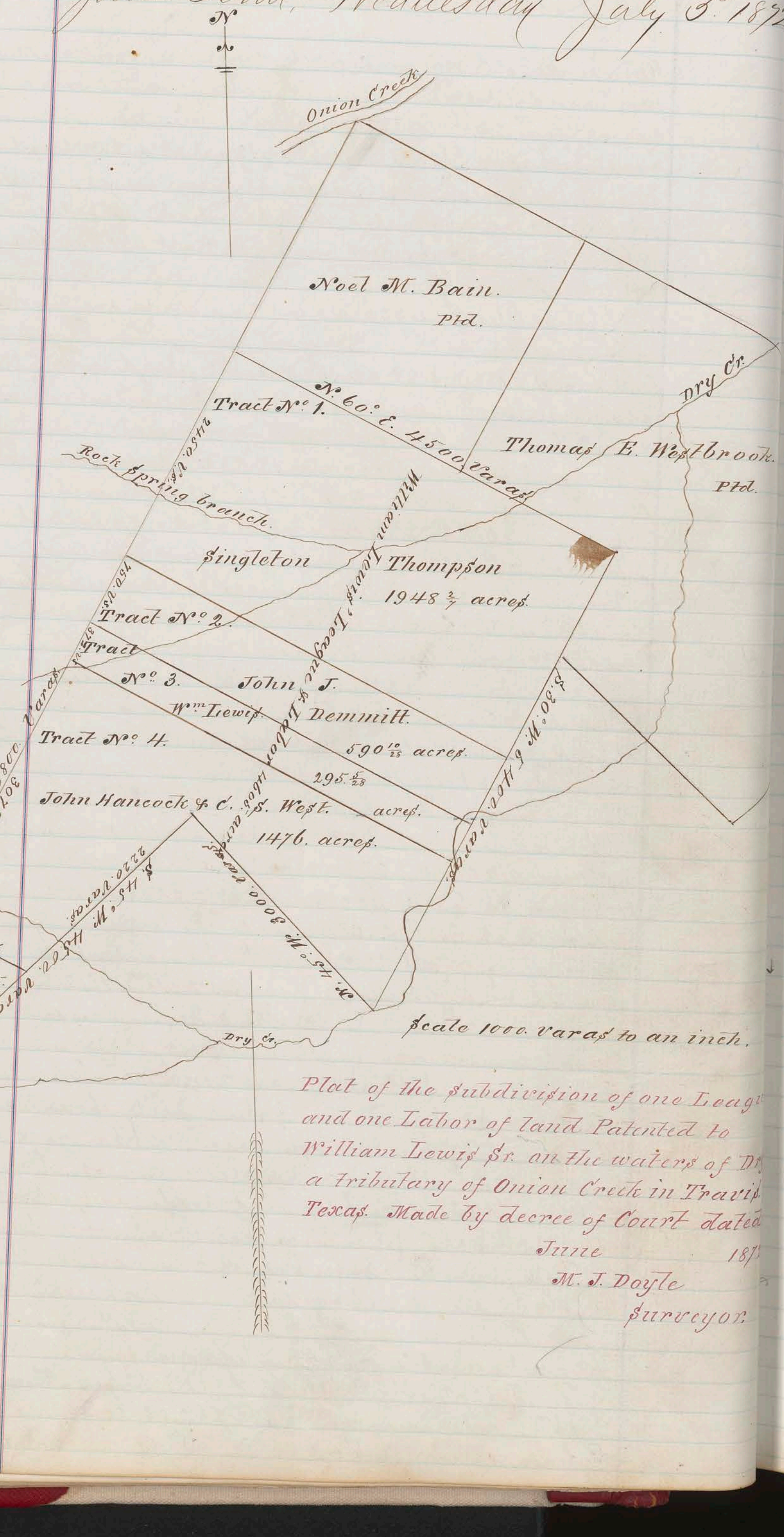

Plat of the subdivision of one League and one Labor of land Patented to William Lewis Sr. on the waters of Dry a Tributary of Onion Creek in Travis Texas. Made by decree of Court dated June 187

M. J. Doyle
Surveyor.

June Term, Thursday, July 4th 1872.

It is further ordered and decreed by the Court that the titles of said Parties to said League of Land be and is hereby divested out of them as joint owners, and the same be and is hereby vested in each of said parties in parcels, to the extent of each of them respective tracts of land to set apart to each of them in said partition, and fully described in said Report, and this decree stand as a muniment of title to said parties, to the tracts of land set apart to each of them as aforesaid. And it is further ordered and decreed by the Court that each of said parties, Plaintiffs and Defendants, pay in proportion to the share of said land received in said partition the costs in this case, for which execution may issue against each of them for their proportion of the same. And that the Commissioners fees and Surveyors fees be taxed in the bill of cost.

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

Thursday, July 4th 1872

Court met at 9 o'clock A M pursuant to adjournment. Present Hon. J.W. Oliver, Judge Thirty-Third Judicial District Presiding. Whereupon the following proceedings were had by said Court, to wit:

3035
Plat

Albert S Roberts & Wife et al
vs
W L Chalmers et al. } And now comes John A Green the Commissioner appointed by this Court in this case by the decree of June Term 1871. and makes his report of his sale of the tract of land mentioned in the original decree, and more especially in the Decree of the February term of this Court 1872 in accordance with the plat reported by said Commissioner and which is copied at the head of this decree and made a part thereof, by which it appears that he has subdivided said tract into forty acre tracts except as to tract No 8, which is twenty acres, the said tract being five hundred acres off the west end of the George W Grimes headright third league, and is situated on the Zegna and San Antonio road in Burleson County, and being the same tract which was conveyed to John G Chambers by Sanford Woodward, as shown by the deed thereto. And it appearing that the said Commissioner has in pursuance of said decree after due advertisement as required by said decree, at the South East Corner of Block No 70 in the City of

Austin on the 1st tuesday of May 1872 being the 7th day of said Month of the said tract of land in tracts of forty acres and less, as shown by the p aforesaid to the highest bidder as required by said decree, when Willi Robert Maxwell became the purchaser of the following lots or tracts at prices named, in gold coin, Viz. For lot No 6 containing 40 acres at dollar per acre. For lot No 7 containing forty acres at one dollar a forty cents per acre. For lot No 8 containing twenty acres at one do and fifteen cents per acre, and had paid the entire purchase m That Sanders and Lawson Collins became the purchasers of Lot N containing 40 acres at the price of twenty five cents per acre. That B Sweeny became the purchaser of Lot No 10 containing forty acre the price of sixty five cents per acre. And that the Commissioner the remaining tracts to be bid off for the estate he represents to pr a sacrifice of the same. And it appearing to the Court that the sa of the tracts numbered six and seven of forty acres each, and tra No 8 of twenty acres to William Robert Maxwell was made in acc =ance with the decree of this Court at its Feb'y Term 1872. and in confor with law, and the price for the said land being a fair price, It adjudged and decreed that the said sale be in all things confirme and the purchaser having complied with the terms of sale it i ordered that the same be in all things confirmed, and the de executed by the Commissioner heretofore for said purchases be ratified. And it appearing that the lots no 3 containing 40 ac bid off by Sanders and Collins for ten dollars, and Lot no 10 bid o by M B Sweeney for twenty six dollars. is an inadequate pri for the said land, and the cost of executing deeds thereto will co =sume a large portion of the purchase money, and that the confir =tion of said sales will be otherwise disadvantageous to the said est It is adjudged that the said sales to the said Sanders & Collins f lot No 3. and to M B Sweeny for lot no 10. be set aside and hel for nought. It further appearing that to prevent a sacrifice of remainder of said property, the commissioner caused the same to bid in for the estates, his said action in relation thereto is confir And it is further ordered and adjudged that the said Commissi Jno A Green, do proceed to sell the remainder of said tract of land except that confirmed to William Robert Maxwell by this decre at public sale to the highest bidder on a six Months credit, tak Mortgage of the purchaser with power of sale, and his note with sec bearing 10% Interest from date of sale, payable in the gold coin of t United States, said sale to be advertised by public printed adver =tisements posted in the County where the land is situated, as wel as in the County where sold, for twenty days before the making of s sale, and to take place at the South East corner of Block No 7 in the City of Austin on the first Tuesday of the Month, as bro time before the next term of this court, and that he make his rep to the next term.

June Term, Thursday July 6th 1872

3305 Francke & Dauncel v. Mrs P. Brass and G. M. Brass

Upon motion in open Court of the Pltffs atty, It is ordered that this cause be dismissed from the docket, and that the Defendants herein pay all the cost of this suit for which execution may issue.

3203 Ida J. Scripture v. Geo W Scripture. And now on this day came the plaintiff by her attorney and announced ready for trial and the Defendant came not. And thereupon the Court ordered a jury when came J.H. Walker and eleven others, duly tried, elected, empannelled and sworn, who having heard the pleading, the evidence, and the charge of the Court, retired for deliberation, and returned into Court the following verdict, to wit: "We, the Jury find the material allegations in plaintiff's petition to be true. J.H. Walker, foreman." Whereupon It is ordered that the bonds of matrimony heretofore existing between the said Ida J. Scripture and Geo. W. Scripture be and the same are dissolved. And it appearing that the parties had born as the issue of said marriage, one child, to wit: Erin Annie Scripture, now of tender years, and that the plaintiff should have the control of her person. It is ordered that the said child be committed to the care and custody of the plaintiff: and that the Defendant be enjoined from any interference: and that the Defendant pay the cost, for which execution may issue.

2266 The State of Texas v. George Thompson

And now on this day comes the Defendant in open Court. And it appearing that the said Defendant has been found guilty by the Jury trying the case of the offence charged in the Indictment, who assessed the Penalty at confinement in the Penitentiary: and the Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is adjudged that the Defendant George Thompson is guilty of felony, and that he be confined in the Penitentiary at hard labor for the term of ten — years: and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor in the Penitentiary for ten years

2450 The State of Texas v. J.B. Hill

And now on this day comes the Defendant in open Court. And it appearing that the said Defendant has been found guilty by the Jury trying the case of the offence charged in the Indictment, who assessed the penalty at confinement in the Penitentiary: and the Defendant being

June Term Thursday July 4th 1872

asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict and offering no sufficient reason; It is adjudged that the Defendant G.W.D. Hill is guilty of felony and that he be confined in the Penitentiary at hard labor for the term of ten years, and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor for ten years.

2451. The State of Texas v. Columbus Samuels.

And now on this day comes the Defendant in open Court and it appearing that the said Defendant has been found guilty by the Jury trying the case of the Offence charged in the Indictment, who assessed the Penalty at Confinement in the Penitentiary: and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict: and offering no sufficient reason, It is adjudged that the Defendant Columbus Samuels is guilty of felony, and that he be confined in the Penitentiary at hard labor for the term of two years: and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendant of said Penitentiary, there to be confined at hard labor for two years

2463 The State of Texas v. Jackson L. Griffith.

And now on this day comes the Defendant in open Court and it appearing that the said Defendant has been found guilty by the Jury trying the case of the offence charged in the Indictment, who assessed the Penalty at Confinement in the Penitentiary: and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict: and offering no sufficient reason, It is adjudged that the Defendant Jackson L. Griffith is guilty of Felony, and that he be confined in the Penitentiary at hard labor for the term of five years: and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor for five years.

2539 The State of Texas v. Joe Phelps.

And now on this day comes the Defendant in open Court. And it appearing that the said Defendant has been found guilty by the Jury trying the case of the offence charged in the Indictment, who assessed the penalty at confinement

June Term, Thursday July 4th 1872.

in the Penitentiary: and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict: and offering no sufficient reason It is adjudged that the Defendant Joe Phelps is guilty of felony and that he be confined in the Penitentiary at hard labor for the term of ten years: and that the Defendant be taken by the Sheriff of Travis county, and safely conveyed to the Superintendant of said Penitentiary, there to be confined at hard labor for ten years

2041 The State of Texas v. Phil. Lewis Jr.

And now on this day comes the Defendant in open Court. And it appearing that the said Defendant has been found guilty by the Jury trying the case of the offence charged in the Indictment, who assessed the Penalty at confinement in the Penitentiary: and the said Defendant being asked if he had any thing to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is adjudged that the Defendant Phil. Lewis Jr. is guilty of Felony, and that he be confined in the Penitentiary at hard labor for the term of five years: and that the Defendant be taken by the Sheriff of Travis county, and safely conveyed to the Superintendant of said Penitentiary there to be confined at hard labor for five years.

2607 The State of Texas vs. Charles Anderson.

And now on this day comes the Defendant in open Court, and it appearing that the said Defendant has been found guilty by the Jury trying the case of the offence charged in the Indictment who assessed the Penalty at confinement in the Penitentiary: and the said Defendant being asked if he had any thing to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is adjudged that the Defendant Charles Anderson is guilty of felony, and that he be confined in the Penitentiary at hard labor for the term of two years: and that the Defendant Charles Anderson be taken by the Sheriff of Travis county, and safely conveyed to the Superintendant of said Penitentiary there to be confined at hard labor in the Penitentiary for two years.

2459 The State of Texas vs. G. G. Dearborn.

And now on this day comes the Defendant in open Court. And it appearing that the said Defendant has been found guilty by the Jury trying the case of the offence charged in the Indictment, who assessed

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the penalty at Confinement in the Penitentiary: and the said Defendant being asked if he had anything to say why Judgment should not be rendered and sentence pronounced against him in accordance with said verdict: and offering no sufficient reason, It is adjudged that the Defendant G.G. Dearborn is guilty of Felony, and that he be confined in the Penitentiary at hard labor for the term of two years: and that the Defendant be taken by the Sheriff of Travis County and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor for two years.

2454 The State of Texas v. James Jones. Comes the District Attorney and upon motion It is ordered that the bond of the witness Stephens taken by the Sheriff of Bexar county in this case be quashed for informality. And thereupon, on further motion It is ordered that the Sheriff of Bexar County H. D. Bonnet, be fined One hundred Dollars for failing to execute the writ of attachment issued and directed to him for the witness A. Stephens, in this case: that the State of Texas do recover against said H. D. Bonnet said sum of One hundred dollars, and that this judgment will be made final unless said Sheriff shall show good cause at the next term of this Court why the judgment nisi should not be made final: and that Scire facias issue to said Sheriff.

2468 The State of Texas v. Bob Johnson. Ordered, upon motion, that the forfeiture entered in this cause on a former day of the term be set aside: and the cause is continued as by agreement of parties.

2500 The State of Texas v. Hall. Comes the Defendant by attorney and asks the Court to set aside the Judgment entered in this cause at a former day of the term. And the showing being deemed sufficient, It is ordered that said judgment be set aside and vacated, and held for naught.

2543 The State of Texas v. Byron Glasscock. And now on this day appeared Joseph Gamble and George Gamble and each of them acknowledges himself justly to owe and be indebted unto the State of Texas in the sum of One hundred dollars to be levied upon his Goods and Chattels, Lands, Tenements and Estate But to be void upon condition that the said Joseph Gamble and George Gamble appear before the District Court of Travis county, to be held at the Court House thereof in Austin on the first Monday in October, 1872, then and there to remain from day to day and from term to term thereafter, to give evidence on behalf of the Defendants in the above entitled cause of the State of Texas v Byron Glasscock, & that they do not depart the Court without leave

June Term, Thursday, July 4th 1872.

2592 The State of Texas v. W. P. de Normandie. On motion It is ordered that this case be ord pros? and Defd go hence discharged.

2601 The State of Texas v. Zeb Porter and Scott Porter. And now on this day came Zeb Porter and Scott Porter as principals and Ben. Weir and Thomas Martin as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of three hundred Dollars to be levied upon their Goods and Chattels, Lands Tenements and Estate But to be void upon condition that the said Zeb. Porter and Scott Porter personally appear before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in October 1872, then and there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against the said Defendants by the Grand Jury of Travis County at the June term 1872 of the District Court of said County, for theft of Cattle, and that they do not depart the Court without leave.

2604 The State v. Peter Burns. Comes the District attorney and upon motion the cause is dismissed and Defendant discharged.

2606 The State of Texas v. Zeb. Porter and Scott Porter.
And now on this day came Zeb. Porter and Scott Porter and acknowledged themselves as principals, and came also Ben. Weir and Thomas J. Martin, and acknowledged themselves as securities, jointly and severally justly to owe and be indebted unto The State of Texas in the sums of three hundred dollars, to be levied upon their Goods and Chattels, Lands, Tenements and Estate But to be void upon condition that the said Zeb Porter and Scott Porter Defendants make their personal appearance before the District Court of Travis county, at the Courthouse thereof in Austin, on the first Monday in October, 1872, there to remain from day to day and from term to term thereafter to answer the Indictment preferred against the said Defendants by the Grand Jury of Travis county at the June term 1872 of the District Court of said County for theft of a Mare, and that they do not depart the Court without leave.

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

Friday, July 5th 1872.

Court met at 9 o'clock A. M. Pursuant to adjournment. Present Hon. J. W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

2285 The State of Texas v. A. H. Meeks. Comes the Distrd attorney and on motion the cause is dismissed & deft. discharged.

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2552 The State of Texas v. Joseph Lee. Comes the District attorney and upon motion the cause is dismissed and the Defendant is discharged.

3030 Giles H. Burditt v. W. B. Burditt et al. In this case comes now Edward P. Hill, and shows to the Court that he has been regularly appointed, and has duly qualified as general guardian of the Estates of his minor children James D. Hill and Edward P. Hill, junior, who are parties to this suit, the said appointment having been made by the District Court of Caldwell county where the said children reside: And the said E. P. Hill having asked that he be made a party to this suit as general guardian as aforesaid, It is so ordered by the Court. And it is further adjudged that the said E. P. Hill as such general guardian of the Estates of said minors have the right to receive the assets of the said minors arising in this suit, and that Andrew M. Davidson, the special guardian of said minors to whom a portion of said assets have been paid and who have loaned the same till the 1st January 1872, do pay over to the said E. P. Hill as general guardian as aforesaid such assets as he may have received, to wit: the sum of One hundred and eighty-two $\frac{27}{100}$ Gold Dollars, together with interest thereon, as soon as he may collect the same

It is further ordered that upon the payment of said sum of money by said A. M. Davidson as aforesaid to the said General guardian, that he be discharged from his bond heretofore filed in this cause as special guardian and from all responsibility thereunder.

2296 The State of Texas v. West Craft et als. On this day appeared the attorney for the Defendant Erastus Croft, and upon motion It is ordered that the forfeiture entered in this cause at a former day of this term against said Erastus Craft be set aside and vacated: and the cause is dismissed as to the said Erastus Craft, and continued as to other Defts.

1492 The State of Texas v. Wm Wilson. Upon motion of the District attorney It is ordered that the cause be dismissed and the Defendant go hence discharged.

2290 The State of Texas v. Ed. Grooms. Comes the District attorney and the Defendant Ed Grooms. And thereupon It appearing that the Defendant has been found guilty by the Jury, who tried his case, of the crime of Theft from a house, being Felony It is ordered, and adjudged, that said Defendant is guilty of Felony as charged in the Indictment, And the Defendant submitting his motion for a new trial, sentence is suspended. And the motion being heard and duly considered, It is ordered that the said motion be overruled.

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And thereupon the Defendant gives notice, in open Court, of an appeal to the Supreme Court.

1998 The State of Texas vs William Beard. And now comes the District Attorney and the Defendant. Whereupon the Defendant submitted the motion to enter the judgment in this cause, as of date of October 25th 1871, nowfa then. And it appearing that said Defendant has been found guilty by the Jury who tried his cause of the offence charged in the Indictment, It is adjudged by the Court that said Defendant is guilty of Stealing Horses as charged, ~~and guilty of the felony~~ being a crime against the laws of this State, of the grade of felony, and that Defendant be confined in the Penitentiary at hard labor, for fifteen years. And the Defendant submitting his motion for a new trial, sentence is suspended. And said motion coming onto be heard and duly considered, It is ordered that said motion be overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

2367 The State of Texas v. Lad. Harn. And now on this day came the District attorney and the Defendant in person and by attorney; and thereupon the Defendant submitted his exceptions to the Indictment filed, which being heard and argued by counsel, and duly considered, It is ordered that said exceptions be and the same are hereby sustained: that said Indictment be quashed: and that the cause be ~~sustained~~ dismissed from the docket. And thereupon the District attorney excepts to said action of the Court, and gives notice in open Court of an appeal to the Supreme Court.

And thereupon came Lad. Harn, as and J. D. Mills and J. W. Farr his sureties, jointly and severally acknowledge themselves indebted to the State of Texas in the penal sum of One thousand dollars for the payment of which, well and truly to be made, they bind each of themselves, their heirs, executors and Administrators, to be levied of their respective goods, lands, tenements and estates: but to be void on condition that the said Defendant Lad. Harn who is charged with the Offence of Accepting a Bribe, appear before the District Court of the county of Travis, on the 1st Monday of October next, there to remain from day to day, and from term to term, and not depart without leave of said district Court, in order to abide the judgment of the Supreme Court of the State of Texas

2569 The State of Texas v. W. R. Anderson. And now come R. B. Faulkner, Daniel Waddle, J. F. Anderson, Wm. B. Jones, John P. Jones, Wm. Caldwell, Jordan D. Woodey & Benjamin Merriweather

June Term, Friday, July 5th 1872.

witnesses, and each of said persons acknowledged himself justly to one and be indebted unto The State of Texas in the sum of One hundred dollars, to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that the said persons above named, make their personal appearance before the District Court of Travis county, to be held at the Court house thereof in Austin on the 1st Monday in October 1872, there to remain from day to day and from term to term thereafter, to give evidence in the above entitled cause of The State of Texas v. W. R. Anderson, on behalf of the Defendant, and that they do not depart the Court without leave.

2572 The State of Texas v. R. B. McLaren. And now on this day appeared in open Court R. B. Faulkner, Daniel Waddell, J. F. Anderson, Wm. B. Jones, John P. Jones, Wm. Caldwell, Jordan D. Woodey and Benjamin Merriweather, and each of said persons acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of One hundred dollars to be levied upon their Goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that the said witnesses appear before the District Court of Travis county to be held at the Courthouse thereof in Austin on the 1st Monday in October, 1872, there to remain from day to day and from term to term thereafter, to give evidence on behalf of the Defendant in the above entitled cause of The State of Texas v. R. B. McLaren charged with theft from a house, and that he do not depart the Court without leave.

2570 The State of Texas v. Major Chambers. And now on this day came the District Attorney on behalf of the State, and came also the Defendant in person and by his atty Thomas C. Sneed, Esq and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis county, consisting of J. H. Walker and eleven others, who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel, and the charge of the Court, retired for deliberation and returned into Court the following verdict, to wit: "We the Jury find the Defendant not guilty, as charged in the Indictment. J. H. Walker, foreman." Whereupon It is ordered that the Defendant go hence fully acquitted and discharged.

Juries And thereupon It is ordered that the following named persons receive certificates of pay from the Clerk

June Term, Saturday, July 6th. 1872.

for services as jurors during the present week of the Court at the rate aforesaid dollars per day, for the times specified

99	J.H. Wacker	5 days =	$10.00		
100	Lacy McKenzie	5 " =	10.00		
101	James Pickle	5 " =	10.00		
102	D.T. Wilson	5 " =	10.00		
103	E Mariello	5 " =	10.00		
104	Robt. Faulkner	5 " =	10.00		
105	Wm Below	5 " =	10.00		
106	J.R. Brisendine	5 " =	10.00		
107	Henry Manor	5 " =	10.00		
108	John Burton	5 " =	10.00		
109	A.M. Hall	5 " =	10.00		
110	John Bennett	5 " =	10.00		
111	Ed. Wickerson	4 " =	8.00		
112	Peter Markle	4 days	$8.00		
113	John Musgrove	4 "	8.00		
114	F. Sterzing	4 "	8.00		
115	Jem. Chambers	4 "	8.00		
116	Grooms Lee	4 "	8.00		
117	Wm Horsley	4 "	8.00		
118	Thos Gourley	4 "	8.00		
119	E. Quinneman	2 "	4.00		
120	W.G. McCormick	4 "	8.00		
121	Robert Thomas	5 "	10.00		

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

Saturday, July 6th, 1872

Court met at 9 o'clock, A.M. pursuant to adjournment. Present Hon. J.W. Oliver, Judge Thirty-Third Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

Clk & Shff — And thereupon It is ordered that A.R. Morris, clerk of this Court, be allowed the sum of One hundred, eighty and 95/100 Dollars ($180.95) for extra services at this term of the Court, and that the same be paid by the County Treasurer of Travis county, upon presentation to him of a certified Copy of this order, out of the funds of said county.

(Issued) — And thereupon It is ordered that G.B. Zimpelman, Sheriff of Travis county, be allowed Two Hundred, Twenty-One + 12/100 Dollars ($221 12/100) for extra services at this term of the Court and that the same be paid by the County Treasurer of Travis county upon presentation to him of a certified copy of this Order out of the funds of the county.

Bailiffs — And thereupon It is ordered that the following named persons be allowed the sums set opposite their names for services as Bailiffs at the present term of this Court, and that the same be paid out of the County Treasury upon the Certificate of the Clerk:

(Issued) Queens = 18 days = thirty-six dollars
(Issued) Fred. Peck 28 " = fifty-six dollars
(Issued) H. Maddox 4 " = Eight dollars.

1254 — The State of Texas v. Giffin Jackson.

And now on this day comes the Defendant in open Court and it appearing that the said Defendant has been formerly by the Jury trying the case of the Offence charged

June Term, Saturday, July 6th 1872.

in the Indictment, who assessed the penalty at confinement in the Penitentiary and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is adjudged that the Defendant Griffin Jackson, alias William Jackson, is guilty of Felony, and that he be confined in the Penitentiary at hard labor for the term of five years: and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor for five years.

2666 The State of Texas v. Blair. Comes now the parties and the Defendant submitted his motion for a new trial which being heard and argued, It is ordered that said motion be granted. And thereupon the cause is continued.

3331 George W Honey v. E. J. Davis, Governor et al.

This cause having been called for trial on its merits the counsel marked of record for the respective parties thereto announced themselves ready for trial and waived a jury and agreed that the cause should be heard and decided by the Court on the facts as well as the law: whereupon the Court proceeded to hear the evidence adduced on both sides until it was announced in behalf of the respective parties by their counsel that they had no further evidence to offer. This being done the Court expressed a desire to hear said cause argued whereupon the counsel for the Plaintiff declined to argue the same: but the counsel for the Defendant B. Graham did verbally explain and submit along with their briefs the points, authorities and matters that had been proven, which they relied upon: and the Court took said cause under advisement. Whereupon on the 6th day of July, A. D. 1872, after a full consideration of said cause, be cause it has been proven to the satisfaction of the Court that the Plaintiff, George W. Honey, is not the Treasurer of the State of Texas but on the contrary that on the twenty-seventh day of May A.D. 1872, the Defendant B. Graham became, has since continued to be, and is, the Treasurer of the State of Texas, It is ordered, adjudged and decreed, that said plaintiff, George W. Honey, take nothing by his suit and that judgment be and is hereby rendered against him, and in favor of the Defendants to said cause and each of them, for all the costs thereof for which execution may issue.

It is further ordered adjudged and decreed that in case said Plaintiff shall take a non suspensive appeal and shall first deliver to said B. Graham all the keys,

June Term Saturday, July 6th 1872

together with all the secrets of the combinations of the locks of the Safes and Vaults of the Treasury of the State of Texas, which are the property of said State and should rightfully be in the exclusive possession and control of said B Graham as the Treasurer thereof. that upon its being proven or paid B. Graham to the Satisfaction of the clerk of this Court that said plaintiff has so done, he shall be permitted to take and perfect a non-suspensive appeal upon his executing a bond with securities to be approved by said clerk in double the amount of the costs, as is by law in such Cases provided. but if said plaintiff shall desire to take a suspensive appeal, and without delivering up said Keys, &c. &c. then and in that event that the bond to be given by him is hereby fixed in double the amount of the funds (in gold and in U.S. legal tender notes) of the State proved by the Report of the Commission in this cause to be in said Treasury, and double the amount of the two checks of E. Brenond, together with double the value of the keys, safes, vaults and combinations aforesaid, to be ascertained on proof to the satisfaction of said clerk, and in that ~~in~~ case of his failure to execute such bond, that he be not allowed a suspensive appeal. It is further ordered that the Plaintiff take nothing by his suit and that the Defendant ~~Banks~~ go hence without day.

And thereupon the said Plaintiff gives notice, in open Court, of an appeal to the Supreme Court.

And it is ordered that Mr. A. P. Wooldridge be allowed the sum of seventy-five dollars for his services as clerk in taking down testimony and preparing the statement of facts in this case, to be taxed in the bill of cost.

Whereupon It is ordered that Court do now stand adjourned till the next term in course.

J. W. Oliver
Judge 3d Judicial
Dist Presiding

The State of Texas } Be it Remembered That on this the
County of Travis } 28th day of August 1872 the Comm
Court of Travis County met at the Courthouse in Austin
for the purpose of drawing the Grand and Petit Juras
to serve at the October term 1872, of the District Court
of Travis County, the last term of the District Court
having failed to draw the same, five days' notice
having been given of this drawing: to wit:

Grand Jury.

1. Carl Nauert.
2. C. L. Nitschke
3. E. R. Crockett
4. L. D. Carrington
5. Jacob Leser
6. A. A. Scroggins (col.)
7. J. M. Warren
8. Ed. Smith (col.)
9. H. B. Willis (col.)
10. Jas. A. Nagle
11. Thos J. M. McClain
12. Thos J. Henry.
13. John C. Hamilton
14. C. W. Dieson
15. W. L. Piper
16. John Allen
17. Wm Gardner.
18. R. L. King.
19. B. F. Smith.
20. John Harrell

1st Week

Petit Juries 1st Week Oct. 7

1 James Dieterich
2 J. M. Martin
3 Henry Brown
4 Geo. Dockerey
5 Moses Swisher
6 C. Huppertz.
7 Burrell Shaw.
8 Wm Stelfox
9 Jeff Johnson
10 Wm J. Leland
11 B. Vaugandt
12. W. W. Priest
13 A. Nauert.
14 N. Hanson.
15 Peter Ross (col.)
16 Mose Mitchell
17 Elisha Kinchen
18 Henry Sampson.
19 W. F. Rowe.
20 A. A. McKnight
21 George Washington
22 Caesar Kennedy.
23 A. Kelso
24 Moses Fraction

2d Week

1

2d Week. Oct. 14

1 J. M. Sims.
2 R. H. Clements
3 Wiley Barrow.
4 Geo. W. Cossley.
5 C. Pegram
6 Theo. Pecht.
7 Wm A. Shipp
8 Sam Waters (col.)
9 R M Eastman
10 A. F. Bell
11 S. J. Birdwell
12 John W. Leland
13 Leland Woods.
14 John D. Glascock.
15 Don Wilson
16 Joseph Wacker.
17 Wm Dobles.
18 W. S. Biles.
19 Thomas King.
20 E M. Hull
21 James H. Shaw.
22 John S. Mussett
23 Geo. W. Logan
24 A J Catchings

3d Week Oct. 21

1 John Nowlin
2 E H Darter
3 Julius Daeshman
4 Asa McKenzie Jr.
5 H. H. Raven.
6 Addison Smith
7 Frank Peel
8 Watt Good.
9 Robert Waechter.
10 J.H. Wallace
11 James Davis
12 Harry Hawkins
13 F.W. Schaffnit
14 C. Spaulding.
15 R. H. Smith
16 J.O. Shelley
17 E. Zimmerman
18 Fred T. Peck
19 R. J. Moore.
20 John Musgrove
21 A. H. Cox
22 John L. McInnis
23 W. D. Patton.
24 Lewis Hill

4th Week

4th Week Oct. 28.

1 John D. Grumbles
2. Peter Wuthrick
3. Pleas. Stewart
4. J M. Washington
5. Aleck Gilleland (col.)
6. N. P. Piper
7. Chas. Dodge.
8. Geo. Doyle (col.)
9. N. J. Moore.
10. Samuel Cooper.
11. John Frut.
12 J. W. Spencer.
13 Henry Renick (col)
14 Emely E. Millett
15 P. L. Meyer.
16 J. J. Wade. Geo. B. Foster.
17 M. D. L. McFarland.
18 W. W. McLaughlin.
19 A.B. Mitchell
20 Bryce Boyd
21 C. L. Metz
22 A. A. Hughes.
23 C. A. Denny.
24. John Carson.

5th Week.

5th Week. Nov. 4.

1 Fred. Krueger.
2 M.D. Sherman
3 G.P. Warren
4 A. Wagner
5 Carl Palm
6 Aleck Gardner.
7 Sandy Hayden. (col.)
8 Lacy McKenzie
9 Dave Wilson
10 Thos. Diederich
11 S. T. Stone.
12 John H. Wacker
13 James R. Cummings.
14 Thos Rhodes. (col)
15 Benj. Leverett
16 Wm Waeter.
17 C. N. Worthington.
18 L. & S. C. Moore.
19 J. a. Littlepage.
20 W. H. Millican
21 Benj. McKenzie, (col)
22 I. V. Davis
23 D.D. Bonner.
24. Arnold Klein

October 7th, 1872.

The State of Texas } Be it Remembered that at a term of
County of Travis } District Court begun and held at the
City of Austin, within and for the County and State aforesa
on Monday, the 7th day of October, A. D. 1872, at the ho
of 10 o'clock, A. M., at the Courthouse thereof in the City
Austin, Present the Hon. J. P. Richardson, Judge of the
twenty-Seventh Judicial District of the State of Texas
Presiding. A. R. Morris, Clerk of the District Court of Tr
county. By Frank Brown, Deputy: and George B. Zaiser
man, Sheriff of Travis county. Whereupon the following
proceedings were had by said Court, to wit:

Grand Jury

The venire heretofore issued by the clerk of this Court ha
been returned into Court duly executed: It is ordered that t
Sheriff call the names of the persons appearing upon said
venire: And of the names called, a sufficient number
not appearing to constitute the Grand Jury, It is ordered
that a Special number of bystanders be called to compl
the panel of Grand Jurymen. And thereupon, it appearing
that the following named persons have been summoned
according to law, to serve as Grand Jurors for and durin
the present October Term of the District Court of Trav
County, to wit:

John Harrell[1]: Carl[2] Nairent: Jacob[3] Desen: And
erson[4] Scroggins: Thomas[5] Warren, Henry[6] Willis: J. M.[7] McLa
Nat.[8] Smith: Thomas[9] Henry: C. W.[10] Dieson: John[11] Allen: E. B.
Smith[12]: James[13] Dieterich: Henry[14] Brown, Geo. Dockery[15]: Moses
Swisher[16]: R. S.[17] King

It is ordered that the above named persons be and
they are hereby appointed and constituted the Grand J
of Travis county, for and during the present term of this Co
duly elected, tried, empannelled, sworn and charged accordi
to law.

And thereupon It is ordered that John Harrell be
appointed foreman of the said Grand Jury, who[9][10] having been
charged by the Court as to their duties they were ordered to ret
upon a discharge of the same.

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

October 8th 1872.

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

1658. Susan Taylor v. J. N. A. Carter & co's. Continued
187. Robert Mitchell v. M. C. & J. Bunnett, Continued
2013 E. Henry v. A. M. Davidson. Continued by consent.
2644 S. M. Swenson v. J. H. Herndon et al. Continued for service
2641. S. M. Swenson v. J. Nicholson et al. Continued for service.

October 8th 1872.

	2891.	Abraham Sockett v. Richard Warren. On this day came the plaintiffs attorney and upon motion It is ordered that this cause be dismissed from the docket and that the defendant go hence and recover of the plaintiff Abraham Sockett and the securities on his Injunction bond, to wit. Wm Clements and J. M. Bennett all the cost here of to be taxed for which execution may issue
	Criminal Docket.	Ordered upon motion, that this criminal docket be set for call and trial on Monday of the third week of the term.
	2745	Beasley Cook vs Thos F. McKinney & Co. Continued
	2906	F. H. Arlett v. S. B. Brush. Continued by the Defendant
	2931	T. F. McKinney v. A. M. Cox. Continued by consent.
	2955	Abby Thompson et.al. v. A. H. Barnes et.al. Continued
	2956	Abby Thompson et.al v. R. W. Riley et.al. Continued
	2957	Abby Thompson et.al v. R. A. Rutherford. Continued
	2958	Abby Thompson et.al. v. George Saunders. Continued
	2959	Abby Thompson et.al v. Charles Barnes Continued
	2960	Abby Thompson et.al v. H. L. Raven. Continued
	2966	W. A. Morris v. Reuben Shelby et.al. And now on this day came the Plaintiff by his attorney: and upon motion It is ordered that the cause be dismissed as to the following named Defendants to wit: J. H. Jones Emily Jones, Mary A. Cole, James Cole, Rachel A. Edwards, John P. Edwards, Alex. Shelby, David Shelby and Rachel Shelby Whereupon It is ordered that said Defendants go hence and recover of the plaintiff all the cost incurred as to them for which execution may issue And thereupon the plaintiff claims a judgment by default as to the following Defendants, for want of an answer; to wit: A. B. Brown, Admr. of Reuben Shelby, Deceased, R. G. Preston, E. S. Tharp and D. Corwin. And because said Defendants have been legally served with Process and have failed to answer within the time Prescribed by law and wholly made default. It is ordered that the said W. A. Morris do have and recover of and from the last named Defendants according to the prayer of his petition and that a writ of inquiry be awarded.
	2973.	S. B. Brush v. E. Raven. Continued
	2981	W. B. Phillips v. A. A. Scroggin et al Continued for service.
	2982	A. H. Cook v. Allison & Harrell. And now comes the plaintiff, and upon motion duly made, It is ordered that the Plaintiff have leave to amend his petition.
	3064	Thomas Freeman v. P. J. Nichols. And now on this day came the plaintiff and announced ready for trial. Whereupon came a Jury of twelve good and lawful

October 8th 1872

men of Travis county consisting of James H. Shaw and eleven others, who being tried, elected, empanneled and sworn according to law, heard the pleadings, the evidence, and the charge of the Court, and retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit "We, the Jury, find judgment for the Plaintiff for $273.24 Cts. "James H. Shaw, for." And thereupon It is ordered that the plaintiff Thomas Freeman do have and recover of and from the Defendant Quilla J. Nichols, the sum of Two Hundred, Seventy-three and 24/100 Dollars in coin, and all the cost of this suit, for which execution may issue

3073. Simon Mussina v. Wm G. Hale. On this day came the counsel for the Defendants, and suggesting to the Court that this cause was dismissed at the last term, but was not entered, It is ordered, upon motion, that the said cause be and the same is hereby dismissed from the docket, nunc pro tunc, and that the plaintiff pay all the cost hereof to be taxed, for which execution may issue

3080 W. F. Wells v. Varn & Smith. And now on this day came the plaintiff, and upon motion It is ordered that said plaintiff have leave to amend. And the plaintiff announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of Ben. Hornet and eleven others, who being tried, elected, empanneled and sworn according to law, heard the pleadings, evidence, argument of counsel and the charge of the Court and retired for deliberation. whereupon the Jury returned into Court the following verdict, to wit: "We the jury find for the Defendant. Ben. Hornett, foreman." Oct. 8/72. Whereupon It is ordered that the Defendant go hence and recover of and from the said Plaintiff W. F. Wells, all the cost of the suit incurred as to the Defendant Smith, for which execution may issue.

3082 J. M. Ditten v. Jno. B. Brown and N. G. Shelley. This cause being called for trial, came the plaintiff and announced ready. And it appearing that the Defendants have entered an appearance, and do not now the plaintiffs cause of action being liquidated as evidenced by the note of hand produced in evidence, the same sued on, It is ordered that the said plaintiff J. M. Ditten, do have and recover of and from the Defendants John B. Brown as principal, and N. G. Shelley as endorser the sum of Two Hundred, forty-five and 65/100 Dollars in currency, and all the cost of this suit for which execution may issue. And because the said Shelley is endorser, It is ordered that in the event he shall have to pay the judgment, or any portion thereof to the plaintiff

October 8th 1872.

the judgment shall not thereby become discharged as to the Defendant Brown, and execution may issue in favor of the said Shelley for such amount thereof as he may be compelled to pay for said Brown.

√ √ 3107 A. G. Mitchell v. Risher & Hall. Continued.

√ √ 3109 Wm Chapman v. W. A. Davis. Continued

√ √ 3107 J. M. Ditten v. I. R. Worrall. Continued to make Parties

√ √ 3123 Thomas O'Conner v. Wm Penfield. And now on this day came the plaintiff by attorney and dismisses this suit. as to the And thereupon It is ordered that the said cause be dismissed from the docket, and that the Defendant go hence and recover of and from the plaintiff Thomas O'Conner and the security on his cost bond, to wit: John H. Conner, ace the cost of this suit, for which execution may issue.

√ √ 3124 Thomas O'Conner v. Wm Penfield. And now on this day came the plaintiff by his attorney, and upon motion It is ordered that this cause be dismissed from the docket and that the Defendant go hence and recover of and from the said Thomas O'Conner and the security on his cost bond, to wit: John H. Conner, ace the cost of this suit, for which execution may issue.

√ √ 3180 Wm Ebon v. Geo. B. Zimpelman Admr et al. Ordered, upon motion, that the plaintiff in this cause have leave to amend his petition.

√ √ 3296 G. Schleicher v. Wm Thaxton. Ordered upon motion that the Defendant herein have leave to amend his answer

√ √ 3368 G. W. Devin et al v. The State of Texas. Ordered, upon motion, that the Plaintiffs in this cause have leave to file an exhibit A. And the cause is continued upon motion of plaintiff

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

October 9th 1872

Court met at 9 o'clock A M. pursuant to adjournment. Present- Hon. G. P. Richardson, Judge Twenty-Seventh Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

√ √ 3148 R. N. Dane vs G. W. Hetten et al. Ordered, upon motion duly made. that the Defendants herein have leave to amend their answers

√ √ 3176 S. Blum et als vs G. H. Banks et als. Ordered, upon motion, that the Defendants herein have leave to amend answer.

√ 3180 William Ebon vs Geo B. Zimpleman Admr et al. Comes the Plaintiff, and upon motion It is ordered that the said Plaintiff have leave to amend the petition

√ 3180 Wm Ebon v. Zimpelman. Ordered, upon motion of the Deft. that said Defendant have leave to amend.

October 9th 1872

3148 R. N. Dane vs G. W. Hetten et al Continued by the Defendant

3156 G B. Lipscomb v. Sawyer, Risher & Hall. Come the parties by their attorneys and upon motion It is ordered that this cause be dismissed from the docket and that the Defendants go hence and recover of the Plaintiff all the cost herein to be taxed for which execution may issue

3214 Joseph Carothers vs B. H. Davis, Admr et al. On this day came the parties and upon motion It is ordered that the Plaintiff and Defendants respectively have leave to amend their pleadings

3224. Louisa B. Gaspin et als vs A. Brichta et als Upon motion It is ordered by the Court that the Plaintiff herein have leave to amend their pleadings. And upon further motion the Sheriff is allowed to amend his return upon the process issued in this cause. And the cause is continued at the instance of the Plaintiff

3244 Leonard H. Blum v. S. D Meeks. And now on this day came the parties by their attorneys and asked the Court to render judgment against the Defendant according to the agreement on file. And thereupon It is ordered that the plaintiffs Leon & H. Blum do have and recover of and from the Defendant S. D Meeks the sum of one hundred and thirty $\frac{70}{100}$ Dollars and all the Costs of this suit for which execution may issue.

3259. Wm Neese vs Risher & Hall. Comes now the attorney for the plaintiff and suggests to the Court the death of the said plaintiff. And thereupon It is ordered that the cause be continued to make Parties.

3300 Mary J. Lee vs J. B. Sedwick. Continued by consent.

3299. Mary J. Lee vs R. H. Griffin. Continued by consent.

3146 Betsey Brown v. Emanuel Brown. Comes now the plaintiff and this cause being called for trial: and it appearing to the Court that the Defendant had been duly served with process herein according to law more than five days before the first day of the last term of this Court: and the Defendant not appearing but making Default herein, It is ordered that the plaintiff have a Jury to determine the truth of the allegations in her petition. And now comes a jury of twelve good and lawful men to wit: James H. Shaw and eleven others, tried, elected, empannelled and sworn according to law, and returned into Court the following verdict: "No. 3146 Betsey Brown v. Manuel Brown. Divorce. We the Jury find the allegations in the Pff's petition to be true. James H. Shaw, foreman."

It is therefore ordered adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Plaintiff Betsey Brown and Manuel

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Brown be dissolved, and that they be forever divorced and released from said marriage.

It is further ordered adjudged and decreed that the Plaintiff Pay the Defendant the sum of $82 coin: and that all the right title and interest of the said Manuel Brown in and to the following described real estate, to wit: Beginning at the South East corner of a tract of land, a portion of Out Lot No 1 in Division B of Out Lot No 1 owned by Fred Carleton to Caroline White. Thence South 67° East 64 feet to a stake for the South East corner of the tract herein described. Thence North 19° East 170 feet to a stake for the North East corner of this tract. thence North 67° West 64 feet to a stake for the North West corner of this tract: thence South 19° West 170 feet to the place of beginning: the same being known as Lot No (3) three of said Out Lot No 1: and being the same that was conveyed by Fred. Carleton to plaintiff on the 25th day of Jany 1869. Be divested from him and vested in the said Betsey Brown plaintiff: and that the title to the same be forever quieted to her as against said Manuel Brown, subject only to his lien for the said sum of $82 coin adjudged to her be due him as aforesaid, for which he may have his execution.

And it is further ordered that the plaintiff have and recover from the said Defendant her costs in this suit laid out and expended, or taxed, for which execution may issue

✓ / 3159 Augusta E. Raven v. P. De Cordova et al. And now on this day came the parties to this cause by their attorneys and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis County consisting of E. S. Matthews and eleven others who being tried elected empannelled and sworn heard the pleading, the evidence, argument of counsel and the charge of the Court, after retirement brought into Court the following verdict, to wit: "We the Jury find the property described in the plaintiff's petition to be the separate property of Augusta Raven. E.S. Matthews foreman." Whereupon It is ordered by the Court that the Defendant and the Sheriff of Travis county be and they are hereby enjoined and restrained from selling the property described in the petition of the plaintiffs: that the levy made upon the said property is hereby discharged, and the title of the said Augusta Raven to the same is established as against the levy in this cause: and that the cause be dismissed and the parties go hence: and that the said P. De Cordova pay all the cost of this suit, for which execution may issue

↓ ✓ 3269 P. W. Wynne v. D. M. Wilson, Defendant and B. M. Odom, Intervenor. And now on this day this cause coming on to be heard in its order in the regular call of the docket the plaintiff not appearing in person or by counsel the De-

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Defendant and Intervenor came by counsel and announced themselves ready for trial. And thereupon came a Jury to wit: James H. Shaw and eleven others, who being duly empanelled and sworn after hearing the evidence and charge of the Court, returned into Court the following verdict, to wit: 3269. Wynne et al. v. Wilson. We the Jury find for the Intervenor B. M. Odom against P. W. Wynne one of the plaintiffs the sum of eight hundred and thirty eight and 70/100 Dollars in coin and we further find that said Intervenor has a lien on the real estate described in the trust deed attached to his petition of Intervention to secure the payment of said sum of money found due him. James H. Shaw, for."

It is therefore ordered and adjudged by the Court that the Intervenor B. M. Odom do have and recover of and from the Plaintiff P. W. Wynne, the sum of Eight hundred and thirty-eight and 70/100 Dollars in coin, as his principal debt and interest to date, to draw interest at the rate of eight Per cent. Per annum from this date until Paid. To gether with all the costs in and about this suit expended and the equities of the injunction bonds A. J. Roberts and T. D. Owen; ten per centum damages thereon, and being eighty dollars and for delay and

And it appearing to the Court that said Intervenor has the vendors lien on the following real estate situated in Travis County Texas, to secure the payment of said sum of money, to wit: Part of Lots No 8 and part of the West third of Lot No 7 in Block No 73 in the City of Austin described by metes and bounds following. Beginning at a Point on the East line of San Antonio Street 70 feet South from the North West corner of said Block No 73: thence East and parallel with Bois d' Arc street eighty-eight feet and six inches to a corner. Thence South and parallel with San Antonio street fifty-eight feet to an alley. Thence West along the North line of said alley eighty-eight feet six inches to the East line of San Antonio street. Thence North along the East line of San Antonio street fifty eight feet to the place of beginning. It is therefore ordered and decreed by the Court that said lien of said Intervenor on said Real Estate, with improvements thereon, be foreclosed and that an order of sale do issue directed to the Sheriff of Travis County requiring him to sell said Real Estate for coin as under execution, and that said Sheriff apply the proceeds of said sale first to the payment and satisfaction of this judgment and that the balance if any remaining he shall pay over to the said plaintiff P. W. Wynne, and in case said Real Estate shall not sell for sufficient to satisfy this judgment then execution issue for any balance remaining unpaid against the above named judgment debtors.

3398 John C. Burleson Ex Parte. And now on this day came on to be heard the application of John C. Burleson, a minor over the age of seventeen years, to have his disabilities

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as a minor removed, which petition is sworn to by the father of the petitioner. And the same being heard: and it appearing that the ground or causes set out are sufficient, and that it is advisable to have his disabilities removed. It is ordered and decreed that the disabilities of said John C. Burleson as a minor be and the same are hereby removed, and the said removal of disabilities of minorage is deemed and held good for all legal purposes of full age, and he shall have acc the privileges and advantages, and be held responsible, as if he were of full age, saving only the right to vote.

✓ ✓ 3419 Mary C. Moore Ex Parte. And now on this day came on to be heard the application of Mary C. Moore, a minor over the age of seventeen years, to have her disabilities removed as a minor, which petition is properly sworn to. And the same being heard and it appearing that the ground or causes set out are sufficient, and that it is advisable to have her disabilities removed It is ordered and decreed that the disabilities of minorage of said applicant be and the same are hereby removed, and the said removal of disabilities is deemed and held good for all legal purposes, and she shall have acc the privileges and advantages, and be held responsible, the same as if she were of full age.

✓ ✓ 3165 John and Ann Eliza Holland v. John H. Conner Continued by Deft.

✓ ✓ 3178 John Meeks v. Hamniken and Hill. On this day came the Parties by their attorneys and upon motion and by consent It is ordered that this cause be dismissed from the docket and this securities S.D. Meeks and J.L. Mc Innis and that the Plaintiff, Pay all the costs of this suit, for which execution may issue.

✓ ✓ 3183 C.C. Talliferro vs Sawyer Risher & Hall. On this day came the Parties to this cause by their attorneys and on motion It is ordered that this cause be dismissed and that the Plaintiff Pay acc the cost of this suit, for which execution may issue.

✓ ✓ 3228 Sampson & Henricks v. Samuels & Mopon. On this day came the parties by their attorneys and on motion It is ordered that this cause be consolidated with the cause ct. 3297 of Sampson & Henricks v. Samuels & Masson

✓ ✓ 3255 John W. Sang v. Eesau Jackson Geo. J. Theilepape Ordered upon motion that this cause be dismissed the cost having been Paid.

✓ ✓ 3263 John H. Brower & Co. v. B. Marshodom. On this day came the parties, and upon motion It is ordered that this cause be dismissed, and that the Defendant pay acc the cost of this suit for which execution may issue

✓ ✓ 3271 Sampsion & Henricks v. Newman & Fisher Ordered upon motion that this cause be dismissed, the cost of the suit having been Paid.

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3275. C. F. Millett v. Jackson and Johnson. And now on this day came the Parties to this cause by their attorneys and announced ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, consisting of James H. Shaw and eleven others, who being tried, elected empannelled and sworn according to law, heard the pleadings, the evidence, argument of counsel and the charge of the Court, retired for deliberation, and returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiff $152 60/100 coin. James H. Shaw, Forn." Whereupon It is ordered that the plaintiff C. F. Millett do have and recover of and from the Defendants J. F. Jackson and Wm Johnson the said sum of One hundred fifty-two + 60/100 Dollars coin, and all the cost of this suit for which execution may issue

3404. Moses Rayner v. A. B. Palm. Come the Parties by their attorneys and upon motion It is ordered that this cause be dismissed from the docket, and that the Defendant pay all the cost of this suit, for which execution may issue

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

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Court met at 9 o'clock A. M. Pursuant to adjournment. Present same as heretofore.

3175 J. W. Hannig vs Ed. Creary & Frank Cotton. Now come the parties to the above entitled cause by their attorneys. And thereupon the Plaintiff dismisses this cause as to the Defendant Frank Cotton: when the Plaintiff and the Defendant Ed. Creary announced ready for trial and waiving a jury submitted the cause to the Court who after hearing the evidence doth order and adjudge that the Plaintiff recover of the Defendant Ed. Creary the sum of one hundred and nine and 49/100 Dollars, coin, Principal debt and interest to date, with interest thereon until paid at the rate of eight per cent per annum together with all the costs in this behalf expended for all which execution may issue

3244 Leonard & H. Blum v. S. D. Meeks. And now on this day came the Parties by their attorneys and move the Court to set aside the judgment entered herein at a former day of the term. And It is ordered that the said judgment be set aside and vacated and the cause is continued

3219 James Power et al v. The Governor of Texas. This cause being called and the Defendant having failed to answer within the time prescribed by law It is adjudged that the plaintiffs recover according to the prayer of the petition

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√ √ 3261 Jack Davis vs T. S. Wren. On this day came the parties by their attorneys and on motion the cause is dismissed and that the plaintiff pay acc the cost hereof to be taxed for which execution may issue.

√ √ 3262 Jack Davis v. J. B Wren et al On this day came the parties by their attorneys and on motion the cause is dismissed and that the plaintiff pay acc the cost hereof to be taxed for which execution may issue

√ 3299 The State of Texas v. Frank Dicks et al. Continued

Grand Jury And now on this day appeared in open Court the Grand Jury of Travis county duly elected, tried, empannelled, sworn and charged to inquire within and for the body of said county and through their foreman John Harrell Presented to the Court the following Bills of Indictment, to wit:

2619 An Indictment against Jno. Hickey for theft of a Saddle

2620 An Indictment against Jack Mahoney for An Assault with intent to kill and murder.

2621. An Indictment against Phil. Bartley for Carrying deadly weapons

2622. An Indictment against Phil. Bartley for An assault with intent to Kill and murder

2623 An Indictment against Jeff. Houston for An Assault with intent to commit Robbery

2624 An Indictment against W H. James for theft of a Gelding

2625 An Indictment against Tom Raines for theft of Pony Stallion

2626 An Indictment against James Irvine for theft of black gelding

2627 An Indictment against James Irvine for theft of Black Mare.

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

√ √ 3310 Charles Waef v. N. Hanson. And now on this day came the plaintiff by his attorney and suggests to the Court the bankruptcy of the Defendant: and upon motion of said plaintiff the cause is ordered to be dismissed and that said plaintiff pay acc the cost there of to be taxed for which execution may issue.

√ √ 3287 In the Matter of Ella Carter, by her next friend & agent Ella Rust: Ordered by the Court that the testimony taken in this proceeding be here recorded, as follows, to wit:

Interrogatories Inty 1st Are you acquainted with John H. Conner and Ella Carter, and were you acquainted with Bird Holland? If so, how long have you been acquainted with each of them and with what degree of intimacy and familiarity?

Inty 2nd State whether or not you ever had any business transactions, conversations or dealings with said Holland? If yea, state the character and nature of them?

Inty 3rd State the habits and character of said Holland as a business man in respect to his accuracy or inaccuracy in his business transactions, and whether he was careful or careless in preserving his business papers, and keeping memoranda of his business affairs

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Int'y 4th What was said Holland's character in respect to integrity in business transactions?

Int'y 5th Have you had any connection with the business or estate of said Holland since his death? If so what?

Int'y 6. Have you ever seen, or had in your possession any notes purporting to have been executed by said Conner to said Holland? If so state all that you know of the origin and history of said notes? what was their consideration? Was there any security for their payment? If so what was it? Were they, or any part of them, ever paid? If any, what part, and how? and what has become of them?

Int'y 7. Did said Conner ever have any conversations with you about said notes, and the consideration for which he alleged they were given - and in reference to the lots purchased by Holland under the deeds of trust given to secure them? If so, when and how often did he converse with you in reference thereto, state fully and particularly all that he said in reference to said notes and the consideration of said notes - and what he said as to a suit against any one, and the ground upon which he claimed the right to bring a suit:

Int'y 8th How came said Conner to talk with you in regard to said notes given by him to said Holland? Did he or not know that you had any connection with said Holland's Estate? and did he or did he not know that said lots had been willed to said Ella Carter by said Holland?

Ans. to Int. 1. I am acquainted with John H. Conner and Ella Carter and was acquainted with Bird Holland. I have known John H. Conner since the winter of 1843-44. I have known Ella Carter from her birth. I was acquainted with Bird Holland from 1840 till his death in 1864. My intimacy with Bird Holland was that of the most attached and confidential friends - was more intimate with him than with any other man I ever knew.

Ans. to Int. 2 I had, for many years, business transactions and dealings with said Holland, many of which were trades between us, and many of which were matters of trust between us. In April 1862 Bird Holland made his last will and testament, appointing me one of his Executors, and read the same to me, then enclosed and delivered it to me. The last time I ever saw him was in June, 1862, when the last business transaction I had with him occurred, which was as follows: He passed from Eastern Texas to San Antonio on public business, stopping at Austin going and returning: while he was at San Antonio I received six hundred dollars from one of his debtors to be paid to him. On his return to Austin I paid over to him the money, at my place of business in the Capital: whereupon he went over to Major Rust's in whose care he had left the most of his personal effects, and brought his pocket book

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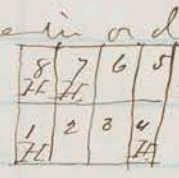
containing his notes and other papers, and deleting out the note of said debtor, entered upon it a credit for the six hundred dollars

Ans to Int. 3. His habits and character were remarkable in the respects referred to, in that he was more than usually correct, particular, accurate and careful in all his dealings with men, and was especially careful to preserve all contracts, memoranda and other writings made relative to them, as well as to make notes in writing, of his business transactions. As examples of his habits in this respect I hereto appent documents marked "A" & "B" in his hand writing and left in his pocket book with Major Rust, and make the same apart of this answer.

"A" Mr. Rust will call on J. M. Swisher after 1st January and take his note payable to me for $140 - this is the understanding between Swisher and myself

Mr. Rust will please have a new roof put on my house on Pecan street & pay the expense out of the rent from Uncle Davy. I believe somebody is living in this house & they must leave in order to have the house fixed for Uncle Davy.



Lots Nos 8. 9. 10. 11 in Block No 43 are mine. On lot 8 are two cabins. On lot 11 blacksmith shop and stable. A Mexican is renting these cabins & stable at $7.00 per mo. Please collect the rent after this month. &c.

7
8 BH
9 BH
10. BH
11. BH

My house & lot bought at Sheriff's sale as the property of John Conner is occupied at present by the widow Atkins (Judge Costa's relation) free of charge - would be glad if you could rent it to some one who would pay the rent.

You will find two drafts on file with the Treasurer Randolph one due 31st Dec next for $75: the other due 31st January 1863 for $67. These drafts are payable to you & I leave a buggy and harness in the Government stable. If Maj. Holland dont take it away I would like for it to be sold. I think it ought to sell for $125. If you cannot sell it, please have it taken care of. Perhaps my buggy house would be the best place to keep it.

My notes, &c. are in a calf skin pocket book, in small draw in my bureau.

I hold a judgement against John H. Conner for about $200 in the hands of the Sheriff. Conner is owing me on two notes between 1200 & 1500 dollars, being the balance on unsatisfied Deeds of trust.

I hold note on Blackwell for $1200 or $1400

"B." Thos. H. Turney Note Nov. 8' 1861 $832.14
Harrell & Cook " " 7 " 652.75
Mabris " Dec. 30 " 533.32

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Flournoy	" " 25 "	525.00
H. & J.F. Johnson	" Jan 1/62	756.00
Tomlpeen	" Mar. 1 "	210.00
Douresse	" 19 "	112.00
Flournoy		75.00
"	Dec. 21/60	75.00
"	Jan. 21/62	67.00
J.M Swisher & Co	" " "	140.00
		$3968.21
E.W. Cave note		85.00
" " "		11.00
W J Pinckston		70.00
		$4134.21
S.S. Penrod " cont		25.00
		$4159.21
I.M Blackwell " cont		1400.
		$5559.

Ans. to Int. 4 He was very correct in all his business transactions as much as any man I ever Knew.

Ans. to Int 5. I have. I have been one of his executors, and as such received into my hands and charge all his property real and personal. The same came into my possession Principally from Major Wm Rust the father in law of Holland, who as agent of Mr. Holland was then renting, to tenants, the improved parts of his Real Estate, some Austin city lots, and had charge of the pocket book which I have before mentioned, containing his valuable papers. Under the direction of the will of Mr. Holland I delivered back into the hands of Major Rust, who was her grand father, for the use and benefit of Ella Carter who was being raised and nurtured by him, the title Papers to all of his real estate, including some improved Austin City lots: and the same were from that time held and used by him, for her benefit as her property till his death, and have been since, so held by Miss Ella Rust, the aunt of said Ella Carter, who has raised, nurtured and educated her since the death of Major Rust. There being no legally appointed Guardian of said Ella Carter, I deemed it right to place said property in charge of those who would most effectually use it for her benefit. The personal estate of Mr. Holland, I have, to the extent of my ability, used and distributed as directed in his will.

Ans. to Int. 6. Among the effects received from Major Rust was the Pocket Book aforesaid, containing notes and other papers. Among them were two notes executed by John H. Conner payable to Wm Holland. One dated April 14, 1860. for $1580 payable 8 months after date, with 12 per cent. interest, credited by five hundred dollars on the 5th of November 1861. The other dated June 20. 1860 for $678.00 due 12 months after date with 12 per cent. interest credited on the 6th day of

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November, 1861, by $225.00 These notes were secured by deeds of trust on certain Austin City lots, of even dates with said notes, under which deeds of trust, said lots were sold by the trustee on the 5th day of November 1861 and purchased by Mr. Holland, and the amounts for which the lots were sold were applied as credits on said notes. On one $500.00 and on the other $226.00 The executors transferred the said notes, some time during the fall of 1871. to John and Ann Eliza Holland the beneficiaries under the will, upon whom said suit has been brought upon them

Ans. to Int. 7. He did. I have a distinct recollection of several conversations he had with me, and at various times for several years after the death of Mr. Holland, in which conversations he said, he intended to bring suit against me to recover said lots, and I think on the occasion of the first conversation, I told him I had nothing to do with them, as Executor of Mr. Holland I had turned them over to Ella Carter, to whom they were endorsed, and asked him upon what grounds he expected to recover them. He said that it was a usurious transaction. The last conversation he had with me in reference to these lots (which I think was in the Spring of 1867 just before I started to Tennessee) he said "If I have not slept upon my rights too long I intend to bring suit against you & Ella Carter & somebody to recover my lots." I again asked him upon what grounds he expected to recover them, he said that it was a usurious transaction: and my recollection is very distinct and I am positively certain that he neither then nor at any other time gave me any other reason for claiming these lots, and that whenever I asked him the grounds of his proposed suit, he always put it upon the grounds that it was a usurious transaction. He never claimed to have re-purchased the lots, or that they had been re-conveyed to him by Mr. Holland. I have heard John H. Conner recently testify in Court that these lots had been re-conveyed to him by Mr. Holland. But I am positively certain that when giving me the grounds of his claim to same, in the conversations referred to, he never intimated they had been reconveyed to him, & that he had refunded the money for them to Mr. Holland. I said to him in our last conversation about the matter, that by the laws of this State, when usury was pleaded against any one, he only lost the interest, and in this case he had not paid half the principal: that I then held his note given to Holland for upwards of $2000.00 and that only $725.00 had been paid upon them, and I did not think the plea of usury would avail him any thing in this case. This ended the conversation and was all in substance of what was said. He asserted no

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other grounds of claim to said lots.

Ans. to Int. 8. On that point I can only state facts from which the reason or cause of the conversations may be inferred. He was aware that I was Mr. Holland's Executor. His notes to Mr. Holland were in my hands unpaid except the credits I have mentioned. He had not at any time claimed additional credits upon them, and when I stated to him the Original amounts of said notes, and that only $725.00 had been paid upon them, he in no manner questioned the fact. Mr. Holland had informed me before his death that he had devised to Ella Carter the lots referred to in said conversations and had never intimated to me that there was any question about his title to them. I was therefore curious to ascertain the grounds on which Conner claimed them, and I think the conversations, if at all induced by me, were from this motive. Mr. Holland's will had been probated, and I presume Mr. Conner knew its provisions in favor of Ella Carter especially as he mentioned her as a party to be sued for the lots.

James F. Johnson

And said answers having been reduced to writing by said witness James F. Johnson, he signed his name thereto in my presence and swore to the truth of the same before me. Witness my hand and official seal of office in the City of Austin this the 14th day of May A D 1872. James W. Smith

Seal Notary Public Travis Co Texas

1 3214. Joseph Carothers v. B. H. Davis, Adm'r &c. And now on this day came the Parties to this cause by their attorneys and announced ready for trial. And the plaintiff and Defendant respectively submitted their demurrers to the Court which being heard and considered, are overruled. And thereupon came a Jury of twelve good and lawful men of Travis County, consisting of C. S. Matthews foreman and eleven others, who being tried, elected, empannelled and sworn according to law, heard the Pleading, the evidence, argument of counsel and the charge of the Court and retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit:- "We Jury find for plaintiff $799 55/100 Seven hundred and ninety-nine dollars and fifty five cents. Curr. interest included. C.S. Matthews, foreman." Wherefore It is ordered by the Court that Joseph Carothers do have and recover of and from the Defendant B. H. Davis, Administrator of the Estate of John M. Thomas, deceased, the sum of Seven hundred, ninety-nine and 55/100 dollars curr, so found to be due by the Jury, together with all the cost of this suit. And it is ordered that this judgment shall remain, and the same is hereby declared, to be a

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valid and established claim against the estate of the said John M. Thomas, deceased, to be paid in due course of administration.

✓ ✓ 3280 Thomas Freeman vs A. Eames et.als. And now on this day came the parties to this cause by their attorneys and announces ready for trial. And then came a jury of twelve good and lawful men of Travis county consisting of James H Shaw and eleven others, who being tried, elected, empannelled and sworn heard the evidence and the charge of the Court and rendered the following verdict, to wit: "Freeman vs Eames et.al. No 3280. We the Jury in the above entitled and numbered cause find for the plaintiff in the sum of twenty-five dollars with eight per cent. from date of said note, making in toto the sum of fifty dollars: and we further find the sum of ten Per cent. damages making in all the sum of fifty five dollars James H. Shaw, Foreman." Whereupon It is adjudged that Thomas Freeman do have and recover of and from the Defendants Alex. Eames, Thomas E. Sneed and W. M. Walton, and the security on the appeal bond, to wit: Joseph H. Moore, the sum of fifty-five dollars and all the cost of this suit in this Court and the Court below, for which execution may issue.

✓ ✓ 3283. T. J. McDermott v. A. R. Clark: It appearing that a Rule was entered at a former day term requiring the plaintiff to give bond and security for the cost of this suit, which has not been complied with, It is ordered that the cause be dismissed for want of compliance with the Rule, and that the plaintiff pay the cost of suit, for which execution may issue.

✓ ✓ 3284. John Humphreys v. Elsey B. Russell. Comes the plaintiff and upon motion It is ordered that this cause be dismissed from the docket and that the plaintiff and the security on his cost bond to wit: Edwin Rust and R. S. Rust pay all the cost of this suit, for which execution may issue

✓ ✓ 3288. W. Rybum et.als. v. A. Washington et.als. Ordered upon motion that W. T. North Esq be appointed Guardian ad litem for the minor Defendants in this suit.

✓ ✓ 3290. Dugan & Whaley v. E. G. Dewey, Continued for service.

✓ ✓ 3298 Geo. W. Glasscock v. Janet H. Glasscock Continued for service.

✓ ✓ 3318 W. M. Walton v. Savings Bank Garnishees. On motion It is ordered that the proceeding in garnishment in this case be dismissed, and that the plaintiff pay the cost thereof to be taxed for which execution may issue.

✓ 3333 Geo. W. Glasscock v. Thomas Blanchard. On this day now comes the plaintiff by his attorney and suggests to the Court the bankruptcy of the Defendant.

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3303 A.N.B. Palm et.als. vs. Geo. B. Zimpelman Sheriff &c And now on this day this cause being regularly reached on the docket, came the counsel for the plaintiffs. And thereupon it appearing to the Court that on the 9th September 1872, in Chambers, upon a hearing of the motion to dissolve the Injunction in this case, It was ordered that the said Injunction be dissolved with damages at ten percent. It is now ordered that this cause be dismissed from the docket at the cost of the said plaintiffs. Whereupon It is ordered that the plaintiffs and their several securities on the Injunction Bonds pay ace the cost hereof to be taxed, for which execution may issue. To which ruling of the Court the said plaintiffs by their attorney except and give notice in open Court of an appeal to the Supreme Court.

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

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

3285. G. R Freeman v. J. F. Lemon et.al. Comes the plaintiff and asks a judgment by default. And because the Defendants have been cited and failed to answer within the time Prescribed by law and wholly made default, It is ordered that the Plaintiff do have and recover of and from the Defendants according to the Prayer of his petition, and that a writ of inquiry be awarded.

3288. W. Rykuns et.al. v. A. Washington et.als. Ordered upon motion that G. R. Freeman Esq be appointed special guardian for the minor Plaintiffs in this suit.

3319 J. B. Minter v. W. B. Walsh and W. R. Baker. And now on this day came the Plaintiff and asked a judgment final by default. And it appearing that the Defendants have been duly cited, and failed to answer within the time Prescribed by law and wholly made default. And plaintiff's cause of action being liquidated. It is ordered that J. B. Minter do recover of and from the Defendants W. R. Baker and W. B. Walsh the sum of Four Hundred Seventy One and 81/100 Dollars principal debt and interest due upon the note sued on to this date, with 10 per centum per annum interest thereon from this date until paid, and all the cost of this suit, for which execution may issue.

3323. Stuart & Pitch v. Glenn and Evans. And now on this day appeared the parties to this cause by their attorneys and announced ready for trial. And thereupon came a Jury of 12 good and lawful men of Travis County consisting of J. H. Shaw and eleven others, duly tried, elected, empaneled

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and sworn according to law, who heard the pleadings, evidence, argument of counsel and the charge of the Court, and retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury find judgment for the plaintiffs for $270 Coin. James H. Shaw, for'n." Wherefore It is ordered that the said John A. Stuart and James H. Fitch do have and recover of and from John W. Glenn and William E. Evans the sum of Two Hundred and Seventy five dollars in coin and all the cost of this suit for which execution may issue

√ √ 3328 Edward Parker v. M. P. Caldwell et al. Comes the Clerk and moves the Court to require the Plaintiff to enter into bond and security for the cost of this suit. And it is ordered that said Plaintiff enter into bond and security for the Cost of this suit, on or before the next term of this Court, and the cause is continued under the rule.

√ √ 3332 Gary & Oliphant v. Thos Blanchard. Comes the Plaintiffs and suggest to the Court the bankruptcy of the Defendant. And it is ordered that the cause be continued, and the rule for cost

√ √ 3334 X P. M. Odom v. J. H. Peter et al. And now on this day this cause being regularly reached, came the plaintiff and asks for a judgment by default. And because the several Defendants have been cited and failed to answer within the time prescribed by law and wholly made default, It is ordered that the County Treasurer of Travis County is hereby, perpetually enjoined and restrained from paying to J. H. Peter, Thomas Anderson, T. W. Baker, & R. T. Thompson or any other Persons, any and all warrants drawn upon the County Treasurer of Travis county for and on account of pay as School Directors of Travis county, whether the same have been heretofore issued or may hereafter be issued under the Orders of the County Court of Travis county: that the Injunction sued out in this case be made perpetual: that the cause be dismissed from the docket. and that the plaintiff have and recover of and from said Defendants, above named all the cost of this suit for which execution may issue.

√ √ 3335 J. J. McClelland v. Rowe and Dawson. Continued for service on Dawson.

√ √ 3338. X Rhodins & Co. v. Stanley Welch. And now on this day came the plaintiffs and ask a judgment final by default. And it appearing that the Defendant has been legally cited and has failed to answer within the time prescribed by law and plaintiff's cause of action being liquidated It is ordered that the plaintiffs Christopher Rhodins and Edward Degener under their firm name of Rhodins & Co.

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do have and recover of the Defendant Stanley Welch the sum of One hundred, twelve + 15/100 Dollars coin, and all the cost of this suit, for which execution may issue.

3340 G. W. McCormick et. al v. Emmet Carrington. Comes the Defendant and upon motion It is ordered that the Plaintiffs be required to enter into bond and security for the cost of this suit on or before the next term of this Court, plaintiffs being notified, and that the cause be continued under the rule.

3341 Bates & O'neal v. Serra Brothers. Come the plaintiffs and upon motion It is ordered that this cause be dismissed from the docket and that the said plaintiffs A B Bates and J H. O'neal pay all the cost of this suit for which execution may issue.

3349. The State of Texas v. Albert Fabler et. als. Comes the attorney for the Defendants, and upon motion It is ordered that said Defendants have leave to amend answer.

3356 Felix J. Akers v. J. A. Chandler Adms et. al. On motion It is ordered that James B. Morris Esq be appointed Special Guardian for the minor Defendants in this suit: and that the cause be continued for service.

3358 Pheehs & Johnston v W. M. Walton. Come the plaintiffs by their attorneys and ask a judgment by default. And the Defendant having been cited according to law and failed to answer, It is ordered that the plaintiffs do have and recover of and from the Defendant W. M. Walton, according to the prayer of their petition, and that a writ of inquiry be awarded.

3369 Carl Kroh v. Max and Clara Maas. Comes the plaintiff by attorney and ask a judgment by default. And the Defts having been cited and failed to answer within the time prescribed by law It is ordered that the plaintiff recover of the Defendants according to the prayer of their petition and that a writ of inquiry be awarded.

3371 Loveless and Nabors. J. H. Peter et. al. Come the plaintiffs and by attorney and ask a judgment by default. And the Defts having been cited and failed to answer within the time prescribed by law. It is ordered that the plaintiffs recover of the Defendants according to the prayer of their petition and that a writ of inquiry be awarded.

3379 E. R. Johns & Co. v. Unknown Heirs of Wm Hoints. Cont. for service.

3382 Raymond & Whitis v. Taylor and Moore. Cont'd for service

3385 Bremond & Co. v. A. H. Longley et. al. And now come the plaintiffs by their attorneys and dismiss this suit as to the Defendant A. H. Longley who has not been served. and the plaintiffs claim a judgment by default as to the other Defendants. And it appearing that said Defendants have been severally served with process and have failed to answer within the time prescribed by law. [illegible] plaintiffs cause of action being liquidated. It is ordered that the plaintiffs E. Bremond, John V Bremond

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and John H. Robinson under their firm name of Brenard & Co do have and recover of and from the said Defendants W. P. Bacon, B. J. Pridgen and John T. Miller the sum of two hundred and ninety-six dollars in gold, with ten per cent interest thereon from date till paid, and all the cost of this suit for which execution may issue.

3386 Brenard & Co. v. A. H. Longley et.als. And now come the Pffs by their attorney and dismisses this suit as to the Deft. Longley who has not been served. And the plaintiffs claim a judgment by default as to the other Defendants. And it appearing that said Defendants have been severally served with process and have failed to answer within the time prescribed by law. And plaintiffs cause of action being liquidated. It is ordered that said Plaintiffs E. Brenard, John Brenard and John H. Robinson under their firm name of Brenard & Co. do have and recover of and from the Defendants W. P. Bacon. B. J. Pridgen, A. P. Blocker and Geo. Davis the sum of two hundred and ninety six gold Dollars with ten per centum per annum interest thereon from date till paid and all the cost of this suit, for which execution may issue

3390 H. J. Dutton v. M. H. Hamilton. Comes the Defendant, and upon motion It is ordered that the plaintiff be required to enter into bond and security for the cost of this suit on or before the next term of this Court, plaintiffs attorney being notified; and the cause is continued under the Rule for cost.

3391 Mary H. Hamilton v Randall & Dutton. Continued for service.

3393 M. A. Taylor v. Julius Schutze. Comes the plaintiff by attorney and asks a judgment by default. And it appearing that the Deft. has been duly cited, and has failed to answer within the time Prescribed by law: ~~and plaintiff~~ It is ordered that the plaintiff recover of the Defendant according to the Prayer of his petition. and that a writ of inquiry be awarded.

3405 The State of Texas v. R. S. M. A. de la Fuller's Estate. Ordered upon motion that the counsel for the Plaintiff have leave to file supplementary petition

3409. L. Heyniger & Co v. Wren Erwin & White. Come the plaintiffs and ask that Default be entered against the Defendants Wren and Erwin who have not answered. And because said Defendants have been cited and failed to answer within the time Prescribed It is ordered that the plaintiffs recover against said Defendants according to the petition filed.

3410 L. Soligman v. Fox and Horan. And now comes the plaintiffs, and upon motion It is ordered that this cause be dismissed from the docket, and that the plaintiff pay all the cost of this suit, for which execution may issue

3412 E. Brenard v. J. H. Good et.al. Continued for service.

3414 E. T. & H. B. H. Davis v. Tho. H. Jones Admr. Come the plaintiffs and claim a judgment by default. And the Defendant having

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accepted service of plaintiff's petition and failed to answer within the time prescribed by Law It is adjudged that the said plaintiffs do recover against the Defendant according to the prayer of his petition, and that a writ of inquiry be awarded.

3422. B. J. Evans v. T. E. Tullis. And now on this day came the parties by their attorneys: and upon motion It is adjudged that judgment be entered according to the agreement on file. And thereupon It is adjudged by the Court that the said B. J. Evans do have and recover of the Defendant T. E. Tullis the sum of Four hundred, Eighteen + 96/100 Dollars, in gold, principal debt and interest due upon the note sued onto this date, with interest thereon at the rate of four per cent. per month from this date until paid, and all the cost of this suit, for which execution may issue

And it appearing that the plaintiff has a mortgage lien upon the following described real estate, to secure the payment of this judgment, to wit: three tracts of land lying in Brazos County:

1 320 acres patented to the heirs of Peter Horton assignee of W. H. Frasier, on Hope's creek, a tributary of the Brazos about 6 1/2 miles S. of Bonville

2 269 26/100 acres patented to Peter Horton. Beginning at the N. W. corner of John Vaque Survey in the N. E line of James Hope's Survey

3 166 acres, more or less, being apart of the land sold by Horatio Christian to heirs of D. S. Richardson

The field notes of the said three tracts being set out at length in the Records of Brazos county, on pages 321 and 322 of Book M of the Records of Deeds of said County

It is adjudged that the said plaintiffs mortgage lien upon said three tracts of land be foreclosed, and that an order of Sale issue to the Sheriff of Brazos county, requiring him to sell, as under execution the above described tracts of land and the proceeds thereof he shall apply to the satisfaction of said sums of four hundred, eighteen & 96/100 good Dollars, with interest as aforesaid and costs, and the overplus, if any, he shall pay over to the Defendant.

G. H. Burditt fine $20.

It appearing that G. H. Burditt has been summoned to serve as a Petit Juror and has failed to appear in answer to said summons: and said Burditt having appeared and failing to give a sufficient excuse, It is adjudged that he be fined in the sum of thirty dollars for contempt and that a commitment issue to collect the same.

Chas. Benke

Charles Behnke having shown to the Court that he came to the United States in the year 1856, and has selected the State of Texas as the place of his intended settlement: that more than two years have elapsed since he files his Declaration to become a citizen of the United States: that he has taken the oath to support the Constitution of the United States and the State of Texas, and that he doth absolutely and

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entirely renounce and abjure forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatever and more particularly to the King of Prussia, of whom he was heretofore a subject: and having produced evidence by two credible persons of the truth of his residence and good character, It is adjudged that said Charles Behnke be admitted a citizen of the United States and that a certificate issue accordingly upon paying the legal fees.

√ √ 3320. G. H. Burdett Admr v. Thomas Miller. This cause being called for trial, and came the plaintiff by attorney and announced ready. And thereupon came a jury of twelve good and lawful men of Travis county, consisting of James H. Shaw & eleven others who being tried, elected, empannelled and sworn according to law, heard the evidence and the charge of the Court and returned the following verdict: "We the jury find judgment for plaintiff for $212 currency. James H. Shaw, foreman." Whereupon It is ordered that Giles H. Burdett, Admr. of Isaac Burdett deceased do recover against Thomas Miller the said sum of two hundred and twelve dollars and all the cost hereof to be taxed for which execution may issue.

√ √ 3370 B. H. Schumhoff vs Lucy Ann Johnson. Trespass to try title In this case the Defendant appears and files her answer and also a suggestion that she claims the lot and premises in question to wit: Lot No 3 in Block No 130 in the City of Austin Travis county Texas under and through warranty deeds duly executed by Sebron Sneed, Senior, C. H. Randolph, and W. P. de Normandie, all residents of Travis county, Texas, and asks that the said Sneed, the said Randolph and the said DeNormandie be notified of this suit by service of this Order, and be called in as warrantors as aforesaid to defend the same.

√ √ 3291 Joseph Robertson v. Wm D Edwards. And now on this day came the parties by their attorneys and announced ready for trial: then came a jury of twelve good and lawful men of Travis county, consisting of E. S. Matthews and eleven others, duly tried, elected, empannelled and sworn, who heard the pleadings, the evidence, argument of counsel, and the charge of the Court, & after retirement, returned the following verdict, to wit: "We the Jury find for the plaintiff the sum two hundred and twenty-five dollars coin. E. S. Matthews foreman." Whereupon It is ordered that the said Joseph Robertson do have and recover of and from the Defendant Wm D. Edwards the sum of two hundred and twenty-five dollars, coin, together with all the cost of this suit, for which execution may issue

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Petit Juries. It is ordered that the clerk issue certificates of Jury Service to the following named persons for attendance during the present week of this Court, to wit:

1	Jeff. Johnson	5 days	$10.00	14	W.T. Norton	4 days	$8.00
2	L.T. Wilson	5 "	10.00	15	James Hickey	4 "	8.00
3	C.W. Rowe	5 "	10.00	16	C.A. Jubin	4 "	8.00
4	J.H. Shaw	5 "	10.00	17	J.H. Bolton	4 "	8.00
5	P.S. Gardner	5 "	10.00	18	E.S. Matthews	4 "	8.00
6	A. Blomeke	5 "	10.00	19	S.B. Boatright	4 "	8.00
7	P.M. Hull	5 "	10.00	20	L. Hartson	4 "	8.00
8	M. Mitchell	5 "	10.00	21	C.W. Crypm	4 "	8.00
9	C. Kennedy	5 "	10.00	22	W.S. Langford	4 "	8.00
10	Geo. Washington	5 "	10.00	23	Ben. Honnet	1 "	2.00
11	M. Fraction	5 "	10.00	24	J.H. Wacker	2 "	4.00
12	Ben Van Zandt	5 "	10.00	25	Fahey	3 "	6.00
13	W.T. Biles	5 "	100	26	M. Musgrove	3 "	6.00

27. W.T. Patterson 1 = $2.00 28. James Phillips (former law) 3 " $6.00

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

Saturday, October 12th 1872.

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

3339 Simeon T. White v. Louis Paiget. And now on this day appeared the parties by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county consisting of James H. Shaw and eleven others who being tried, elected, empannelled and sworn according to law, heard the pleadings, the evidence, argument of counsel and the charge of the Court, and retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: We, the Jury, find judgment for Plaintiff the sum of $100 in Coin. James H. Shaw, Foreman. And thereupon It is ordered that the Plaintiff Simeon T. White do have and recover of and from the Defendant Louis Paiget the sum of two One hundred dollars in coin, so found to be due, and all the cost of this suit, for which execution may issue

3248 The State of Texas v. Wm Barnes. Ordered that this cause be dismissed from the Docket.

3249 The State of Texas v. Rudolph Blum. Continued for service.

3250 The State of Texas v. Wm Seiug. Cause Dismissed

3267. The State of Texas v. B. Veller. Cause Dismissed

3207 The State of Texas v. J.M. Loveley. Cause Dismissed

3381 Hancock & West v. C. Eberling et.al. On motion It is ordered that this cause be dismissed from the docket. and that the Plffs pay the cost of this suit for which execution may issue.

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3415. Walker & Sterzing v. J. T. Miller & Sons. Come the parties by their attorneys and upon motion It is ordered that this cause be dismissed at the cost of the plaintiffs to which execution may issue

3253 The State of Texas v. Esau Jackson. It appearing that the Defendant has been served with Scire facias to appear and shew cause why the fine, ~~or~~ entered against him at a former term as a Defaulting Juror, should not be set aside, and failing to appear, It is ordered that said judgment nisi be made final, and that the State of Texas recover against said Esau Jackson said sum of ten dollars and the cost of this proceeding, and that a commitment issue to collect the same.

3246 The State of Texas v. Wright, et. als. It appearing to the Court that on the 1st day of March 1872, at the February term 1872 of this Court, judgment nisi was entered against the Defendants Wright, J. H. Fitch and Doing Moore, on a forfeited appearance bond in the sum of one hundred dollars: to answer the charge of Betting at Monte against the said Wright preferred against him at said term, and said Defendants Wright and Fitch having been served with Scire facias to appear and shew cause why said judgment nisi should not be ~~not~~ made final, which they have failed to do. It is ordered that said judgment nisi be made final as against the Defendant Wright and Fitch, (the cause being dismissed as against the Defendant Moore who has not been served) and it is further ordered that the State of Texas do have and recover against the said Wright and J. H. Fitch the sum of one hundred dollars and all the cost of this proceeding for which execution may issue

3214 Jos. Carothers v. B. H. Davis Admr et Ux. And now comes the attorney for the plaintiff and upon motion is allowed to enter a Remittitur for the sum of forty-nine & $\frac{35}{100}$ Dollars in coin: and the judgment is hereby reduced to that extent.

3350 The State of Texas v. H. D. Bonnet. Judgment set aside & dismissed.

3351. The State of Texas v. Martin Jackson. Cause Dismissed

3354. The State of Texas v. Martin Hughey. Judgment set aside & dismissed.

3304 Wells & ~~Warren~~ Mason v. Warren & Robinson. And now on this day came the plaintiffs and claim a judgment final by default. And the Defts. having been duly cited and failed to answer within the time prescribed. And the cause of action being liquidated, It is ordered that the Plffs. M. J. Wells and B. B. Mason do have and recover against J. S. Warren and W. R. Robinson the sum of One hundred eighty-four & $\frac{82}{100}$ coin dollars Principal debt and interest due upon the note sued on to date and all the cost of this suit, for which execution may issue

3133 Jose Maria Garcia Villareal v. The State of Texas. Comes the counsel for the State of Texas, and upon motion It is ordered that

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the Defendant have leave to amend the answer. And upon motion It is further ordered that Noah Cox the Special Commissioner appointed to take depositions in this case, be allowed to amend his certificates attached to the Depositions returned in this cause and the several other causes of a like nature now pending in this Court.

3180 Wm Eborn v. G. B. Zimpelman, Admr &c. On motion of the Def plaintiff It is ordered that the said plaintiff have leave to withdraw the Depositions filed in this cause for the purpose of having them properly returned: and the cause is continued upon motion of the Defendant.

3349 The State of Texas v. Albert Tobler, et. als. And now on this day came the counsel for the parties to this cause: when came onto be heard the motion of the Defendants to set aside the judgment ni si entered against them at a former term of this Court. And the court having heard the motion argued and having duly considered the same, and the reasons urged therefor being deemed insufficient, It is ordered that the motion be refused. And it appearing that at the June term of this Court, 1872, on the 18th day of the month, judgment ni si was entered against the Defendants for the sum of One thousand dollars on a forfeited appearance bond, conditioned for the appearance of Albert Tobler to appear and answer the charge of Stealing four hundred dollars from the possession of Capt. A. Evans at the District Court of Travis county, to be held on the 1st Monday in February 1872, and there remain from day to day [illegible] term of said Court. And said Defendant having failed, in obedience to the writs of Scire facias, to show cause why said judgment should not be made final, It is ordered by the Court that the said judgment ni si be and the same is hereby made final, and that the State of Texas do have and recover of and from the said Albert Tobler, Julius Tobler and Otto MacKensen the said sum of One thousand dollars and the cost of this prosecution, and that execution issue therefor. whereupon the Defendants give notice in open Court of an appeal to the Supreme Court.

3329. Felix E. Smith, Admr. of Israel Pickens vs. Anna P. Surry et al Heirs of A. B. Slaughter. On this day comes the Plaintiff by attorney: and comes B. H. Davis. Special Guardian of the minor heirs of said A B. Slaughter: and the motion to confirm the sale of the Stock of horses belonging to the said Defendants to said James Poag, came on to be heard: and it appearing to the Court that the sale was advantageous to the interest of the minors and agreed to by all the other parties. It is ordered by the Court that the said sale be and the same

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is confirmed, and the title in said stock of horses be vested in said James Poag upon payment of the Purchase money.

And thereupon Court adjourns till to morrow Monday morning at 9 o'clock.

Monday, October 14th

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

3377 Scheick & Berkson v. Townsend & McCormick. Come now the plaintiffs and claim a judgment final by default. And because the Defendants have been cited and failed to answer within the time prescribed by law and wholly made default. It is ordered by the Court that the said Louis Scheick and Theodore Berkson, under their firm name of Scheick & Berkson do have and recover of and from the Defendants M.W. Townsend and Thomas McCormick the sum of Seven hundred Seventy Seven and 71/100 Dollars, debt and interest due upon the note sued on to this date and all the cost of this suit, for which execution may issue.

3378 Peet Yale & Bowling v. B.N. Worthington. Come now the plaintiffs and claim a judgment final by default. And because the Defendants have been duly cited and have failed to answer within the time prescribed by law and wholly made default. It is ordered that the said Eleazar Peet, Cyprus Yale and Joseph Bowling, under their firm name of Peet Yale & Bowling do have and recover of said B.N. Worthington, the sum of three hundred, forty nine & 8/100 Dollars principal debt and interest due upon the note sued on to this date, and all the cost hereof to be taxed for which execution may issue.

3359 M. J. Carleton et al. v. B.H. Turney Admr. Come now the plaintiffs and claim a judgment by default. And because the Defendant has been duly cited and has failed to answer within the time prescribed by law, and makes default, It is ordered that the plaintiffs recover of the said B.H. Turney, Admr of W.W. Evans, according to the prayer of their petition, and that a writ of inquiry be awarded.

3373 Redmond & Whitis v. A.S. Roberts. Continued by Defendant.

3374. D.M. Odom v. P. & B. Golden. Continued

3395 A.S. Roberts v. J.W.D. Sedwick. comes the plaintiff and asks a judgment by default. And because the Defendant has been cited and failed to answer within the time prescribed by law: and pltffs demand being liquidated, It is ordered that A.S. Roberts recover against J.W.D. Sedwick the sum of two hundred thirty-two & 80/100 Dollars in coin, with interest thereon at 12 Per centum Per annum from date

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till paid, and all the cost of this suit for which execution may issue.

3380 John W. Robertson v. B. D. Morris. And now on this day came the Parties by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county consisting of Don. Wilson + eleven others who being tried, elected empannelled and sworn according to law, heard the pleading, the evidence, argument of counsel, and the charge of the Court and retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit. "We the Jury find for the Plaintiff Judgment for $85 gold & fifty-three currency. Don. Wilson, foreman." Whereupon It is adjudged by the Court that the said John W. Robertson do have and recover of and from the Defendant B. D. Morris, said sum of Eighty-five dollars in gold and fifty-three dollars in currency and all the cost of this suit, for which execution may issue.

2715 Isaac Jalonick et al. Pleasant Taylor et als. And now on this day came the Parties by their counsel. Whereupon, upon motion It is adjudged that the cause be dismissed from the docket as to the Defendant Myers. And it is adjudged that said Myers go hence and recover his cost. And upon further motion The cause is continued by consent.

3150 W. A. Shaw et als. v. John Norwood et als. Cont? by Defendant.

3151 Charles Shepherd v. John J. Sneed, et als. Cont? by consent.

3372 J. H. Scroggins v. Ellen Scroggins. Comes now the plaintiff, and upon motion It is ordered that the Plaintiff have leave to amend the petition.

3389 Grover & Baker v. Peacock & Vere. Ordered, upon motion of the Defendant, It is ordered that said Defendants have leave to amend their answer.

3408 H. Hirschfeld v. Z. H. & M. Peter. Continued by the Defendant.

3321 Horan's Executors v. P. W. Nowlin. And now on this day came the parties by their attorneys and announced ready for trial, when came a Jury of twelve good and lawful men of Travis county consisting of John H. Wacker and eleven others who being tried, elected, empannelled and sworn according to law, heard the pleadings, the evidence, argument of counsel and the charge of the Court and retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We, the Jury, find for the Plaintiff the sum of two hundred & twenty nine dollars ($229) principal & interest. John H. Wacker foreman." Whereupon It is adjudged that John A. Green and Catherine Horan, Executors of John Horan, Deceased, do have and recover against P. W. Nowlin the sum of two hundred and twenty nine dollars and the cost of suit for which execution may issue

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3383 Geo. W. Honey v. E. H. Quick et al. Continued by the Defendants.
And Court adjourned till to-morrow 9 o'clk A.M.

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

3387 America Johnson v. C. & A. Johnson. And now comes the Plaintiff. and upon motion It is ordered that the said Plaintiff have leave to amend the Petition.

3388 Moses Ragsdale v. Wm Palm. And now comes the Plaintiff and upon motion It is ordered that said Plaintiff have leave to amend the petition

3417 A. B. Palm v. G. D. Warren. And now comes the Plaintiff by his attorney and upon motion It is ordered that this cause be dismissed and that the Defendant go hence and recover of the said Palm and the sureties on his cost bond, Ben. Dougley and G. Johnson all the cost of this suit in this Court and the Magistrates Court for which execution may issue.

3372 J. H. Scroggins v. Ellen Scroggins. Comes now the Defendant, and upon motion It is ordered that said Defendant have leave to amend the answer.

3389 Grover & Baker v. Peacock & Vere. Comes now the Defendants and upon motion It is ordered that said Defendants have leave to amend the answer.

3388 Moses Ragsdale v. W. S. Palm. And now on this day came the parties to this cause by their attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County, consisting of Don. Wilson and eleven others, who being tried, elected, empanelled and sworn according to law, heard the pleadings, the evidence, argument of counsel, and the charge of the Court, and retired for deliberation. And thereupon the jury returned into Court the following verdict, to wit: "We, the Jury, find judgment for the Plaintiff amounting to $448.50 coin. Don Wilson, foreman." "We, the Jury, find the work done by Plaintiff for Defendant to constitute a lien upon the premises described in the Plaintiffs petition. Don. Wilson, foreman." And thereupon It is ordered that said Moses Ragsdale do have and recover against W. S. Palm the sum of four hundred, forty-eight & 50/100 dollars in coin, and all the cost of this suit, for which execution may issue. And it appearing to the Court that the said Plaintiff has a mechanic's lien upon the lots and house described in the petition, to wit: Lots Nos 1 and 2 in Block No 95 in the City of Austin, Texas It is hereby ordered that said lien be foreclosed, and that the Clerk issue an order of sale directed to the Sheriff of Travis county, commanding him to levy upon and

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sell, as under execution, the lots of ground herein before described, and the house situated thereon: and the proceeds thereof he shall apply to the satisfaction of this judgment and costs and interest to grow due thereon: and the remainder, if any, he shall pay over to the Defendant.

And now on this day appeared in open Court the Grand Jury of Travis County, duly elected, tried, empannelled, sworn and Charged to enquire within and for the body of said County, and through their foreman John Harrell presented to the Court the following Bills of Indictment, to wit.

2628 An Indictment against Wm Thompson for assault with intent to Kill
2629 An Indictment against Billy Thompson for Betting at Monte
2630 An Indictment against Ben Thompson for Betting at Monte
2631 An Indictment against Jimmie Ralls for Dealing Monte
2632 An Indictment against Bill Long for dealing Monte
2633 An Indictment against Charles Fugett for Betting at Monte
2634 An Indictment against Boatman, Exhibiting Monte
2635 An Indictment against Neil Cain, Betting at Monte
2636 An Indictment against William Wilson Betting at Monte
2637 An Indictment against William Wilson Dealing Monte
2638 An Indictment against George Pearce for Carrying deadly weapon
2639 An Indictment against Bill Galloway for Carrying deadly weapon
2640 An Indictment against Bill Galloway, for Malicious Mischief
2641 An Indictment against Bill Galloway for Malicious Mischief
2642 An Indictment against Bill Galloway for Malicious Mischief
2643 An Indictment against Bill Galloway for Malicious Mischief
2644 An Indictment against Bill Galloway for Threatening to kill
2645 An Indictment against Bill Galloway for Malicious Mischief
2646 An Indictment against Bill Galloway for Malicious Mischief
2647 An Indictment against Bill Galloway for Apnet with intent to Murd
2648 An Indictment against James Moore for Betting at Monte,
2649 An Indictment against John Baughn for Betting at Monte,
2650 An Indictment against Joseph Martin for aggravated Apault
2651 An Indictment against Joseph Martin for aggravated Apault
2652 An Indictment against Joseph Martin for Apault with intent to Mur
2653 An Indictment against Sam Evans for Exhibiting Monte
2654 An Indictment against Frank Cotton for Betting at Faro
2655 An Indictment against Maroney for Betting at Faro
2656 An Indictment against Bill Rodgers for Betting at Monte
2657 An Indictment against Frank J Hastings for Perjury
2658 An Indictment against Charley Black for Theft of a Watch &
2659 An Indictment against Billy Brennan for Betting at Monte
2660 An Indictment against Billy Brennan for Betting at Rouget Mo
2661 An Indictment against Harry Naber & Rosenth for Disturbing the Peace
2662 An Indictment against Charles Reade for Betting at Monte
2663 An Indictment against George W Scobey for Theft of a gelding

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2664 An Indictment against Louis Dryfus for dealing Rouge et noir
2665 An Indictment against Louis Dryfus for Betting at Monte.
2666 An Indictment against Jace Wilson for Betting at Monte
2667 An Indictment against Jace Wilson for Betting at Monte
2668 An Indictment against Fletcher Bennett, for Theft from a house
2669 An Indictment against James Wheat for Theft from a house
2670 An Indictment against John Johnson, for Molesting personal property.
2671 An Indictment against James Jackson for Theft from a house
2672 An Indictment against Willis Jackson for Theft from a house
2673 An Indictment against Jeff Houston for Malicious Mischief
2674 An Indictment against Jeff Houston for Malicious Mischief

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

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

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

✓ 3237 Mary P. Watson v. J. Schutze Ordered, upon motion that the Defendant in this cause have leave to amend the answer.

✓ ? ✓ 2237 Mary P. Watson v. J. Schutze. On motion, It is ordered that the Plaintiff enter into bond and security for the cost of this suit, on or before the next term, plaintiff's counsel being notified.

✓ 3238 J. C. & S. R. Smith & Co. v. E. H. Mitchell et al. On motion It is ordered that the Plaintiffs in this cause have leave to amend enter into bond and security for the cost of this suit on or before the next term, plaintiff's attorney being notified

✓ 3243 R. R. Dawther v. W. T. Ford. On motion It is ordered that the Plaintiff enter into bond and security for the cost of this suit on or before the next term plaintiff's attorney being notified

✓ 3299 Mary Jane Lee v. R. H. Griffin. Ordered upon motion that the Plaintiff enter into bond and security for the cost of this suit on or before the next term, plaintiffs attorney notified

✓ 3300 Mary J. Lee v. G. B. Sedwick Ordered upon motion that the plaintiff enter into bond and security for the cost of this suit on or before the next term, pltffs atty notified.

✓ 3332 Gary & Oliphant v. Thos. Blanchard. Ordered upon motion that the plaintiffs enter into bond and security for the cost of this suit, on or before the next term, plaintiffs attorney being notified.

✓ 3337 Amanda Jones v. Henry Jones Ordered upon motion that the pffs enter into bond and security for the cost of this suit on or before the next term plaintiffs attorney notified

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3394 Young & Lockett v. P & G.W. Brasp. on motion It is ordered that the plaintiffs enter into bond and security for the cost of this suit on or before the next term, plaintiffs attorney being notified

3409 L. Reynigeres v. Wren Erwin & White. On motion It is ordered that plaintiffs enter into bond and security for the cost of this suit on or before the next term pffs atty notified

3413 Hugh F. Young v. C.J. Evans. On motion It is ordered that pffs give bond and security for the cost of this suit, pffs atty being notified

And now on this day appeared in open Court the Grand Jury of Travis County, duly elected, tried empannelled, Sworn and Charged to enquire within and for the body of said County, and through their foreman John Harrell presented to the Court the following indictments, to wit:

No. 2675 an indictment against Z H Peter for Embezzlement
2676 an indictment against Z H Peter for Embezzlement
2677 an indictment against Al Musgrove for playing Cards in public place
2678 an indictment against Bob Holman for playing Cards in public place
2679 an indictment against Marcellus Olmstead for Perjury
2680 an indictment against Lacy Mc Kinzey for playing Cards in public place
2681 an indictment against Matt Woolley for playing Cards in public place
2682 an indictment against Reuben Murphy for Taking up & using estray
2683 an indictment against Charles Smith for Betting at Monte
2684 an indictment against H N Baker (alias Ned Baker) for disturbing Religious Worship
2685 an indictment against John Baughn for playing Cards in public place
2686 an indictment against Fitch for Exhibiting Monte
2687 an indictment against Fitch for Betting at Monte
2688 an indictment against George W Honey for Embezzlement
2689 an indictment against George W Honey for Embezzlement
2690 an indictment against George W Honey for Embezzlement
2691 an indictment against George W Honey for Embezzlement
2692 an indictment against George W Honey for Embezzlement

3133 Jose Maria Garcia Villareal vs. The State of Texas. Now comes Noah Cox Commissioner appointed by this Court and by consent of the parties plaintiff and defendant in this cause and on motion it is ordered by the Court, that he be and hereby is is allowed to amend his certificate appended to the depositions of Juan Manuel Ramirez. Juan Villareal. Rafael Garza Garcia. Eligio Garcia and Nieves Villareal now on file in this cause.

3134 Ysidro Martinez et al. vs State of Texas. Now comes Noah Cox Commissioner appointed by this Court and by consent of the parties plaintiff and defendant in this cause, and on motion it is ordered by the cort, that he be and hereby is allowed to amend his certificate appended to the depositions of Juan Manuel Ramirez. Juan Villareal. Rafael Garza Garcia. Eligio Garcia and Nieves Villareal

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now on file in this cause.

✓ ✓ 3136 Jose Maria Canales et als vs State of Texas. Now comes Noah Cox Commissioner appointed by this Court and by consent of the parties plaintiff and defendant in this cause and on motion it is ordered by the Court, that he be and hereby is allowed to amend his certificate appended to the depositions of Juan Manuel Ramirez. Juan Villareal. Rafael Garza Garcia. Eligio Garcia and Nieves Villareal now on file in this cause.

✓ ✓ 3188 Pedro Lois et als vs. State of Texas. Now comes Noah Cox commissioner appointed by this Court and by consent of the parties plaintiff and defendant in this cause and on motion it is ordered by the Court, that he be and hereby is allowed to amend his certificate appended to the depositions of Juan Manuel Ramirez. Juan Villareal. Rafael Garza Garcia.. Eligio Garcia and Nieves Villareal now on file in this cause

✓ ✓ 3193 Pablo Garza et als vs State of Texas. Now comes Noah Cox commissioner appointed by this Court and by consent of the parties plaintiff and defendant in this cause and on motion it is ordered by the Court, that he be and hereby is allowed to amend his certificate appended to the depositions of Juan Manuel Ramirez. Juan Villareal. Rafael Garza Garcia Eligio Garcia and Nieves Villareal now on file in this cause.

✓ ✓ 3194 Antonio Y. Saguire et als vs State of Texas. Now comes Noah Cox commissioner appointed by this Court and by consent of the parties plaintiff and defendant in this cause and on motion it is ordered by the court, that he be and hereby is allowed to amend his certificate appended to the depositions of Juan Manuel Ramirez. Juan Villareal. Rafael Garza Garcia. Eligio Garcia and Nieves Villareal now on file in this cause.

✓ ✓ 3195 Theodosio Sanches et als vs State of Texas. Now comes Noah Cox Commissioner appointed by this court and by consent of the parties plaintiff and defendant in this cause and on motion it is ordered by the Court, that he be and hereby is allowed to amend his certificate appended to the depositions of Juan Manuel Ramirez. Juan Villareal. Rafael Garza Garcia. Eligio Garcia and Nieves Villareal now on file in this cause.

✓ ✓ 3200 Concepcion Garza et als vs State of Texas. Now comes Noah Cox commissioner appointed by this Court and by consent of the parties plaintiff and defendant in this cause and on motion it is ordered by the Court, that he be and hereby is allowed to amend his certificate appended to the depositions of Juan Manuel Ramirez. Juan Villareal. Rafael Garza Garcia. Eligio Garcia and Nieves Villareal now on file in this cause.

✓ ✓ 3201 Nieves Villareal et als vs State of Texas. Now comes Noah Cox commissioner appointed by this Court and by consent

of the parties plaintiff and defendant in this cause and and on motion it is ordered by the Court, that he be and hereby is allowed to amend his certificate appended to the depositions of Juan Manuel Ramirez. Juan Villareal. Rafael Garza Garcia. Elijio Garcia and Nieves Villareal now on file in this cause.

3278 Juan Manual Ramirez vs State of Texas. Now comes Noah Cox commissioner appointed by this Court and by consent of the parties plaintiff and defendant in this cause and on motion it is ordered by the court, that he be and hereby is allowed to amend his certificate appended to the depositions of Juan Manuel Ramirez. Juan Villareal Rafael Garza Garcia. Eligio Garcia and Nieves Villareal now on file in this cause.

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

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

3069. James Dennison v. Hancock & West. And now come the parties and upon motion It is ordered that the Plaintiff in this cause have leave to amend the petition. And then upon the case is submitted to Arbitrators according to the agreement on file

3121 Wm Coats v. M. G. Haines. Continued by the plaintiff

3301 G. R. Freeman v. S. H. Lockett. Come the Parties, and upon motion It is ordered that the cause be dismissed from the docket. that the Defendant go hence and recover of and from the plaintiff G. R. Freeman all the cost of this suit for which execution may issue.

3384 Loomis & Christian v. E. G. Dewey. Come the Parties and upon motion It is ordered that the cause be dismissed from the docket and that the Defendant go hence and recover of the plaintiffs all the cost of this suit for which execution may issue.

3392 Raymond and Whitis v. E. G. Dewey. Come the parties and on motion It is ordered that the cause be dismissed: that the Defendant go hence and recover of and from the plaintiffs all the cost of this suit for which execution may issue

3394. Irving Lockett v. Paul G. M. Brass. Come now the attys. of the plaintiffs and suggest the death of the Deft P. Brass. And the cause is continued

3397 Sampson & Henricks v. Louis Winter. Continued by the Deft.

3400 L. D. Barrington & Co. v. Geo. P. Warren. And now come the parties by their attorneys and announced ready for trial and then came a Jury of twelve good and lawful men of Travis county, consisting of Don. Wilson and eleven others who being tried, elected, empannelled and sworn as-

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cording to law, heard the pleading the evidence, argument of counsel and the charge of the Court and rendered the following verdict, to wit: "We the Jury find for the pepp 127 46 dollars coin. Don. Wilson foreman." Whereupon it is ordered that the plaintiffs S. D. Carrington and R. E. Carrington under their firm name of S.D. Carrington & Co. do recover against Geo. P. Warren the sum of One hundred twenty-seven 46/100 Coin Dollars and all the cost of this suit, for which execution may issue

√ √ 3401 John H. Conner v. C. Hankie et als. Continued.

√ √ 3402 W. B. Smith & Co. v. S. & C. Lockwood. And now on this day this cause being regularly reached, came the plaintiffs by their attorneys and announced ready for trial: and then came a jury of twelve good and lawful men of Travis county, consisting of Don. Wilson and eleven others duly tried, elected, empannelled and sworn, heard the pleading, the evidence, and the charge of the Court: and after retirement returned into Court the following verdict, to wit: "We the Jury find for pepp 291 25/100 Dollars. Don. Wilson foreman." Whereupon it is ordered that the said W. B. Smith and R. H. Smith, under their firm name of W. B. & R. H. Smith & Co. do recover of the said S. Lockwood and C. Lockwood the sum of two hundred ninety-one & 25/100 Dollars and the cost to be taxed for which execution may issue

√ √ 3403 J. J. & W. H. Tobin v. Jackson and Johnson. And now come the parties by their attorneys and announced ready for trial, and then came a Jury of twelve good and lawful men of Travis county consisting of Don. Wilson and eleven others duly tried elected empannelled and sworn, who after hearing the evidence, argument of counsel and the charge of the Court, after retirement, returned the following verdict, to wit: "We the Jury find for the plaintiffs the sum of two hundred and seventy-three & 7/100 Dollars in coin. Don. Wilson foreman." Whereupon It is ordered that said J. J. and W. H. Tobin do recover of the the Defendants Gustaf Johnson and J. T. Jackson the sum of two hundred Seventy-three & 7/100 Dollars in coin, and the cost of suit to be taxed, for which execution may issue.

√ √ 3404 B. Radkey v. John G. James. And now comes the Plaintiff, and upon motion It is ordered that the said Plaintiff do have leave to amend the petition. And the cause is continued at the instance of the plaintiff

√ √ 3405 L. Heyniger & Co. v. Wren, Erwin & White. Comes now the plaintiffs and the Defendant White, who withdraws his answer, permits judgment by default. And thereupon plaintiffs ask for judgment. And the Defendants having been cited and failed to answer, and the cause of action being liquidated, by

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is ordered that the plaintiffs Lambert Hegniger, Albert G Vedder, William G. Perry and Davis B. Harris, under their firm name of L. Hegniger & Co. do recover against J L. Wren, G. W. Erwin and G. W. White the sum of six hundred, eighty six & 03/100 Dollars ($686.03) principal debt and interest due upon the note sued on to this date, and the cost of this suit, for which execution may issue. And it appearing that the Defendants Wren & Erwin have agreed to pay the note upon which this judgment is had, and to save the said G. W. White harmless from the same, It is ordered that in the event said White shall be compelled to pay this judgment or any part thereof the judgment shall not thereby become discharged but the said White shall have execution against his said co-Defendants for such amount thereof as he may be compelled to pay to the plaintiffs herein.

Moritz Brahl. Came on this day to be heard the application of Moritz Brahl to become a citizen of the United States. And it appearing that said applicant has been honorably discharged from the service of the Army of the United States, and having taken the oath prescribed by law, It is ordered that said Moritz Brahl, a native of Poland, be and he is hereby admitted a citizen of the United States, and that the clerk issue a certificate accordingly.

3416 D. M. Wilson v. J. G. James. And now on this day came the Parties to this cause by their attorneys and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis county, consisting of O. M. Jackson and eleven others who being tried, elected, empannelled and sworn according to law, heard the pleading, the evidence, argument of counsel and the charge of the Court retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We the Jury find for Plaintiff the sum of $70.93 Coin dollars. O. M. Jackson foreman." "We the Jury find no agreement a contract to pay in bar do. O. M. Jackson, foreman." Wherefore It is ordered that D. M. Wilson do have and recover against J. G. James said sum of Seventy-three & 93/100 Dollars in coin, and the cost of the suit in this Court and the Magistrate's Court, for which execution may issue.

2176 Leon & H Blum et als v. Banks and Ricks. And now come the plaintiffs and claim a Judgment final by default as against the Defendant Banks for the want of an answer. And because the said Banks has been cited by personal service, and has failed to answer within the time prescribed by law and wholly made default It is ordered that the plaintiffs do recover against said G. H. Banks the sum of dollars, the amount found to be due in this case, together with their cost, for which execution may issue.

And thereupon the said plaintiffs and the Defendant Ricks appeared by their attorneys

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and announced ready for trial and waiving a Jury submitted the case to the Court. And the Court having heard the pleadings, the evidence, and the argument of counsel and after consideration thereof, doth Decree, and it is hereby ordered, that the said plaintiffs take nothing by their suit as against the Defendant Ricks & that the said Defendant go hence, and recover of the plaintiffs and their security A.M. Jackson all the cost herein as to said Defendant Ricks, for which execution may issue. And thereupon the plaintiffs by their attorneys give notice, in open Court, of an appeal to the Supreme Court.

√ √ 3372 J. H. Scroggins v. Ellen Scroggins. Comes now the Defendant, and upon motion It is ordered that said Defendant have leave to amend the answer.

√ √ 3418 W.H.D. Carrington v. James O'Neal. Continued for service

√ √ 3420 Nat Moore v. Perry Yoe Cause continued

√ √ 3421 Geo. Pfluger v Henry Baldebok. And now come the parties by their attorneys: and upon motion of the Defendant, It is ordered that said Defendant have leave to file a transcript of the case from the Justices Court.

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

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

√ √ 3176 Leon Blum et.al. v. G.H. Banks & John T. Ricks. Amended judgment now entered. Come the plaintiffs by their attorney: and the said Defendant G.H. Banks having failed to appear and answer in this behalf, but wholly made default. Wherefore the said Leon Blum, Hyman Blum and Sylvain Blum ought to recover against the said G.H. Banks their damages by occasion of the Premises: And it appearing to the Court that the cause of action is unliquidated, It is ordered by the Court that a Jury be empannelled to assess the damages sustained by said Plaintiffs.

And at the same time also came the said plaintiffs by their attorney: and the said Defendant John T. Ricks appearing in person and by attorney: and then came on to be heard the said Defendants demurrer and special exceptions to the plaintiffs amended petition & Replication filed October 15, 1872, and the argument of counsel thereon being heard It is the opinion of the Court that the law is with the plaintiffs because of the allegation of fraud in said amended answer, It is

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therefore considered by the Court that the defendants said demurrer and special exceptions be overruled

And the plaintiffs and the said Defendant, by their respective attorneys, having announced themselves ready for trial, waive a Jury and submit the matter in controversy as well of fact as of law, to the Court: and the evidence and argument of counsel having been heard and fully understood, It is considered by the Court

1st. That a partnership did exist between the said Defendant and the said G. H. Banks, under the firm name of G. H. Banks, on the 3d day of September, A. D. 1867, and that the merchandise mentioned in the plaintiffs petition were purchased by and for the benefit of said firm

2d. That the said Defendant John D. Ricks filed his petition in the U. S. District Court for the Western District of Texas at Austin, on the 15th day of February A D 1868 praying to be adjudged a bankrupt under the act of Congress establishing a Uniform System of Bankruptcy throughout the United States" approved March 2, 1867, and that the said Defendant was forever discharged from all claims and debts provable under said act on the 24th day of Sept. A. D. 1868, and that the plaintiffs claim was provable under the provisions of said act

3d That the names of plaintiffs were omitted from the Defendants Schedules in Bankruptcy through mistake or misapprehension, and not wilfully or with any fraudulent intent upon his part, and that his said discharge is a complete bar to the plaintiffs action.

It is therefore considered by the Court that the plaintiffs take nothing by their suit, and that the said Defendant go hence without day and that he have and recover of the plaintiffs his costs in this behalf expended, and that he have his execution.

And thereupon the Plaintiffs give notice in open Court of an appeal to the Supreme Court.

3371. Loveless & Nabors v. Margaret and G. H. Peter. This cause being reached, and came the plaintiffs and ask for judgment and writ of inquiry. Then came a Jury of twelve good and lawful men of Travis County, consisting of J.H. Wacker and eleven others, who being tried, elected, empanelled and sworn, heard the pleading, the evidence and the charge of the Court, rendered the following verdict, to wit: "Loveless and Nabors v. Margaret & G. H. Peter. No 3371. We the Jury in the above entitled and numbered cause find for the Plaintiff the sum of Seventy five dollars cost: and further that the same is a mechanic's lein upon the premises therein described. J.H. Wacker, Foreman."

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Whereupon it is ordered that the plaintiffs S. D. Loveless and W. H. Nabors, do recover against Margaret Peter and J. H. Peter the sum of Seventy-five dollars in coin, and the cost of this suit, for which execution may issue. And it appearing that the plaintiffs have a mechanic's lien upon Lot No. 5 in Block No. 23 in the town of Manor, in Travis County, Texas, to secure the Payment of this judgment, It is ordered that said mechanic's lien be foreclosed, and that the Clerk of this Court do issue an Order of Sale directed to the Sheriff of Travis county, commanding him to sell, as under execution, the above described lot of ground and the improvements situated thereon, and to apply the proceeds to the satisfaction of the principal of this judgment, the interest to grow due thereon, and the costs of the suit, and the remainder, if any, he shall pay to the Defendants.

✓ ✓ 3372 J. H. Scroggins v. Ellen Scroggins. And now on this day came the parties to this cause by their attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county, consisting of Don. Wilson and eleven others duly tried, elected, empannelled and sworn - who having heard the pleading, the evidence, argument of counsel and the charge of the Court, after retirement returned into Court the following verdicts, to wit: "We the Jury find the allegations in the Plaintiffs petition to be true. Don. Wilson foreman." "We, the Jury, find the allegations in the Defendants answer to be true. Don. Wilson, foreman." Whereupon It is adjudged that the said plaintiff and the Defendant respectively take the nothing by their petition and answer prayed for; that the cause be dismissed from the docket, and that the Plaintiff pay the cost of this suit, for which execution may issue.

✓ ✓ 3176 S. H. Blum v. G. H. Banks et. al. And now comes again the attorney of the plaintiffs - whereupon came a Jury of twelve good and lawful men of Travis county, consisting of Don. Wilson and eleven others, tried, elected, empannelled and sworn, who heard the pleading, the evidence, and the charge of the Court and returned the following verdict, to wit: "S. Blum & others v. G. H. Banks & John T. Ricks. No. 3176. We, the Jury of Inquiry upon the default taken against the Defendant Banks, in the above stated cause, find the amount due the plaintiffs to be two thousand five hundred and Eight 20/100 Dollars - $2508.20 October 18, 1872. Don. Wilson, foreman." Principal $1817.74.

Interest at 8% from Jany 1/68 - 4 years 9 mos. 690.46 $2.508.20

Wherefore It is considered that the plaintiffs herein do recover of the Defendant G. H. Banks the sum of two thousand five hundred, Eight & 20/100 Dollars and the cost of this suit, for which execution may issue.

surviving descendant and heir of a deceased daughter of said John M. Lemon - and they all as such heirs authorized the said John F. M. Lemon and Joseph L. Lemon to make the aforesaid contracts with said D. C. Freeman Junr., the defendant Sparrow acting by his Guardian M. Polk, and subsequently they all accepted and approved the locations made by said Freeman and are equally enjoying the benefits of the same. That the interests of Robert Sparrow were protected by the action in the premises taken for and in his behalf as aforesaid and the same was necessary to that end and greatly beneficial to him, and that the locative interest usually paid for locating land at the date of said contracts was one half of the land. That James W Lemon died intestate and unmarried and without making conveyance of the locative interest due from him under the contracts aforesaid - leaving the defendants his heirs and holders of the legal title to his share of said lands. That in his lifetime on or about the 31st day of May A.D. 1854 in partial compliance with their obligations in the premises the defendants John F. M. Lemon Joseph L. Lemon Margaret Ann Barbee. Susan C. Lemon (now the widow of one Taylor decd) and Robert Sparrow by his guardian M Polk joined in a deed of conveyance to D. C. Freeman Jr. and plaintiff for the 640 acres of land located in Hamilton County and for the South half of the 1476 acre tract on the waters of Elm Creek to be divided from the north half by a line across the tract parallel with the South boundary line dividing the tract into two equal parts. That defendant Margaret Ann Barbee at the dates of said contracts and of said deed was living seperate and apart from her husband, doing and transacting all of her business independantly of him and has been so doing for a long time and that her acknowledgement of said deed was without fear or compulsion of her husband. that on or about the 24th day of June 1857 and 7th day of September A.D. 1857 D. C. Freeman sold, transferred and quit-claimed to the plaintiff all his interest legal and equitable in and to all of said Lands and that plaintiff is now the exclusive owner of the full locative interest in said lands. That the defendants have failed to make good and sufficient Conveyance for said locative interest, each in the points and particulars set out in plaintiffs petition, as they were justly required to do by said contracts and the facts and circumstances attending the same.

That the interests of plaintiff and defendants in said lands are to some extent undivided. And that the residences of the defendants are as charged in plaintiffs petition. It is therefore considered ordered and decreed by the Court that the prayer of the said plaintiff be granted in manner and form as follows to wit; That he have judgement against all of the defendants

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for full specific performance to be completed to himself of the contract shown to have been made on the sixth of January A.D. 1850, wherein the same has not been fully executed and performed: And to this end, that one half of the estate of James W. Lemon deceased in said tract of 1476 acres of land inherited by defendants and one third of the estate of said James W. Lemon dec'd in said two tracts of 640 & 1280 acres of land inherited by defendants, be divested out of them and vested in the plaintiff - that all the right title and interest which Margaret Ann Barbee had at the date of her deed of the 31st May A.D. 1854 in and to the south half of the said 1476 acres of land as described in said deed and which remained in her thereafter, if any there was so remaining, and all the right, title and interest which she had at that date in and to the said 640 acres of land which thereafter remained in her, if any there was so remaining be and the same are hereby divested out of her & vested in plaintiff. That one half of all the right title and interest which Mary Lamme and Robert Sparrow had in and to the said tract of 1476 acres of land and one third of all the right title and interest which they had in and to the said two tracts of 640 & 1280 acres of land at the time the same were located be and the same are hereby divested out of them and vested in the plaintiff. And further that complete partition be made of plaintiffs interests from defendants interests in all of said lands, wherein they are undivided - and to this end John C. Minter, Fred W. Moore and Willis L. Robards are hereby appointed commissioners to make a just & fair partition of said lands between the plaintiff and defendants according to their respective interests as recognized in this decree - their report of the same to be made to this Court for confirmation. It is further ordered and decreed that plaintiff have judgement against the defendants for all his costs in this behalf expended for which execution may issue.

Wm Raatz

The State of Texas, } William Raatz, being duly sworn
County of Travis. } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1837, in the kingdom of Prussia whence he emigrated in the year 1866, to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia of whom he is a subject.

Wilhelm Raatz.

October 19th, 1872.

Sworn to and subscribed before me, this the 19th. day of October 1872.

A. R. Morris. clerk.
by F. Brown deputy.

Sc. a. Sckerls

The State of Texas, } Charles A. Sckerls, being duly sworn
County of Travis. } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1836. in the Grand Dukedom of Saxon Weimar Eisonnock whence he emigrated in the year 1857 to the United States of America; and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounce forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Grand Duke of Weimar Eisonnock of whom he is a subject.

Charles A. Sckerls.

Sworn to and subscribed before me, this the 19th. day of October 1872.

A. R. Morris clerk.
by F. Brown deputy.

C. F. Newmann

The State of Texas } C. F. Newmann being duly sworn
County of Travis } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1812, in the Kingdom of Prussia whence he emigrated in the year 1854 to the United States of America, and has selected the State of Texas, as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatsoever, and particularly to the King or Emperor, of Prussia of whom he is a subject.

C. F. Newmann.

Sworn to and subscribed before me, this 19th. day of October 1872.

A. R. Morris clerk.
by F. Brown. deputy.

Carl Patotzky

Carl Patotzky came and presented to the Court his petition verified by affidavit, that he has resided in the United States more than three years next preceding his arrival at the age of twenty-one years, and having renounced and abjured all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty and particularly to the Kingdom of Prussia, and taking the prescribed oath. It is adeid that said Emil Patotzky be and he is hereby admitted a citizen of the United States, and that the clerk of this Court issue a certificate accordingly

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Hart Samuels. Comes now Hart Samuels and presents his application to be admitted a citizen of the United States. And said applicant having declared his intention to become a citizen in the year 1859 and having taken the oath prescribed by law and made the proof necessary It is ordered that said Hart Samuels be and he is hereby admitted a citizen of the United States and that a certificate issue to him accordingly.

3219. James Power et al. v. The Governor of Texas. Come now the parties by their attorneys and upon motion duly made It is ordered that the judgment entry of default entered in this cause at a former day of the term, be set aside and vacated, and the Defendant allowed to answer.

3359. M. J. Carleton et al. v. C. H. Turney Admr. Come now the parties by their attorneys and upon motion duly made It is ordered that the judgment by default and order for a writ of inquiry entries in this cause at a former day of the term, be and the same is hereby set aside & vacated.

3369 Carl Krohn v. Max and Helena Maas. And now on this day came the parties by their attorney and moved the Court that judgment be entered in accordance with the agreement on file. Whereupon It is ordered by the Court that the said Carl Krohn do have and recover against Max Maas and Clara Maas the sum of Seven hundred and Eight Dollars in the gold coin of the United States, being principal debt and interest due upon the note sued on to this date, together with ten per centum per annum interest thereon from this date till paid and the cost of this suit for which execution may issue. And it appearing that the note in this case was ~~given to secure~~ given as evidence of part of the purchase money due upon lots Lots five and six (5 & 6) in the subdivision of Lot twenty-nine in Division E of the City of Austin: and the Defendants having executed a mortgage upon said lots to secure the payment of the note aforesaid, and the same is a lien upon the said lots of ground, It is ordered that said mortgage lien be foreclosed, and that the clerk of this Court issue an order of sale directed to the Sheriff of Travis County, requiring him to sell, as under execution the above described lots of ground and the improvements thereon, and the proceeds thereof he shall pay towards the satisfaction of this judgment, interest to grow due and cost, and the balance, if any, he shall pay over to the Defendant.

3414 E. T. & W. H. Davis v. Thomas H. Jones, Admr. Come now the plaintiffs and ask a judgment to be rendered according to the agreement endorsed upon the petition, whereupon It is ordered by the Court that the said plaintiffs E. T. Davis and W. H. Davis do recover against Thomas H.

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Jones. Admr. of R. R. Jones. Deceased, the sum of Five Hundred and Eighty Dollars in the gold coin of the United States, with ten per centum per annum interest thereon from this date till paid, and also the cost of this suit: And it appearing that said R. R. Jones in his lifetime executed a deed of trust upon Lots No. 4 in Block No. 4. Lot No. 10 in Block No. 4. South half of Lot No. 11 in Block No 4 in the City of Austin, as described upon the map of the City of Austin to secure the payment of the note sued on and described in said deed of trust, and the said Plaintiffs having a lien upon said ground to satisfy this Judgment. It is ordered, all the parties consenting thereto, that said mortgage lien be foreclosed, and that the clerk of this Court issue an order of sale directed to the Sheriff of Travis county, requiring him to sell the above described lots of ground and the improvements thereon, as under execution and the proceeds thereof he shall pay over to the plaintiffs satisfaction of the judgment, interest to grow due, and the cost of the suit, and the balance if any he shall pay over to the Defendant.

3080 M. P. Wells v. Smith & Vann. Come now the parties and the Defendant Smith submitted his motion for a new trial, which being heard and considered, It is ordered that said motion be granted: that a new trial be awarded and the cause continued for that purpose.

3159 E. Raven et al. v. P. Debard et al. Come now the parties and the Defendants submit their motion for a new trial in this cause, which being heard and considered, the same is overruled. And thereupon the Defendants give notice in open Court of an appeal to the Supreme Court.

3214 Jo. Carothers v. B. H. Davis, Admr. Come now the parties by their attorneys and the Defendant submit the motion for a new trial in this cause, which being heard and considered the same is overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3339 S. T. White v. L. Piquet. Come now the parties when came on to be heard the motion for a new trial filed in the cause. And the same being duly considered by the Court, It is ordered that the motion be overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3389 Graves & Baker v. Peacock & Vere. Come now the parties and the attys of the Plaintiffs present their motion to enter judgment upon the verdict filed in this cause. And the motion being inspected and duly considered by the Court, It is ordered that said motion be overruled.

No 2982	A. H. Cook	In this cause comes the Plaintiff by attorney, and the defendant Harrell came not, (the Judgement not having been set aside at former term as to him), and the defendant, James Allison, also appeared by attorney, and the parties waiving a Jury and submitting the cause to the Judge And thereupon, after hearing the proceedings, evidence adduced, and argument of counsel, and for the reasons that the Plaintiff shows no willful neglect, or other fraud beyond the admission of Plaintiffs debt, from the schedules of Allison in bankruptcy, and the absence of citation for him, either issued or served, the Court doth hold the discharge a bar to the action. And the Court doth therefore adjudge and decree that the Plaintiff take nothing by his suit; and that the defendant, Allison recover all his costs herein expended, of the Plaintiff, for which execution may issue. To which judgment and decree the Plaintiff, at the time, excepts, and gives in open Court, notice of appeal to the Supreme Court
	vs	
	James Allison & J. Harrell	
No 3389	Grover and Baker Sewing Machine Company	And now on this day came the parties to the above entitled cause by their attorneys, and announce themselves ready for trial; and thereupon came a jury, to-wit: B. C. Bennett, and eleven others, twelve good and lawful men of Travis County, who being duly elected, impannelled and sworn according to law, to try the issues joined between the parties, after hearing the evidence and argument of counsel retired, under the charge of the Court to consider of their verdict, and returned into Court the following verdict, to-wit: "We, the jury, find for the defendants and assess their damages at ($250.00) two hundred and fifty dollars. B. C. Bennett foreman". It is, therefore, ordered, adjudged and decreed by the Court that the Plaintiff take nothing by this suit, and that the defendants, J Manning Peacock and Charles D. Fere do have and recover of and from the Plaintiffs, the Grover and Baker Sewing Machine Company, the sum of Two Hundred and Fifty Dollars as their damages, together with all the costs in and about this suit expended. And it appearing to the Court from the admissions of the parties, made in open Court during the trial, that the following described property, and of the value hereinafter named, was taken from defendants by a writ of sequestration, by the Sheriff of Williamson County, and that the same was, on the 27th day of September, 1872, replevied by said defendants, to-wit: one Grover and Baker sewing machine, magen and pole, and one set of double harness, valued at one hundred and fifty dollars;
	vs	
	J Manning Peacock and Chas D Fere	

one bay horse branded C T. valued at fifty dollars; and one bay mare, branded Y, and valued at fifty dollars; of the aggregate value of Two hundred and fifty dollars. It is therefore further ordered and adjudged by the Court, that said defendants have the right to retain said property at the valuation aforesaid; in which event the damages herein adjudged in favor of said defendants, shall be extinguished by the property aforesaid. And in case defendants shall elect to deliver said property replevied by them as aforesaid, to said plaintiffs, (which they may do if they so elect) and in case said defendants do so deliver said property to Plaintiffs within Ten days from the date hereof, then execution shall issue in their favor, for the collection of said Two hundred and fifty Dollars, herein adjudged to them as their damages aforesaid".

Otto Sandahl declaration of to become a citizen.

The State of Texas } Otto Sandahl, being duly sworn
County of Travis } according to law, in the District
Court of said County, doth declare that he was born in
the year A.D. 1845, in the Kingdom of Sweden, whence he
emigrated in the year 1869, to the United States of America
and has selected the State of Texas as the place of his
intended settlement; and he further declares that it
is his bona fide intention to become a citizen of the
United States; and of the said State of Texas, and re-
nounces forever all allegiance and fidelity to every foreign
Prince, Potentate, State or Sovereignty whatsoever, and par-
ticularly to the King of Sweden, of whom he is a sub-
ject (Signed) Otto Sandahl
Sworn to and subscribed before me this the 19th day of
October, 1872. A. R. Morris, Clk. by F. Brown, Deputy.

C. A. Johnson declaration of to become citizen

The State of Texas } Charles Johnson, being duly sworn, ac-
County of Travis } cording to law, in the District Court
of said County, doth declare that he was born in the year
A. D. 1850, in the Kingdom of Sweden, whence he emigra-
ted in the year 1870 to the United States of America; and
has selected the State of Texas as the place of his intend-
ed settlement; and he further declares that it is bona fide
his intention to become a citizen of the United States, and
of the said State of Texas; and renounces forever all allegi-
ance and fidelity to every foreign Prince, Potentate, State or
Sovereignty whatsoever; and particularly to the King of Sweden,
of whom he is a subject (Signed) Carl August Johnson
Sworn to and subscribed before me this the 19th day of
October, 1872. A. R. Morris, Clk. by Frank Brown, Depy

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

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

H.S. Sjoberg.

And now on this day appeared in open Court Herman S. Sjoberg and presented to the Court his application for a certificate of naturalization. And said Sjoberg having ~~taken~~ made the Declaration required by law more than two years before the filing of this application: and having taken the oath to support the Constitution and Laws of the United States: and produced two witnesses in open Court who also took the prescribed oath that they have known him, the applicant, for more than five years, and swore that he is attached to the principles of the Constitution of the United States and well disposed to the good order and happiness of the same, It is ordered that said Herman S. Sjoberg be and he is hereby admitted a Citizen of the United States and that a Certificate issue accordingly.

2622

The State of Texas v. Phil. Bartley. And now on this day appears the District attorney on behalf of the State, and came also the Defendant in person and by attorney and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county, consisting of G. Spalding and eleven others, who being tried, elected, empanelled and sworn, heard the plea of not guilty the evidence, argument of counsel and the charge of the Court, and returned the following verdict, to wit: "We the Jury find the Defendant guilty of an aggravated Assault and assess his punishment at a fine of One hundred dollars. ($100.) dollars. G. Spalding foreman." Whereupon It is ordered that the State of Texas do recover against the Defendant Phil. Bartley, alias Peter Bartley the said sum of One hundred dollars and the cost of the prosecution, and that he be committed until the fine and cost are paid.

2624

The State of Texas v. W. H. James. Now comes the District attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county, consisting of J. D. McInnis and eleven others, duly tried, elected, empanelled and sworn, who having heard the Defendants plea of guilty & the charge of the Court, returned the following verdict, to wit: "We the Jurors find the Defendant guilty and assess his punishment at 8 years in the Penitentiary. J. D. McInnis foreman." Whereupon It is ordered that the Defendant stand committed to the county Jail to await Judgment and Sentence.

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1317 The State of Texas v. J. H. Esmond. Continued for service.
1352 The State of Texas v. C. W. Edwards et.als Continued for service.
1382 The State of Texas v. A. Chamberlain Continued for service
1468. The State of Texas v. John Martin. Continued for service
1691 The State of Texas v. Aurora Alexander. Continued for service.
1929 The State of Texas v. Green Continued for service.
1931 The State of Texas v. Ara Carpenter et.al. Continued for service
1938 The State of Texas v. Charles Dublett. Continued for service.
1939 The State of Texas v. Charles Dublett. Continued for service.
1942 The State of Texas v. Gaskin & Gaskin Continued for service.
1944 The State of Texas v. Jim Hamilton. Continued for service
2008 The State of Texas v. J. M. Noal. Continued for service
2090 The State of Texas v. Charley Moore. Continued for service
2095 The State of Texas v. Geo. Cravens Continued for service.
2104 The State of Texas v. David Sams. Continued for service.
2120 The State of Texas v. Wm Dalson. Continued for service.
2126 The State of Texas v. Geo. W. Allen. Continued for service.
2134 The State of Texas v. Thomas Barnes Continued for service.
2139 The State of Texas v. Miller Continued for service
2142 The State of Texas v. Peter Kerner. Continued for service
2150 The State of Texas v. Harrison & Watson. Continued for service.
2152 The State of Texas v. Thomas Stephens. Cause dismissed
2153 The State of Texas v. E. Wimberley Continued for service.
2167 The State of Texas v. Jack Lyons. Cause Dismissed
2187 The State of Texas v. Pale bonnies. Copias to Hays Travis and Caldwell
2211 The State of Texas v. Geo. H. Slaughter. Continued for service
2214 The State of Texas v. Silas Rawls. Continued for service.
2252 The State of Texas v. Davis & Gage. Continued for service.
2276 The State of Texas v. W. J. Williams. Continued for service.
2284. The State of Texas v. Harper Jackson. Continued by consent.
2286 The State of Texas v. Gabriel Kelly. Continued for service.
2296 The State of Texas v. West Craft et.als. Continued for service.
2324. The State of Texas v. Sam Smith. Continued for service.
2342 The State of Texas v. Cad. Peirce. Cause Dismissed
2344 The State of Texas v. Brown. Copias to Harris County.
2351 The State of Texas v. Sam Scott. Continued for service.
2352 The State of Texas v. Sam Scott. Continued for service.
2353 The State of Texas v. Pink Bexford Continued for service.
2359 The State of Texas v. Geo. H. Slaughter. Continued by consent.
2360 The State of Texas v. W. W. Leggett. Continued for service
2366 The State of Texas v. R. A. Brown. Copias to Caldwell
2374 The State of Texas v. R. A. Brown. Copias to Caldwell
2375 The State of Texas v. R A Brown. Copias to Caldwell
2380 The State of Texas v. Will Slaughter. Continued by consent.
2383 The State of Texas v. Bob Fields. Continued for service
2385 The State of Texas v. Wright. Continued
2390 The State of Texas v. W. S. Williams Continued for service

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2391 The State of Texas v. W. S. Williams. Continued for service.

2669 The State of Texas v. James Wheat. And now on this day came the District Attorney on behalf of the State, and came also the Defendant in person and by attorney and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of Watt Good and eleven others, who being tried, elected, empannelled and sworn according to law, hear the plea of not guilty, the evidence, argument of counsel, and the charge of the Court, and after retirement, returned the following verdict, to wit: "We the jurors find the Defendant guilty and assess the fine two years in the Penitentiary. W. Good, foreman." Whereupon It is ordered by the Court that the said Defendant stand committed to the County jail to await the judgment and sentence of the Court.

Wm A. Eckerly

Declaration of Intention to Become a Citizen

The State of Texas } William A. Eckerly being duly sworn ac-
County of Travis } cording to law, in the District Court of said County, doth declare that he was born in the year A.D. 1847 in the Kingdom of Germany whence he emigrated in the year 1864 to the United States of America, and has selected the State of Texas as the place of his intended settlement, and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Grand Duke of Baden, of whom he is a subject.

Wm A. Eckerly.

Sworn to and subscribed before me this twenty-first day of October, 1872. A R Morris clerk By F Brown, Deputy

Charles Peterson

Declaration of intention to become a citizen

The State of Texas } Charles Peterson being duly sworn according
County of Travis } to law in the District Court of said County doth declare that he was born in the year A D 1837, in the Kingdom of Sweden whence he emigrated in the year 1867 to the United States of America, and has selected the State of Texas as the place of his intended settlement, and he further declares that it is bona fide his intention to become a citizen of the United States, and of the State of Texas and renounces forever all allegiance and fidelity to every foreign prince potentate State or Sovereignty whatsoever and particularly to the King of Sweden of whom he is a subject

Carl Peterson

Sworn to and subscribed before me this 21st day of October 1872

A R Morris Clerk By F Brown Deputy

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Harry Nelson. The State of Texas } Declaration of intention to become a Citizen
County of Travis } Harry Nelson being duly sworn according to law in the District Court of said County doth declare that he was born in the year AD 1820 in the Kingdom of Norway whence he emigrated in the year 1867 to the United States of America, and has selected the State of Texas as the place of his intended settlement. and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatever and particularly to the King of Norway of whom he is a Subject

Harry Nelson

Sworn to and subscribed before me this 21st day of October 1872

A R Morris Clerk. By Frank Brown Deputy

A Granotte — Declaration of intention to become a citizen.

The State of Texas } A Granotte being duly sworn according to law in
County of Travis } the District Court of said County. doth declare that he was born in the year AD 1843 in the Kingdom of Sweden, whence he emigrated in the year 1871 to the United States of America. and has selected the State of Texas as the place of his intended settlement, and he further declares that it is bona fide his intention to become a Citizen of the United States and of the said State of Texas, and renounces all allegiance and fidelity to every foreign Prince, potentate, State or Sovereignty whatever and particularly to the King of Sweden of whom he is a Subject

A Granotte

Sworn to and subscribed before me this 21st day of October 1872

A R Morris Clerk By Frank Brown Deputy

William Boddy — Declaration of intention to become a Citizen

The State of Texas } William Boddy being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year AD 1842 in the Kingdom of England whence he emigrated in the year 1868 to the United States of America, and has selected the State of Texas as the place of his intended settlement. and he further declares that it is bona fide his intention to become a Citizen of the United States and of the State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever, and particularly to the Queen of England of whom he is a Subject

William Boddy

Sworn to and Subscribed before me this 21st day of October 1872.

A R Morris Clerk. By Frank Brown Deputy

Robert L Berryman — Declaration of intention to become a Citizen

The State of Texas } Robert L Berryman being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year AD 1846 in the Kingdom of Sweden, whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended settlement, and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all

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Allegiance and fidelity to every foreign Prince, Potentate State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

R L Berryman

Sworn to and subscribed before me this 21st day of October 1872

A R Morris Clerk By Frank Brown Deputy

E Westin

State of Texas }
County of Travis } Declaration of Intention to become a Citizen

E Westin being duly sworn according to law in the District Court of said County doth declare ~~that~~ he was born in the year AD 1847 in the Kingdom of Sweden whence he emigrated in the year 1867 to the United States of America, and has selected the State of Texas as the place of his intended Settlement, and he further declares that it is bona fide his intention to become a citizen of the United States and of the State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the King of Sweden of whom he is a subject.

E Westin

Sworn to and Subscribed before me the 21st day of October 1872

A R Morris Clerk By Frank Brown Deputy

E Colson

Declaration to become a citizen

The State of Texas } E Colson being duly sworn according to law in the District
County of Travis } Court of said County doth declare that he was born in the year AD 1825 in the Kingdom of Sweden whence he emigrated in the year 1869 to the United States of America and has selected the State of Texas as the place of his intended Settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign prince, potentate, State or Sovereignty whatsoever and particularly to the King of Sweden of whom he is a subject

E Colson

Sworn to and Subscribed before me this 21st day of October 1872

A R Morris Clerk By Frank Brown Deputy

Johan Frei

Declaration of intention to become a citizen

The State of Texas } Johan Frei being duly sworn according to law in
County of Travis } the District Court of said County doth declare that he was born in the year AD 1823 in the Kingdom of Sweden whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended Settlement, and he further declares that it is bona fide his intention to become a citizen of the United States and of the State of Texas, and renounces forever all allegiance and fidelity to Every foreign Prince Potentate State or Sovereignty whatever and particularly to the King of Sweden of whom he is a subject.

Johan Frei

Sworn to and Subscribed before me this twenty first day of October 1872.

A R Morris Clerk By Frank Brown Deputy

John Trantwein

Declaration of intention to become a citizen

State of Texas } John Trantwein being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year AD 1848 in the Kingdom of Germany, where

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he emigrated in the year 1868 to the United States of America and has selected the State of Texas as the place of his intended settlement. And he further declares that it is bona fide his intention to become a citizen of the United States and of the said state of Texas. and renounces all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatsoever, and particularly to the Grand Duke of Baden in Germany of whom he is a subject

John Trautwein

Sworn to and subscribed before me this twenty first day of October 1872. A R Morris Clerk By Frank Brown Dept

S A Anderson

Declaration of intention to become a citizen

The State of Texas } S A Anderson being duly sworn according to law,
Travis County } in the District Court of said County, doth declare that he was born in the year A. D. 1836, in the Kingdom of Sweden whence he emigrated in the year 1859 to the United States of America, and has selected the State of Texas as the place of his intended settlement; and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject

S. A. Anderson.

Sworn to and subscribed before me, this 21st day of October 1872.

A. R. Morris clerk,
by Frank Brown deputy

Emil Lundgreen

Declaration of intention to become a citizen.

The State of Texas. } Emil Lundgreen being duly sworn accor-
County of Travis, } ding to law, in the District Court of said County, doth declare that he was born in the year A. D. 1847; in the Kingdom of Sweden, whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended settlement and he futher declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the King of Sweden of whom he is a subject.

Emil Lundgreen.

Sworn to and subscribed before me, this 21st day of October 1872. A.R. Morris clerk by Frank Brown deputy

Charles Johnson,

Declaration of intention to become a citizen.

The State of Texas. } Charles Johnson, being duly sworn ac-
County of Travis, } cording to law, in the District Court of said County, doth declare that he was born in the year A. D. 1839. in the Kingdom Sweden whence he emigrated in the year 1868 to the United States of America. and has

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selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he was a subject. Charles Johnson.

Sworn to and Subscribed before me, this 21st day of October 1872. A. R. Morris clk by Frank Brown dpt.

C. M. Nejgren

Declaration of intention to become a citizen.

The State of Texas } C. M. Nejgren being duly sworn
County of Travis } according to law, in the District Court of said County, doth declare that he was born in the year A. D. 1845, in the Kingdom of Sweden whence he emigrated in the year 1867, to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

C. M. Nejgren.

Sworn to and subscribed before me, this 21st day of October 1872,

A. R. Morris, clerk
by Frank Brown dpty

John S. Johnson

Declaration of intention to become a citizen.

The State of Texas } John S. Johnson being duly
County of Travis } sworn according to law, in the District Court of said County, doth declare that he was born in the year A. D. 1846 in the Kingdom of Sweden whence he emigrated in the year 1867, to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

John S. Johnson

Sworn to and subscribed before me, this 21st day of October 1872. A. R. Morris clerk by Frank Brown deputy.

October 21st 1872.

Andrew Johnson.

Declaration of intention to become a citizen.

The State of Texas, } Andrew Johnson, being duly sworn
County of Travis. } according to law, in the District
Court of said County, doth declare that he was born
in the year A.D. 1840, in the Kingdom of Sweden whence
he emigrated in the year 1870, to the United States of
America, and has selected the State of Texas as the
place of his intended settlement: and he further de-
clares that it is bona fide his intention to become
a citizen of the United States and of the said State of
Texas, and renounces forever all allegiance and fidelity
to every foreign Prince, Potentate, State or Sovereign-
ty whatsoever, and particularly to the King of Swe-
den of whom he is a subject. Andrew his X mark Johnson

Sworn to and subscribed before me, this 21st. day
of October 1872. A.R. Morris clerk by Frank Brown deputy

C. Johnson

Declaration of intention to become a citizen.

The State of Texas } C. Johnson being duly sworn ac-
County of Travis. } cording to law, in the District Court
of said County, doth declare that he was born in the
year A.D. 1835, in the Kingdom of Sweden whence he em-
igrated in the year 1870, to the United States of America
and has selected the State of Texas as the place of his in-
tended settlement: and he further declares that it is
bona fide his intention to become a citizen of the
United States, and of the said State of Texas, and
renounces for ever all allegiance and fidelity to every
foreign Prince, Potentate, State or Sovereignty what-
soever, and particularly to the King of Sweden of
whom he is a subject. C. Johnson.

Sworn to and subscribed before me, this 21st
day of October 1872. A.R. Morris clerk
by Frank Brown deputy

John Waik.

Declaration of intention to become a citizen.

The State of Texas } John Waik, being duly sworn according
County of Travis. } to law, in the District Court of said
County, doth declare that he was born in the year A.D. 1844
in the Kingdom of Sweden whence he emigrated in the year
1869, to the United States of America, and has selected the
State of Texas as the place of his intended settlement and
he futher declares that it is bona fide his intention to be-
come a citizen of the United States and of the said State of
Texas, and renounces forever all allegiance and fidelity
to every foreign Prince, Potentate, State or Sovereignty
whatsoever, and particularly to the King of Sweden of whom
he is a subject. J. Waik. Sworn to and sub-
scribed before me this 21st. day of October 1872.

October 22d 1872.

A. R. Morris clerk by Frank Brown deputy.

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

October 23d, 1872.

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

√ 2392. The State of Texas v. James M. Brown. Come the parties and announce ready for trial and waiving a jury submit the case to the court. And the Court fixing the fine at $5 It is ordered that the State of Texas recover against the Defendant said sum of five dollars and the cost of the prosecution and that a commitment issue to collect.

√ 2393 The State of Texas v. James M. Brown. Cause Dismissed

2394 The State of Texas v. Robert Tabler. Capias to Bell county.

2406 The State of Texas v. David Wills. Continued for service

2420 The State of Texas v. Joe Wills. Continued for service

2425 The State of Texas v. A.S. Mason. Continued for service.

2426 The State of Texas v. A.S. Mason. Continued for service.

2432 The State of Texas v. James Mellow Continued for service.

2444 The State of Texas v. J.P. Maloney. Continued for service.

2446 The State of Texas v. Wash. Hill. Continued by consent.

2447 The State of Texas v. Wm Clark. Continued for service.

2448 The State of Texas v. Wm Schubard. Continued for service.

2456 The State of Texas v. Joe Phelps. Continued

2457 The State of Texas v. Joe Phelps Continued

2458 The State of Texas v. Isaac D. Barefoot. Continued for service.

2462 The State of Texas v. J. D. Griffith. Continued

2465 The State of Texas v. Wm Glasscock. Continued for service.

2466 The State of Texas v. Wm Glasscock. Continued for service.

2467 The State of Texas v. Bill Piper. Continued for service

2469 The State of Texas v. Wm Cottingham Continued for service.

√ 2474 The State of Texas v. Anthony Meeks. Cause Dismissed

√ 2477 The State of Texas v. Jack Hammett. Come the parties and announced ready for trial and waiving a Jury submit the case to the Court. And the Court herefixing the fine at $5 It is ordered that the State of Texas recover against said Jack Hammett the sum of five dollars and the cost of the prosecution and that a capias issue to collect same.

√ 2487 The State of Texas v. James Moon Cause Dismissed

√ 2488. The State of Texas v. Judge Phant. Cause Dismissed

√ 2493 The State of Texas v. Buck Walton. Cause Dismissed

2494 The State of Texas v. Jake Algerman Continued for service.

√ 2495 The State of Texas v. Holmes. Continued for service.

√ 2497 The State of Texas v. Charles Smith. Cause Dismissed

√ 2500 The State of Texas v. Hall. Indictment quashed and the Defendant discharged.

Octoleen 22d 1872.

2503 The State of Texas v. Stewart Indictment quashed & defft. discharged

2512 The State of Texas v. Boatman. Continued for service.

2514 The State of Texas v. Jo. Inman Continued for service.

2520 The State of Texas v. Charley Smith. Comenon the parties by attorney and announced ready for trial, and waiving a jury submit the case to the Court. And the Court benefixing the fine at $25. It is ordered that the State of Texas recover against the Defendant Charley Smith the sum of Twenty-five Dollars and the cost of the Prosecution and that a commitment issue to collect the same.

Louis Marcuse. Louis Marcuse having appeared in open Court and presented his application for naturalization: and showing to the Court that he has been honorably discharged from the Army of the United States and having taken the oath prescribed by law. It is ordered that said Louis Marcuse be and is hereby admitted a citizen of the United States and that a certificate issue to him accordingly.

3126 James M. Brown v. A.B. Burleson. On motion It is ordered that the Plaintiff have leave to withdraw depositions filed in this cause for the purpose of amending the returns thereon

3347 The State of Texas v. J. M. Brown et als. Ordered that this cause be dismissed at the cost of the Defendants.

3348 The State of Texas v. J. M. Brown et als. Ordered that this cause be dismissed at the cost of the Defendants.

A. F. Ekman. Declaration of intention to become a citizen.

The State of Texas } A. F. Ekman, being duly sworn ac-
County of Travis } cording to law, in the District Court of said County, doth declare that he was born in the year A.D. 1851, in the Kingdom of Sweden, whence he emigrated in the year 1867, to the United States of America, and has selected the State of Texas as the place of his intended settlement; and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject. A. F. Ekmane.

Sworn to and subscribed before me, this 21st day of October 1872. A. R. Morris, Clerk.
by Frank Brown deputy.

S. Linholm. Declaration of intention to become a citizen.

The State of Texas } S. Linholm, being duly sworn, accor-
County of Travis. } ding to law, in the District Court of said County doth declare that he was born in the year A.D. 1848, in the Kingdom of Sweden whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended

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settlement: and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

S. Lindholm.

Sworn to and subscribed before me, this 21st day of October 1872. A. R. Morris clerk, by Frank Brown dpty.

S. A. Tongquist.

Declaration of intention to become a citizen

The State of Texas } S. A. Tongquist being duly
County of Travis. } sworn according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1847 in the Kingdom of Sweden whence he emigrated in the year 1870, to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

S. A. Tongquist.

Sworn to and subscribed before me. this 21st day of October 1872

A. R. Morris, Clerk,
by Frank Brown deputy.

Joseph Errickson

Declaration of the intention to become a citizen.

The State of Texas } Joseph Errickson being duly sworn
County of Travis. } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1827, in the kingdom of Sweden whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

Joseph his + mark Errickson

Sworn to and subscribed before me. this 21st day of October 1872. A. R. Morris clk.
by F. Brown dpty.

Peter Margres Ekman.

Declaration of intention to become a citizen.

The State of Texas } Peter Margres Ekman being

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County of Travis } duly sworn according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1839, in the Kingdom of Sweden whence he emigrated in the year 1866 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas and renounces forever all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatsoever and particularly to the King of Sweden of whom he is at present a subject.

Peter Morgres Ekmon.

Sworn to and subscribed, before me, this 21st day of October 1872.

A.R. Morris, clerk.
by F. Brown deputy.

John E Rolf

Declaration of Intention to become a Citizen

The State of Texas } John E Rolf being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year A D 1849 in the Kingdom of Sweden whence he emigrated in the year 1870 to the United States of America and has selected the State of Texas as the place of his intended Settlement, and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas And renounces forever all allegiance and fidelity to every foreign prince, potentate, State or Sovereignty Whatsoever, and particularly to the King of Sweden of whom he is a Subject.

John E Rolf

Sworn to and Subscribed before me this 21st day of October 1871

A R Morris Clerk, By Frank Brown Deputy

Charley Negstrom

Declaration of intention to become a citizen

The State of Texas } Charley Negstrom being duly sworn according
County of Travis } to law in the District of said County doth declare that he was born in the year A D 1844 in the Kingdom of Sweden, whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended Settlement And he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign prince, potentate State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a Subject

Carle Negstrom

Sworn to and Subscribed before me this 21st day of October 1872

A R Morris Clerk By Frank Brown Deputy

Charles Slidell

Declaration of intention to become a citizen

The State of Texas } Charles Slidell being duly sworn according to law
County of Travis } in the District Court of said County, doth declare that he was born in the year A D 1822 in the Kingdom of Sweden

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whence he emigrated to the United States of America in the year 1870, and has selected the State of Texas as the place of his intended settlement, and he further declares that it is bona fide his intention to become a Citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the King of Sweden of whom he is a subject

Charles his X Shidell mark

Sworn to and subscribed before me This 21st day of October 1872

A R Morris Clerk. By Frank Brown Deputy

Joseph Shepherd

Declaration of intention to become a Citizen

The State of Texas } Joseph Shephard being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year AD 1845 in the Kingdom of England, whence he whence he emigrated in the year 1870 to the United States of America and has selected the State of Texas as the place of his intended settlement. And he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign prince, potentate State or Sovereignty whatsoever, and particularly to the Queen of England of whom he is a subject. Joseph Shepherd"

Sworn to and Subscribed before me this 21st day of October 1872

A R Morris Clerk, By Frank Brown Deputy

William Heiser

Declaration of intention to become a Citizen

The State of Texas } William Heiser being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year 1814 in the Kingdom of Prussia, whence he emigrated in the year 1850 to the United States of America, and has selected the State of Texas as the place of his intended settlement, and he further declares that it is bona fide his intention to become a Citizen of the United States, and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prusia of whom he is a subject. Wm Heiser.

Sworn to and subscribed before me this 21st day of October 1872

A R Morris Clerk. By Frank Brown Deputy

2460

The State of Texas v Byron Glasscock. And now on this day came the District attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis county, consisting of James Hickey and eleven others, duly tried, elected, empannelled and sworn according to law, who having heard the plea of not guilty, the evidence, argument of counsel, and the charge of the Court retired to deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We, the Jurors find the

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Defendant guilty, and assess the Punishment at three years in State Penitentiary. James Hickey, foreman." And thereupon It is ordered that the Defendant stand committed to the County Jail to await judgment and sentence.

J 2460 The State of Texas vs. John Rodriquez. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial: and then came a Jury of twelve good and lawful men of Travis county, consisting of W. Goode and eleven others, duly tried elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court and retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We the Jurors find the Defendant guilty and assess the punishment at two years in the Penitentiary W. Goode, foreman.

Whereupon It is ordered that the Defendant stand committed to the County Jail to await judgment & sentence.

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

October 24th. 1872.

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

S. Lundell. Declaration of intention to become a citizen.

The State of Texas } S. Lundell, being duly sworn according
County of Travis. } to law, in the District Court of said County, doth declare that he was born in the year A.D. 1840, in the Kingdom of Sweden whence he emgrated in the year 1867, to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State, or sovereignty, whatsoever, and particularly to the King of Sweden of whom he is a subject.

S. Lundell.

Sworn to and subscribed before me, this 24th day of October 1872. A.R. Morris clk, by T. Brown deputy.

P.E. Lerregreen. Declaration of intention to become a citizen.

The State of Texas. } P. E. Lerregreen being duly sworn ac-
County of Travis. } cording to law, in the District Court of said County, doth declare that he was born in the year A.D. 1839, in the Kingdom of Sweden, whence he emigrated in the year 1869 to the United States of America and has selected the State of Texas as the place of his intended

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settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign, Prince, Potentate, State or sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

P. E. Lerengreen

Sworn to and subscribed before me, this 21st day of October 1872. A.R. Morris clk. by F. Brown dpty.

J. F. Johnson

Declaration of intention to become a citizen.

The State of Texas } J. F. Johnsen, being duly sworn
County of Travis. } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1832, in the Kingdom of Sweden, whence he emigrated in the year 1871 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or sovereignty whatsoever, and particularly to the King of sweden of whom he is a subject.

John F. his x mark Johnson

Sworn to and subscribed before me. this 21st day of October 1872. A.R. Morris, clk, by F. Brown, dpty.

S. G. Adolfson

Declaration of intention to become a citizen.

The State of Texas. } Swante G. Adolfson, being duly sworn accor-
County of Travis. } ding to law, in the District Court of said county, doth declare that he was born in the year A.D. 1836, in the Kingdom of Sweden, whence he emigrated in the year 1870, to the United States of America, and has selected the State of Texas as the place of his intended Settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

Swante G. Adolfson.

sworn to and subscribed before me, this 22nd day of October 1872. A.R. Morris, clk by F. Brown deputy.

Ole. Peterson

Declaration of intention to become a citizen.

The State of Texas } Ole. Peterson being duly sworn according
County of Travis. } to law, in the District Court of said county doth declare that he was born in the year A.D. 1829, in the Kingdom of Norway, whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended Settlement: and he further declares that it is bona fide his intention to

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become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State, or sovereignty whatsoever, and particularly to the King of Norway of whom he is a subject.

Ole Peterson

Sworn to and subscribed before me, this 22nd day of October 1872. A. R. Morris, clk. by F. Brown deputy.

Charles Lockmann

Declaration of intention to become a citizen.

The State of Texas, } Charles Lockmann being duly sworn
County of Travis, } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1843, in the Kingdom of Sweden, whence he emigrated in the year 1869 to the United States of America and has selected the State of Texas as the place of his intended settlement; and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he was a subject. Charles Lockmann.

Sworn to and subscribed before me this 22nd day of October 1872. A. R. Morris clk. by F. Brown deputy.

A. Bierhalter

Declaration of intention to become a citizen.

The State of Texas } Anton Bierhalter being duly sworn
County of Travis, } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1835, in the kingdom of Germany, whence he emigrated in the year 1860 to the United States of America, and has selected the State of Texas as the place of his intended settlement; and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Grand Duke of Baden in Germany of whom he was a subject. Anton Bierhalter.

Sworn to and subscribed before me, this 22nd day of October 1872. A. R. Morris clk by F. Brown, deputy.

C. G. Lonn.

Declaration of intention to become a citizen.

The State of Texas } Charley G. Lonn being duly sworn
County of Travis, } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1835, in the Kingdom of Sweden, whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended settlement; and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounces forever all

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allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

C. G. Lorn.

Sworn to and Subscribed before me, this 22nd day of October 1872. A. R. Morris clk by F. Brown deputy.

P. A. Gustafson

Declaration of intention to become a citizen.

The State of Texas } Peter A. Gustafson being duly sworn
County of Travis } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1848, in the kingdom of Sweden whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounces forever all allegience and fidelity to every foreign Prince Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

Peter A. Gustafson.

Sworn to and Subscribed beforeme, this 22nd day of October 1872. A.R. Morris clk by F. Brown, deputy.

L. Christopherson

Declaration of intention to become a citizen.

The State of Texas } Lars Christopherson, being duly
County of Travis } sworn according to law in the District Court of said County, doth declare that he was born in the year A.D. 1838, in the Kingdom of Norway whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or sovereignty whatsoever, and particularly to the King of Norway of whom he is a subject.

Lars Christopherson.

Sworn to and Subscribed before me, this 22nd day of October 1872. A.R. Morris clk. by F. Brown Deputy.

C. Gustafson

Declaration of intention to become a citizen.

The State of Texas } Charles Gustafson being duly sworn
County of Travis } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1845, in the Kingdom of Sweden whence he emigrated in the year 1867 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he futher declares

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that it is bona fide his intention to become a citizen of the United States and of the said State of Texas. and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or sovereignty whatsoever. and particularly to the King of Sweden of whom he is a subject.

Charley Gustafson,

Sworn to and subscribed before me, this 22nd day of October 1872. A.R. Morris clk by F. Brown deputy.

A.P. Tom.

Declaration of intention to become a citizen.

The State of Texas } Andrew P Tom being duly sworn
County of Travis. } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1842 in the kingdom of Sweden whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he futher declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas. and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the king of Sweden of whom he is a subject.

A. P Tom.

Sworn to and subscribed before me this 22nd day of October 1872. A.R. Morris clk. by F. Brown Deputy.

C. Sjoberg.

Declaration of intention to become a citizen.

The State of Texas } Charles Sjoberg being duly sworn
County of Travis. } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1839, in the kingdom of Sweden, whence he emigrated in the year 1867 to the United States of America. and has selected the State of Texas as the place of his intended settlement: and he futher declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas. and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

Carl Sjoberg.

Sworn to and subscribed before me this 22nd day of October 1872 A.R. Morris clk. by F. Brown Deputy.

August Greek.

Declaration of intention to become a citizen.

The State of Texas } August Greek. being duly sworn
County of Travis. } according to law in the District Court of said County. doth declare that he was born in the year A.D. 1844. in the kingdom of Sweden whence he emigrated in the year 1868 to the United States of America, and has selected the State of Texas as the place of his

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intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or sovereignty whatever, and particularly to the King of Sweden of whom he is a subject.

August – Greek.

Sworn to and Subscribed before me, this 22d. day of October 1872. A.R. Morris clk by F. Brown deputy

C.J. Swahn

Declaration of intention to become a citizen

The State of Texas } Charley J. Swahn being duly sworn
County of Travis. } according to law in the District Court of said County. doth declare that he was born in the year A.D. 1838, in the kingdom of Sweden whence he emigrated in the 1867 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

Charles J. Swahn.

Sworn to and Subscribed before me, this 22d. day of October 1872. A.R. Morris clk. by F. Brown Deputy

Carl Timmermann
Henry Klenert

And now on this day appeared in open Court Carl Timmermann and Henry Klenert, who, having shown to the Court that they have been honorably discharged from the Army of the United States, and they having respectively taken the oath in open Court that they renounce all allegiance and fidelity to every foreign Prince, Potentate, State & Sovereignty whatsoever and particularly to the Emperor of Germany, of whom they were subjects. It is ordered by the Court that said Carl Timmermann and the said Henry Klenert be respectively admitted as citizens of the United States, and that the clerk issue to each of them respectively.

2271

The State of Texas v. Doss Kimball and Geo. W. Barnes And now on this day came the District Attorney on behalf of the State, and came also the Defendants in person and by their attorneys and announced ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, consisting of Ed. R. Crockett and eleven others, who were tried, elected, empanelled and sworn according to law. And the Jury having heard the plea Defendants having been arraigned, entered the plea of not guilty. And the Jury having heard the Indictment,

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the plea of not guilty, the evidence, and the charge of the Court, retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit. "In the case of The State vs. Geo W. Barnes & Joss Kimball. We the Jury find the Defendant Geo. W Barnes guilty of Murder in the first degree. Ed. R. Crockett, foreman." "We the Jury find the Defendant Joss Kimball guilty as an accomplice of murder in the first degree. Ed. R. Crockett, foreman". Whereupon It is ordered that the Defendants stand committed to the County Jail to await Judgment and Sentence

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

October 24th, 1872.

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

G. Reimann

Declaration of intention to become a citizen.

The State of Texas } Gustav Reimann being duly sworn
County of Travis. } according to law. in the District Court
of said County. doth declare that he was born in the year
A.D. 1844, in the kingdom of Germany whence he emi-
grated in the year 1867 to the United States of America.
and has selected the State of Texas as the place of his in-
tended settlement: and he futher dedares that it is bona
fide his intention to become a citizen of the United States
and of the said State of Texas. and renounces forever all al-
legiance and fidelity to every foreign Prince, Potentate,
State or Sovereignty whatsoever, and particularly to the
Emperor of Prussia of whom he is a subject.

Gustav Reimann.

Sworn to and subscribed before me, this 22d day of
October 1872. A.R. Morris clk. by T. Brown Deputy.

Andrew Watter

Declaration of intention to become a citizen.

The State of Texas } Andrew watter being duly sworn
County of Travis, } according to law, in the District Court
of said county, doth declare that he was born in the year
A.D. 1845 in the kingdom of sweden whence he emigrated
in the year 1868 to the United States of America. and
has selected the State of Texas as the place of his intended
settlement: and he futher declares that it is bona fide
his intention to become a citizen of the United States. and
of the said State of Texas. and renounces forever all alle-
giance and fidelity to every foreign Prince, Potentate, State or
Sovereignty whatsoever, and particularly to the king of
Sweden of whom he is a subject. Andrew his X mark Watter.

Sworn to and subscribed before me, this 22d
day of October 1872. A.R. Morris clk by T. Brown deputy.

James Slughes.

Declaration of intention to become a citizen.

The State of Texas. } James Slughes being duly sworn

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County of Travis } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1836, in the kingdom of Great Brittain whence he emigrated in the year 1842 to the United States of America., and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Queen of England of whom he is a subject.

James Hughes.

Sworn to and Subscribed before me, this 22d day of October 1872. A. R. Morris clk by F. Brown, dpty

C. Andersson

Declaration of intention to become a citizen

The State of Texas } Charles H Andersen being duly
County of Travis, } sworn according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1840, in the kingdom of Sweden whence he emigrated in the year 1869 to the United States of America. and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

C. H. Anderson.

Sworn to and subscribed before me, this 22d day of October 1872. A. R. Morris clk by F. Brown deputy.

J. Christen

Declaration of intention to become a citizen.

The State of Texas } Jacob Christen being duly sworn
County of Travis. } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1845 in the Republic of Switzerland whence he emigrated in the year 1868 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Republic of Switzerland of which he is a subject.

Jacob Christen

Sworn to and Subscribed before me, this 22nd day of October 1872. A. R. Morris clk. by F. Brown Deputy.

John P. Eckman

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Declaration of intention to become a citizen.

The State of Texas } John P. Eckman being duly sworn
County of Travis. } according to law, in the District Court
of said County, doth declare that he was born in the year A.
D. 1825, in the kingdom of Sweden, whence he emigrated
in the year 1864 to the United States of America, and has
selected the State of Texas as the place of his intended
settlement: and he further declares that it is bona fide
his intention to become a citizen of the United States
and of the said State of Texas and renounces forever
all allegiance and fidelity to every foreign Prince, Pot-
entate, State or Sovereignty whatsoever, and particularly
to the King of Sweden of whom he is a subject.

John P. Ekman.

Sworn to and Subscribed before me this 22nd day of
October 1872. A.R. Morris clk by F. Brown Deputy.

August Swenson

Declaration of intention to become a citizen.

The State of Texas } August Swenson being duly sworn
County of Travis. } according to law, in the District Court
of said County, doth declare that he was born in the year
A.D. 1835, in the kingdom of Sweden whence he emigrated
in the year 1867 to the United States of America, and has se-
lected the State of Texas as the place of his intended settlement
and he futher declares that it is bona fide his intention
to become a citizen of the United States and of the said
State of Texas, and renounces forever all allegiance and
fidelity to every foreign Prince, Potentate State or Sov-
ereignty whatsoever, and particularly to the King of
Sweden of whom he is a subject. August Swenson

Sworn to and Subscribed before me, this 22d
day of October 1872. A.R. Morris clk. by F. Brown Deputy.

F. O. Johnson

Declaration of intention to become a citizen.

The State of Texas } Francis O Johnson being duly sworn.
County of Travis. } according to law, in the District Court
of said County, doth declare that he was born in the year A.
D. 1845 in the Kingdom of Sweden whence he emigrated
in the year 1870 to the United States of America, and
has selected the State of Texas as the place of his intend-
ed settlement: and he futher declares that it is bona
fide his intention to become a citizen of the United
States and of the said State of Texas. and renounces forever
all allegiance and fidelity to every foreign Prince, Potentate
State or sovereignty whatsoever, and particularly to
the King of Sweden of whom he is a subject.

Francis O Johnson

Sworn to and subscribed before me, this 22nd day of
October 1872. A.R. Morris clk. by F. Brown Deputy.

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Axel Anderson.

Declaration of intention to become a citizen
The State of Texas } Axel Anderson being duly sworn
County of Travis. } according to law, in the District
Court of said County, doth declare that he was born
in the year A.D. 1847, in the kingdom of Sweden -
whence he emigrated in the year 1869 to the United
States of America, and has selected the State of Texas
as the place of his intended settlement -; and he further
declares that it is bona fide his intention to become
a citizen of the United States and of the said State of
Texas, and renounces forever all allegiance and fidelity
to every foreign Prince, Potentate State or Sovereignty
whatsoever, and particularly to the King of Sweden
of whom he is a subject. Axel Anderson

Sworn to and subscribed before me, this 22nd
day of October 1872. A.R. Morris clk by F Brown Deputy

C. Wielstrom

Declaration of intention to become a citizen.
The State of Texas } Charles Wielstrom. being duly sworn
County of Travis, } according to law, in the District
Court of said County, doth declare that he was born
in the year A.D. 1851, in the kingdom of Sweden.
whence he emigrated in the year 1870, to the United
States of America, and has selected the State of Texas
as the place of his intended settlement -; and he fu-
ther declares that it is bona fide his intention to become
a citizen of the United States and of the said State of
Texas, and renounces forever all allegiance and fidelity
to every foreign Prince, Potentate, State or sovereignty
whatsoever. and particularly to the King of Sweden
of whom he is a subject. Charles Wielstrom.

Sworn to and subscribed before me, this 22nd day
of October 1872. A.R. Morris clk by F. Brown Deputy.

Jan Peter Johannesen

Declaration of intention to become a citizen
The State of Texas } Jan Peter Johannesen being duly
County of Travis. } sworn according to law, in the District
Court of said County, doth declare that he was born in
the year A.D. 1833, in the kingdom of Norway. whence
he emigrated in the year 1871 to the United States of
America. and has selected the State of Texas as the
place of his intended settlement -; and he further declares
that it is bona fide his intention to become a citizen of
the United States and of the said State of Texas, and
renounces forever all allegiance and fidelity to every
foreign Prince, Potentate, State or Sovereignty what-
soever. and particularly to the King of Sweden of
whom he is a subject. Jan Peter Johannesen

Sworn to and subscribed before me,

October 24th, 1872.

this 22nd day of October 1872. A.R. Morris clerk.
by T. Brown Deputy.

Robert Daenicke — Comes now Robert Daenicke and showing to the Court that he has been honorably discharged from the service in the Army of the United States: and having taken the oath prescribed by law in open Court, It is ordered that said Robert Daenicke be and he is hereby admitted a citizen of the United States and that the clerk of this Court issue to him a Certificate

2507 — The State of Texas v. Matt. Woodlief Come the Parties and announce ready for trial: and waiving a jury submit the case to the Court. And the Court herefixing the fine at $25, It is ordered that the State of Texas recover of Matt. Woodlief the sum of twenty-five dollars and the cost of the prosecution, and that alcapias issue to collect the same.

2508 — The State of Texas v. Thomas Bowles. Come the parties and announce ready for trial: and waiving a jury submit the case to the Court. And the Court herefixing the fine at $25 It is ordered that the State of Texas recover of Thomas Bowles the sum of twenty-five dollars and the cost of the prosecution and that alcapias issue to collect the same.

2509 — The State of Texas v. Ben. Thompson. Cause Dismissed

2510 — The State of Texas v. Neil Cain. Come the parties and announce ready for trial, and waiving a jury submit the case to the Court. And the Court herefixing the fine at $10, It is ordered that the State of Texas recover of Neil Cain said sum of Ten Dollars and the cost of the prosecution, and that alcapias issue to collect the same.

2522 — The State of Texas v. Charles Murray. Continued for service.

2523 — The State of Texas v. Blue. Cause Dismissed

2524 — The State of Texas v. Melrose. Continued for service.

2526 — The State of Texas v. Sam Evans. Come the parties and announce ready for trial, and waiving a jury submit the case to the Court. And the Court herefixing the fine at $10, It is ordered that the State of Texas recover of Sam Evans said sum of ten dollars and the cost of the Prosecution, and that alcapias issue to collect the same.

2527 — The State of Texas v. Bob Fields. Continued for service.

2529 — The State of Texas v. Watt Good. Cause Dismissed

2531 — The State of Texas v. Dave Wills. Continued for service.

2530 — The State of Texas v. Watt Good. Come the Parties and announce ready for trial, and waiving a jury agree to submit the case to the Court. And the Court here fixing the fine at $10 It is ordered that the State of Texas recover of Watt Good said sum of Ten Dollars and the cost of the Prosecution, and that a Capias issue to collect the same.

2534 — The State of Texas v. Wamell Continued for service.

2535 — The State of Texas v. Jac Wills. Continued for service.

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2536 The State of Texas v. Wright. Continued for service.
2537 The State of Texas v. Murray Continued for service
2540 The State of Texas v. Wm Foster Continued for service.
2542 The State of Texas v. Raphael Castillo. Continued for service
2545 The State of Texas v. John Brown. Continued for service.
2546 The State of Texas v. Charles Roade. Continued for service
2547 The State of Texas v. McLennan. Continued for service.
2549 The State of Texas v. Mexican Charley. Cause Dismissed
2553 The State of Texas v. Charles Clinger. Continued for service
2554 The State of Texas v. Mays & Clanton. Continued for service.
2556 The State of Texas v. J. B. Garnett Continued for service.
2557 The State of Texas v. J. B. Garnett Continued for service
2558 The State of Texas v. J. B. Garnett Continued for service
2560 The State of Texas v. Dr. Forbes. Indictment Quashed and cause Dismissed
2561 The State of Texas v. W. H. Morris Continued for service.
2568 The State of Texas v. James Kirk. Continued for service.
2570 The State of Texas v. Sam Harris. Continued for service
2571 The State of Texas v. Clanton & Mays. Continued for service.
2575 The State of Texas v. T. T. Pendley Cause Dismissed
2576 The State of Texas v. Chas. Smith Jr. Continued for service
2577 The State of Texas v. M. B. Hawes Cause Dismissed
2578 The State of Texas v. Howard. Cause Dismissed
2580 The State of Texas v. R. B. McKay. Cause Dismissed
2585 The State of Texas v. M. B. Hawes. Cause Dismissed
2586 The State of Texas v. Black Davis. Cause Dismissed
2594 The State of Texas v. Senator Saylor. Continued for service.
2595 The State of Texas v. Senator Saylor. Continued for service.
2599 The State of Texas v. Geo. Price. Continued for service.
2601 The State of Texas v. Porter & Porter. Cause Dismissed
2602 The State of Texas v. J. Schnee. Continued for service.
2606 The State of Texas v. Porter et al. Cause Dismissed
2611 The State of Texas v. Wm Gillum Cause Dismissed
2612 The State of Texas v. Aaron Robinson Cause Dismissed
2614 The State of Texas v. James Moon. Cause Dismissed
2616 The State of Texas v. R. & B. Owens. Cause Dismissed
2617 The State of Texas v. Michael Dyer. Indictment quashed
2619 The State of Texas v. Geo. Hickey. Cause continued by the Defendant. And thereupon appeared in open Court N. J. Moore & Isaac Graham and acknowledged themselves justly to owe and be indebted unto The State of Texas in the sum of One hundred Dollars, each, to be levied upon their goods and chattels lands, tenements and Estate, But to be void upon condition that said N. J. Moore and Isaac Graham make their personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in February, 1873, then and there to give evidence on behalf of the Plaintiff in the above entitled cause against Geo. Hickey, and to remain from term to term thereafter, and from day to day until discharged.

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2621 The State of Texas v. Phil Bartley. Cause Dismissed

2625 The State of Texas v. Tom Raines. Continued for service.

2627 The State of Texas v. Billy Thompson. Come the Parties and announce ready for trial: and waiving a Jury submit the case to the Court. And the Defendant pleading guilty the Court fixes the fine at $15. And it is ordered that the State of Texas recover of said Billy Thompson the sum of fifteen dollars and the cost of the prosecution, and that alcapias issue to collect the same.

2630 The State of Texas v. Ben. Thompson. Come the Parties and announce ready for trial, and waiving a Jury submit the case to the Court. And the Defendant pleading guilty the Court hereby fixes the fine at $10. And it is ordered that the State of Texas recover of the Defendant Ben. Thompson said sum of Ten Dollars and the cost of the prosecution and that alcapias issue to collect the same.

2631. The State of Texas v. Jimmie Ralls. Continued by the Defendant.

2632 The State of Texas v. Bill Tong. Continued for service

2634 The State of Texas v. Boatman. Continued for service

2635 The State of Texas v. Neil Cain. Cause Dismissed

2638 The State of Texas v. George Pearce. And now comes the District attorney on behalf of the State and the Defendant in person and by attorney and announced ready for trial. When came a jury of twelve good and lawful men of Travis county, consisting of Walt Goode and eleven others, tried, elected, empannelled and sworn according to law, who having heard the Indictment, the plea of not guilty, the evidence the argument of counsel and the charge of the Court, retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We the Jurors find the Defendant guilty and assess the fine at twenty-five dollars. W. Goode, foreman." Whereupon It is ordered that the State of Texas do recover of the Defendant George Pearce the sum of twenty-five dollars and the cost of the Prosecution and that alcapias issue to collect the same.

2653 The State of Texas v. Sam Evans. Cause Dismissed

2655 The State of Texas v. Maroney. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Court here fixing the fine at $10. It is ordered that the State of Texas recover of the Defendant Maroney said sum of ten dollars and the cost of the Prosecution, and that alcapias issue to collect the same.

2670. The State of Texas v. John Johnson. And now come the parties and thereupon the Defendant presents his exceptions to the Indictment, which being heard and argued, and duly considered, It is ordered that said exceptions be sustained: that the Indictment be quashed: that the cause be dismissed and the Defendant go hence discharged: to which ruling the District attorney excepts and gives notice in open Court of an appeal to the Supreme Court.

October 24th 1872.

✓ 2671. The State of Texas v. James Jackson. Cause Dismissed

✓ 2672 The State of Texas v. Willis Jackson. Cause Dismissed

✓ 2438 The State of Texas v. E.P. Phillips. On motion of the Defendant It is ordered that B. Carsner, Sheriff of Victoria county, refined thirty dollars for failing to execute the writs of attachment issued on behalf of the Defendant in this case, and that Scire facias issue returnable to the next term commanding him to appear and shew cause, if any he can, why this judgment should not be made final.

✓ 2461 The State of Texas v. Fletcher Bennett. This cause being called for trial the Defendant Fletcher Bennett failing to appear and answer to the Indictment in this cause, he and his securities B.B. Bennett, B Spalding and F.W. Suter being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Fletcher Bennett with the said B.B. Bennett, B. Spalding and F.W. Suter, as his securities, did enter into Recognizance in open Court in this case, substantially as follows: Dated 18th day of June, 1872, payable unto The State of Texas in the sum of three hundred dollars, conditioned that the said Defendant Fletcher Bennett make his personal appearance at the District Court of said County of Travis then in session at the Courthouse thereof in Austin, to answer the Indictment prefered against the said Defendant Fletcher Bennett by the Grand Jurors of Travis county at the June Term, 1872, for Making an Assault with intent to Kill and Murder, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court: which said Recognizance is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Fletcher Bennett, and the said B.B. Bennett, B. Spalding and F.W. Suter, the said sum of three hundred dollars, and that this judgment will be made final unless good cause be shewn at the next term of this Court why the said Defendant Fletcher Bennett did not appear. And further ordered that Citations do issue to the said securities

✓ 2533 The State of Texas v. Thomas Blair. This cause being called for trial the Defendant Thomas Blair failing to appear and answer to the Indictment in this case, he and his securities E. Philipe, I. Stein, L. Seligman, I. Fontel, L. Fontel, S.A. Mahon and F.N.B. Bates being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Thomas Blair with the said E. Philipe, I. Stein, L. Seligman, I. Fontel, L. Fontel, S.A. Mahon and N.B. Bates as his securities, did execute the Bail Bond on file in

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this case substantially as follows: Dated 10th day of July 1872 payable unto The State of Texas in the sum of two hundred and fifty dollars, conditioned that the said Defendant Thomas Blair make his personal appearance at the District Court of said County of Travis on the 1st Monday in October, 1872, to answer the Indictment preferred against the said Defendant Thomas Blair by the Grand Jurors of Travis county at the June Term A.D. 1872 for theft of a horse, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And this considered by the Court that the State of Texas do have and recover of the said Thomas Blair the said sum of and of his said securities the said sum of two hundred and fifty dollars: and that this judgment will be made final unless good cause be shewn at the next term of this Court why the said Defendant Thomas Blair did not appear. And further ordered that Citations do issue to the said securities.

√2626 The State of Texas v. James Irvine } These two causes are
√2627 The State of Texas v. James Irvine } continued at the instance of the Defendant. And now on this day appeared in open Court J. T. Pruitt, Samuel Smith and Philip Lane, who acknowledged themselves justly to owe and be indebted unto the State of Texas, in the sum of one hundred dollars each, in each of said causes numbered 2626 and 2627 of the State of Texas v. James Irvine, to be levied upon their goods and chattels, lands, tenements, and estate, But to be void upon condition that the said J.T. Pruitt, Samuel Smith and Philip Lane, witnesses, make their appearance before the District Court of Travis county, to be held at the Court house thereof in Austin, on the first Monday in February, 1873, then and there to give evidence on behalf of the plaintiff in the two causes above stated, and that they thus remain from day to day and from term to term thereafter for that purpose, and that they do not depart the Court without leave.

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

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

Declaration of intention to become a citizen.

Gustav Slegs.

The State of Texas } Gustav Slegs being duly sworn
County of Travis, } according to law, in the District Court of said County, doth declare that he was born in the year

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A.D. 1850, in the kingdom of Germany whence he emigrated in the yea 1868 to the United States of America and has selected the State of Texas as the place of his intended settlement: and he futher declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the king of Prussia of whom he is a subject.

Gustav Lefs.

Sworn to and Subscribed before me, this 22nd day of October 1472. A.R. Morris Clk. by F. Brown Deputy.

C. A. Peterson

Declaration of intention to become a citizen.

The State of Texas } Charles A. Peterson being duly sworn
County of Travis. } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1848, in the kingdom of Sweden, whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he futher declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

C. A. Peterson.

Sworn to and Subscribed before me, this 22nd day of October 1872. A.R. Morris clk. by F. Brown Deputy.

C. Schlueter.

Declaration of intention to become a citizen.

The State of Texas } Conrad Schlueter being duly sworn
County of Travis. } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1837, in the kingdom of Germany, whence he emigrated in the year 1858 to the United States of America and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

Conrad Schlueter.

Sworn to and subscribed before me, this 22d day of October 1872. A.R. Morris Clk. by F. Brown Deputy.

Wm. Scherman

Declaration of intention to become a citizen.

The State of Texas } William Scherman being duly.

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County of Travis. } Sworn according to law, in the District Court of said County, doth declare that he was born in in the year A.D. 1840, in the kingdom of Germany, whence he emigrated in the year 1868, to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia of whom he is a subject.

William Scheuren.

Sworn to and subscribed before me, this 22nd day of October 1872. A.R. Morris clk. by T. Brown Deputy.

H.T. Stark.

Declaration of intention to become a citizen

The State of Texas. } Henry T. Stark being duly sworn accor-
County of Travis. } ding to law, in the District Court of said County, doth declare that he was born in the year A.D. 1837, in the kingdom of sweden, whence he emigrated in the year 1869 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the king of Sweden of whom he is a subject. H. T. Stark.

Sworn to and subscribed before me, this 22d. day of October 1872. A.R. Morris clk. Frank Brown, Deputy.

John F. Delfs.

Declaration of intention to become a citizen.

The State of Texas } John F. Delfs being duly sworn accor-
County of Travis. } ding to law, in the District Court of said County, doth declare that he was born in the year A.D. 1846, in the kingdom of Germany, whence he emigrated in the year 1867 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia of whom he is a subject. John F. Delfs.

Sworn to and subscribed before me, this 22d. day of October 1872. A.R. Morris. clk by Frank Brown Dept.

August Johnson.

Declaration of intention to become a citizen.

The State of Texas } August Johnson being duly sworn
County of Travis. } according to law, in the District Court

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of said County, doth declare that he was born in the year A.D. 1839, in the kingdom of Sweden whence he emigrated in the year 1869 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he futher declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State, or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject. August Johnson.

Sworn to and Subscribed before me, this 22d. day of October 1872. A.R. Morris Clk. by Frank Brown, Dpty.

✓ 2454. The State of Texas v. James Jones. Now on this day came the District attorney on behalf of the State, and came also the Defendant in person and by attorney and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of E. H. Darter and eleven others, who being tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the indictment, the evidence, argument of counsel and the charge of the Court, retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We, the Jury, find the Defendant guilty and assess a fine of five years Punishment in the State's Penitentiary. E.H. Darter, foreman." Whereupon It is adjudged that the Defendant stand committed to the County Jail to await judgment and sentence.

✓ 2544 The State of Texas v. Bill Rodgers. Come the Parties by attorneys and announced ready for trial and waiving a jury submit the case to the Court. And the Defendant pleading guilty the Court fixes the fine at $10, It is ordered that the State of Texas recover of the said Bill Rodgers said sum often Dollars and the cost of the prosecution and that a Capias issue to collect the same.

✓ 2548 The State of Texas v. G. M. Brass. Come the Parties and announce ready for trial. And then came a jury of 12 good and lawful men of Travis County, consisting of Fred Peck and eleven others, duly tried, elected, empannelled and sworn, who, after hearing the case, returned the following verdict, to wit: "We, the Jury, find the Deft. not guilty. Fred. Peck, foreman." Whereupon It is adjudged by the Court that the Defendant go hence fully discharged.

✓ 2550 The State of Texas v. G. M. Brass. Cause Dismissed

✓ 2551 The State of Texas v. G. M. Brass. Cause Dismissed

✓ 2636 The State of Texas v. Wm. Wilson. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And the Court here fixing the fine at $10

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It is ordered that the State of Texas do recover of the Defendant Wm Wilson said sum of Ten Dollars and the cost of the prosecution, and that alcapias issue to collect the same.

2637 The State of Texas v. Wm Wilson. Cause Dismissed

2648 The State of Texas v. James Moore. Continued by the Defendant.

2656 The State of Texas v. Bill Rodgers. Cause Dismissed

2657 The State of Texas v. Frank J. Hastings Cause Dismissed

2658 The State of Texas v. Charley Black. Continued for service.

2659 The State of Texas v. Billy Brennon. Come the parties by their attorneys and announced ready for trial and waiving a jury submit the case to the Court. And the Court herefixing the fine at $10 It is ordered that the State of Texas do recover of the Defendant Billy Brennan said sum of ten dollars and the cost of this prosecution and that a capias issue to collect the same

2660 The State of Texas v. Billy Brennan. Cause Dismissed

2662 The State of Texas v. Charles Read. Continued for service.

2663 The State of Texas v. Geo. W. Scholey. Continued by the State

2675 The State of Texas v. J. H. Peter. Continued for service.

2680 The State of Texas v. Lacy McKenzie. Come the parties by their attorneys and announce ready for trial, and waiving a jury submit the case to the Court. And the Court herefixing the fine at $10, It is ordered that the State of Texas recover as the Defendant Lacy McKenzie said sum of Ten Dollars and the cost of the prosecution, and that alcapias issue to collect the same.

2470 2471 The State of Texas v. Ed. Pearce and Neil Cain. Come now G. W. Maxwell and M. R. Jones and each of them acknowledged himself to one and be indebted unto The State of Texas in the sum of One hundred dollars, to be levied of their goods and Chattels, Lands, tenements and estate But to be void upon condition that the said G. W. Maxwell and M. R. Jones make their personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February 1873, then and there to give evidence on behalf of the Defendants in the above entitled causes, and that they do not depart the Court without leave. And continued by the Defendant.

2471 The State of Texas v. Ed Pearce and Neil Cain. Come now Frank Soules Cause continued for the absence of the witnesses Frank Soules and Dike Sheep.

2639 The State of Texas v. Bill Galloway. Comes now the District attorney upon part of the State, and came also the Defendant in person and by attorney and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis county, consisting of and eleven others, duly tried, elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence,

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argument of counsel and the charge of the Court, and retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit:

J.W. Kalgren

Declaration of intention to become a citizen

The State of Texas } John William Kalgren being duly sworn
County of Travis. } according to law, in the District Court of said County, doth declare that he was born in the year A.D. 1843, in the kingdom of Sweden whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended settlement; and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject. John William Kalgren

Sworn to and subscribed before me, this 22nd day of October 1872. A.R. Morris clk by Frank Brown Deputy.

John Wallin

Declaration of intention to become a citizen

The State of Texas } John Wallin being duly sworn according to
County of Travis, } law, in the District Court of said County doth declare that he was born in the year A.D. 1838, in the kingdom of Sweden whence he emigrated in the year 1867 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject. John Wallin.

Sworn to and subscribed before me, this 23d day of October 1872. A.R. Morris clk by Frank Brown Dpty.

Henry Haenel.

Declaration of intention to become a citizen.

The State of Texas } Henry Haenel being duly sworn according to law, in
County of Travis. } the District Court of said County, doth declare that he was born in the year A.D. 1835, in the kingdom of Germany, whence he emigrated in the year 1871 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Saxony in Germany of whom he is a subject. Henry Haenel.

Sworn to and subscribed before me this 24th day of October 1872 A.R. Morris clerk by Frank Brown Deputy.

Charley Klein.

Declaration of intention to become a citizen

The State of Texas } Charley Klein being duly sworn according to law, in the

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County of Travis } District Court of said County, doth declare that he was born in the year A.D. 1829, in the kingdom of Prussia. whence he emigrated in the year 1871 to the United States of America. and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate State or Sovereignty whatsoever, and particularly to the King of Prussia of whom he is a subject. Charley Kleien.

Sworn to and subscribed before me, this 24th day of October 1872. A.R. Morris clerk by Frank Brown Deputy.

Martin B Holm.

Declaration of intention to become a citizen

The State of Texas } Martin B. Holm being duly sworn according to law, in County of Travis. } the District Court of said County, doth declare that he was born in the year A.D. 1832. in the kingdom of Sweden, whence he emigrated in the year 1870. to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas. and renounces for ever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject. M.B. Holm.

Sworn to and subscribed before me, this 24th day of October 1872. A.R. Morris clerk by Frank Brown Deputy.

John D. Arocena.

Declaration of intention to become a citizen.

The State of Texas } John D. Arocena being duly sworn according to law, County of Travis. } in the District Court of said County, doth declare that he was born in the year A.D. 1850, in the kingdom of Spain, whence he emigrated in the year 1865 to the United States of America. and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas. and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Spain of whom he is a subject. John D. Arocena.

Sworn to and subscribed before me, this 24th day of October 1872. A.R. Morris clerk by Frank Brown Deputy.

J. A. Lundin.

Declaration of intention to become a citizen.

The State of Texas } J. A. Lundin being duly sworn according to law, County of Travis. } in the District Court of said County, doth declare that he was born in the year A.D. 1847, in the kingdom of Sweden. whence he emigrated in the year 1870 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas. and renounces for ever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject. J. A. Lundin.

Sworn to and subscribed before me, this 24th day of October 1872. A.R. Morris clerk by Frank Brown Deputy.

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C. O. Carlson. Declaration of intention to become a citizen

The State of Texas } C. O. Carlson being duly sworn according to law,
County of Travis. } in the District Court of said County, doth declare
that he was born in the year A.D. 1847, in the kingdom of Sweden.
whence he emigrated in the year 1871 to the United States of America,
and has selected the State of Texas as the place of his intended settlement:
and he further declares that it is bona fide his intention to become a
citizen of the United States and of the said State of Texas, and re-
nounces forever all allegiance and fidelity to every foreign
Prince, Potentate, State or Sovereignty whatsoever, and par-
ticularly to the King of Sweden of whom he is a subject.

C. O. Carlson.

Sworn to and subscribed before me, this 24th. day of October 1872.

A. R. Morris Clerk by Frank Brown Dep'ty.

J. Lundgren Declaration of intention to become a citizen.

The State of Texas } J. Lundgren being duly sworn according to law,
County of Travis. } in the District Court of said County, doth declare
that he was born in the year A.D. 1834, in the kingdom of Sweden
Whence he emigrated in the year 1870 to the United States of America,
and has selected the State of Texas as the place of his intended settlement:
and he further declares that it is bona fide his intention to become a
citizen of the United States and of the said State of Texas, and
renounces forever all allegiance and fidelity to every foreign Prince
Potentate State or sovereignty whatsoever, and particularly to the King
of Sweden of whom he is a subject. J. Lundgren.

Sworn to and subscribed before me this 24th day of
October 1872. A. R. Morris clk. by Frank Brown Deputy.

2639 The State of Texas v Bill Galloway. And now on this day
came the parties and announced ready for trial, and
then came a Jury of twelve good and lawful men of
Travis county, consisting of C. Spalding and eleven others,
elected, tried, empannelled and sworn according to law,
who having heard the plea of not guilty, the evidence,
argument of counsel and the charge of the Court, after
retirement returned into Court the following verdict, to
wit: "We, the Jury find the Defendant guilty and assess
his fine at twenty-five dollars. C. Spalding, foreman."
Whereupon It is considered that the State of Texas recover
against said Bill Galloway the sum of Twenty-five
dollars and the cost of the prosecution and that he be
committed to jail until the same are paid in full

2640 The State of Texas v Bill Galloway. And now on this day
came the parties and announced ready for trial. And
then came a jury of twelve good and lawful men of
Travis county, consisting of E. H. Darter and eleven
others, tried, elected, empannelled and sworn ac-
cording to law, and the Jury having heard the plea of

October 26th 1872.

not guilty, the evidence, argument of counsel and the charge of the Court, after retirement returned the following verdict, to wit: "We, the Jury, find the Defendant guilty and affix a fine of one hundred dollars. E.H. Darter, foreman." Whereupon It is ordered that the State of Texas do recover of the Defendant Bill Galloway the sum of One hundred dollars and the cost of the Prosecution, and that a Commitment issue to collect the same.

2641 The State of Texas v. Bill Galloway. Continued by the Defts.
2642 The State of Texas v. Bill Galloway. Continued by the Defts.
2643 The State of Texas v. Bill Galloway. Continued by the Defts.
2644 The State of Texas v. Bill Galloway. Continued by the Defts.
2645 The State of Texas v. Bill Galloway. Continued by the Defts.
2646 The State of Texas v. Bill Galloway. Continued by the Defts.
2647 The State of Texas v. Bill Galloway. Continued by the Defts.

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

October 26th 1872.

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

Jury Service. Ordered that Certificates for Jury Service issue to the following named Persons for service during the present week.

1	Ed Wilkerson	5 days	$10.00	19	Addison Smith	5 days	
2	Booker Runnels	5 "	10.00	20	H H Raven	5 "	
3	Wm Hoelder	5 "	10.00	21	John Musgrove	2 "	
4	Alex Chalmers	5 "	10.00	22	James Davis	5 "	
5	Thomas Carter	5 "	10.00	23	A H Cox	1 "	
6	John Clark	5 "	10.00	24	E H Darter	5 "	
7	Peter Mabel	5 "	10.00	25	F W Schaffurt	1 "	
8	J Z. McInnis	1 "	2.00	26	J H. Wacker	4 "	
9	R. J. Moore	5 "	10.00	27	Harry Hawkins	4 "	
10	Wm Gardner	5 "	10.00	28	Mirton Wallace	1 "	
11	James Hickey	5 "	10.00	29	J. Jackson	1 "	
12	E Rerockett	5 "	10.00	30	John Baizley	1 "	
13	M. M. Hornsby	4 "	8.00	31	John Swope	1 "	
14	W. Goode	5 "	10.00	32	Wm Pfluger	1	
15	E Zimmerman	5 "	10.00	33	A A Hughes	1	
16	C Spalding	5 "	10.00	34	Geo Gilbert	1	
17	Fred Pick	5 "	10.00	35	———		
18	W. Nowlin	5 "	10.00	———			

Declaration of intention to become a citizen.

The State of Texas } C. Lundgren being duly sworn according to law in the District
County of Travis, } Court of said County, doth declare that he was born in the year A.D. 1841, in the kingdom of Sweden - whence he emigrated in the year 1871 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and

October 24th, 1872.

renounces forever all allegiance and fidelity to every foreign prince Potentate, State, or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

C. Lundgreen.

Sworn to and subscribed before me. this 24th day of October 1872.

A.R. Morris clerk. by Frank Brown Deputy

Declaration of intention to become a citizen

August Swenson. The State of Texas } August Swenson being duly sworn according to law, in the County of Travis } District Court of said County. doth declare that he was born in the year A.D. 1833, in the kingdom of Sweden, whence he emigrated in the year 1861 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Sweden of whom he is a subject.

August Swenson.

Sworn to and subscribed before me, this 25th day of October 1872.

A.R. Morris clerk, by. Frank Brown. Deputy.

Declaration of intention to become a citizen.

Charles Pecht. The State of Texas } Charles Pecht being duly sworn according to law, in the County of Travis. } District Court of said County, doth declare that he was born in the year A.D. 1820. in the kingdom of Prussia whence he emigrated in the year 1855 to the united States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas. and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia of whom he is a subject. C. Pecht.

Sworn to and subscribed before me, this 25th day of October 1872 A.R. Morris clerk by Frank Brown Deputy.

Declaration of intention to become a citizen.

Edward Steiner The State of Texas } Edward Steiner being duly sworn according to law, in County of Travis } the District Court of said County, doth declare that he was born in the year A.D. 1838, in the kingdom of Germany, whence he emigrated in the year 1868 to the United States of America. and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia of whom he is a subject,

Edward Steiner.

Sworn to and subscribed before me, this 25th day of October 1872. A.R. Morris clerk. by Frank Brown Deputy.

Declaration of intention to become a citizen

James B. Smith The State of Texas } James B. Smith being duly sworn according to County of Travis } law, in the District Court of said County, doth declare that he was born in the year A.D. 1843. in the kingdom of Great Britain, whence he emigrated in the year 1870 to the united

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States of America. and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Queen of England of whom he is a subject.

J. B. Smith

Sworn to and subscribed before me in open Court this 25th day of October 1872

A. R. Morris clerk by Frank Brown Deputy.

Albert Glowacki

Declaration of intention to become a citizen

The State of Texas } Albert Glowacki being duly sworn according to law, in County of Travis, } the District Court of said County, doth declare that he was born in the year A.D. 1844. in the kingdom of Russia, whence he emigrated in the year 1867 to the United States of America. and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Emperor of Russia of whom he is a subject.

Albert his x mark Glowacki

Sworn to and subscribed before me, this 26th day of October 1872.

A. R. Morris clerk by Frank Brown Deputy.

Frank Strohmeer.

Declaration of intention to become a citizen

The State of Texas } Frank Strohmeer being duly sworn according to law, in County of Travis. } the District Court of said County, doth declare that he was born in the year A.D. 1839, in the kingdom of Prussia. whence he emigrated in the year 1858 to the United States of America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Emperor of Prussia of whom he is a subject.

Frank Strohmeer

Sworn to and Subscribed before me, this 26th day of October 1872 in open Court. A. R. Morris clerk. by Frank Brown Deputy.

3421 Geo. Pfluger v. Henry Buddebok. On this day appeared the counsel fo the Defendant and submitted his motion for a new trial. And the same being heard and considered It is ordered that said motion be overruled.

2638 The State of Texas v. George Pearce. And now come the Parties: whereupon the Defendants counsel submitted his motion for a new trial in this cause: which being heard, & argued, and being duly considered, It is ordered that the same be overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

2454 The State of Texas v. James Jones. And now come the parties whereupon the Defendant submitted his motion for a new

October 21th, 1872.

trial which being heard and argues by counsel and duly considered by the Court. the saimes overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

1 ✓ 2020 Giles H. Burditt v. W. B Burditt et al.

In this cause now comes G.H. Burditt, Commissioner of this Court, in this cause, to sell the property of the Estate, and makes the following Report:

To the Hon. J.P. Richardson Judge of the District Court of the 29th Judicial Dist. in Austin in Travis County Sitting.

No 2020 Giles H Burditt vs W.B. Burditt et al. For Partition of Estate of Jesse Burditt, Senior.

In the above named case now comes Giles H. Burditt who was appointed Commissioner of your honorable Court at the June term 1872 in the above named case, and begs leave to make the following Report:

That on the third day of September, 1872, as Commissioner, acting under the decrees of your honorable Court in the above named case, he sold to the highest bidder on a credit of six months from the day of sale the tracts before that time unsold belonging to the estate of Jesse Burditt, out of the tract of land known in the Inventory as part of the Ynes Mines Grant of one league the same being four hundred and eighty five acres, more or less: the said tract having been subdivided as shown by the previous returns of your Commissioner, the said tracts remaining unsold being Lot No 14, containing thirty-five acres, and Lot No 9 containing forty acres, both of the above tracts being on the waters of Walnut Clerk in Travis County. the said sale having been duly advertised as required by the law and said decree, and having been sold on the first Tuesday of the said month, and by the terms of said sale payable in the gold coin of the United States, with ten Percent interest thereon from the day of sale, when Francis D Forster of Austin became the Purchaser of Lot No. 9 of forty acres, at the sum and Price of three $\frac{70}{100}$ Dollars per acre aggregating one hundred and forty-eight Dollars: And A. M. Davidson became the purchaser of Lot Number 14 (fourteen) of thirty-five acres, at the sum and price of two Dollars per acre, aggregating the sum of Seventy Dollars. Your Commissioner represents that the above named purchasers are ready to comply with the terms of said sale: that the sales were fairly made, and in Conformity with law: and he prays that they be confirmed.

G. H. Burditt

Sworn to and subscribed before me Oct. 26, 1872.

F. Brown Dep Clk

And it appearing that the said sale was fairly made

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and in conformity with law, the sameis in all things confirmed, and the said Commissioner is ordered to make a deed to the purchaser upon complying with the terms of sale. And ordered that the cause stand continued for further orders.

1 13035. Albert S Roberts & wife et.al. v W S Chalmers et.al

In this case comes John A Green, the Commissioner of this Court, in this case, to sell the lands of the Estates of John G and Mary Wade Chalmers for partition among the heirs & and distributees, and makes the following report:

To the Honorable J.C. Richardson judge of the 22th Judicial District sitting at Austin in Travis County.

No 3035. Albert S. Roberts & wife et.al. vs W S. Chalmers et.al.

John A Green, the Commissioner of the District Court of Travis county, appointed in the above named case to sell the Real Estate belonging to the Estates of John G. and Mary Wade Chalmers for partition among the heirs and distributees thereof, beg leave to report.

That at the South East corner of Block No. 70 in the City of Austin in Travis county, after having duly advertised the sale of the same in the County of Travis and also in the County of Burleson, on Tuesday, the third day of September, 1872, he exposed for sale to the highest bidder on a credit of six months from the day of sale, payable in the gold coin of the United States with 10% interest per annum from the day of sale the remaining property of said estates which in said case at the last term he was ordered to sell to wit Lots 1. 2. 3. 4. 5. 9. 10. 11. 12 & 13, of forty acres each of the tract of land of five hundred acres mentioned in the decree as five hundred acres off the Western end of the George W Grimes one-third league grant in Burleson county on the 2nd Yegua and the San Antonio Road, and which was deeded by Sanford Woodward to John G. Chalmers, when the whole of said tracts were separately bid off by F.C. Wickes, he being the highest and best bidder therefor, as follows:

Lot No.	1	of 40 acres	was sold for	1.65 per acre	66.00
"	2	40	"	70c "	28.00
"	3	40	"	75 "	30.00
"	4	40	"	50 "	20.00
"	5	40	"	65 "	26.00
"	9	40	"	65 "	26.00
"	10	40	"	90 "	36.00
"	11	40	"	1.30 "	52.00
"	12	40	"	1.20 "	48.00
"	13	40	"	1.70 "	68.00
					400.00

Your Commissioner for the plat of the said Survey refers to the Report and Decree of the last term of the Court in

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this case, the said sale being made by the subdivision thereof made. Your Commissioner further reports that by a decree of your honorable Court at aformer term F. B. Wilkes is entitled to the one third of the proceeds of the above mentioned sale for the procurement of the titles to the land, and that said purchaser is ready to comply with the terms of the sale upon the confirmation of the sale. Respectfully submitted

Jno A Green Commissioner

Sworn to and subscribed before me Oct. 26. 1872. F. Brown, Cl. C.C."

And it appearing to the Court that the said sale was fairly made and in conformity with law the same is in all things confirmed: and the said Commissioner John A Green is ordered to make a Deed to the purchaser F.B. Wilkes, upon his complying with the terms of said sale. It is further ordered that the said Commissioner allow to the said F. B. Wilkes the one third of the proceeds of the sale of the said five hundred acres head of land after deducting the expenses of the subdivision and sale thereof.

And the cause is continued for the further orders of this Court.

And Court adjourned till 10 o'clock tomorrow at 9 o'clock a.m.

October 28th 1872.

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

2569 The State of Texas v. M. A. Anderson. And now on this day appeared the District Attorney on behalf of the State, and came also the Defendant and announced ready for trial. And then came a jury of twelve good and lawful men of Travis county, consisting of J.H. Washington and eleven others, duly tried, elected, empannelled and sworn, who retired having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, retired for deliberation, and returned the following verdict, to wit: "We, the Jury, find the Defendant not guilty. J. H. Washington, foreman." Whereupon It is ordered by the Court that the said Defendant go hence fully acquitted and discharged

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2608 The State of Texas v. Book Stanley. And now comes Book Stanley as principal, and R. L. King and W. G. Becket as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of two hundred dollars, to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that the said Book Stanley make his personal appearance before the District Court of Travis county now in session

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at the Courthouse thereof in Austin and there remain from day to day and from term to term thereafter, to answer the charge of making an Aggravated Assault, and that he do not depart the Court without leave.

2673. The State of Texas v. Jeff. Houston. And now on this day appeared the parties and announced ready for trial: and thereupon came a Jury of twelve good and lawful men of Travis county, consisting of J.D. Shepherd and eleven others, tried, elected, empannelled and sworn according to law, who having heard the plea of not guilty, the evidence, argument, and the charge of the Court, after retirement, returned the following verdict, to wit: "We the jury find Defendant guilty and fine him sixty dollars. J.D. Shepherd, foreman." And thereupon It is ordered that the State of Texas recover of the Defendant Jeff. Houston the sum of Sixty Dollars and the cost of the Prosecution, and that alcapias issue to collect the same.

2498 The State of Texas v. Lewis Green. Come the Parties and announce ready for trial and a jury being sworn and empannelled returned a verdict of not guilty. And it is ordered that the Defendant go hence fully acquitted and discharged.

2475 The State of Texas v. Mike Fowler. Cause Dismissed

2481 The State of Texas v. Neil Cain. Cause Dismissed

2505 The State of Texas v. John Bond. Continued

2506 The State of Texas v. Billy Fisher. Capias to Williamson County.

2513 The State of Texas v. Ed Pearce. Come the Parties and announce ready for trial, and waiving a jury submit the case to the Court. And the Defendant pleading guilty, and the Court hearing the fine at ~~pos~~ It is ordered that the State of Texas recover of the Defendant Ed. Pearce the sum of ten dollars and the cost of the prosecution and that alcapias issue to collect the same.

2516 The State of Texas v. R. C. McLaren. Cause continued

2533 The State of Texas v. Stewart & Fitch. Cause Dismissed

2564 The State of Texas v. Jack P. Jones. Cause Dismissed

2572 The State of Texas v. R. C. McLaren. Cause continued

2615 The State of Texas v. Booty. Cause continued

2430 The State of Texas v. Dick Meeks. And now come the parties and announce ready for trial. And thereupon came a jury of twelve good and lawful men of Travis county, consisting of J.H. Washington and eleven others, tried, elected, empannelled and sworn according to law, who having heard the Indictment, the plea of not guilty, the evidence, and the argument of counsel, and the charge of the Court, returned the following verdict, to wit: We the Jury find the Defendant not guilty. J.H. Washington, foreman." Whereupon It is ordered that the Defendant go hence fully acquitted and discharged.

October 29th, 1872

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

October 29th, 1872

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

2476 The State of Texas v. Neil Cain and M. R. Jones. And now come Joseph Robertson, Cyrus Puckett and D. D. Puckett, and each of them acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of One hundred dollars each, to be levied upon their Goods and Chattels, Lands, Tenements and Estate But to be void upon condition that they appear before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in February, 1873, then and there to testify on behalf of the plaintiff in the above entitled cause, and there remain from day to day and from term to term thereafter, and that they do not depart the Court without leave.

And also came Jim Houghton and B. W. Maxwell who acknowledged themselves each to one and be indebted unto the State of Texas in the sum of One hundred dollars each to be levied upon their goods and chattels, Lands, tenements and estate But to be void upon condition that the said Jim Houghton and B. W. Maxwell personally appear before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in February, 1873, then and there to give evidence on the behalf of Defendants in the above entitled cause, and there remain from day to day and from term to term thereafter and that they do not depart the Court without leave. And the cause is continued by the Defendant.

2502 The State of Texas v. N. B. Mitchell. Come the parties by attorney and announce ready for trial and waiving a Jury submit the case to the Court. And the Court here fixing the fine at $10 It is ordered that the State of Texas recover of said N. B. Mitchell said sum of ten dollars and the cost of the prosecution, and that alias issue to collect the same.

2559 The State of Texas v. L. E. Edwards. Come the parties by attorney and announce ready for trial, and waiving a Jury submit the case to the Court. And the Court herefixing the fine at $10 It is ordered that the State of Texas recover of the Defendant L. E. Edwards said sum of ten dollars and the cost of the prosecution, and that alias issue to collect the same.

Simon Rosenburg.

Declaration of intention to become a citizen

The State of Texas } Simon Rosenburg being duly sworn according to
County of Travis. } law, in the District Court of said County, doth declare that he was born in the year A.D. 18... in the kingdom of Austria, whence he emigrated in the year 1867 to the United States of

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America, and has selected the State of Texas as the place of his intended settlement: and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas, and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Austria of whom he is a subject. Simon Rosenberg.

Sworn to and subscribed before me, this 29th day of October 1872 A.R. Morris clerk by F. Brown Deputy.

2237. The State of Texas v. Al. Rust. Cause Disimissed
2264. The State of Texas v. M. Paggi. Cause Disimissed
2422 The State of Texas v. Esau Jackson Cause Disimissed
2429 The State of Texas v. Meeks & Baker. Capias ordered & continued
2430 The State of Texas v. Meeks & Baker. Capias ordered and continued
2478 The State of Texas v. Honey & Burns. Cause continued
2479 The State of Texas v. Honey & Burns. Cause continued
2482 The State of Texas v. Honey & Burns. Cause continued
2483 The State of Texas v. J.H. Burns. Cause continued
2490 The State of Texas v. Sem. Chambers. Cause Dismissed
2502. The State of Texas v. N.B. Mitchell. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant nolepleading guilty. It is ordered that the State of Texas recover of said N.B. Mitchell according to the the sum of ten dollars and the cost of the prosecution, and that a capias issue to collect the same.

Fine $10.00 Cost $20.00

2525 The State of Texas v. Geo. W. Honey. Cause continued
2559 The State of Texas v. L. C. Edwards. Come the parties and announce ready for trial, and waiving a Jury agree to submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of said L. C. Edwards the sum of ten dollars and the cost of the prosecution and that a capias issue to collect the same.

Fine $10.00 Cost $20.00

2572 The State of Texas v. R. C. McLaren. Comes now W. A. McCreight and Sam Williams and each of them acknowledges himself justly to owe and be indebted unto The State of Texas in the sum of One hundred dollars to be levied upon his Goods and Chattels, Lands, tenements and Estate But to be void upon condition that they appear at the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in February 1873, and there remain from day to day and from term to term thereafter to give evidence on behalf of the Plaintiff in the above entitled cause, and that they do not depart the Court without leave.

2573 The State of Texas v. Samuel Williams Continued by the Defendant.
2608 The State of Texas v. Book Stanley. Continued by the Defendant. And comes J. L. Harris and acknowledges himself justly to owe and be indebted unto The State of Texas in the sum of One hundred Dollars to be levied upon his Goods and Chattels.

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lands tenements and estate But to be void upon condition that said J. D. Harris make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in February 1873, then and there to give evidence on behalf of the plaintiff in the above entitled cause, and there remain from day to day and from term to term, until discharged and that he do not depart the Court without leave.

2620 The State of Texas v. Jack Mahoney. Continued for service.

2623 The State of Texas v. Jeff. Houston. Cause Dismissed

2628 The State of Texas v. William Thompson. And now on this day appeared Harris Melasky and William Miller, and each of them acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of One hundred dollars each to be levied upon his Goods and Chattels Lands Tenements and Estate But to be void upon condition that the said Harris Melasky and Wm Miller make their personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in February, 1873, and there remain from day to day and from term to term thereafter and give evidence on behalf of the plaintiff in the above entitled cause, and that they do not depart the Court without leave.

2633 The State of Texas v. Charles Fugett Continued

2649 The State of Texas v. John Vaughn. Continued by the State.

2650 The State of Texas v. Joseph Martin. Come the parties and announce ready for trial and waive a jury submit the case to the Court. And the Defendant pleading guilty It is adjudged that the State of Texas recover of the Defendant Joseph Martin the sum of five dollars and the cost of the prosecution, and that a capias issue to collect.

2651 The State of Texas v. Joseph Martin. Cause Dismissed

2652 The State of Texas v. Joseph Martin. Cause Dismissed

2661 The State of Texas v. Kossuth. Dismissed as to Kossuth.

2666 The State of Texas v. Jack Wilson. Continued for service

2667 The State of Texas v. Jack Wilson. Continued for service.

2668 The State of Texas v. Fletcher Bennett. Continued for service.

2674 The State of Texas v. Jeff. Houston. Continued by the Defendant. And now comes Jeff. Houston as principal and John H. Washington as security and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of two hundred dollars, to be levied upon their goods and chattels, lands tenements and estate But to be void upon condition that the said Jeff. Houston make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in February, 1873, then and there to answer the Indictment preferred against the said Jeff. Houston by the Grand Jurors of Travis county at the October term, 1872, for Maliciously wounding a cow, and that he continue to appear from

October 9th, 1872.

term to term thereafter until discharged and that he do not depart the Court without leave.

And came also Jordan D. Woody, Dan. Wardwell, Wm. Caldwell and J.P. Jones, and acknowledged themselves to owe and be indebted unto The State of Texas in the sum of One hundred dollars each, to be levied upon their goods and chattels lands, tenements and estate But to be void upon condition that they appear before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in February, 1873, and there remain from day to day and from term to term thereafter to give evidence on behalf of the plaintiff in the above stated cause, and that they do not depart the Court without leave.

2676 The State of Texas v. J. H. Peter. Continued for service.

2677 The State of Texas v. A. Musgrove. Continued for service.

2678 The State of Texas v. Bob. Holman. Continued for service

2679 The State of Texas v. M. Olmsted. Continued for service

2681 The State of Texas v. Matt. Woodlief. Continued for service.

2682 The State of Texas v. Reuben Murphy. Continued for service.

2683 The State of Texas v. Charles Smith. Continued for service.

2684 The State of Texas v. H. N. Baker. Continued for service.

2685 The State of Texas v. John Vaughn. Continued for service

2686 The State of Texas v. Fitch. Continued for service

2687 The State of Texas v. Fitch. Continued for service.

2688 The State of Texas v. Geo. W. Honey. And now comes Geo W. Honey as principal, and J.H. Raymond, Ed. Christian, A. Bledsoe and William N. Faust and acknowledge themselves justly to owe and be indebted unto The State of Texas in the sum of two hundred dollars to be levied upon their Goods and Chattels, lands, tenements and estate But to be void upon condition that the Defendant Geo. W. Honey make his personal appearance before the District Court of Travis county to be held now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against said Honey by the Grand Jury of Travis county at the present term for Embezzlement, and that he do not depart the Court without leave.

2689 The State of Texas v. Geo. W. Honey. And now comes George W. Honey as principal, and J.H. Raymond, Ed. Christian, A. Bledsoe and William N. Faust, no sureties and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of ten thousand dollars to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that the said Honey make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in February, 1873, then and there to answer the Indictment preferred against the said Honey by the Grand Jury of Travis

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County at the October term 1872 for Embezzlement, and that he there remain from day to day and from term to term to answer said charge, and that he do not depart the Court without leave.

✓ 2690 The State of Texas v. Geo. W. Honey. And now comes Geo. W. Honey as principal, and J. H. Raymond, Ed. Christian, A. Bledsoe, and William N. Faut as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of three hundred dollars, to be levied upon their goods and Chattels, lands, tenements and estate But to be void upon condition that the said Honey make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, and there remain from day to day and from term to term thereafter to answer the charge of Embezzlement in this case, and that he do not depart the Court without leave. And cause continued.

✓ 2691 The State of Texas v. Geo. W. Honey. And now comes Geo. W. Honey as principal, and J. H. Raymond, Ed. Christian, A. Bledsoe and William N. Faut as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of one thousand dollars to be levied upon their goods and Chattels, lands, tenements and estate But to be void upon condition that the said Geo. W. Honey make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, then and there to answer the charge of Embezzlement preferred against said Honey by the Grand Jury of Travis county at the October term 1872 for Embezzlement, and there remain from day to day and from term to term thereafter to answer said charge, and that he do not depart the Court without leave. And cause continued.

✓ 2692 The State of Texas v. Geo. W. Honey. And now comes Geo. W. Honey as principal, and J. H. Raymond, Ed. Christian, A. Bledsoe and William N. Faut as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of two hundred dollars, to be levied upon their goods and chattels lands, tenements and estate But to be void upon condition that the said Geo. W. Honey make his personal appearance before the District Court of Travis county now in session at the Courthouse thereof in Austin, there to remain from day to day and from term to term thereafter to answer the Indictment preferred against the said Honey by the Grand Jury of Travis county at the October term 1872 for Embezzlement, and that he do not depart the Court without leave

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Ben. Hardin Ex Parte. Ordered that the application for a writ of habeas Corpus by the applicant Ben. Hardin be refused, and the cause dismissed.

And Court adjourned till

✓ 3285 Freeman vs. Lemon et al. In District Court Travis County Fall Term.

See page 159 for former decree

Now this day comes the commissioners appointed to make partition in accordance with the decree heretofore entered in the above entitled cause and made their report as follows to wit. No 3285 Freeman vs Lemon et al. In the District Court of Travis County Fall Term. To the Honorable J. P. Richardson Judge of said Court. Your Commissioners J. C. Minter Willis L. Robards and Fred W. Moore appointed to make partition according to the decree in the above entitled cause respectfully report to your Honor. that they have set apart to E. R. Freeman the plaintiff the south half of the Headright tract of 1476 acres of land in the name of the heirs of John W. Lemon, situated on the waters of Elm Creek and near the corner of Bell and Falls Counties, to be divided from the North half by a line parallel with the south boundary line of the original survey and dividing the survey into two equal parts, and they have also set apard to him the whole of the six hundred and forty acres of Bounty Land in the same name situated in Hamilton County on the waters of Gohlsons Creek as the share of said Freeman in the lands embraced in said decree; and on the other hand we have set apart to the defendants in said cause the North half of said headright tract of land to be divided from the south half as aforesaid and all of the twelve hundred and eighty acres of Bounty land lying on Indian or North Elm Creek in Falls County, in the name of the heirs of John W. Lemon, as described in said cause, for their share of said lands – Which the commissioners believe to be a just and fair division of said lands under said decree.

Witness our hands this the day of October A.D. 1872.

J. C. Minter Fred W. Moore. W.L. Robards

State of Texas } On this the day of October A.D. 1872 personally
County of Travis } appeared before me Frank Brown Deputy Clerk District Court Travis County Fred W. Moore J.C. Minter and W.L. Robards and made oath in due form of law that the partition of lands set forth on the reverse side hereof they believe to be just and fair between the parties at interest and that they have faithfully and truly performed their duties as commissioners in the said partition – Fred W. Moore J.C. Minter W.L. Robards.

Sworn to and Subscribed Oct 29th 1872 F. Brown dep. Clerk.

and thereupon it is ordered and decreed that said report be confirmed and that all right title and interest which the defendants have hitherto had in and to said South half of said Headright tract of land, and in and to said six hundred and forty acre tract of Bounty Land in Hamilton County be divested out of them and vested in plaintiff E.R. Freeman and that all right title and interest which said Freeman has hitherto had in

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and to the said North half of said Headright tract of land and in and to said 1280 acre tract of Bounty Land in Falls County be divested out of said Freeman and vested in the defendants.

/ 3288

Washington Rylumn et al vs. Adelade L. Washington et al.

In the District Court Travis County. This day comes on the final hearing of the above entitled cause and the Plaintiff Linn B. Rylumn by his special Guardian J. F. Oatman in "propria persona" and the other plaintiffs by their atty having heretofore come and also the defendants by their Special Guardian Wm. F. Nohth "in propria persona" having heretofore come and by their answer consented to the partition prayed for by plffs and this cause having been thereupon submitted to the Court and proof having been made by testimony and documentary evidence of the following facts to wit: That the Defendants are non residents of the State of Texas and owners with plaintiffs of undivided interests in the several tracts of land patented to the heirs of Joseph Washington deceased as follows to wit: 1892 acres of Bounty land described in patent No. 232. Vol. 8. of Record of Patents in the General Land Office. 1476 acres 1st class Headright described in Patent No. 267 Vol. 11. of Record of Patents in the General Land Office. both these tracts being situated in Bell County State of Texas and 640 acres of Donation Land described in Patent No. 348 Vol. 2. of Records of Patents in the General Land Office and situated in Hamilton County of said State — That the said Joseph Washington died unmarried and intestate in Texas in the year 1836 and his mother Margaret Washington was his only surviving parent and heir. That she died in A.D. 1854 having previously employed D.C. Freeman and E.R. Freeman to prosecute her claim and locate the lands to which she was entitled from the State of Texas Engaging that for their services they should have one half of all the lands they might obtain and locate for her — That said Freemans performed their part of said contract and under it located & obtained patents for the three tracts of land aforesaid paying all expences therefor and are thereby the first owners of one half of said lands. That Amanda Rylumn and R.E.A. Washington were the only surviving descendants and lawful heirs of said Margaret Washington and as such were equally forced heirs to three fifths of her Texas Landed interests — That by the last will and testament of the said Margaret Washington one fourth of said lands was left for life to her said daughter Amanda with remainder to her "Bodily heirs" That said Amanda died intestate in A.D. 1864 leaving her children the plffs Joseph A., William L., Levitt C. H. Washington & and Linn B. Rylumn and Martha W. Allritton her only surviving descendants and heirs. and the plff Washington Rylumn was

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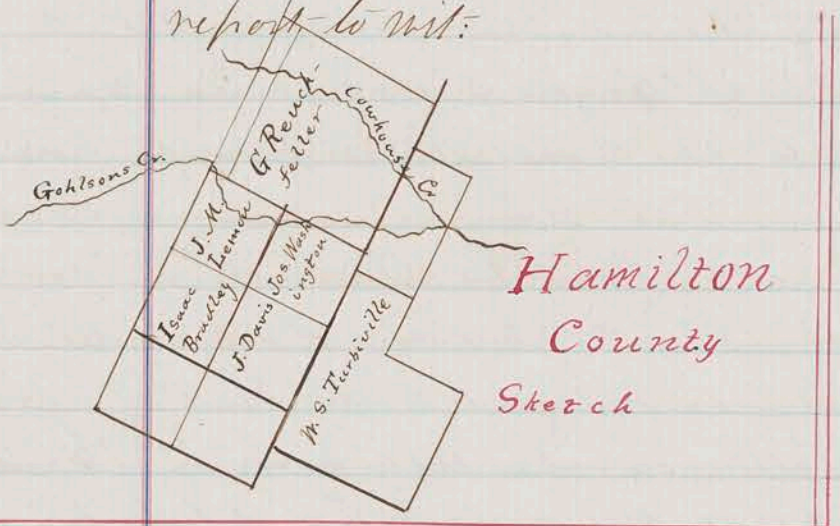
her surviving husband - that the said R.E.A. Washington and his wife Harriet were the father and Mother of the Defendants and both died intestate between the years A.D. 1853 and 1869 and defendants were their only heirs and that it is to the interest of all there parties that partition be made of said lands - And it having been considered, ordered and decreed by the Court that the prayer of the plaintiff should be granted and to this end the Court having appointed Chas. S. West. A.S. Walker and Fred W. Moore as Commissioners to make partition of said lands among the parties at interest according to their several rights as shown by their proofs, and the said Commissioners having made the following report to wit:



Hamilton County Sketch

Bell County Sketch

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1 3233

Ryburn et al. vs Washington et al. In District Court Travis County Fall Term. To the Hon. J. P. Richardson Judge of said Court The Commissioners appointed by your Honor to make partition between the parties at interest in the above entitled cause respectfully report that the accompanying plot shows the divisions and subdivisions made by us under your decree. Of the 4008 acres patented to the heirs of Joseph Washington deceased we have set apart 2018 acres almost in a square out of the Bounty and Headright lands in Bell County for one half in value of said lands to the defendants and all the plffs except D.C. Freeman and E.R. Freeman. The part thus set apart has for its beginning corner the S. E. Corner of the Joseph Washington 1892 acre Bounty Survey. Thence its boundry runs N. 19. E. 3750 vs to the L.S. Blakey S.E. corner for its N. E. Corner, thence N. 71 W 1690 vs. the S.W. corner of Blakey and crossing division line of the Bounty and Headright Survey of Washington at 3038 varas the N. W. corner on the Headright tract, thence S 19 W 3750 vs to the S.W. corner. Thence S 71 E. 1556 vs. a corner of the Menifield survey and with the Menifield and Reavill lines at 3038 varas the beginning — Out of the part thus designated we have set apart to the defendants three eighths of the same or 756 3/4 acres to be taken on the South side and cut off by a line parallel with the South line at a distance of 1406 1/4 varas from the South line and we have designated this as lot No 1 on the plot — Out of the same we have set apart to Washington Ryburn for his natural lifetime lot No. 2 containing 252 1/4 acres having a North and South boundary of 3038 varas and an East and West of 468 3/4 vs, And this lot No 2 we have also subdivided into six equal parts numbered from 9 to 14 inclusive each having its East and West boundary 468 3/4 vs in length and its North and South boundary 506 1/3 vs in length containing 42 1/2 acres; and in remainder after the death of Washington Ryburn, we have assigned to Martha W. Albritton subdivision No. 9 to Linn B. Ryburn No. 10. to Joseph A. Ryburn No. 11. to Wm L. Ryburn No. 12 to Dewitt C. H. Ryburn No. 13 and to Washington D. Ryburn No. 14 — And out of the balance of the same we have then devided and set apart six equal shares of (168 1/3) one hundred and sixty eight and one sixths acres each, and numbered them as on the plot from three to eight inclusive each having on its East and West boundary a distance of 937 1/2 varas and North and South boundaries a distance of 1012 2/3 varas — We set apart there several lots in fee as follows to wit — to Martha W. Albritton lot No. 3. to Linn B. Ryburn No. 6 — to Joseph A. Ryburn lot No. 4 — to William L. Ryburn lot No. 7 — to Dewitt C. H. Ryburn lot No. 8 and to Washington D. Ryburn lot No. 5 — The whole residue of said Bounty and Headright tracts as shown by the plat, and the six hundred and forty acre Donation land in Hamilton County on the waters of Cowhouse Creek we have set apart to D.C. Freeman and E.R. Freeman as their half of said lands in value. All of which is respect-

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fully submitted Fred W. Moore A.T. Walker & S. West.

The commissioners Report the above as their action: it being based upon information accessable to them and they believe the partition Equitable and just— A.S. Walker

Sworn to and Subscribed October 29th 1872 F. Brown dep. clerk.

Thereupon it is futher ordered and decreed that the report of said Commissioners be approved and confirmed &c. that all right title and interest of the other plaintiffs and of the defendants in and to the lands by said commissioners set apart to D. C. Freeman and G.R. Freeman be divested out of them and vested in said Freemans and all right title and interest of the plaintiffs in and to the tract set apart to the defendants be divested out of plaintiffs and vested in defendants and that all right title and interest of all the other parties at interest in this cause and to the tracts set apart in fee and remainder to each one of the children of Amanda Rylum deceased as named in the pleadings of this suit, be it divested out of them and vested in him or her as the case may be except a life estate which is hereby decreed to and vested in the plaintiff Washington Rylum in and to lot No. two as set out and described in said Report. It is futher ordered and decreed that the costs of this suit shall be paid by the several parties at interest each in proportion his or her separate interest in the lands partitioned and that execution issue therefor.——

3090.

Frank Matthews Frank Brown W.S. Hotchkiss, J.E. Rector and R. M. Elgin vs M.A. Taylor. This day came the parties by themselves and their attorneys, and agree in open Court to the following decree as a compromise and adjustment of the matters involved in this suit. The said parties plaintiffs as trustees under and by virtue of the deed of Trust mentioned in the petition, from I. W. Blackwell worthy Patriarch of the Metropolitan Division No 29 of the Sons of Temperance to B.F. Carter R.M. Elgin. D.J. Miller. L.B. Collins & C.S. West. Executed 23d sept 1854 relinquish and abandon their claim upon or against the said Defendants M.A. Taylor for the twenty four feet off the western end of lot number one in Block number Ninety eight in the city of Austin, in Travis County Texas. together with all damages claimed or to be claimed by them for the possession thereof by said Taylor and are to make him a deed for the same. In consideration of which the said Defendant M.A. Taylor agrees to make to the parties plaintiffs to wit the said Frank Matthews Frank Brown J.E. Rector, W. Hotchkiss and Robt M. Elgin, as Trustees, a deed for thirty six feet off the western side of lot number Eleven in Block Seventy one in the said city of Austin the said thirty six feet fronting on Bois d'Arc Street with such trusts annexed therein as the Court shall here declare, and to pay for the benefit of the said parties plaintiffs in addition two hundred and fif

gold dollars by the 1st January 1873. to their attorneys James B. Morris and Sheeks & Sneed. And it is further agreed that the costs respectively incurred by the said parties shall be paid by them to the officers of Court. And the Court being satisfied it is decreed by the Court that the said compromise be made the judgement of this Court, and that the defendant recover of the plaintiffs the lot of ground mentioned together with all costs incurred by the said plaintiffs in this suit. And it is adjudged that the said defendant execute his notes to the said James B. Morris for the sum of one hundred and twenty five gold dollars and to Messrs Sheeks & Sneed for one hundred and twenty five gold dollars. for the use of the said plaintiffs in accordance with said compromise. and that the said plaintiffs recover of him for the benefit of the officers of Court all costs incurred by him in this case. and it is further adjudged, that said defendant make to the said plaintiffs as trustees as aforesaid, a deed to thirty six feet off the western side of lot No. eleven in Block Seventy one, to be held by them the said plaintiffs for the following uses purposes and trusts.

First: the above mentioned Trustees or their successors shall Erect on said ground when convenient a building suitable for a Hall.

Second. When said building has been erected the same shall be devoted under the direction of the said Board of Trustees to be used as a place of meeting for any or all Temperance organizations now in existence or which may hereafter be organized in the City of Austin Texas.

Third. That should there be at any time no Temperance organization in existence in Austin, then this trust shall not lapse, but said building shall be devoted to the use of the citizens of Austin as a place to hold meetings in the interest of Temperance and morality generally under the direction and control of said Board of Trustees.

Fourth: The term Temperance as used herein is intended to mean total abstinence from the use of all intoxicating drinks of every kind, distilled or fermented.

Fifth. That the Board of Trustees hereby created shall have power to fill vacations occasioned by death, resignation or otherwise by a written appointment signed by a majority of the surviving or acting Trustees, and that the majority of the surviving and competent Trustees shall be sufficient to perform any act which may be performed by the whole body of said Trustees under said deed of Trust.

Sixth. If at any time said Board of Trustees shall believe that the purposes of this Trust will be better accomplished by selling all or part of said ground, and investing the same in other grounds or buildings within the limits of Austin

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the then they shall be allowed to make said sale or transfer and invest the amount whenever they can procure a decree to that effect from the District Court of Travis County by satisfying said Court that the object of this trust will be subserved by said transfer sale and investments.

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

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

2449 The State of Texas v Davidson Walker et als. Came J.S. Callagan, J.S. Moore, Hardy Eddings, M. Pratt, Joseph Carter and each of them acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of one hundred dollars each to be levied upon his Goods and Chattels, Lands, tenements and estate But to be void upon condition that the said witnesses appear before the District Court of Travis county to be held at the Courthouse thereof in Austin on the 1st Monday in February 1873 then and there to give evidence on behalf of the plaintiff in the above entitled cause, and then remain from day to day and from term to term thereafter, and that they do not depart the Court without leave.

And came also John McGowen, Miles Miller, N. Aldrich, Dice Aldrich, F. A H. Sanborn and each of them acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of One hundred dollars each, to be levied upon their goods and chattels, Lands, tenements and estate, But to be void upon condition that the said witnesses appear before the District Court of Travis County to be held at the Courthouse thereof in Austin on the 1st Monday in February 1873 then and there to give evidence on behalf of the Defendants in the above entitled cause, and there remain from day to day and from term to term thereafter, and that they do not depart the Court without leave And the cause is continued on the affidavit of the Defendants.

2504 The State of Texas v. Bill Tong. Come the parties and announce ready for trial and waiving a jury submit the case to the Court And it is ordered that the State of Texas recover of said Bill Tong the sum of ten dollars and the cost of the prosecution and that alias issue to collect the same.

2661 The State of Texas v. Nailor et al. Continued

2664 The State of Texas v. Lewis Dupree Continued

2665 The State of Texas v. Louis Dupree Continued

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2166q The State of Texas v. James Wheat And now come the parties and the Defendant submitted his motion for a new trial which being heard and considered the same is overruled And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court

2163q The State of Texas v. Bill Galloway. And now come the parties and the Defendant submitted his motion for a new trial which being heard and considered the same is overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court

1958 Susan S. Ward v. Thos Woodward. Continued

2228 Allen Eyck v. Henry & Hamilton. Continued by consent

2229 A B McGill v Henry & Hamilton. Continued by consent

2536 W S Harvey v. I M Blackwell. Continued

2595 Amos Morrill v. Houston & Cook Continued by agreement

2596 Amos Morrill v. McGuire & Cook Continued by agreement

2598 Amos Morrill v. Moore & Cook. Continued by agreement

2599 Amos Morrill v Wood & Cook Continued by agreement

2641 S. M. Swenson v. Nicholson and Paschal Continued for service

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

2884 Geo W. Paschal v. Chandler et al The plaintiff not appearing in person or by attorney to prosecute this suit It is ordered that the same be dismissed for want of prosecution, and that the plaintiff pay the cost here of to be taxed for which execution may issue

3010 D S Lores v. Geo D. Robertson Continued by agreement

3086 A B Dunlevy v. Martha Ann Dunlevy Continued

3106 National Bank of Texas v. John M. Swisher Contd by consent

3116 E R Hill v. O'Connor & Defts Geo Woodley Garnishee Upon motion It is ordered that this cause be dismissed from the docket and that the plaintiff pay the cost hereof to be taxed for which execution may issue.

3152 Horace Doughton v. E. G. Dewey. Continued

3205 John Newman v. E. G. Dewey. Continued

3211 Charlotte Hulings v. S. Lockwood. Come now the parties and upon motion the causes dismissed: and it is ordered that the plaintiff and the securities on the cost bond to wit: B. Melasky and Jas. A. Coles pay the cost of the suit, for which execution may issue.

3238 J G & S. R. Smith & Co v E H. Mitchell et al. Cause continued

3241 Schenck & Berkson v. E M. Rowe et al Continued by the Defendant

3243 R R Sawther v. W. P. Ford. Ordered, upon motion, that the sta cause be dismissed from the Docket and that the plaintiff pay the cost of this suit for which execution may issue

3260 Ward et al v. McGinnis et al Continued as per agreement on file.

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3264 Thos. F. McKinney v. L. W. Whitis. Cause continued

3265 Scheuck & Berkson v. Newman Continued by consent

3266 Scheuck & Berkson v. D. Newman. Continued by consent

3289 Burchard v. Patten et al Continued

3296 G. Schleicher v. Wm. Pharton Continued

3297 Sampson & Henricks v. Samuels & Moxson. Continued

3299 Mary Jane Lee v. R. H. Griffin Continued

3300 Mary J. Lee v. J. W. Sedwick Continued

3306 F. W. Chandler v. Thomas J. Pitt Continued

3311 W. H. Bell v. N. Hanson. Continued

3357 A. J. Berry v. E. W. Talbot et al Continued by the Deft

3359 M. J. Carleton et al v. E. H. Tinney Adms et al. Continued

3360 The State of Texas v. W. H. Morris et al Continued for service.

3365 Salvador Cabreras et al v. The State of Texas. Comes now the Plaintiff and upon motion in open Court It is ordered that the said plaintiff have leave to amend.

3375 Martha H. Mitchell v. W. G. Swing et al. Upon motion It is ordered that J. M. Denton be appointed Special Guardian for the minor Defendants in this cause

3393 M. A. Taylor v. Julius Schutz. And now on this day came the plaintiff and asked that a writ of inquiry awarded in this case be executed. And then came a Jury of twelve good and lawful men of Travis county consisting of J. H. Washington and eleven others, duly tried, elected, empanelled and sworn, who heard the pleading, the evidence and the charge of the Court, after retirement returnes the following verdict, to wit: "We the Jury find the judgment in favor of plaintiff on note, principal & interest Coin $101.25

Open acct do & do 82.83

$184.08

J. H. Washington, foreman."

Whereupon It is ordered that said M. A. Taylor do have and recover of the Defendant Julius Schutz the sum of One hundred Eighty four & 08/100 Dollars, so found to be due by the Jury and the cost of the suit for which execution may issue.

3214 J. Carothers v. D. H. Davis Comes now the Defendant and moves the Court to substitute the charge of the Court written out and filed in this cause which has been lost or mislaid And it is ordered that the motion be granted and that the paper now here filed as such substituted charge be held and considered as the substance of the charge of the Court in said cause.

2271. The State of Texas v. Barnes & Kimball. Comes now again the Defendants: and it appearing that said Defendants have been found guilty by the Jury who tried their cases of the Offence charged in the Indictment, It is ordered by the Court that

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said Geo. W. Barnes and Doss Kimball are guilty of felony as charged in the Indictment, to wit: of the said Barnes as Murder in the first degree, and the said Doss Kimball as as an accomplice of murder in the first degree. And then came on to be heard the motions of the said Defendants for a new trial, which being heard and argued by counsel and duly considered by the Court, It is ordered that said motion be overruled. And thereupon the said Defendants excepted to the ruling of the Court, and give notice in open Court of an appeal to the Supreme Court. And because of said appeal It is ordered that Sentence be suspended.

/ 2460 The State of Texas v. Byron Glasscock. Comes now again the Defendant And it appearing that said Defendant has been found guilty by the Jury who tried the case of the offence chaged in the Indictment, It is ordered that said Byron Glasscock is guilty of Felony as charged in the Indictment, to wit: of the theft of the cow described in the Indictment. And then came on to be heard the motion for a new trial which being heard, and argued, and duly considered the same is overruled. And thereupon the Defendant excepts to said ruling, and gives notice in open Court of an appeal to the Supreme Court.

/ 2460 The State of Texas v. Rodriguez. Comes the Defendant and presents his motion for a new trial, which being heard and considered the same is overruled. And the Defendant gives notice in open Court of an appeal to the Supreme Court.

/ / 3323 Stuart & Pitch v. Glenn & Evans. Come now the Defendants and submit their motion for a new trial, which being heard and argued, and duly considered by the Court the same is overruled. And thereupon said Defendants give notice in open Court of an appeal to the Supreme Court.

/ / 3291. Robertson v. Edwards. Come the parties and the Defendant presents his motion for a new trial which being heard and considered the same is overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

/ / 3275 C. F. Millet v. Jackson & Johnson. Come now the parties and the Defendants presenting their motion for a new trial the same is overruled

/ / 3389 Groves & Baker v. Peacock & Vere. Ordered that the motion for a new trial in this case be overruled.

/ / 3211 J. Harrell v. T. J. McVeigh et al Come now the Defendants and on motion It is ordered that the plaintiff enter into bond and security for the cost of this suit on or before the next term of this Court, plaintiffs attorney being notified thereof. and that the cause be and the same is hereby ordered to be continued under the premises.

October 31st 1872

3367

Exec. Book. No 4 page 172.

The State of Texas. v. James A. Nelms et al. And now on this day the above entitled cause coming on to be heard the State by the District Attorney dismissed said cause as to defendant W. F. Woodward because he had not been served with citation in this cause and thereupon came the other defendant by attorneys and announced themselves ready for trial and the demurrer of said defendants to plaintiffs petition being submitted to and fully understood by the Court the same was by the Court overruled and there came a jury to wit: J. D. Sheppard and eleven others twelve good and lawful men of Travis County who being duly empannelled and sworn after hearing the evidence retired under the charge of the Court to consider of their virdict and returned into Court the following verdict to wit: "We the jury find the full amount of o/c for plaintiff $ 17354.00, J. D. Sheppard foreman" It is therefore ordered and adjudged by the Court that the State of Texas do have and recover of and from defendant James A. Nelms as principal and from Robert W. Walton, James N. Davis, A. Sutherland, H. P. Walker and J. W. Shelton as his sureties on the official bond of said Nelms as Sherriff of Navarro County Texas the sum of nine thousand and five hundred Dollars, that being the Amount of the penalty of said official bond sued on and introduced in evidence together with all the costs of this suit for which execution shall issue. And it appearing to the Court from the verdict of the jury that said Nelms individually is indebted to the State of Texas in the further sum of seven thousand eight hundred and fifty four dollars over and above the amount for which his said Sureties are liable under said bond: It is therefore further ordered and adjudged by the Court that the State of Texas do have and recover of and from said Nelms individually said further sum of $ 7854.00 for which execution shall issue.

3370.

B. H. Schumhoff v. Lucy Ann Johnson. And now on this day came the parties to this suit by their attorneys and announced ready for trial. When came a jury of twelve good and lawful men of Travis County consisting of J. H. Washington and eleven others who being tried, elected, empaneled and sworn according to law, heard the pleading, the evidence, argument of Counsel and the charge of the Court and retired for deliberation. Whereupon the jury returned into Court the following verdict, to wit: "We the Jury find the verdict in favor of the plaintiff J. H. Washington foreman" Whereupon It is ordered and decreed by the Court that the plaintiff recover of the defendant the lot of ground described in the petition, to wit: Lot No three (3) in Block No one hundred and thirty (130), in the city of Austin, and that he be quieted in his title to the same, that the Defendant be enoined, and that a writ of possession issue. And further decree that the plaintiff recover his costs of the Defendant for which execution may issue.

November 1st 1872.

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

November 1st, 1872.

Court met at 9 o'clock A.M. pursuant to adjournment. Present Hon. J.P. Richardson Judge 22th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit:

1998 The State of Texas v. William Beard. And now on this day comes the Defendant in open Court: and it appearing that the said Defendant has been found guilty by the Jury who tried his case: and having appealed to the Supreme Court and the Judgment of this Court having been affirmed &

And being asked if he had anything to say why sentence should not be rendered and sentence pronounced in accordance therewith: and offering no sufficient reason It is adjudged that said Beard be confined in the State Penitentiary for the term of fifteen years: and that the Sheriff of Travis county take the Defendant and safely convey him to the Superintendent of said Penitentiary there to be confined at hard labor for fifteen years.

2454. The State of Texas v. James Jones. And now on this day comes the Defendant in open Court. And it appearing that the said Defendant has been found guilty of the offence charged in the Indictment, assessed the Penalty at Confinement in the Penitentiary: and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict: and offering no sufficient reason, It is adjudged that the Defendant James Jones is guilty of Felony and that he be confined in the Penitentiary at hard labor for the term of five years, and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor in the Penitentiary for five years

2460 The State of Texas v. Byron Glascock. And now on this day comes the Defendant in open Court. And it appearing that the said Defendant has been found guilty of the Offence charged in the Indictment who assessed the penalty at Confinement in the Penitentiary: and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict and offering no sufficient reason It is adjudged that the Defendant Byron Glascock is guilty of felony and that said Byron Glascock be confined in the Penitentiary at hard labor for the term of three years, and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor in said Penitentiary for three years.

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2624 The State of Texas v. W. H. James. And now on this day comes the Defendant in open Court and it appearing that the said Defendant has been found guilty of the Offence charged in the Indictment who assesses the penalty at confinement in the Penitentiary and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is adjudged that the Defendant W. H. James be confined in the Penitentiary at hard labor for the term of eight years, and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor in the Penitentiary for eight years

2669 The State of Texas v. James Wheat. And now on this day comes the Defendant in open Court and it appearing that the said Defendant has been found guilty of the Offence charged in the Indictment, who assessed the penalty at Confinement in the Penitentiary: and the said Defendant being asked if he had anything to say why Judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is adjudged that the Defendant James Wheat be confined in the Penitentiary at hard labor for the term of two years, and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor in the Penitentiary for ~~eight~~ two years

2429. The State of Texas v. Dick Meeks et al. Continued by the State and Capias ordered to Travis county.

3125 James M. Brown v. A. B. Burleson. Continued by the Deft.

3356 Felix G. Ake v. J. A. Chandler Admr. Comes now the Plaintiff by his attorney and upon motion duly made it is ordered that the plaintiff have leave to file an amended petition

3376 The State of Texas v. Geo. D. Kelley et als. Ordered upon motion that the Sheriff & other officer who executed the citations in this cause, have leave to amend the returns upon said citations. And the cause is continued

3387. America Johnson v. B. S. A. Johnson. Continued

3407 E. J. David, Gov. v. Geo. W. Honey et al. Continued

3423 B. R. Johns & Co. v. D. Waters et al. Continued

3427 H. M. Trueheart v. Isaac D. Harmon et al. Continued for service on Harman

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

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Court met at 9 o'clock A M pursuant to adjourn-

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ment. Present the same as on yesterday. And thereupon the following Proceedings were had by said Court, to wit:

2517 The State of Texas v. B. A. Fairbanks. This cause being called for trial the Defendant B. A. Fairbanks failing to appear and answer to the Indictment in this case he and his securities N. B. Mitchell and John Hanson being distinctly called at the door of the Courthouse of Travis county and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant B. A. Fairbanks with the said N. B. Mitchell and John Hanson as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 28th day of August, 1872, payable unto The State of Texas in the sum of One hundred Dollars conditioned that the said Defendant B. A. Fairbanks make his personal appearance at the District Court of said County of Travis on the first Monday in October, 1872, to answer the Indictment preferred against the said Defendant Fairbanks by the Grand Jurors of Travis county at the June Term A. D. 1872, for Exhibiting a Worthless Bank, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said B. A. Fairbanks and N. B. Mitchell and John Hanson the said sum of One hundred Dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant B. A. Fairbanks did not appear. And further ordered that Citations do issue to the said securities.

2579 The State of Texas v. Miles Miller. It appearing to the Court that Joseph Wadsworth has been duly summoned as a witness on behalf of the Plaintiff in this case, and the case being called and the witness failing to appear in obedience to said summons to testify in the case It is ordered that said Wadsworth forfeit ten dollars and that Scire facias issue returnable to the next term commanding him to appear and show cause, if any he can, why this judgment nisi should not be made final.

2589 The State of Texas v. James Frank. This cause being called for trial the Defendant James Frank, by the name of J. M. Frank, failing to appear and answer to the Indictment in this case, he and his securities S. J. Dowty and J. H. Robinson being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant, James Frank, with the said S. J. Dowty and J. H. Robinson as his securities, did execute the

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Bail Bond onfile in this case substantially as follows: Dated 20th day of June, 1872, payable unto The State of Texas in the sum of Onehundred dollars conditioned that the said Defendant James Lerank make his personal appearance at the District Court of said County of Travis on the forthwith then in session at the Courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant James Crank by the Grand Jurors of Travis county at the June Term A.D. 1872, for Betting at a gaming Bank called Monte & to there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said James Lerank alias J. M. Lerank, and the said S.J. Dowty and J.H. Robinson the said sum of Onehundred Dollars and that this Judgment will be made final unless good cause be shewn at the next term of this Court why the said Defendant Lerank did not appear. And further ordered that citations do issue to the said securities.

2591. The State of Texas v. Giles Burditt Jr. It appearing to the Court that Joseph Wadsworth has been duly summoned as a witness in this cause on behalf of the Plaintiff and has failed to appear and answer to testify in said cause when the case is called for trial, It is ordered that said witness Joseph Wadsworth forfeit ten dollars for so failing to appear and that Scire facias issue to him returnable to the next term of this Court, Commanding him to then and there appear and shew cause if any he can why this Judgment nisi should not be made final.

2598 The State of Texas v. James Pickle. This cause being called for trial the Defendant James Pickle failing to appear and answer to the Indictment in this case, he and his securities N.B. Mitchell and A. Hardy being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant James Pickle, by the name of Jas. B. Pickle, with the said N.B. Mitchell and A. Hardy as his securities, did execute the Bail Bond onfile in this case, substantially as follows: Dated 21st day of June, 1872, payable unto The State of Texas in the sum of Onehundred dollars, conditioned that the said Defendant James Pickle make his personal appearance at the District Court of said County of Travis, forthwith then in sesion at the Courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant James Pickle by the Grand Jurors of Travis county at the June Term A.D. 1872 for

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Betting at a gaming Bank called Monte, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said James Pickle and the said N.B. Mitchell and A. Hardy the said sum of One hundred dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant James Pickle did not appear. And further ordered that Citations do issue to the said securities.

✓ 2600. The State of Texas v. E. Phillips. It appearing that Joseph Wadsworth has been cited to appear as a witness on behalf of the plaintiff in this cause, and the case having been called and said witness failing to appear and testify in said Cause, It is ordered that said Joseph Wadsworth be fined ten dollars and that Scire facias issue returnable to the next term of this Court commanding said witness to appear and show cause if any he can why said judgment nisi should not be made final.

✓ 2679 The State of Texas v. Marcellus Olmsted. Comes Marcellus Olmsted as principal, and I.B. Wheeler and Jonathan Davis as his securities, and acknowledge themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of five hundred Dollars to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that the said Marcellus Olmsted make his personal appearance at the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February, 1873, then and there to answer the Indictment preferred against the Defendant Marcellus Olmsted by the Grand Jury of Travis county at the October term, 1872, for Perjury, and there remain from day to day and from term to term thereafter, to answer said Indictment, and that he do not depart the Court without leave.

✓ 3375 Martha A. Mitchell vs. W.C. Curry, et.als. And now on this day came the plaintiff by attorney and the Defendants by their attorney, the minor Defendants also appearing by their special guardian J.M. Denton, Esq., and announced ready for trial. And thereupon came a jury of twelve good and lawful men of Travis county consisting of Fred. Carleton and eleven others, duly tried, elected, tried, empannelled and sworn, who having heard the pleading, the evidence, and the charge of the Court, returned the following verdict, to wit: "We, the Jury, find for the Plaintiff the sum of Sixteen hundred sixty-nine + 39/100

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Dollars in coin ($1665.39) and we also find that the same is secured by the Deed of Trust on the land described in plaintiff's petition. Nov. 2nd. 1872 Fred. Carleton, foreman."

It is therefore ordered by the Court that Martha H. Mitchell do have and recover of the Defendants Ann P. Slaughter, (now Ann P. Drury) Cora B. Slaughter, Frances A. Slaughter, Alice V. Slaughter and Lucy A. Slaughter the said sum of Sixteen Hundred, Sixty-five and 39/100 Dollars in coin, with interest thereon at the rate of ten per centum per annum from this date until paid, and all the cost in this behalf laid out and expended. And that a fee of twenty-five dollars be taxed in the bill of cost for the use of J. M. Denton, Esq. Special guardian, for all which execution may issue

And it appearing that during the lifetime of A. B. Slaughter he executed a certain Deed in Trust to secure the payment of the note sued on in this case, and that the same is a lien upon the following described property to secure the payment of the judgment in this case, to wit: "Being one-half of the league originally granted to Walker Wilson lying on Onion Creek and sold by said Wilson to S. F. Slaughter Beginning at the N. W. corner of said league No. 2 at a stone mound from which a Post Oak bears S. 75° W. 12 varas: a Black Jack N. 38° East 6 varas: thence South 3125 varas a stake from which a Mesquite bears S. 50° W. 2 varas, a hackberry bears N. 41° E. 6 varas. thence East 4000 varas to a stone mound from which a Spanish Oak bears N. 23° East 31 varas: an Elm bears N. 48° W. 43 varas: thence N. 3125 varas to the North corner of said League No. 2. thence 4000 varas to the place of beginning."

It is ordered by the Court that the plaintiff's lien upon the said land be and the same is foreclosed, and that an order of Sale issue to the Sheriff of Travis county, commanding him to levy upon, and sell, as under execution, the above described real estate, or so much thereof as may be necessary, and the proceeds thereof he shall apply to the satisfaction of the principal, interest to grow due, and the cost hereof, and the remainder, if any, he shall ~~apply to the satisfaction of this judgment~~ pay over to the Defendants. And it is further ordered, that in making the levy in this case, the Sheriff shall first divide the land into sections of ~~not less than~~ forty acres and less and sell the same by lots.

Fines.

And thereupon It is ordered by the Court that George W. Bentley, Joseph Walker, J. H. Wallace and J. O. Shelley be fined ten dollars each for failing to answer to their names when called to serve as Jurors, they having

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bear summoned for that purpose, and that Scire facias issue to each of them returnable to the next term of this Court, commanding them to appear and shew cause if any they can why these fines should not be made final.

B. Trigg $10 — Ordered that B. Trigg District Attorney, be allowed ten dollars for contempt of Court, and that a Capias issue to collect the same.

√ √ 2445 — The City of Austin vs Claude Huguenard. It appearing to the Court that the Defendant had appealed this cause from the Mayor's Court, where he had been fined three dollars and the cost of the suit: and the cause being reached on the docket and called for trial and the Defendant not appearing in person or by attorney to prosecute the appeal, It is ordered, that Judgment be rendered on the appeal bond for the amount of the fine and cost in both Courts. And thereupon It is ordered by the Court that the City of Austin do have and recover of the said Claude Huguenard, alias "Claude" and the securities on his appeal bond, to wit: Lacy McKenzie and Henry Nan the sum of three dollars fine and all the cost in the Mayor's Court and this Court incurred, for which execution may issue.

√ √ 2521 — The City of Austin v. J. H. Roberts. It appearing to the Court that the Defendant had appealed this cause from the Mayor's Court, where he had been fined three dollars and the cost of the suit. And the cause being reached on the Docket and called for trial and the Defendant not appearing in person or by attorney to prosecute the appeal. It is ordered that Judgment be rendered on the appeal bond for the amount of the fine and cost in both Courts. And thereupon It is ordered by the Court that the City of Austin do have and recover of the said J. H. Roberts, Mitchell and W. B. Mitchell and Wm. McCormick, the securities on the appeal bond, the sum of three dollars, fine, and all the cost in the Mayor's Court and this Court incurred, for which execution may issue.

√ 2590 — The State of Texas v. Wm Davidson. This cause being called for trial the Defendant William Davidson failing to appear and answer to the Indictment in this case, he and his security J. H. Fitch being distinctly called at the door of the Court-house of Travis County, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Wm Davidson with the said J. H. Fitch as his security, did execute the Bail Bond on file in this case, substantially as follows: Dated 22d. day of June, 1872, payable unto The State of Texas in the sum of One Hundred dollars, conditioned that the said Defendant Wm Davidson, make his personal appearance at the District Court of said County of Travis forthwith then in

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session at the Courthouse thereof in Austin, to answer the Indictment prefered against the said Defendant Wm Davidson who signs by the name of Wm Davison, by the Grand Jurors of Travis County, at the June term, A.D. 1872, for Betting at a gaming bank called faro, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court - which said Bond is forfeited, And it is considered by the Court that the State of Texas do have and recover of the said Wm Davison and the said J.H. Fitch the said sum of One hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Wm Davison did not appear. And further ordered that citations do issue to the said securities

2593. The State of Texas v. The Anderson. Bond quashed - Capias ordered
2609. The State of Texas v. Dick Armstrong. This cause being called for trial the Defendant Dick Armstrong failing to appear and answer to the Indictment in this case he and his securities J. H. Fitch and Robert Barr being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time still fails to appear. And it appearing to the Court that the Defendant R. W. Armstrong, alias Dick Armstrong, with the said J. H. Fitch and Robert Barr as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 25th day of June, 1872, payable unto The State of Texas in the sum of One hundred dollars, conditioned that the said Defendant R. W. Armstrong make his personal appearance at the District Court of said County of Travis then in session at the Courthouse thereof in Austin, to answer the ~~Indictment~~ Information prefered against the said Defendant R. W. Armstrong by the Travis District Attorney of the 27th Judicial District, for Carrying Deadly Weapons, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Dick Armstrong alias R. W. Armstrong and the said J. H. Fitch and Robert Barr the said sum of One hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant did not appear And further ordered that Citations do issue to the said securities.

2618 The City of Austin vs A.T. Lowry. This cause being called for trial and it appearing that the Defendant had been fined in the Mayor's Court of the City of Austin and that he appealed therefrom to this Court. And said Defendant

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failing to appear and prosecute his appeal, either in person or by attorney, It is ordered that judgment be rendered upon the appeal bond for the fine and the cost of both Courts. And thereupon It is ordered that the City of Austin do recover of the said H.T. Lowry and the securities on the appeal bond, to wit. N.B. Mitchell and John M. Hanson the sum of Dollars, fine, and all the cost in this Court and the Mayor's Court laid out and expended, for which execution may issue.

✓ 2672 The State of Texas v Jeff. Houston. Come on to be heard the Defendant's motion for a new trial, which being considered, It is ordered that said motion be granted: and that a motion for new trial is hereby awarded, and the cause is continued

✓ ✓ 3388. Moses Raymon v. W. S. Palm. Comes on to be heard the motion of Defendant for a new trial in this cause, which being argued and duly considered by the Court, It is ordered that said motion be overruled. And thereupon the Defendant gives notice, in open Court, of an appeal to the Supreme Court.

✓ ✓ 3214 Joseph Carothers v. B H. Davis, Admr &c And now comes the plaintiff by his attorney and remits the word "coin" in the judgment rendered in this cause at a former day of the term and the. It is therefore ordered that said judgment stand in Dollars instead of coin Dollars, and is hereby reformed to that extent.

Jury Service. Ordered that the Clerk issue certificates for service to the following named jurors on service during the present week.

H. Washington	5 days	$10.00	A. J. Hopkins	5 days	$ 10.00
Chas. Dodge	5 "	10.00	John V Daiver	5 "	10.00
M. D. L. McFadden	5 "	10.00	Geo. W. Logan	5 "	10.00
Thos. Hancock	5 "	10.00	John Reed	5 "	10.00
J D Doxey	5 "	10.00	W. S. Viles	2 "	4.00
W. F. Robinson	5 "	10.00	H. V. Wells	5 "	10.00
F. Pryor	5 "	10.00	J. V. Sedwick	5 "	10.00
King Hutchinson	5 "	10.00	J. D. Shepherd	5 "	10.00
Peter Markle	5 "	10.00	Elias Johnson	5 "	10.00
John Robinson	5 "	10.00	Rudolph Blum	5 "	10.00
John Holland	5 "	1000	James Hamington	5 "	10.00
Charles Denny	5 "	10.00	Tom Rhodes	5 "	10.00
John V Bennett	5 "	10.00	W. W. McLaughlin	5 "	10.00

And thereupon Court adjourned till next Tuesday at 9 o'clock.

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Juries And now on this 5th day of November, 1872, the Hon. District Court of Travis county met at the Courthouse in Austin Present Hon. J.P. Richardson, Judge 27th Judicial District Presiding. Whereupon the following proceedings were had by said Court, to wit:

The Court having previously given notice, according to law that the Grand and Petit Jurors to serve at the February term, 1873 of this Court, would be drawn in open Court,

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the Court now here proceeds to draw said Juries, as follows to wit

Grand Jury.

1 Ed. Wacker.	11 S. Thornton
2 S. B Reed	12 Samuel H. Barleson
3 Dan Stephenson	13 Geo. W. Hetten
4 Thomas Pease	14 B. Fowler.
5 Tobias Durst	15 Monroe Davis
6 R.H. Brown	16 James Harrell
7 J. B Rector	17 Samuel G Cloud
8 Geo. Burla	18 H P. Ferrell
9 Essex Earles	19 John T. Jackson
10 John Story	20 S. G Kingsbury

Petit Juries – 1st week

1 John E. Wallace	1 R. Holman
2 L. Giles	2 J.S. Pickel
3 Cornelius Lewis	3 A. Williams
4 James Piper	4 Joseph Kemp
5 Andrew Cleveland	5 C.H. Fox
6 Richard D. Eanes	6 W. S. Johnson
7 David J Anderson	7 J. H. Raymond
8 John Johnson	8 M. P. Hall
9 Robt L. Brockenbrough	9 Moses Brooks
10 E. Burton	10 J.R Brisendine
11 Thomas Brown	11 Peter J. Gill.
12 J. R. Orr J.B. Berry	12 William Bell

Petit Juries – 2d Week

1 C. Schmidt	1 W.H. Howard
2 W.M Fowler.	2 P.W. Jobe
3 Moses Swisher	3 Geo. Graham
4 John Musgrove	4 Fred. Bracker
5 Geo. Willis	5 W. D. Edwards
6 H. Hirshfeld	6 Sandy Smith
7 Robert Young	7 J. Washington
8 G. M. Dralp	8 Ben Choate
9 John Henry	9 Jacob Jackson
10 Harrison Bush	10 W.B. McClelland
11 Thomas alexander	11 H. Samuels
12 Thomas Carrington	

Petit Juries 3d Week

1 Jacob Lutz	1 Enoch Cogswell
2 Frank Scott	2 C.O. Swenson
3 J.C. Stringer	3 J.C. Pearce
4 John Caldwell	4 Thos. Blackburn
5 Ben. Marshall	5 Jas. N. Hensley
6 J. McCutchan	6 A.B. McGill
7 Ed. Parker	7 Thomas Neal
8 Samuel Franklin	8 John Barton
9 Tom Dinnin	9 John Runkle

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10	John Goodrich	10 Ben F. Rowe
11	Jeremiah Shehan	11 Leander Brown
12	William Walton	12 F. M. Meeks.

Petit Juries 4th Week.

1	F. J. Lavender	1 Haywood Cross.
2	Francis M. Green	2 Peter Smith
3	John Mayo	3 David Elliott
4	Thomas Rhodes	4 Robert Green
5	Gray Scott	5 Wm Washburne
6	F. Wilhelm	6 Peter Burns.
7	Colonel Bell	7 G.C. Daily.
8	Robin Owens	8 Henry Brown
9	John C. Kemp	9 John Raney
10	William Scott	10 D. White
11	Ed. Saunders	11 C.H. Turney
12	A. White	12 Clait. Harris

Petit Juries 5th Week.

1	Josephlelay	1 Jr. Hart
2	W S Craft	2 Philip Jones
3	Richmond Riggles	3 John Dougherty.
4	Ben. Norris	4 A. Kuss
5	John Cardwell	5 Geo. Susmann
6	Johnson Miller	6 Wm C. Evans
7	Wm Jackson	7 H. Head
8	Thomas McArthur	8 Rhoads Fisher.
9	G. F. Dadom	9 Thomas Wyatt
10	J. Burditt	10 G.H. Burditt
11	A. J. McNett	11 S. Taylor
12	Henry Thomas	12 Cyrus Puckett

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

November 16th, 1872.

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

3323 Stewart & Fitch v. Glenn and Evans. And now on this day appeared the plaintiffs by their attorneys and moved the Court to reform the judgment entered in this cause at a former day of the term. And upon hearing said motion It is ordered that the same be granted and that the final judgment in this cause be so reformed as to read as follows:

3323 John A. Stuart and James H. Fitch v. John W. Glenn and William E. Evans. And now at this term came the parties to this cause by their attorneys and announced ready for trial whereupon came a Jury of twelve good and lawful men of Travis county consisting of

November 7th, 1872.

James H Shaw and eleven others, who being tried, elected, empannelled and sworn according to law, heard the pleadings, the evidence, argument of counsel and the charge of the Court, retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We, the Jury find judgment to the Plaintiff for $275. coin. James H. Shaw, Foreman." Whereupon It is ordered that the said James A. Stuart and James H. Fitch do recover of the said John W. Glenn and William E. Evans the sum of two Hundred and seventy-five dollars and the cost of the suit to be taxed, for which execution may issue

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

November 7th, 1872

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

↓ 3421 Dorcha Milde v. Frederick Milde. The motion of the Defendant to reduce the amount of alimony heretofore allowed, coming on to be heard and upon the sworn answer the Court doth order and decree that his former order for alimony be and is hereby changed so as to allow only the sum of ten dollars per month alimony.

And Court adjourned till to-morrow at 8 am

November 8th 1872.

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

Bailiffs Ordered by the Court that the following named persons be allowed the sums set opposite their names respectively for services as Bailiffs during the present term of this Court, to be paid out of the County Treasury of Travis County upon the Certificate of the Clerk of this Court

Hpd. G. H. Lee, 24 days-forty eight Dollars.
Issued Jack Tannehill 24 days- forty-eight dollars
Issued Henry Maddox 24 days- forty-eight Dollars
Issued Henry Stokes 24 days- forty eight Dollars
G.H. Owens 12 days- twenty-four Dollars

Clerk. Issued And thereupon It is further ordered that A.R. Morris, Clerk of this Court, be allowed one hundred and fifty Dollars, for extra services at this term of the Court, to be paid out of the County Treasury of Travis county upon the Certificate of the Clerk of this Court

Sheriff. Issued And thereupon It is ordered that G.B. Zimpelman, Sheriff of Travis county, be allowed One Hundred and fifty Dollars, for extra services at this term of the Court, to be paid out of the County Treasury of Travis county upon the Certificate of the Clerk of this Court

November 8th 1872.

√ √3134 Yjidro Martinez v. The State of Texas.

In this case appeared the Plaintiffs by his attorneys and the State of Texas by William Alexander, attorney General, and announced themselves ready for trial, after hearing the evidence introduced by the Plaintiff and by the Attorney General for the State of Texas, and the argument of counsel: and the same having beenfully considered by the Court. Because it is the opinion of the Court that the law and the facts establishes the title of the plaintiffs to the land set out and described in Plaintiffs petition. It is therefore ordered adjudged and decreed by the Court that the plaintiff Yjidro Martinez, for himself and the other heirs and devisees of Esteban Martinez, dec'd the Original grantee of the land described in the Plaintiffs petition, do have and recover the land sued for in this action situated and bounded as follows: In Hidalgo county, Texas, about fifty miles North of Edinburgh — Beginning at the Original corner of said tract called "La Viora: thence North 3200 varas. thence West 600 varas. thence North 9250 vs. thence West 8300 vs. thence South 12.450 vs thence East 8900 vs. to the place of beginning, and contains four leagues six hundred and thirty thousand square varas of pasture land and it is bounded on the South by a tract of land known as "El Sueco": on the East by a tract known as "Realitos" and the lands of Antonio Leal: and on the North and West by lands which were vacant when this Survey was originally made This tract of land is known as "Las Norias de Tio Ayula."

It is further ordered adjudged and decreed by the Court that the State of Texas be, and is by virtue of this judgment and Decree divested of all right, title, interest and claim in ato the aforesaid tract of land, and the same is hereby fully vested and confirmed in the plaintiff and the legal heirs, devisees and assigns of the original grantee Esteban Martinez.

It is adjudged and decreed by the Court that the State of Texas do have and recover of and from the plaintiff and his securities J. L. H. Agnes all the costs of this suit, including the Attorney General's fees, for all which execution may issue All of which is ordered adjudged and decreed by virtue of An Act of the Legislature of the State of Texas entitled "An Act to ascertain and adjudicate certain claims for land against the State situated between the Nueces and Rio Grande Rivers approved August 15th 1870.

And thereupon the Defendant, by the Attorney General, gives notice in open Court of an appeal to the Supreme Court.

√ 3135 Jose Maria Canales vs. The State of Texas.

In this case appeared the plaintiff, by his attorneys, and the State of Texas by William Alexander, Attorney

November 8th, 1872.

General, and announced themselves ready for trial, after hearing the evidence introduced by the Plaintiff and by the Attorney General for the State of Texas, and the argument of counsel: and the same having been fully considered by the Court, because it is the opinion of the Court that the law and the facts establishes the title of the plaintiff to the land set out and described in plaintiffs petition It is therefore ordered adjudged and decreed by the Court that the Plaintiff Jose Maria Canales, for himself, and the other heirs and devisees of Antonio Garcia the Original Grantee of the land described in the plaintiffs petition, do have and recover the land sued for in this action, situated and described as follows: In the counties of Hidalgo and Nueces, on the Olmos Creek, and is known as "El Tule" and adjoins the confirmed grant known as "Santa Rosa". This Survey begins at its N.W. corner, known as the "Purgatorio". Thence East 5000 varas to N.E. corner, known as the "Encinita". Thence South 5000 varas to the corner known as the "Salto" on the North Bank of the Olmos Creek. Thence West 1300 vs to the corner known as "San Antonio del Salto" also a corner of the Santa Rosa as the said Santa Rosa was originally surveyed and granted. Thence South 7500 vs to the corner known as San Rafael. Thence West 3700 vs to the corner of "San Vicente del Encinal." Thence North 12500 varas to the place of beginning, and contains two leagues, two labors and 750000 ars

It is further ordered, adjudged and decreed by the Court that the State of Texas be, and is, by virtue of this judgment and decree divested of all right title, interest and claim in and to the aforesaid tract of land. and the same is hereby fully vested and confirmed in the plaintiff and the legal heirs and devisees and assigns of the Original grantee Antonio Garcia

It is ordered adjudged and decreed by the Court that the State of Texas do have and recover of and from the plaintiff and his securities J.L. Haynes, all the costs of this suit, including the Attorney Generals fees, for all which execution may issue.

All of which is ordered adjudged and decreed by virtue of An Act of the Legislature of the State of Texas entitled An Act to ascertain and adjudicate certain claims for and against the State situated between the Nueces and Rio Grande Rivers, approved Aug. 15th 1870.

And thereupon the State of Texas, by her Attorney General gives notice, in open Court, of an appeal to the Supreme Court.

Read in open court & approved, & thereupon it is ordered that this Court stand adjourned to the next regular term.

J.P. Richardson
Judge.

February 3d. 1873

The State of Texas } Be it Remembered that at a Term of
County of Travis } the District Court begun and held at the
City of Austin, within and for the County and State aforesaid
on Monday the 31 day of February, 1873, at the Court
House thereof in Austin, the same being the time fixed
by law for the meeting of the February term, 1873 of
said Court, Present the Hon. J. P. Richardson, Judge of
the 27th Judicial District of the State of Texas presid-
ing. Geo B. Zimpelman Sheriff by J. T. Pendley, Deputy, and
A R Morris, clerk by Frank Brown, Deputy. Whereupon the fol-
lowing proceedings were had by said Court, to wit.

Grand Jury. And thereupon it is ordered that the Sheriff serve the names of those persons whose names appear upon the venire issued for the Grand Jury to serve at this term of the Court, which being done, and a sufficient number not appearing, It is ordered that a sufficient number of bystanders be summoned to complete the panel of Grand jurymen. And of the persons so summoned the following were selected and declared competent to serve to wit: S. G. Kingsbury[1], Joseph Harrell[2]: J. T. Jackson[3]: Lee Giles[4]: J. K. Brisendine[5]: Ed. Wacker[6]: Essex Earles[7]: J. R. Billingsley[8]: Robert Barr[9]: J. H. Coleman[10]: John Clark[11]: N. Fox[12]: T. P. Bate[13]: Tom Hill[14]: W. N. Anderson[15]: Lacy McKenzie[16]: S. G. Kingsbury being appointed foreman.

And thereupon the above named persons, after due examination, in open Court, and being tried, elected, empannelled and sworn, as the law prescribes, by the Court, they were charged by the Court as to the duties devolving upon them as Grand Jurors for and during the present term of the District Court of Travis county, and were ordered to retire upon a discharge of the same under charge of the Court's Bailiff.

Criminal Docket. And thereupon it is ordered that the Criminal Docket be set for hearing and trial, for Monday of the third week of the term, at 9 o'clock A. M.

2955. Abby Thompson et al v. Barnes et al. Cause continued

2956 Abby Thompson et al. v. R. M. Riley et al. Cause continued

2957 Abby Thompson et al v. R. A. Rutherford. Comes now the Plaintiff and upon motion duly made, It is ordered that the said Plaintiffs have leave to amend their pleadings. And thereupon, on motion It is ordered that E. M. Pease, be appointed Guardian ad litem for the minor Defendants, children of the said Abby Thompson and T. J. Chambers deceased.

2958. Abby Thompson Admx et al v. Geo Saunders. Cause continued

2959 Abby Thompson Admx et al. v. Charles Barnes. Cause continued

3133 Jose Maria Garcia Villareal v. The State of Texas. Upon motion It is ordered that the plaintiff herein have leave to amend.

February 3d 1873.

3300 Mary Jane Lee v. A. B. Sedwick. And now on this day comes the Defendant, and, on motion duly made, It is ordered that the said Defendant have leave to amend. And thereupon, on motion It is ordered that H. N. Drake be made a party to this suit, who files an answer

3363 Samuel M. Jones v. The State of Texas. Ordered, upon motion that the plaintiff in this cause have leave to amend.

3433 International Railroad Company v. A. Blosse, Compt. Ordered, upon motion, that the plaintiff herein have leave to amend.

3426 Dorcas Milder v. F. Milder.

3427 A. M. Trucheart v. Isaac D. Harmon et al.

3428 Sam Smith v. Elvira Smith

3431 A. W. Maisand v. Thos. McCormick

3447 Adrien Daviehet v. J. Knickler et als

3448 Thos. McCormick v. T. F. Chacham et als

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

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

3465 Joseph Machoca & Co. v. Paul Augus et al.

3468 Jno. M. Gowed v. Collins & Powers

3476 C. S. Cook v. Cain & Berry.

3477 Cyrus Phillips v. Collins & Powers

3478 D. L. Tingley & Co. v. Collins & Powers.

3479 Thing & Morris v. Collins & Powers

3480 J. D. Mullen & Co. v. Collins & Powers

3487 S. T. Fontaine et al. v. J. Knochler et als.

3486 D. Valentine & Co. v. T. F. Mitchell et al.

3513 E. J. Gay v. T. F. Mitchell et al.

3513 E. S. Jaffray & Co. v. T. F. Mitchell et al.

3514 Mills & Gibb v. T. F. Mitchell et al

3515 Evans Gardner & Co. v. T. F. Mitchell et al

3517 Milnes, Drake & Ripley v. T. F. Mitchell et al.

3518 Harris, Dudley & Co. v. G. M. Brass.

3523 L. & H. Blum v. L. N. Speer.

3524 Heidenheimer Bros. v. L. N. Speer.

3530 Henry Eddie v. Lewis Thompson et al

3537 Nancy C. Moore v. Carl Zimmerman & Co

3539 Thos. Lewiston v. L. G. Britton et al

3542 H. H. Johns v. M. N. Townsend

3557 S. T. Suit & Co. v. N. B. Mitchell

3558 M. Thalmessinger & Co. v. A. B. Palm

3560 Henderson Edwards & Co. v. T. F. Mitchell et al

3565 H. C. Garner v. J. W. Smith et al

3569 D. V. Spring v. J. C. Coggins.

3570 John G. Root & Co. v. H. F. Mathews et al.

And now on this day appeared the clerk, and upon motion duly made It is ordered that the plaintiffs in the

February 4th 1873

several preceding causes, numbered respectively from 3426 to 3570 be required to enter into bond and security for the cost of the said several suits on or before the next term of this Court, such suits they will be dismissed, the attorneys of the said parties having notice of the motion.

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

February 4th 1873.

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

3529 J. H. Coleman v. Alfred Smith. And now on this day came the plaintiff, by his attorney, and upon motion, in open Court, It is ordered that John E. Campbell, the Surveyor of Travis county, go upon the land described in plaintiffs petition, and survey the land described therein, and make a plat or sketch of the same, and return the field notes and plat to this Court as soon as possible, without making any lines or putting up any corners until the further order of this Court.

1658 Susan Taylor v. J. N. A. Carter & wife. Come now the Defendants & upon motion duly made It is ordered that the said Defendant have leave to amend answers

3406 The State of Texas vs. Ida Fuller's Estate. And now on this day came John E. Mowinckle, Esq. by attorney, and on motion duly made, It is ordered by the Court that said Mowinckle have leave to intervene herein.

3574 A. Darling v. A. B. Palm

3575. May Kemper & Co. v. A. B. Palm

3576 Reuben Bellwood et als. vs. G. R. Freeman et als.

And now comes the Clerk, and upon motion duly made in open Court It is ordered that the plaintiffs in the three several causes last preceding heretofore required to enter into bond and security for the cost of said suits on or before the next term of this Court, otherwise the same will be dismissed, the attorneys for the said plaintiffs being notified.

187. Robert Mitchell v. M. & J. R. R. Co. Continued

2013. E. Henry vs. A. M. Davidson. Continued by consent.

2595 Amos Morrill v. Houston & Cook. Continued for service.

2596 Amos Morrill v. McGuire & Cook. Continued for service.

2598 Amos Morrill v. Moore & Cook. Continued for service

2599 Amos Morrill v. Wood & Cook. Continued for service

2641 S. M. Swenson v. J. Nicholson et al. Continued for service.

2644 S. M. Swenson v. J. H. Herndon et als. Continued for service

✓ 3125 J. M. Brown v. A. B. Burleson Continued by Defendant.

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

February 5th 1883

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

✓ 3743 Thomas Freeman vs Logan & Robyn, Garnisheed. And now on this day came the attorney for the plaintiff, and, on motion duly made in open Court, It is ordered that the proceeding in garnishment in this case be dismissed: that the Defendants go hence and recover of the plaintiff all the cost to be taxed, for which execution may issue.

3117 J. M. Sitton v. J. R. Worrall. Ordered, on motion, that this cause be continued to make parties.

3244. Scow & H. Blum v. S. D. Meeks. Ordered, upon motion, that the Defendant in this cause have leave to amend.

3431 A. W. Marsand v. Thos. McCormick. Ordered, upon motion, that the Defendant have leave to amend.

3448 Thos. McCormick v. T. F. Chacham et al. Ordered, upon motion, that the plaintiff in this cause have leave to amend.

1658. Susan Taylor v. J. N. A. Carter & Ada Jane Carter. In this case appeared the parties Plaintiff and Defendants. Upon motion of the plaintiff the judgment by default and writ of inquiry rendered against the defendant Ada Jane Carter by the District Court of Caldwell county at the April term 1856 be and the same is hereby set aside and held for naught: and the Defendants have leave to amend their answers. The Defendants submitted to the Court their general and special exceptions to the plaintiff's original and amended petitions, the same having been considered by the court, It is ordered adjudged and decreed by the Court that said exceptions be and the same are hereby overruled. And the parties announced themselves ready for trial: thereupon came a Jury of twelve good and lawful men of Travis county, to wit: Benj. R. Townsend and eleven others, who being tried, empanneled and sworn according to law, after hearing the evidence, introduced by the plaintiffs and Defendants, the argument of counsel and charge of the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit:

"1st. We, the Jury, find for the plaintiff against the Defendant J. N. A. Carter in the sum of two thousand, five hundred & ninety-nine $\frac{33}{100}$ dollars with interest at the rate of six per cent. per annum from the date of the judgment obtained in Arkansas to the present time.

2nd We the Jury find that the property described in the plaintiff's petition was conveyed in fraud for the purpose of cheating the plaintiff. Benj. R. Townsend, foreman."

It is therefore ordered adjudged and decreed by the Court that the plaintiff Susan Taylor do have and recover of and from the Defendants J. N. A. Carter the sum

February 5th 1878.

of five thousand three hundred and sixty-eight dollars, with
interest at eight per cent from this date, until paid, together
with acc the cost of this suit.

It is further ordered adjudged and decreed by
the Court that so much of the deed, a copy of which is attached
to the plaintiffs petition, executed by the Defendant J. M. A. Carter, to the Defendant Adah Jane Carter, on the 17th day of April,
1854, as conveys three tracts of land to the said Adah Jane
Carter, be and the same is hereby annulled and held for naught as
against the amount of this judgment interest and cost, which
tracts of land are bounded as follows

1. A tract of land situated in Caldwell county, Texas, on the clear
fork of Plum Creek, the same being that particular part of the
tract of twenty four labors of land granted to Easther Berry and
designated on the county map as the Easther Berry survey No.
13 in class No. 7 and being that particular tract of 1000 acres
of land, which in the partition of the estate of Isaac House
ded, was allotted to Alfred House, as his distribution share
of ~~the~~ said 24 labors of land, the said tract being designated as lot
No. 2 in the plat and field notes of said partition now of record
in the Office of the Probate Court of Gonzales county and the
metes and bounds of which 1000 acres are as follows: Be-
ginning at the S. W. corner of Lot No. 1 of 1000 acres allotted in
said partition to William House at a stake from which an Elm
bears N. 22° W. 6 in. diameter, and another Elm bears S. 83 W.
13 inches in diameter: thence with the South line of Lot No. 1
North leo E. 6250 varas to a stake standing on the East line of
said Easther Berry 24 labors: thence running with said East
line S. 30° E. 903 varas to a stake standing on said line: thence
running South leo° W. 6250 varas to a stake standing on the West
line of said survey, from which a Post oak bears North 12° W.
marked with a blaze and chop, and another Post oak bears S.
71° E. marked with a blaze and chop: thence running North 30° W.
903 varas to the place of beguiing, and containing 1000 acres.

2. Also a tract of land situated in Caldwell C. county, Texas,
the same being a part of a league of land granted by the Mexi-
can government to Easther Berry, widow of Isaac House, dec'd
the same being a portion of Lot No. 3 as designated in the Plat and
field notes of that portion set apart for Nancy Jane Hodges—
Beginning the South West corner in the No 2 as designated in the
plat and field notes of said partition at a stake from which a
Post oak bears N. 12° W. and another Post oak bears S. 71° E.
both marked with a blaze and chop. thence running N. 60° E.
6250 varas, to a stake standing on the East line of said lea.
thence with said East line S. 30° S. 532 varas to a stake stand-
ing on said East line. thence running South 60° W. 650 varas to a
stake standing on the West line of said league. thence running

Feberuary 5th 1873.

N. 30 W. 522 varas to the beginning, containing 578 acres, and further described as lying on the Clearfork of Plum creek in the County of Caldwell

3 Also a tract of land in Caldwell county, being a portion of land taken from the S. W. corner of a third of a league made for Edward Andrews Esquire assignee of Wm. B. Williams, beginning at the S. W. corner of said third of a league of land from which a live Oak 40 inches in diameter blazed and chopped bears South 60° E. 66 varas, and another 30 inches in diameter bears South 57° W. 37 5/10 varas: thence N. 9° W. 880 varas with the Western boundary line of said third of a league to a pile of stones in a hollow for the North West corner from which an Elm 7 in. dia. marked L bears S. 7° E. 28 varas. Thence North 81° East 880 varas to a hackberry corner on an island in the Spring branch from which an Elm 6 inches in diameter marked L bears N. 9° East 1 vara: thence S. 9° East 880 varas to a pile of stones on the South boundary line of said third of a league of land from which an Elm 7 inches in diameter marked L bears N. 9° W. 31 varas, and another Elm marked L bears S. 35° W. 20 varas thence S. 81° W. 885 varas to the beginning, containing 139 9/10 acres more or less.

It is further ordered adjudged and decreed that the aforesaid three tracts of land, or so much thereof as may be necessary to pay off this judgment, interest and costs, be sold as under execution, in tracts not exceeding forty acres each, and that the clerk of this Court issue an Order of Sale, directed to the Sheriff of Caldwell County, commanding him to sell so much of said three tracts of land as will be necessary to pay this judgment, interest and costs. In the event that said land does not bring enough to pay this judgment, interest and costs of suit, that plaintiff have execution against the Defendant J. N. A. Carter for the amount that may remain unpaid.

1958. Susan S. Ward v. Thos. Wm Ward. Come now the attorneys of the parties and suggest the death of the Defendant.

2960 Abby Thompson Admr etal v. H. L. Raven. Continued.

2975. James A. Chandler v. J. Ebbisen et al. Come now the plaintiffs and upon motion It is ordered that the cause be dismissed from the docket and that the plaintiffs pay all the cost of this suit for which execution may issue

2976 Geo. H. Gray v. M. J. Denman. Continued for service.

2991 W. C. Philips v. A. A. Scruggin et al. Continued for service

3069 James Dennison v. Hancock & West & Geo. T. Keene, Defendants and R. A. Henson, Intervenor.

And now on this day came the parties to this cause by their respective attorneys, and submitted to the Court the award of the Arbitrators filed at this term, in words and figures following, to wit:

February 5th 1873

James Dennison, Pltff
vs
Hancock & West &
George F. Moore, Defendants
R.A. Henson, Intervenor

In District Court, Travis County.
Submitted to Arbitration.

James Dennison the plaintiff, the Defendants Hancock & West and George F. Moore, and R.A. Henson, Intervenor, in the above stated cause, having in due form of law, in writing filed in the Office of the Clerk of the District Court of Travis County, October 17. 1872, agreed to submit to arbitration, each and all the matters & things in controversy between them in said case, as pending in the said District Court of Travis county: the said agreement in writing being part of the record in said case, and is here referred to, for all legal and necessary purposes, and for such purposes is made part hereof: and in said agreement in writing the said James Dennison having made choice of Judge A.W. Terrell the said R.A. Henson of Judge James H. Beck, the said George F. Moore of Judge George W. Smith, and the said Hancock & West of Judge Richard Coke, to act in their behalf respectively as Arbitrators: and the said Arbitrators having respectively accepted their appointment, and consented to act in the premises: and the said several parties, Plaintiffs, Defendants & Intervenor, having waived the formality of the Clerk of the District Court, to name a time and place, for the sitting of the Arbitrators, and consented that they should sit on the twenty-third day of January A.D. 1873, in the City of Austin, at the office of Messrs. Long & Oatman, attorneys for the plaintiff: and the said Arbitrators having assembled at the said time & place, were duly sworn, in terms of the statute, by the clerk of the District Court of Travis county: the said plaintiff James Dennison being there & there represented by his counsel Messrs. Long & Oatman - the Intervenor R.A. Henson, by Messrs Wheeler & Moore, and the Defendants Hancock & West, & George F. Moore, by W.M. Walton - when the agreement to submit the case to arbitration, together with all the pleadings in the case, were read - and all the evidence for all the parties, oral & written, submitted to the Arbitrators, in the presence of the counsel aforesaid.

And now, after a due and full consideration of all the evidence submitted, and the law as applicable thereto, we, the Arbitrators, do hereby and now unanimously award as follows, on the several matters at issue, and submitted to us:

1. That as between the plaintiff James Dennison, and the defendants Hancock & West - and George F. Moore, the law is with the Defendants - and that therefore the said plaintiff, recover nothing as against said Defendants, and that they go hence without day, as to said plaintiff
2. That as between the Intervenor R.A. Henson, and the Defendants Hancock & West, and George F. Moore, the law is with the

February 5th 1878.

Defendants, and that therefore the Intervenor take nothing by his suit as against said Defendants, & that they go hence without day as to said Intervenor.

3. That as between the Plaintiff James Dennison, and R. A. Henson Intervenor, we make no award, as to the controversy between them, the said matters not being properly cognizable in this case, after the failure, on the part of the one or the other, to recover against the Defendants, or one or more of them: that without determining their relative rights and without prejudice to the rights of the one or the other, in any litigation hereafter, we award simply on this branch of the case, that in this proceeding, neither one can recover from the other - and they are respectively remitted to such proceedings as they may deem proper to institute, to substantiate the claims they respectively set up against one another.

And further we award not.

Signed, sealed, and returned with the record, to the District Court of Travis county, for all legal purposes - this the day of January A.D. 1878. James H. Bell [seal]
A. W. Terrell [seal]
Geo. W. Smith [seal]
Richard Coke [seal]

It is therefore ordered, adjudged and decreed by the Court, that the award above recorded be and the same is hereby declared to be the judgment of this Court: that the said James Dennison do have and take nothing against the Defendants in this suit: that the Intervenor, R. A. Henson, take nothing against the Defendants: that the said Defendants go hence and recover their cost: and the case be dismissed. And it is further ordered that the Intervenor R. A. Henson pay all the cost incurred by reason of his intervention: and that the said James Dennison, and the security on his cost bond, to wit: William Alexander, pay all the cost of this suit (except that incurred by said intervention) for all which execution may issue.

↓ 2803 B. R. Townsend et al. v. McKinney & Bayless Continued by agreement

↓ 3080 W. F. Wells v. H. A. Smith. And now comes the Plaintiff and asks that the writ of inquiry awarded in this cause be executed. And thereupon came a jury of twelve good and lawful men of Travis county, consisting of Benj. R. Townsend and eleven others, duly tried, elected, empanelled and sworn, who having heard the evidence and argument of counsel, and the charge of the Court, retired, and returned into Court the following verdict, to wit: "We, the Jury, find for the Plaintiff Wells against the Defendant H. A. Smith, in the sum of two hundred & fifty three $\frac{20}{100}$ Dollars Principal & interest. Benj. R. Town-

February 5th 1873.

send, foreman: Wherefore It is ordered by the Court, that the plaintiff W. F. Wells, do have and recover of the Defendant H. A. Smith, the sum of two hundred. fifty-three + 80/100 Dollars, and the cost hereof, for which execution may issue.

3086 A.B. Burleson v. Martha Ann Burleson. Ordered, on motion, that the Plaintiff in this cause, have leave to amend.

3107 A.G. Mitchell v. Risher & Hall. Come now the attorneys of the parties, and suggest to the Court the death of G. K. Hall, one of the Defendants. And thereupon the cause is continued.

3290 Ingram & Whaley v. E. G. Dewey. Continued by plaintiff

2716 Isaac Jalonick et.als. v. Pleasant Taylor et.als. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of 12 good and lawful men of Travis county, consisting of W.S. Barnes and eleven others, who being tried, elected, empannelled and sworn according to law, heard the pleadings, the evidence, argument of counsel, and the charge of the Court, and retired for deliberation. Whereupon the jury returned into Court the following verdict, to wit: "We, the jury, find that the Defendant failed to comply with their contract and assess the damages $12.000. W.S. Barnes foreman."

Whereupon It is ordered by the Court, that Isaac Jalonick, John Smith and John Hancock, do recover against the Defendants Pleasant Taylor, John Taylor and J.G. Myers, the sum of twelve thousand dollars ($12.000) so found to be due by the Jury aforesaid together with all the cost of this suit, for all which execution may issue.

Grand Jury. And now on this day appears in open Court the Grand Jury of Travis county, duly elected, tried, empannelled, sworn and charged for and during the present term of this Court, and through their foreman, S.G. Kingsbery, presented to the Court the following Bills of Indictment, to wit:

2696 An Indictment against G. W. Adams for theft from a house.

2697 An Indictment against Billy Brennan for exhibiting Monte.

2698 An Indictment against Tom Bowles for Betting at Monte.

2699 An Indictment against Boatman for Exhibiting Monte.

2700 An Indictment against Ben. Butler for theft from a house.

2701 An Indictment against Ben. Butler for Ben. Butler.

2702 An Indictment against Bill Bell for theft from a house.

2703 An Indictment against John Vaughn for Betting at Monte.

2704 An Indictment against John Vaughn for Betting at Monte.

2705 An Indictment against John Vaughn for Exhibiting Monte.

2706 An Indictment against Bud Cotton for Exhibiting Monte.

2707 An Indictment against Billy Carman for Betting at Monte.

2708 An Indictment against Neil Cain for Exhibiting Monte

2709 An Indictment against Neil Cain for Betting at Monte

February 5th 1873

2710 An Indictment against Neil Cain for Betting at Monte.
2711 An Indictment against Billy Cotton for exhibiting Monte.
2712 An Indictment against Billy Cotton for Betting at Monte.
2713 An Indictment against Frank Cotton for Exhibiting Monte.
2714 An Indictment against Frank Cotton for Betting at Monte.
2715. An Indictment against Jack Conner for Carying Deadly Weapons.
2716. An Indictment against Jack Conner for Betting at Monte.
2717 An Indictment against Louis Dufresefor Betting at Monte
2718 An Indictment against Watt Good for Betting at Monte.
2719 An Indictment against Hall for Betting at Monte.
2720. An Indictment against M. C. Hawes for Renting Room for gaming purposes.
2721 An Indictment against M. C. Hawes for Permitting Game to be played in room with his consent.
2722 An Indictment against Hall for Exhibiting Monte.
2723 An Indictment against Charly Hess for Exhibiting "Chuck luck"
2724 An Indictment against "Jim" a colo disch? sold ca. for theft from a house
2725 An Indictment against N. B. Mitchell for Betting at Monte.
2726 An Indictment against N. B. Mitchell for Exhibiting Monte.
2727 An Indictment against James Moore for Betting at Monte.
2728 An Indictment against Carl Pierce for Exhibiting Monte.
2729 An Indictment against Charley Smith for Betting at Monte
2730 An Indictment against Billy Thompson for Betting at Monte.
2731 An Indictment against Ben. Thompson for Betting at Monte.
2732 An Indictment against Bill Tony for Exhibiting Monte.
2733 An Indictment against Cayatana P. Toras for theft from a house.
2734 An Indictment against Andreas Toras and Cayatana Toras theft from a house
2735 An Indictment against Bill Tony for Betting at Monte.
2736 An Indictment against Matt. Woodlief for Exhibiting Monte.
2737 An Indictment against Matt. Woodlief for Betting at faro.
2738. An Indictment against Matt Woodlief for Carying Deadly Weapons
2739 An Indictment against Weston for Betting at Monte.
2740 An Indictment against Jas Wilson for Betting at Monte.
2741 An Indictment against Wm Wilson for Exhibiting Monte.

And said Jury having suggested there is still further business before them they were ordered to retire upon a discharge of the same

↓ 2905. F. H. Arlett v. S. B. Brush. And now at this day came the parties to this cause by their attorneys and announced ready for trial. And then came a jury of 12 good and lawful men of Travis county, consisting of E. S. Randell and eleven others who being tried, elected, empanelled and sworn according to law, heard the pleadings the evidence, argument of counsel and the charge of the Court, returned the following verdict, to wit: We the Jury find for the plaintiff in the sum of Seventy nine Dollars. E. S. Randell, foreman. Whereupon It is ordered that said F. H. Arlett do recover of the Defendant S. B. Brush said sum of Seventy Nine Dollars and the cost of suit in this

February 6th, 1893.

court and the Justices Court expended, for which execution may issue

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

February 6th, 1893

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

3119 The State of Texas vs. A. J. Hamilton. Continued by the Plaintiff

✓ 3383 Geo. W. Honey v. E.H. Chuick et al. Ordered upon motion, that the Defendants herein have leave to amend.

✓ 3551 D. Saunders and wife vs. P. Burchard. Comes now the clerk and asks the Court for a Rule against the plaintiff for security for cost. And it is ordered that the plaintiffs comply with said rule on or before the next term, plaintiffs attorney being notified.

✓ 2981. W.B. Philips v. A. A. Scroggin et al. Upon motion duly made It is ordered that the continuance entered in this cause on yesterday be set aside and vacated, and that the cause be heard.

✓ Jy. 3133 Jose Maria Garcia Villareal v. The State of Texas

And now on this day came the plaintiff by his attorneys and the Defendant also by counsel. And thereupon the attorneys for the Defendant moved a continuance of this cause to the next term of the Court — which, upon consideration, is overruled. And thereupon the counsel for the Defendant moved to dismiss this cause, which being heard and argued by counsel, It is ordered that the motion be sustained. Whereupon It is ordered that the said cause be and the same is hereby dismissed from the docket, that the Defendant go hence and that the State of Texas do recover against the said plaintiff and the security on his Cost bond, to wit: John L. Haynes, all the cost of this suit, for which execution may issue. And thereupon the counsel for the plaintiff excepts to said ruling of the Court, and gives notice in open Court of an appeal to the Supreme Court.

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

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

✓ 3298. Geo. W. Glasscock v. Jane H. Glasscock. Cause continued.

✓ 3390 H. J. Dutton v. M. H. Hamilton. Come the parties, and upon motion It is ordered that this cause be dismissed from the docket, that the Defendant go hence and recover of the plaintiff all the cost of this suit for which execution may issue.

✓ 3391 Mary H. Hamilton v. J.S. Randall et al. On motion It is ordered that this cause be dismissed from the docket, and that the plaintiff and the security, W. H. Bonner, pay all the cost

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of this suit, for which execution may issue.

1 3394 Irving & Lockett v. P. & G. M. Brass: Ordered, upon motion, that the Defendant have leave to amend his answer

1 3429 F. W. Suton v. H. H. Rice. And now on this day came the plaintiff by his attorney and claims a judgment by default. And because the Defendant has been cited by personal service, and failed to answer, and the cause of action being unliquidated, It is adjudged that the plaintiff recover of the Defendant according to the prayer of his petition, and that a writ of inquiry be awarded.

1 3432 C. F. Millett v. A. Scholz. And now on this day comes the plaintiff and claims a judgment by default. And because the Defendant has been cited by personal service, and failed to answer within the time prescribed by law, and the cause of action being unliquidated, It is ordered that the plaintiff recover of the Defendant according to the prayer of his petition, and that a writ of inquiry be awarded.

1 3452 Wm. Von Rosenberg v. Simon Manssina. And now comes the Pff. and claims a judgment by default. And because the Defendant has been cited by personal service, and fails to answer within the time prescribed by law, and the cause of action being unliquidated, It is ordered that the plaintiff recover of the Defendant according to the prayer of his petition and that a writ of inquiry be awarded.

1 3453. D. Sheeks v. Andrew Ker. Sr. et al. Continued for service.

1 3458 E. Marquize & Co. v. C. Asher. Comes now the plaintiff and suggests to the Court that the Defendant has gone into Bankruptcy.

1 3459 John J. Adams & Co. v. C. Asher. Comes now the plaintiffs and suggest to the Court that the Defendant has gone into

1 3461 M. C. Hamilton v. A. P. Blocker. Comes now the plaintiff and asks judgment by default. And because the Defendant has been cited by personal service and fails to answer within the time prescribed and plaintiff's cause of action being liquidated It is ordered that the said M. C. Hamilton do recover against the Defendant A. P. Blocker the sum of One hundred, Seventy Nine + 65/100 Dollars in coin with 12 per centum per annum interest thereon from this date till paid, and all the cost of this suit, for which execution may issue.

1 3469 A. B. Palm v. H. Chapman. Comes the plaintiff and claims a judgment by default. And because the Defendant has been cited by personal service and fails to answer within the time prescribed by law, and plaintiff's cause of action being liquidated It is ordered that the said A. B. Palm do recover of the Defendant H. Chapman the sum of Four hundred, Five + 89/100 Dollars in gold and all the cost of this suit, for which execution may issue.

1 3470 R. A. Smith v. B. J. Swenson et als. And now comes the Pff. and asks a judgment final by default. And because the Defendants have been cited by personal service and fails to

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answer within the time prescribed by law: and plaintiffs cause of action being liquidated It is ordered that said R. A. Smith do recover of the Defendants B. J. Swanson, W. E. Greggand A. B. Hill the sum of two hundred. Sixteen + 28/100 Dollars in coin, with interest thereon at the rate of twelve per centum per annum from this date till paid and all the cost hereof for which execution may issue

✓ 3472 J. W. Lawrence v. A. McKenzie et als. Continued for service

✓ 3473 Stewart & Main v. R. S. Bacon. On motion It is ordered by the Court that this cause be dismissed, and that the Defendant pay all the cost hereof to be taxed, for which execution may issue

✓ 3474 A. B. Palm v. J. W. Smart And now on this day came the Pffs and claims a judgment final by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law and wholly made default, It is ordered that A. B. Palm do recover against the Defendant J. W. Smart the sum of Five Hundred. Fifty + 3/100 Dollars in gold, with interest thereon and all the cost of suit, for which execution may issue.

✓ 3476 C. S. Cook v. Cain & Berry. Comes the plaintiffs and dismisses this suit as to the Defendant Berry who has not been served. And thereupon the plaintiff claims a judgment by default as to the Defendant Cain. And because said Cain has been cited by personal service and failed to answer within the time prescribed by law and wholly made default. And plaintiffs cause of action being liquidated, It is ordered that C. S. Cook do recover of the Defendant W. C. Cain the sum of One hundred and Nine Dollars in coin, with twelve per centum per annum interest thereon from date till paid and all the cost of suit, for which execution may issue

✓ 3482 M. C. Hamilton v. A. B. Giles et als And now on this day came the plaintiff and asks a Judgment final by default And because the Defendants have been cited by personal service and failed to answer within the time prescribed by law and wholly made default: and plaintiffs cause of action being liquidated, It is ordered that M. C. Hamilton do recover of the Defendants A. B. Giles, W. B. Giles and Geo. B. Zimpelman the sum of Seven hundred. fifty + 95/100 Dollars in Gold, with twelve per centum per annum interest thereon from date, and all the cost of this suit, for which execution may issue.

✓ 3483 M. C. Hamilton v. J. T. Gregg et als. And now on this day came the plaintiff and claims a judgment final by default: And because the Defendants have been cited by personal service and failed to answer within the time prescribed by law and made default: and plaintiffs cause of action being liquidated, It is ordered that M. C. Hamilton do recover of the Defendants J. T. Gregg, W. E. Gregg and A. C. Hill the sum of fifteen hundred eighty-five + 56/100 gold Dollars, principal debt and interest due upon the note sued on to date, with twelve

This judgment was set aside at this term of the Court on motion of Pffs Atty. for Pffs. R. A. Smith

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per centum per annum interest thereon from date till paid and all the cost of this suit, for which execution may issue.

√ 3487 E. Brenons v. M. B. McRae. And now on this day came the plaintiff and asks for a judgment by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law. It is ordered that said E. Brenons do recover of the Defendant M B McRae the according to the prayer of his petition and that a writ of inquiry be awarded.

√ 3488 James A Chandler v. W. J. Good et al. Comes the plaintiff and on motion It is ordered that this cause be dismissed from the docket and that the plaintiff pay the cost of the suit, for which execution may issue.

√ 3490 J. B. Banks v. Sam Hancock. Comes the plaintiff and asks for a judgment by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law: and plaintiffs cause of action being unliquidated. It is ordered that said J. B. Banks do recover of the Defendant Sam Hancock according to the prayer of his petition and that a writ of inquiry be awarded.

√ 3491 J. B. Banks v. Willis Bacon. Continued for service.

√ 3492 J. B. Banks v. Thomas Rhodes. Comes the plaintiff and asks for a judgment by default. And because the Deft. has been cited by personal service and fails to answer within the time prescribed by law and plaintiffs cause of action being unliquidated, It is ordered that the plaintiff recover of the Defendant according to the prayer of his petition and that a writ of inquiry be awarded

√ 3493. J. B. Banks v. Harry Banks. Comes the plaintiff and asks for a judgment by default And because the Defendant has been cited by personal service and fails to answer within the time prescribed by law: and plaintiffs cause of action being unliquidated. It is ordered that the plaintiff recover of the Defendant according to the prayer of his petition and that a Writ of Inquiry be awarded.

√ 3495. James R. Pace v. W. P. Bacon. Comes the plaintiff and asks for a judgment by default: and because the Defendant has been cited by personal service and failed to answer within the time prescribed by law: and plaintiffs cause of action being unliquidated, It is ordered that the plaintiff recover of the Defendant according to the prayer of his petition, and that a writ of Inquiry be awarded.

√ 3496 Ball Hutchings & Co. v. Nichols & Dunlap. Cont'd for service.

√ 3499 Sampson & Hendricks v. Roberts & Brazeall. Continued for service.

√ 3504 M. A. Taylor v. W. D. Glasscock. Comes the plaintiff and asks for a judgment by default. And because the Defendant has been

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cites by personal service and failes to answer within the time prescribed by law and the cause of action being unliquidated. It is ordered that the plaintiff recover of the Defendant according to the prayer of his petition and that a writ of Inquiry be awarded.

√ 3516 M. A. Taylor v. John Stringer. Comes the plaintiff and claims a judgment by default. And because the Defendant has been cites by personal service and failed to answer within the time prescribed by law and made default. And because the Plaintiffs cause of action is unliquidated It is ordered that the plaintiff recover of the Defendant according to the prayer of his petition and that a writ of inquiry be awarded

√ 3578 Harris Dudley & Co. v. G. W. Phelps. Comes the plaintiff and asks a judgment by default. And because the Defendant has been cites by personal service and failed to answer within the time prescribed by law and made default and Plaintiffs cause of action being unliquidated It is ordered that the plaintiff recover of the Defendant according to the prayer of his petition and that a writ of inquiry be awarded.

√ 3525. B. M. Odom v. W. S. Johnson. And now on this day comes the plaintiff and asks a judgment by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law and wholly made default: and plaintiffs cause of action being liquidated It is ordered that said B. M. Odom do have and recover of the Defendant W. S. Johnson the sum of two hundred and Ninety-five dollars in gold, principal and interest due upon the note sued on to this date, together with interest thereon at the rate of sixty per centum per annum from this date until paid and all the cost herein to be taxed, for which execution may issue.

√ 3532 Cecelia Townsend et al. v. John Dillingham. Comes the plaintiff and claims a judgment by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law: It is ordered that the plaintiffs recover of the Defendant according to the prayer of his petition and that a writ of inquiry be awarded.

√ 3536 Miller & Dowell v. A. H. Dongley et al. Continued for service.

√ 3543 B. M. Odom v. A. H. Dongley. Continued for service.

√ 3544. Sinton & Hirshfield v. Anthony Edwards. And now on this day come the plaintiffs and ask for a judgment by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law It is ordered that the plaintiffs do recover of the Defendants according to the prayer of his petition and that a writ of inquiry be awarded.

√ 3551 D. Sanders & wife v. P. Burchard. Continued for service.

√ 3569 D. V. Spring v. J. C. Coggins. Continued for service.

√ 3570 Jno. G. Rost & Co. v. H. F. Mathews et al. Continued for service.

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Grand Jury. And now on this day came into Court the Grand Jury of Travis County duly tried, elected, empannelled, sworn and charged for and during the present term of this Court, and through their foreman, S. G. Kingsbury, presented to the Court the following Bills of Indictment, to wit:

2742 An Indictment against Jno. Evans for Betting at Monte.
2743 An Indictment against Frank Gordon for theft from a house
2744 An Indictment against Green, a col'd man, for Exhibiting Monte.
2745 An Indictment against Jo. Hallam for Betting at Monte.
2746 An Indictment against Jo. Hallam for Betting at Monte.
2747 An Indictment against Aaron Robinson for Exhibiting Monte.
2748 An Indictment against Jo. Hallam for Betting at Monte.
2749 An Indictment against A. J. Lyon for theft of Steer.
2750 An Indictment against Jo. Hallam for Betting at Monte.
2751 An Indictment against Bill Rodgers for Exhibiting Monte.
2752 An Indictment against Jack Wilson for Playing Cards in a Public Place
2753 An Indictment against Dutch Dock for Playing Cards in a Public Place
2754 An Indictment against Sam Evans for Exhibiting faro
2755 An Indictment against Jimmie Rands for Exhibiting Monte.
2756 An Indictment against Maroney for Exhibiting Monte.
2757 An Indictment against Chas. Stranowbach for Betting at Monte.
2758 An Indictment against McLennan for Exhibiting Monte.
2759 An Indictment against Billy Robinson, col. for Betting at Monte.
2760 An Indictment against A. J. Lyon for theft of Beef Steer.
2761 An Indictment against Clark. Goodrich for Betting at Monte
2762 An Indictment against Aaron Robinson col. for Exhibiting Monte.
2763 An Indictment against Jonie a colored man for Exhibiting Monte.
2764 An Indictment against Ed. Wilkerson for Betting at Monte
2765 An Indictment against Ed. Wilkerson for Betting at Monte.
2766 An Indictment against Ed. Wilkerson for Betting at Monte.
2767 An Indictment gainst Dick Patterson for Betting at Monte
2768 An Indictment against Jo. Hallam for Permitting cards to be played in his house.
2769 An Indictment against Wm Benton, col for theft of Yoke of Oxen.
2770 An Indictment against Mack Hawes col for Betting at Monte.
2771 An Indictment gainst James Gilmore for theft of Barrel of Wine.

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

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

February 8th 1873

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

Petit Juries. Ordered that the Clerk issue Certificates of Service to the following named jurors for service during the present week of this Court to wit:

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1 Geo Giles $12= 7. W. A Buckhaus $12. 13 J. D. Doxey $12 19 S G Britton $12
2 John Sneed $12= 8. Chas Robinson $12 14. Henry Vogt $12 20 Jacob Jackson $12
3 T. W. Givans $12. 9. Robt. Holman $12. 15. W. S Barnes 21 Julius Maxwell $12
4 C G. Palm $12 10. Wm Gilson $12 16 R. C Hart $12 22 DeWitt Robinson $12
5 J. Brown 11. B. R Townsend 17. Roger Blount 23. Clay Eanes $12
6 Wade Henry 12 E. S Randell 18. Tom Bowles 24 King Hutchison $12.
23 Ed. Parker $2. 26. L Cross $2= 27. Geo W. Helton $2. Geo Miller $2.

3577 James E Rector Vs P DeCordova et In the District Court Travis County
the day of February AD 1873.

This day comes the plaintiff in the above entitled cause by his atty and it appearing to the Court now here that this cause has been duly referred according to the Statute in such case made and provided to David Sheeks and James P McKinney as arbitrators selected by the parties, and Fred W Moore selected by said arbitrators as umpire, to hear and determine, and that the report of said Arbitrators and Umpire has been filed. Whereby they award as follows to wit;

The Undersigned D Sheeks & James P McKinney arbitrators, selected by P DeCordova & J E Rector to settle the questions in dispute between them arising out of their late partnership under the firm name of DeCordova & Rector as per written agreement between them duly recorded in the Clerks office in Travis County, & Fred W Moore, Umpire selected by said arbitrators, to settle the Matters in Controversy between them, having heard the parties fully & having given full and patient hearing to all things advanced by either party litigants, have found awarded and decreed as follows.

	Cy	Coin
1st. P DeCordova has drawn from the firm	728.49	189 06
J E Rector " " " " "	385.31	172 73
Difference of accounts in favor of Rector	343.18	168 93

We therefore award and decree that P DeCordova shall pay to J E Rector One hundred and seventy one & 59/100 dollars Currency & Eighty four & 46/100 Coin to make their accounts equal.

2nd. The accounts heretofore existing between the firm of DeCordova & Rector & E Feidler, & between the firm & Lowery have been transferred to P DeCordova & were included in the above statement of his account, DeCordova is therefore Charged with the settlement of each of them without any right of reclamation on Rector for either of them.

3rd The following accounts due the late firm have been Charged to DeCordova in the foregoing statement of his account, they are therefore his individual property, & When Collected the Money will belong to him alone, Viz. D B Clarkson 5# Coin. D Beall 10# Coin. James Cockerell 33 41 Currency & James B Shaw 20 25 Currency.

4th The following debts due by the late firm to the parties named are included in the foregoing Statement of DeCordova's account are assumed to be paid by him, and are therefore his individual obligations which he is bound to pay. Viz: Mrs H Bigelow $16 97 Cy. D W L Dennison 38# Currency & A R Crozier 8 40 Currency & 30# Coin

5th The following debts due to the firm of DeCordova & Rector have been

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have been assigned by us to J. E. Rector for collection, when collected, one half the amount so received is to be paid over by him to De Cordova, viz; Imperial Fire Insurance Co $24.25 Currency, A & H Laws $94.24 Currency, Steward & Barziza $10 Currency, Fred Carleton 15¢ Coin Jno R Gentry $178.22 Currency.

6th. The following accounts due the late firm have been assigned by us to P De Cordova for collection, when collected by him one half the amounts so collected are to be paid over by him to Rector viz. Whitney $251 Currency, H Barton $15.22 Currency A J Hamilton $84.25 Coin, John Henry Brown $10. Coin.

7th. The account of 20 ℔ Currency due by W T Ford is transfered equally 10 ℔ of it to each De Cordova & Rector & each collect his own 10 ℔ of the account as he thinks best.

8th. There is an unsettled account between the late firm & Stanley & another with House both of Houston. De Cordova is to settle & adjust there accounts & recover from Rector one half the amounts he may pay in doing so, and also one half the amounts he may heretofore have paid, not to exceed $24. to either of them, and which are not included in the accounts now stated by us. De Cordova shall also pay over to Rector one half of any amount which he may receive from either of the parties, named in said Settlements.

9th There is due by the late firm 125.27 Currency to Timothy Kimball having been retained in their hands to pay back taxes on lands sold by the firm for said Kimball. Either party may settle one half of this debt by paying over the proper amount into the Gen'l Land Office, or Comptrollers Office, or to the party purchasing the lands, & thereupon, the other party shall be bound to settle properly the the other half, or either party may settle the whole amount as above indicated & shall thereupon have the right to recover from the other party one half the amount of the Money paid by him in said Settlement.

10th The following Amounts are claimed by the parties named, as being due them by the late firm but their correctness is not admitted by Cordova = If either party is hereafter Coerced by law to pay either or both these amounts in whole or in part, or shall pay them wholly or in part with the Consent of the other party, then such other party shall pay to the party paying, one half the Amounts so paid by him - Or either party may pay or settle one half the amounts claimed, and thereupon the other party shall be bound to pay the other half, if its payment is enforced by law, and shall be bound to pay all cost which may be incurred by reason of his failure or repusal to settle the same on demand, Viz Geo H Sweet 56 ℔ Currency, Illinois Land Journal 10 ℔ Currency.

11th There is a receipt of the late firm out to a soldier, for a claim left with the firm by him for sale, for one hundred dollars currency, as Rector sold this Claim, and holds the Money, it is decreed that he Rector shall settle this Claim with said Soldier whenever

whenever he makes demand for it, & shall not have any reclamation on De Cordova for any part thereof.

12th The following lands held by the firm or claimed by De Cordova, are decided to be the joint property of the late firm one half & each of the partners, to wit; 640 acres Southern P.R.R. certificate located in Bexar District, 106 2/3 acres located in Coleman County, & being the land obtained by the firm for locating a 320 acre certificate for — Murrah, and the locative interest of 1/6 of one half league of Land located for Angus McNeill for Mrs Rivers in Williamson County by the firm, & known to the partners as the O'Doherty half league.

13th All other interest title or claim in and to lands obtained by De Cordova during the partnership of De Cordova & Rector, so far as the same have been furnished to us, we decide and decree to be the sole property of said De Cordova.

14th The following named unsettled land matters which were in the hands of the firm at the date of its dissolution, but which were not completed, shall be attended to as set forth in each case below the heading which we give them being the designation by which each party will know & recognize them. Viz;

1st Mathew H Shell. 1280 acres in Trinity County in Suit, Rector is to attend to this matter & divide the fee recovered with De Cordova, one half to himself & one half to De Cordova.

II R G W Jewell 1500 acres of land, De Cordova abandons all claim to this land, and it is therefore awarded to Rector, who take his own course in the matter.

III Hartley — Morehead Patent — De Cordova is to attend to this Matter and divide equally between himself & Rector whatever he recovers.

IV Ayerck's league of land. De Cordova is to collect a fee of $1 & coin if possible in this Matter and pay over one half the amount collected to Rector.

V Gaines Matter De Cordova is to attend to this Matter & collect if possible a fee of 50 % Currency, & pay one half the amount Collected to Rector.

VI Any and all expenses actually paid out by either party in prosecuting the claims above referred to as unsettled land Matters shall be deducted by the party collecting from the amount collected by him & he shall divide only the remainder equally with the other party — Where the fee collected is in lands, then each party shall pay one half the expenses actually incurred by the other party in recovering such fee, & shall have one half the land recovered.

VII Should any of these land Matters above refered to as unsettled, remain till the first day of January A.D 1874, then each party shall assist equally in closing them up, and on the refusal or faiure of either party to do so, then the other party may prosecute the same alone & shall have the whole of the fee recovered, and shall pay all expenses incurred in doing so.

15th. De Cordova is to have the right to withdraw from the papers of De Cordova & Rector in the presence of Rector & one or both of the Arbitrators all letters or papers refering to the business of parties for whom

he is now acting as agent, and to cut from the letter books all accounts or Copies of accounts between himself as assignee of the Estates of Bankrupt when this is done, all other papers, letters, books &c of the firm shall be left in the Custody of Rector until the 1st day of January A.D. 1874 (except the two books, a journal and Ledger of accounts of the firms made up Chiefly by de Cordova. These two books shall be kept & held by Rector for 60 days only from the date of this award, & shall then be delivered up to de Cordova, with the right reserved to de Cordova to visit either by agent or in person, the Office of Rector at any time in busines hours, during this period, and examine and Copy any papers, books, accounts & Memorandums of the said firms de Cordova & Rector. On the first day of January A.D. 1874. Rector shall deliver up to said de Cordova, all Gra of said Books, letters, papers &c belonging to the said firm of de Cordova & Rector, first selecting and taking therefrom, in the presence of said de Cordova or his agent, such letters and papers as refer solely to the business of any party for whom the said Rector may then be acting as agent, & forever thereafter such papers books &c, shall remain in the Custody of said de Cordova with the privilege reserved to Rector to visit said de Cordova's Office either in person or by agent at all times during business hours, & to copy examine or inspect any of said books letters, papers &c, including the two books to be delivered in sixty days.

16th The following accounts claimed as being due the firm are assigned to said Rector, and any Money he may Collect on them shall be his own Money alone, Viz; Mrs Eyler 15 ℔ Currency, Goodloe 275 ℔ Cu Cabanas $36 50/100 Coin, Miller & Sayres $2 50 Coin, McCarty 3 25 Coin

17th The following accounts claimed to be due the firm are assigned to de Cordova and any Money Collected by him on them shall be his alone, Viz; Darhil 25 ℔ Coin, Weir 15 ℔ Coin, Robertson 250 ℔ Co Douglass 12 ℔ Coin, Galpin 20 ℔ Coin, Fisher 20 ℔ Currency, McMann 25 Currency, Hoyt 10 ℔ Currency, Buckholts 10 ℔ Currency, Allen 15 ℔ Currency McNeill 5 ℔ Currency, Ragram 5 ℔ Currency, Long 4 95 Currency, Robin 10 ℔ Currency.

18th It is decreed by the arbitrators & Umpire that the foregoing Statement includes all Matters heretofore in dispute between Decordova & Rector arising out of their partnership business, and that so far as all matters and things in dispute growing out of said partnership are concerned or in any way affected, the same shall be considered finally settled & disposed of as between them by this award, and neither DeCordova nor Rector, shall hereafter set up any Claim against the other as arising out of their late partnership, except such as are herein referred to and provided for, & then only in accordance with the terms of this award

19th It is decided and decreed by the Arbitrators and Umpire that the Sum of two hundred dollars Coin shall be paid by de Cordova & Rector an equal Sum by each to the Arbitrators for their services in this arbitration, the receipts for which shall be signed by both the arbitrators whether paid by DeCordova or Rector.

Dated this January 22nd 1873. Jas P McKinney

Feleruary 8th 1878

David Sheeks, Arbitrators, Fred W Moore Umpire.

And the parties having agreed by writing filed that said Award should be made the judgment of this Court without right of appeal, It is therefore Considered and adjudged by the Court, that the award as aforesaid be and the same is entered as the judgment of this Court, and that the plaintiff accordingly do have and recover of the defendant the sum of one hundred and seventy one dollars and fifty nine cents in lawful Currency and the further sum of Eighty four dollars and forty six cents in gold or Silver Coin together with interest on the said sums from the 22d day of January A D 1873 at eight per cent per annum & all his costs in this behalf expended, and that he have execution therefor.

Grand Jury — And now on this day Came into Court the Grand Jury of Travis County duly tried, elected, empannelled, Sworn and Charged for and during the present term of this Court, and through their foreman S G Kingsbery presents to the Court the following bills of indictment, to wit.

2772 An Indictment against Gus Evans (Col) for Betting at Monte
2773 an Indictment against Bill Miller (Col) for Betting at Monte
2774 an Indictment against ~~Larkin~~ Lock " Betting at Monte
2774 an Indictment against Frank Cooke " Betting at Monte
2776 an Indictment against Jim Mose " Betting at Monte
2777 an Indictment against Charles Horst " Betting at Monte
2778 An Indictment against Squire Johnson " Betting at Monte
2779 An Indictment against Jhack Ware (Col) " Betting at Monte
2780 An Indictment against Tom Fisher (Col) " ~~Dealing~~ Monte
2781 An Indictment against Dick Brodie (Col) " Betting at Monte
2782 An Indictment against Larkin & Lock " Betting at Chuck Luck
2783 An Indictment against Jo Myers " Betting at Chuck Luck
2784 An Indictment against Bob Roberts " Betting at Monte
2785 An Indictment against Bud Ware (Col) " Betting at Monte
2786 An Indictment against Ed Wilkerson " Betting at Monte
2787 An Indictment against Shepherd " ~~permitting~~ Monte &c
2788 An Indictment against Shepherd " Permitting Chuck Luck &c
2789 An Indictment against Smith Howell " Theft from a house
2790 An Indictment against Harry Bennus (alias Wild Harry) Theft from a house
2791 An Indictment against Virgil Comer " Theft of Gelding

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

3450 C. H. Fox v. Amelia Fox Comes the plaintiff by attorney, and upon motion duly made, It is ordered that the said plaintiff have leave to amend.

3475. M. C. Hamilton v. T. F. Mitchell and R. A. Smith. And now on this day comes the plaintiff and claims a judgment final by default. And because it appears that the Defendants have been cited by personal service and have failed to answer within the time prescribed by law: and plaintiffs cause of action being liquidated, It is ordered that M. C. Hamilton do have and recover

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of the Defendants T. F. Mitchell and R. A. Smith the sum of four thousand five hundred, thirty five and $\frac{25}{100}$ coin dollars, principal debt and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from this date until paid, and all the cost of this suit, for which execution may issue.

3497 Peter Smith v C. H Tinney. Comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law, and wholly made default. And plaintiffs cause of action being liquidated, It is ordered that Peter Smith do recover of the Defendant C. H Tinney the sum of One hundred forty-eight & $\frac{37}{100}$ Dollars principal debt and interest due upon the note sued on to this date and all the cost hereof to be taxed, for which execution may issue.

3500 M. A. Taylor v. Wm J. Cloud. Comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law, and wholly made default. and plaintiffs cause of action being liquidated, It is ordered that M. A. Taylor do have and recover of the Defendant Wm J Cloud the sum of One hundred, fifty & $\frac{03}{100}$ Dollars in coin, with ten per centum per annum interest thereon from this date until paid and all the cost hereof to be taxed, for which execution may issue.

3501 M. A. Taylor v. Jackson Thompson. Comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law, and wholly made default. And plaintiffs cause of action being liquidated, It is ordered that M. A. Taylor do have and recover of the Defendant Jackson Thompson the sum of Two Hundred, Seventy-Six and $\frac{50}{100}$ Dollars, with ten percent. per annum interest thereon from this date until paid and all the cost hereof to be taxed, for which execution may issue.

3502 M. A Taylor v. Maachero Brown. Comes the plaintiff and claims a judgment by default. And because Defendant has been legally cited and failed to answer and wholly made default and the cause of action being liquidated It is ordered that M. A. Taylor do have and recover of the Defendant Maachero Brown the sum of One hundred and fifty-One Dollars, debt and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from this date until paid and all the cost of this suit, for all which execution may issue.

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3508 T. E. Cater v. Wm Clements. Comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service, and failed to answer within the time prescribed by law and wholly made default: and plaintiffs cause of action being liquidated It is ordered that T. E. Cater do have and recover of the Defendant Wm Clements the sum of One hundred eighty Six & 23/100 gold dollars, principal debt and interest due upon the note sued onto this date, with ten per centum per annum interest thereon from date until paid and all the cost of the suit for which execution may issue

3520 F. W. Sutor v. James Dieterich et al. Comes now the plaintiff and claims a judgment final by default. And because the Defendants have ~~been~~ accepted service of plaintiffs petition and failed to answer within the time prescribed by law and wholly made default: and the cause of action being liquidated It is ordered that F. W. Sutor do recover of said James Dieterich and J. W. Whipple the sum of Nine hundred, Seventy One & 31/100 gold dollars principal and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from date till paid and all the cost of the suit for which execution may issue.

3521 F. W. Sutor v. Thomas Dieterich et al. Comes now the plaintiff and claims a judgment final by default. And because the defts. have accepted service of plaintiff's petition and failed to answer within the time prescribed by law: and plaintiff's cause of action being liquidated, It is ordered that said F. W Sutor do have and recover against the Defendants Thomas Dieterich and J. W. Whipple the sum of One thousand Sixty-Six & 20/100 gold dollars, principal debt and interest due upon the note sued on to this date with ten per centum per annum interest thereon from this date until Paid and all the cost of this suit for which execution may issue

3524. Heidenheimer Bros. v. S. N. Speer. And now come the plaintiffs and claim a judgment final by default. And because the Defendant has been cited by personal service, and failed to answer within the time prescribed by law and wholly made default. And plaintiffs cause of action being liquidated It is ordered that Heidenheimer under the firm name of Heidenheimer Bros do recover of the Defendant S. N. Speer the sum of Onehundred, Sixty-three & 100 gold dollars principal debt and interest due upon the note sued onto this date and all the cost in this behalf laid out and expended, for all which execution may issue against the Defendant.

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✓ 3537. Nancy E Moore v. Carl Zimmerman & Co Comes the Pefft. and claims a judgment final by default. And the Defendant having been cited and failed to answer within the time prescribed by law and wholly made default. And the cause of action being liquidated It is ordered that said Nancy E. Moore do recover against Carl Zimmerman the sum of two hundred, and $\frac{83}{100}$ Dallars, with five per centum per annum interest thereon from this date until Paid and all the cost of this suit, for all which execution may issue

✓ 3541. C R Johns & Co. v. L. N. Speer. Comes the plaintiffs and claim a judgment final by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law and made default and the cause of action being liquidated It is ordered that said C. R. Johns, T. Everett and W. von Rosenberg under their firm name of C. R. Johns & Co do recover of the Defendant L. N. Speer the sum of two hundred thirty six + $\frac{13}{100}$ Dallars principal debt and interest thereupon the rate sued on to this date, with 10 per centum per annum interest thereon from this date until paid and all the cost hereof to be taxed for which execution may issue.

✓ 3557. S. T. Suit & Co. v. N. B. Mitchell. Comes the plaintiff and claims a judgment final by default And the Defft. having accepted service and failed to answer within the time prescribed by law and wholly made default And the cause of action being liquidated It is ordered that said Saml T. Suit and Jordan Stokes under their firm name of S. T. Suit & Co. do recover of the Defendant N. B. Mitchell the sum of two hundred, twelve + $\frac{20}{100}$ Dallars debt and interest thereupon the rate sued on to this date, and all the cost of this suit, for which execution may issue.

✓ 3578. M. A. Taylor v. H. B. Withers. Comes the plaintiff and claims a judgment by default. and because the Defft has accepted service of the plaintiffs petition and failed to answer within the time prescribed by law and wholly made Default, It is ordered that a writ of inquiry be awarded.

And Court adjourned till Monday morning at 9 o'clock.

Monday February 10th 1893

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

Feberuary 10th 1873.

3148 R. N. Lane vs. G. W. Hetten et als. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of W. Gibson and eleven others, duly tried, elected, empannelled and sworn according to law, who having heard the evidence, argument of counsel and the charge of the Court retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiff in the sum of three thousand dollars, with interest at the rate of eight per cent. per annum from the 1st January, 1869, to present time. W. Gibson, foreman." Whereupon It is ordered by the Court that the plaintiff R. N. Lane do recover of the Defendants Gustavus William Hetten, Franz Moran, Theodor Koester & John F. Torrey the sum of three thousand dollars, with interest thereon at 8 per centum per annum from the 1st January, 1869, together with all the cost of this suit to be taxed, for which execution may issue.

3150 W. A. Shaw et al v. John Norwood et als. Cause continued.

3152 Horace Doughton v. E. C. Dewey. Come the Parties by their attorneys and on motion It is ordered that this cause be dismissed from the docket, and that the Defendant pay all the cost hereof to be taxed, for which execution may issue.

3194 Antonio and Jesus Yzaguirre v. The State of Texas. And now come the plaintiffs and upon motion in open Court It is ordered that said plaintiff have leave to amend.

3405 The State of Texas v. R. S. M. A. dela Pulles Estate. It is ordered that the Clerk do issue a Notice for publication, in this case, setting forth the nature of this proceeding, notifying all persons interested, of the same, and requiring them to appear and shew cause why the land described in the pleading should not be escheated to the State of Texas.

3406 B. Rackey v. John G. James. Ordered, upon motion, that this cause be dismissed, and that the plaintiff pay all the cost of this cause, for which execution may issue.

3450 G. H. Fox v. Amelia Fox. And now on this day came the plaintiff, and upon motion duly made It is Ordered that the Sheriff be allowed to amend his return made upon the citation issued and returned in this cause.

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

Feberuary 11th, 1873.

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

February 11th 1873.

Dd. G. M. Brass. Ordered that G M. Brass be fined ten dollars for failing to attend as a juror when his name was called, and that a commitment issue to collect the same.

2728 W. H. Morris v. J. W Sexton. Comes the plaintiff and asks for a judgment by default against the garnishee. And it appearing that said Sexton has been duly cited in this cause and has failed to answer within the time prescribed by law and wholly made default, It is ordered that said W. H. Morris do recover of said J. W. Sexton according to his writ of garnishment and that a writ of inquiry be awarded.

3379 G. R. Johnston & Co. v. Unknown Heirs of Wm Horntz. Comes the Pltff and on motion duly made It is ordered that the Sheriff have leave to amend the return upon the citation issued, and notice in this cause.

3507 M. A. Taylor v. D. Clements. And now on this day came the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law and wholly made default, It is ordered that the said M. A. Taylor do recover of the Defendant D. Clements the sum of One hundred Sixty Eight + 73/100 Dollars in Specie, principal debt and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from date till paid, and use the cost of this suit, for which execution may issue.

3544 Suter & Hirshfeld v. Anthony Edwards. And now on this day came the plaintiffs and announced ready for trial: and then came a jury of twelve good and lawful men of Travis county, consisting of D. F. Waddell and eleven others, duly tried, elected, empannelled and sworn, who having heard the evidence, and the charge of the Court returned the following verdict, to wit: "We the Jury find for the Pltfs. in the sum of $167 61/100 Coin dollars. D. F. Waddell, foreman." Whereupon It is ordered that said F. W. Suter and H. Hirshfeld, under their firm name of Suter & Hirshfeld, do have and recover of the Defendant Anthony Edwards the sum of One hundred Sixty Seven + 61/100 Dollars in Coin and use the cost of this suit, for which execution may issue. And it appearing that the following described property has been levied upon by writ of attachment to wit. 3 bales of Cotton, marked thus A I I, and 2 Bales (500) lbs more or less: less 276 lbs in the suit. And it is ordered that an order of sale do issue requiring the Sheriff of Travis county to levy upon and sell as under execution the above described property and apply the proceeds thereof to the satisfaction of the principal, interest and cost of this suit.

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3578 M. A. Taylor v. H. C. Withers. And now on this day came the plaintiff and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of H. Hirshfeld and eleven others, duly tried, elected, empannelled and sworn, who having heard the pleading, the evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the plaintiff for the sum of One hundred & forty one Dollars gold as prayed for & cost of suit. H. Hirshfeld. foreman." Whereupon It is ordered that said M. A. Taylor do recover of the said H. C. Withers the sum of One hundred and forty one dollars in gold and the cost of the suit, for all which execution may issue.

3138. Adelato Garza et als v. The State of Texas. And now on this day came the parties to this cause by their attorneys and announced ready for trial, And the Defendants counsel submitted their motion to dismiss the cause. And the same being heard by the Court and duly considered, It is ordered that said motion be sustained. Whereupon It is ordered by the Court that the said plaintiffs take nothing by their suit. that the cause be and the same is dismissed from the docket and that the plaintiffs and the security on their cost bond, to wit: John L. Haynes, pay all the cost to be taxed, for which execution may issue. And the plaintiff gives notice of an appeal to Supreme Court And Court adjourned till to-morrow 9 A.M.

February 12th, 1873.

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

3429. F. W. Sutor v. H. H. Rice. And now on this day came the plff by attorney and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county consisting of J. H. Washington and eleven others, duly tried, elected, empannelled and sworn, who having heard the evidence, argument of counsel and the charge of the Court, returned the following verdict to wit: "We the Jury find for plaintiff the sum of $85 1/100 Eighty five + 31/100 lawful Dollars. J. H. Washington, foreman." Whereupon It is ordered that the plff. F. W. Sutor, do have and recover of the Defendant H. H. Rice the sum of Eighty five + 31/100 lawful Dollars and the cost to be taxed for which execution may issue.

2966. W. A. Morris v. Reuben Shelby et als. On this day came a Jury of twelve good and lawful men of Travis County, to wit: D. F. Waddell and eleven others, who after being duly empanelled, tried and sworn, and after hearing the evidence, introduced by the plaintiff and the charge of the Court, retired to consider of their verdict, in accordance with

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the judgment by default and writ of inquiry entered up at a previous term of this Court against the Defendants A.B. Brown, Adm'r. of the estate of Reuben Shelby, deceased, R.G. Tileston, E.W. Tharp and D. Corwin, and upon consideration said Jury returned into Court the following verdict, to wit: "We, the jury, find for Plaintiff the sum of four thousand eight hundred and Ninety Dollars and Sixteen cents. D.F. Waddell, foreman."

It is therefore considered and adjudged by the Court that the Plaintiff W. A. Morris do have and recover of and from the said A B Brown Adm'r of the estate of Reuben Shelby, deceased, R. G. Tileston, E. W. Tharp and D Corwin endorser the sum of four thousand eight hundred and Ninety Dollars and Sixteen Cents, and all costs of suit, for which execution may issue against said Defendants Tharp, Tileston, and Corwin. And it is further ordered that said sum of $4890.16 be established as a valid and subsisting claim against the estate of said Reuben Shelby, Deceased, said Judgment to bear eight per centum per an. interest from d

3241 Scheck & Berkson v. Rome & Dawson. Continued by consent.

3259 Wm Neese v. Risher & Hall. Come now the parties and it is suggested that the Defendant C. K. Hall has departed this life

3265 Scheck & Berkson v. D. Newman. Cause continued

3266 Scheck & Berkson v. D. Newman. Cause continued

3424 T.L. Odom v. G.M. Brass. Ordered, upon motion, that the plaintiff in this cause have leave to amend the petition.

3457 Charles W. Hill v. J. Lancaster. And now on this day came the parties by their attorneys and upon motion made It is ordered that the matters in dispute herein be referred to J. T. Fullmore as Auditor

3538 Houston and Texas Central Railway v. Fred. Carleton Continued.

Grand Jury. And now on this day appeared in open Court the Grand Jury of Travis county, duly tried, elected, empannelled and sworn for and during the present term of this Court and through their foreman, D. G. Kingsbury, presented to the Court the following proceedings Bills of Indictment, to wit:

2792 An Indictment against Elijah Eagle for Using an Estray mare

2793 An Indictment against Ambrose, a tall yellow man for Betting at monte

2794 An Indictment against Davis for Selling Lottery tickets

2795 An Indictment against Davis for Selling Lottery tickets

2796 An Indictment against Davis for Establishing a Lottery

2797 An Indictment against Davis for Selling Lottery tickets

2798 An Indictment against John Lenard for theft from house.

2799 An Indictment against August Otto for Assault and Battery.

2800 An Indictment against Andrew Jackson for theft from house.

2801 An Indictment against Andrew Coleman for theft from a house

2802 An Indictment against Maigueto Spinosa for Assault and Battery

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2803 An Indictment against Samuel Hickman for theft from a house.
2804 An Indictment against William Dixon, col. for Betting at Monte.
2805 An Indictment against Jim Lawrence for Selling Lottery tickets.
2806 An Indictment against Jim Lawrence for Establishing Lottery
2807 An Indictment against James Lawrence for Selling Lottery tickets
2808 An Indictment against James Lawrence for Selling Lottery tickets
2809 An Indictment against Neville for Selling liquor without License
2810 An Indictment against Neville for Selling liquor without License
2811 An Indictment against West. Earnest for Betting at Monte.
2812 An Indictment against Peter Bratton for Betting at Monte.
2813 An Indictment against Ed. Lightfoot for Exhibiting Monte.
2814 An Indictment against Ed. Lightfoot for Betting at Monte.
2815 An Indictment against Ed. Lightfoot for Playing Cards in a Public Place.
2816 An Indictment against Smith Howell for theft of horse.
2817 An Indictment against Smith Howell for theft from house.
2818 An Indictment against John Johnson for Receiving Stolen Property.
2819 An Indictment against James Davidson for Embezzlement
2820 An Indictment against James Davidson for Embezzlement.
2821 An Indictment against James Davidson for theft of Carbines
2822 An Indictment against James Davidson for Embezzlement
2823 An Indictment against James Davidson for theft of Carbines

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

√ 3193 Pablo Garza et al. v. The State of Texas. And now on this day came the parties to this cause by their attorneys and announced ready for trial. And the motion of the Counsel for the Defendants to dismiss the cause coming on to be heard and the pleading and evidence being heard, and duly considered, the motion is sustained. And thereupon it is ordered that the said cause be dismissed from the docket. and that the said plaintiffs take nothing by their suit. and that the plaintiffs and the security on their cost bond, to wit. John L. Haynes, pay all the cost of this suit, for which execution may issue. And thereupon the said plaintiffs give notice, in open Court, of an appeal to the Supreme Court.

√ 3194 Antonio Jesus Yzaguerre v. The State of Texas. And now on this day came the parties by their attorneys and announced ready for trial. And thereupon the motion of the Counsel for the Defendant to dismiss the cause for want of title papers accompanying the petition, coming onto be heard, and the same being duly considered, It is ordered that said motion be sustained. And thereupon It is ordered that said plaintiffs take nothing by their said suit; that the cause be dismissed, and that said plaintiffs and the security on their cost bond, to wit. John L. Haynes, pay all the cost of this suit, for which execution may issue. And thereupon the said

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plaintiffs give notice, in open Court, of an appeal to the Supreme Court.

3195 Theodosio Sanches et al v. The State of Texas Now on this day came the parties to this cause by their attorneys and announced ready for trial And thereupon the Counsel for the Defendant upon the pleading and evidence submitted this motion to dismiss the cause. And upon a consideration of the same and hearing of the case It is ordered that the said plaintiffs take nothing by reason of their suit. that the cause be dismissed from the docket: and that said plaintiffs and the security on their cost bond, to wit: John D. Haynes, pay all the cost of this suit, for which execution may issue. And thereupon the counsel for said plaintiffs give notice, in open Court, of an appeal to the Supreme Court.

3197 Rafael Uribe v. The State of Texas And now on this day came the parties to this cause by their attorneys and announced ready for trial. And thereupon the Counsel for the Defendant submitted his motion to dismiss the cause for want of an affidavit of the claimant. And the same being heard and duly considered, It is ordered that the motion be sustained; that the cause be dismissed: and that the plaintiff and the security on his cost bond, to wit: John D. Haynes, pay all the Cost of this suit, for which execution may issue. And thereupon the plaintiff, by attorney, gives notice, in open Court, of an appeal to the Supreme Court.

3198 John D. Haynes. Aff. &c. v. The State of Texas. Continued.

3201 Nieves Villareal v. The State of Texas. And now on this day came the parties to this cause by their attorneys and announced ready for trial. And the Court having heard the evidence and duly considered the same, gives Judgment for the Defendant. And thereupon It is ordered that the plaintiff take nothing by his suit. that the cause be dismissed, and that said plaintiff and the security on his cost bond, to wit: John D. Haynes, pay all the cost of this suit, for which execution may issue. Whereupon the plaintiff gives notice in open Court of an appeal to the Supreme Court.

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

February 13th, 1873.

Court met at 9 o'clock A.M. Pursuant to adjournment Present Hon. J. P. Richardson, Judge 27th Judicial Distirct Presiding. And thereupon the following proceedings were had by said Court, to wit

3136. Roberto Barrza et al vs The State of Texas. In this case appeared the plaintiffs by their Attorneys, and the State of Texas by William Alexander, Attorney General, and announced themselves ready for trial. After hearing the evidence introduced by the plaintiff and by the Attorney General, for the State of Texas, and the argument of Counsel, and the same having been fully considered by the Court

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Because it is the Opinion of the Court that the law and the facts establishes the title of the plaintiffs to the land set out and described in plaintiffs petition. It is therefore Ordered adjudged and decreed by the Court that the plaintiff Roberto Garza for himself and the other heirs and devisees of Ildefonso Ramires deceased the Original Grantee of the land described in the plaintiffs petition do have and recover from the State of Texas, the land sued for in this action, situated and described as follows. In Hidalgo County being Porcion No 79 as described in the act of Visit Made by a Royal Spanish Commission in 1767. to the town of Reynosa and by said Commission granted to Ildefonso Ramires. It is further Ordered adjudged and decreed by the Court that the State of Texas be and is by virtue of this judgment and decree divested of all right title interest and claim in or to the aforesaid tract of land, and the same is hereby fully vested and confirmed in the plaintiff Roberto Garza, and the other legal heirs and devisees of Ildefonso Ramires. It is further Ordered Adjudged and decreed by the Court that the State of Texas do have and recover of and from the plaintiff Roberto Garza and his securities all the costs of this suit including the Attorney Generals fee, for all which execution may issue, all of which is ordered adjudged and decreed by virtue of an act of the Legislature of the State of Texas, entitled," An act to ascertain and adjudicate certain claims for land against the State situated between the Nueces and the Rio Grande rivers" Approved August 15th 1870. And thereupon the Attorney General in Open Court gave notice of Appeal to the Supreme Court.

3137. Francisco Cuellar vs The State of Texas. In this Case appeared the plaintiff by his attorneys, And the State of Texas by William Alexander Attorney General, A W Terrill and David Shucks Esqrs and announced themselves ready for trial. After hearing the evidence introduced by plaintiff, and by the State of Texas, and the argument of Counsel, and the same having been fully considered by the Court. Because it is the Opinion of the Court that the law and the facts establish the title of the plaintiff to the land described in plaintiffs petition. It is therefore Ordered adjudged and decreed by the Court that the plaintiff Francisco Cuellar for himself and the other heirs and devisees of Jacinto de Cuellar dec'd the Original Grantee of the land described in plaintiffs petition do have and recover of and from the State of Texas, the land sued for in this action, situated and described as follows. In Zapata County State of Texas, being Porcion No 36. as described by the act of Visit Made by a Royal Spanish Commission to the Town of Guerrero and by the said commission granted to the said Jacinto De Cuellar. It is further ordered adjudged and decreed by the Court, that the State of Texas be, and it is by virtue of this judgment and decree, divested of all right title interest and claim in or to the aforesaid tract of land, and the same is hereby fully vested and

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confirmed in the plaintiff Francisco Cuellar and the other heirs and devisees of Jacinto de Cuellar. It is further ordered adjudged and decreed by the Court that the State of Texas. do have and recover of and from the plaintiff Francisco Cuellar and his securities, all the costs of this suit including the Attorney Generals fee. for all which execution may ipse. All of which is ordered adjudged and decreed by virtue of an act of the legislature of the State of Texas entitled "An act to ascertain and adjudicate certain claims for lands, against the State, situated between the Nueces and the Rio Grande Rivers" approved August 15th 1870. And thereupon the Attorney General in behalf of the State, gave notice of appeal. in open Court to the Supreme Court.

3139 Sabas Fuentes vs The State of Texas. In this case appeared the plaintiff by their attorneys, and the State of Texas by William Alexander Attorney General; A W Terrill and David Sheets Esqrs, and announced themselves ready for trial, after hearing the evidence introduced by the plaintiff, and by the Attorney General for the State of Texas and the argument of Counsel, and the same having been fully considered by the Court, Because it is the opinion of the Court that the law and the facts establish the right of the plaintiff to the land set out and described in the plaintiffs petition.

It is therefore ordered adjudged and decreed by the Court, that the plaintiff Sabas Fuentes for himself and the other heirs and devisees of Tomasa Peña deceased, the original grantee of the land described in the plaintiffs petition, do have and recover from the State of Texas, the land sued for in this action, situated and described as follows, In Zapata County Texas, known as "Alberca de Arriba about 55 Miles N 45° E from the town of Carrizo, The Survey begins at original S W Corner known as "Crisarto" thence north 8866⅔ varas to N W corner known as "Leona" Thence East 14.100 varas to the N E Corner known as "Sacatones" Thence South 8.866⅔ varas to S E Corner known as "Caveritas" Thence West 14 100 varas to the place of beginning, and contains five leagues of pasture land, and is bounded on the South by the tract of "La Alberca de Abajo"

It is further ordered adjudged and decreed by the Court, that the State of Texas, be, and is by virtue of this Judgment and decree divested of all right title interest and claim in and to the aforesaid tract of land, and that the same is hereby fully vested and confirmed in the plaintiff Sabas Fuentes and the other legal heirs and devisees of Tomasa Peña. It is further ordered & adjudged and decreed by the Court that the State of Texas do have and recover of and from the plaintiff Sabas Fuentes and his securities, all the costs of this suit, including the attorney Generals fee, for all which execution may ipse. All of which is ordered adjudged and decreed by virtue of an act of the Legislature of the State of Texas. entitled "an act to ascertain and adjudicate certain claims for land against the State situated

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between the Nueces and Rio Grande Rivers" approved August 15th 1870. And thereupon the Attorney General in behalf of the State gave notice in Open Court of appeal to the Supreme Court.

3187 Juan Vela Vs The State of Texas. In this Cause appeared the plaintiff by his Attorneys, and the State of Texas by William Alexander Attorney General of the State of Texas & A W Terrill Esqr, And the defendant submitted a motion to dismiss this Cause for want of jurisdiction in the Court, which Motion was overruled by the Court, whereupon defendant submitted exceptions to the plaintiffs petition which were also overruled by the Court. Whereupon the parties announced themselves ready for trial, After hearing the evidence introduced by the plaintiff, and by the Attorney General for the State, And the Argument of Counsel and the same having been fully considered by the Court. Because it is the opinion of the Court that the law and the facts establish the right of the plaintiff to the land set out and described in the plaintiffs petition. It is therefore Ordered adjudged and decreed by the Court that the plaintiff Juan Vela (Gutierrez) for himself as assignee of Josefa Cuellar deceased, and the heirs and devisees of Josefa Cuellar, the Original grantee of the land described in the plaintiffs petition do have and recover of and from the State of Texas the land sued for in this action situated in Zapata County Texas about Sixty miles North East of the Town of Carrizo, is known as La Cabocera de los Angeles (the head of the Angels) and is at the head of Los Angeles creek, and Contains two leagues of land. The Survey begins at the S W Corner of said tract, known as "La Majada de las bucas" Thence N 45° E 10,000 Varas to the S E Corner known as "El Monte" Thence N 45° W 5000 Varas to N E Corner, known as "Mesquite Grandes", Thence S. 45° W 10000 Varas to N W Corner, known as "Puertecitos" Thence S 45° E 5000 Varas to the place of beginning, is bounded on the S E by the tract known as Los Angeles, Confirmed to Trinidad Vela by the District Court of Zapata County. It is therefore ordered adjudged and decreed by the Court, that the State of Texas be, and is by Virtue of this judgment and decree divested of all right, title, interest and Claim in or to the aforedescribed tract of land, and the same is hereby fully vested and confirmed in the plaintiff Juan Vela (Gutierrez) and the heirs devisees and assigns of the Original Grantee Josefa Cuellar decd. It is further ordered adjudged and decreed by the Court that the State of Texas do have and recover of and from the plaintiff and his securities all the costs of this suit including the Attorney Generals fee, for all which execution may issue. All of which is ordered adjudged and decreed by virtue of an act of the legislature of the State of Texas, entitled "An act to ascertain and adjudicate certain Claims for land against the State of Texas, Situated between the Nueces and Rio Grande Rivers", approved August 15th 1870. And thereupon the Attorney General in behalf of the State, gave notice in open Court, of appeal to the Supreme Court.

3140 Eulalio Gonzales et al Vs The State of Texas. In this Cause appeared the plaintiffs by their Attorneys, and the State of Texas by William

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Alexander Attorney General of the State of Texas. And the defendant Submitted a motion to dismiss the cause for want of jurisdiction of the Court, which Motion was overruled by the Court, Whereupon defendant Submitted exceptions to the plaintiffs petition which were also overruled by the Court. Whereupon the parties announced themselves ready for trial. After hearing the evidence introduced by the plaintiff, and by the Attorney General for the State of Texas, and the argument of Counsel, and the same having been fully considered by the Court. Because it is the opinion of the Court that the law and the facts establish the right of the plaintiff to the land set out and described in the plaintiffs petition. It is therefore considered and adjudged and decreed by the Court that the plaintiffs Eulalio Gonzalles. Petra Zapatta. Bartolo Morales. Rafaela Zapata. Jose Ma Carvnal Maria Ana Zapata. and Dolores Zapata. for themselves and the other heirs and devisees of Antonio Zapata deceased, the Original Grantee of the land described in the plaintiffs petition, do have and recover of and from the State of Texas the land sued for in this action, situated and bounded as follows. In Zapata County, Texas, Containing about five Square leagues, and Called "Villa", Bounded on the South West by the rear of the Porciones of the late Jurisdiction of the town of Guerrero, Known also by the Name of the "Lobera" the distance of one hundred and sixty six Cordeles and thirty three and 2/3 Varas. on the North west by Lands belonging to the heirs of Pedro Bustamante dec^{d}. Called "Las Comitas" the distance of three hundred Cordeles, and known also by the boundary line of the Loma de Macho Valle. On the North East by Vacant lands the distance of one hundred and sixty six Cordeles. and thirty three & 2/3 Varas. and known also by the boundary line of "Los Huesos". On the South East by the heirs of Anastacio Garcia dec^{d}. and by the boundary line known as "Grago" The distance of three hundred Cordeles, a Cordel being Composed of fifty Varas, And the said tract being situated about five Leagues North East of Carrizo, the County seat of said Zapata County.

It is further Ordered adjudged and decreed by the Court, that the State of Texas be, and is by Virtue of this judgment and decree divested of all right, title, interest and Claim in or to the aforesaid tract of land, and the same is hereby fully Vested and Confirmed in the plaintiffs, and the other legal heirs, devisees and assigns of the Original Grantee Antonio Zapata Dec^{d}. It is further Ordered adjudged and decreed by the Court, that the State of Texas do have and recover of and from the plaintiffs, and their securities all the Costs of this Suit. including the Attorney Generals fee, for all which Execution May ijsne. All which is Ordered Adjudged and decreed by Virtue of an act of the Legislature of the State of Texas, entitled "an act to ascertain and adjudicate certain Claims for land against the State ~~of Texas~~ between the Nueces and Rio Grande rivers approved August 15th 1870. And thereupon the Attorney General in behalf

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of the State. gave notice in open Court. of appeal to the Supreme Court

3188 Pedro Sais vs The State of Texas. In this Cause appeared the plaintiff by his Attorney, and the State of Texas by William Alexander Attorney General of the State of Texas, and A W Terrill Esqr, and the defendant Submitted a Motion to dismiss the Cause for want of jurisdiction in this Court to try the Cause, which Motion was overruled by the Court, whereupon defendant submitted his exceptions to the plaintiffs petition, which exceptions were overruled by the Court. Whereupon the parties announced themselves ready for trial. After hearing the evidence introduced by the plaintiff, and by the Attorney General for the State of Texas, and the Argument of Counsel, And the same having been fully considered by the Court, Because it is the opinion of the Court that the law and the facts establish the right of the plaintiff to the land set out and described in the plaintiffs petition. It is therefore Ordered adjudged and decreed by the Court, that the plaintiff Pedro Sais for himself and the other heirs and devisees of Juan Jose Sais decd the Original Grantee of the land set out and described in the plaintiffs petition, do have and recover of and from the State of Texas, the land sued for in this action, situated and described as follows: In Starr County, Texas, is known as "Los Retachas" and adjoins the Patented to Vicente Sais of "La Sal Colorado, about forty Miles N E from Rio Grande City. The Survey begins at the N W Corner Called "Los Caliches". Thence South 5650 varas to S W Corner Called "El Morte" Thence East 13.300 Varas to S E Corner Called "San Juan" Thence north with West line of the Confirmed grant Called "Santa Teresa". 5650 varas to the N E Corner. Called "Los Gordos". which is also the S E Corner of Vicente Sais patented Survey of "La Sal Colorado" Thence west with the south line of the Vicente Says Survey 13.300 Varas to the place of beginning, and Contains three leagues 145.000 Square Varas of pasture land. It is further ordered adjudged and decreed by the Court that the State of Texas, be, and is by Virtue of this judgment and decree divested of all right title, interest and Claim in or to the aforedescribed tract of land, and the same is hereby fully vested and Confirmed in the plaintiff, and the other heirs, devisees and assigns of the original Grantee Jesan Jose Sais decd. It is further Ordered adjudged and decreed by the Court. that the State of Texas do have and recover of and from the plaintiffs and their securities, all the Costs of this suit. including the attorney Generals fee, for all which execution may issue. ~~It is further Ordered adjudged and decreed by the Court~~ All which is ordered, adjudged and decreed by Virtue of an act of the Legislature of the State of Texas entitled "an act to ascertain and adjudicate Certain Claims for land against the State, situated between the Nueces and Rio Grande Rivers" approved August 15th 1870

3219 James Powers And thereupon the attorney General in behalf of the State gave notice in open Court. of appeal to the Supreme Court.

3214 James Powers et al Vs The State of Texas. And now at this day Came the parties by their attorneys, and the defendant submitted his ~~demurrer~~ to the plaintiffs petition, which being heard

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and duly considered, it is ordered that said demurrer be sustained, That the plaintiffs take nothing by their suit, That the defendant go hence, and that the Cause be dismissed and that the said plaintiffs and their security on the Cost bond to wit, Charles A Russell pay all the costs of this suit for which execution may issue. Whereupon the plaintiffs in open Court gave notice of appeal to the Supreme Court.

3328 Edward Parker Vs Mildred P Caldwell and others.

And now on this day come the parties by their Attorneys and announce themselves ready for trial, and thereupon came a jury of twelve good and lawful Men of Travis County to wit H Hirshfeld and Eleven Others, who being duly empannelled and sworn, after hearing the evidence and argument of Counsel, retired under the Charge of the Court to Consider of their Verdict, and returned into Court the following Verdict to wit, "We the Jury find for the plaintiff. H Hirshfeld foreman" It is therefore ordered adjudged and decreed by the Court that the plaintiff Edward Parker do have and recover of and from the defendants Mildred P Caldwell, Mary Caldwell, Henry Caldwell, Emma Caldwell and Eula Caldwell, lot number five (5) in block number one hundred and thirty two (132) in the City of Austin, in Travis County, Texas, with all the rights privileges and appurtenances to the same in any wise belonging, together with all the Costs of this suit, And it is further ordered adjudged and decreed by the Court that the pretended deed purporting to have been executed by Thomas Parker to Michael D Corcoran dated the 7th day of May 1870 be and the same is hereby cancelled, annulled and set aside, and that all the right and title to said Lot No 5 in Block No 132 which appears to have been vested in said defendants, as widow and heirs at law of John A Caldwell deceased under said deed and under the deed from Michael D Corcoran to C H Beauchamp dated 14th day of May 1870 to the said John A Caldwell, be, and the same are hereby divested out of said defendants, and the same are hereby fully vested in the said plaintiff, and that the cloud created by said Conveyances over the title of said plaintiff be and the same is hereby removed, and that plaintiff be quieted in his title to said Lot, And it is further Ordered by the Court, that a writ of possession do issue to place said plaintiff in possession of said lot, and that execution issue against defendant Mildred P Caldwell for all the Costs of this suit expended.

3344 The State of Texas vs George H Slaughter et al. And now on this day, this cause being regularly reached on the docket, came the District Attorney on behalf of the State, and the defendants came not, and it appearing to the Court that Judgment Nisi was entered against the defendants on the 7th day of June 1872 for the sum of one hundred dollars, on a forfeited appearance bond and writs of Scire Facias having been served requiring

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the securities A B Burleson and Nat Moore to appear and show cause why said judgment should not be made final, and they having failed so to do, and made default, it is ordered that said judgment nisi be, and the same is hereby made final, And that the State of Texas do recover of the said George W Slaughter principal and A B Burleson and Nat Moore securities on his appearance bond, the said sum of One hundred dollars, and the costs of this prosecution, and that execution issue therefor.

√ 3356 Felix Ls Ake Vs James A Chandler Admr et al.
X And now on this day, this cause being regularly reached on the docket, and called for trial, the said plaintiff came not either in person or by attorney to prosecute the same. It is therefore ordered that the said Cause be dismissed for want of prosecution, And that the defendants recover of the plaintiff and the security on his cost bond to wit Joseph Ake all the Costs of this suit to be taxed, for which execution may issue, and it appearing that James B Morris Esq was appointed to defend the interests of the Minor defendants in this Cause, and has duly qualified by giving bond, and taking the Oath prescribed by law, and has represented the interests of said Minor defendants herein. It is ordered that the said Morris be allowed the sum of twenty five dollars as a fee for his services to be taxed in the bill of costs, and collected as other costs herein.

↓ 3358 Phelps & Johnson Vs. W M Walton. And now on this day came the plaintiffs by their attorney and announced ready for trial. The defendant came not. and thereupon came a jury of twelve good and lawful men of Travis County, to wit. D F Waddell and Eleven Others duly tried, elected, empannelled, and sworn who having heard the pleadings, the evidence and the Charge of the Charge of the Court, returned the following Verdict, to wit. "We the Jury find for the plaintiff the Sum of three hundred and fifty six dollars and Eighty eight Cents $356⁸⁸ D F Waddell foreman"
X It is thereupon orderdered and adjudged that the plaintiffs John Phelps and Wesley Johnson under their firm name of Phelps & Johnson do have and recover of the defendant W M Walton the Sum of three hundred and fifty Six ⁸⁸/₁₀₀ dollars, and all the Costs of this Suit, for which execution may issue.

↓ 3487. Elizabeth Bremond Vs M B Mc Rea. And now comes the plaintiff and announced ready for trial, the defendant came not, and thereupon came a jury of twelve good and lawful men of Travis County. To wit; J H Washington and Eleven others, who were tried, elected, empannelled and Sworn according to law, and the jury having heard the pleadings, the evidence, and the Charge of the Court returned the following Verdict to Wit; "we the jury find that

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the note set out in the plaintiffs petition was given for part of the purchase Money of the land described in the said petition, and we also find that the amount of the said note and interest is now due from the dependent to the plaintiff. Feb 13th 1873 J H Washington foreman

Whereupon it is ordered and adjudged that said Elizabeth Brenond do have and recover of the dependant M B McRae the sum of seven thousand and fifty eight, and 95/100 dollars, with interest thereon at the rate of ten per cent per annum from this date until paid, and all the costs of this suit, for which execution may issue. And it appearing that the plaintiff has a lien upon the land hereinafter described to secure the payment of the judgment rendered herein, to wit: "lying and being situated in the County of Travis in the State aforesaid The same being part and parcel of a league of land granted to James Gilleland as a headright. The first tract beginning on the East bank of the Colorado River, at a Stake from which a hackberry brs S 13° W 8 varas distant and an elder brs South 84° East 3 varas distant. Thence North 30° East 3110 varas to a stake and bearing trees. Thence north 60° West 100 vrs intersecting the South East Corner of J A Moore's Survey, Thence North 30° East 1380 varas to Gillelands Creek, and across said Creek. Thence up said Creek with its Meanders to the Croping of the Austin Road, Thence up said Creek North 30° West 180 varas to a Stake and bearings a stone Mound. Thence North 30° East 547 varas to a stake and Mound and bearings. Thence South 60° East 850 varas intersecting James Gillelands East boundary line at a stake and stone mound. Thence South 30° West 5520 varas to the Colorado River at James Gillelands South east Corner, being his lower Corner on the River. Thence up said River with its Meanders to the place of beginning. Containing Eleven hundred and forty three acres More or less. except two hundred acres Sold G J Glasscock, and four hundred acres Sold J A Moore. The second tract. Beginning at the N E Corner of the Jones tract, on the East line of the Gilleland League. Thence N 30 E 3157 vrs to the north East Corner of said league. Thence N 60° W with the north line of said league 433 6/10 varas to a Stake from which a Mulberry 9 ins in dia brs N 82 West 300 varas, and a post oak 12 ins brs S 22° E, 4 varas. Thence South 30° W 3157 varas to a Stake from which an elm 9 in in dia bears north 20 1/2 E 9 varas, and ditto 7 in dia brs S. 60° E 30 vrs. Thence S 30° W with North line of H Jones 433 6/10 to the place of beginning containing two hundred and forty three acres. It is ordered that plaintiffs lien upon said lands be foreclosed and that the clerk issue an order of Sale directed to the sheriff of Travis County, Commanding him to sell said lands, and the proceeds to apply to the satisfaction of this judgment as follows. 1st To the payment of the costs. 2nd To the payment of the principal of this judgment and the interest accruing thereon. and 3d The remainder if any pay over to the dependant.

3189 Manuel Bustamente et al vs The State of Texas.

In this Cause appeared the plaintiffs by their attorneys, and the State of Texas by William Alexander Attorney General of the State of Texas

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A W Terrill and D Shucks Esqrs, and the dependants submitted a Motion to dismiss the Cause for want of jurisdiction in the Court, which Motion was overruled, Whereupon the dependant submitted exceptions to the plaintiffs petition which were also overruled by the Court and the parties then announced themselves ready for trial, And after hearing the evidence introduced by the plaintiff, and by the dependant, and the argument of Counsel, and the same having been fully considered by the Court: because it is the Opinion of the Court, that the law and the facts establish the title of the plaintiffs to the land set out and described in plaintiffs petition. It is therefore ordered adjudged and decreed by the Court that the plaintiffs Manuel Bustamente & Felix Rodrigues for themselves and the other heirs and devisees of Pedro Bustamente decd the original Grantee of the land described in the plaintiffs petition, do have and recover of and from the State of Texas the land sued for in this action, situated and bounded as follows, In Zapata County Texas, about 25 Miles N. 54 1/4° E. from the town of Carrizo. It begins at the N E Corner of the confirmed grant called "La Huerta" being the S W Corner of this tract & Known as "La India" Thence N 45° E 13900 varas to N E Corner Called "La Sobera". Thence S. 45° E. 9000 varas to S E Corner called "Nacho Valle." Thence S. 45° W 13900 varas to S W Corner called "Las Escobas". Thence N 45. W. 9000 varas to the place of beginning, and Contains five leagues and 100,000 Square varas of pasture land. It is bounded N W by lands of Andres Baptiste Pareda, Called "Chance Largo" S W By "La Huerta" & the lands of Jose Mo Canales, Surveys of which are on file in the Land office, and South East by "Villa", a grant to Antonio Zapata. It is further ordered, adjudged, and decreed by the Court that the State of Texas be, and is by Virtue of this judgment and decree divested of all right, title, interest, and Claim in and to the aforedescribed tract of land, and that the same is fully vested and Confirmed in the plaintiffs, and the legal heirs, devisees, and assigns of the Original Grantee Pedro Bustamente decd. It is further Ordered adjudged and decreed by the Court, that the State of Texas do have and recover of and from the plaintiffs and their securities, all the Costs of this suit, including the Attorney Generals fee, for all which Execution May issue. All of which is ordered adjudged and decreed by Virtue of an act of the legislature of the State of Texas, entitled "an act to ascertain and adjudicate certain Claims for land against the State, situated between the Nueces and the Rio Grande rivers" approved August 15th 1870. And thereupon the Attorney General in behalf of the State, in open Court, gave notice of appeal to the Supreme Court.

3190 X

Manuel Ramorez vs The State of Texas. In this Case appeared this plaintiff by his Attorneys, and the State of Texas by Wm Alexander Attorney General of the State of Texas, and A W Terrill & D Shucks Esqrs, and the dependant submitted his motion to dismiss this Cause for want of jurisdiction in this Court to try it. Which motion was overruled,

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The defendant then submitted exceptions to the plaintiffs petition which were also overruled. Whereupon the parties announced themselves ready for trial. After hearing the evidence introduced by the plaintiff and by the Attorney for the State of Texas, and hearing the Argument of Counsel, and the same being fully considered by the Court. Because it is the opinion of the Court that the law and facts establish the title of the plaintiff to the lands set out and described in plaintiffs petition

It is therefore ordered, adjudged and decreed by the Court, that the plaintiff Manuel Martinez for himself as the Original Grantee of the land described in plaintiffs petition do have and recover the land sued for in this action. Situated and bounded as follows. In Zapata County Texas. Known as "La Sagura de los Venados" and Contains three leagues of pasture land. It is about 15 Miles N E from Carizo, and is bounded on the N W by the lands of "Los Mogotes" of Ignacio Gutieres and Las Jahuegos of Rafael Ambe. On the N E by "Mira Flores" granted to Edwardo Davilla, S E by "Chance Largo" granted to Andres Bautista Pereda, and S W by the Guerran Porcines. It is further Ordered adjudged and decreed by the Court, that the State of Texas be, and is by virtue of this judgment and decree divested of all right title interest and claim in and to the afore described tract of land, and the same is fully vested and confirmed in the plaintiff the Orignal Grantee of said land. It is ordered adjudged and decreed by the Court, that the State of Texas do have and recover of and from the plaintiff Manuel Ramorez and his securities all the costs of this suit, including the Attorney Generals fee, for all which execution may issue. All of which is ordered, adjudged and decreed by virtue of an act of the legislature of the State of Texas entitled "An act to ascertain and adjudicate certain Claims to land against the State situated between the Nueces and Rio Grande rivers approved August 15th 1870. And thereupon the Attorney General in behalf of the State gave notice in open Court, of an appeal to the Supreme Court.

3191 Pedro Gutierrez vs The State of Texas.

In this Cause appeared the plaintiff by his Attorneys, and the State of Texas by William Alexander Attorney General of the State of Texas A W Terrill and David Shanks Esqrs. And the Attorneys for the State submitted their Motion to dismiss the Suit for want of jurisdiction in the Court to try the Cause, which Motion was overruled. The defendants then submitted exceptions to the plaintiffs petition which were also overruled. Whereupon the parties announced themselves ready for trial: After hearing the evidence introduced by the plaintiff, and by the State of Texas, and hearing the argument of Counsel and the same being fully considered by the Court, because it is the Opinion of the Court, that the law and the facts establish the title of the plaintiff to the land set out and described in the plaintiffs petition. It is therefore ordered adjudged and decreed by the Court, that the

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plaintiff Pedro Gutierrez for himself and the other heirs and devisees of Ignacio Gutierrez, deceased the original Grantee of the land, do have and recover the land sued for in this action, situated in the County of Zapata about twenty five Miles N 15° E from the town of Carizo and is known as "Los Mogotes" It begins at the N E Corner of Porcion No 7 Guerrero, which is the N W Corner of this Survey, and known as "Las Bacas" Thence N 45° E, 5000 varas to N E Corner, known as "Borego" Thence S 45° E 10,000 varas to S E Corner, known as "Cumiro". Thence S 45° W 5,000 varas to S W Corner, known as "Mesquite" Thence N 45° W 10,000 varas to the place of beginning, and Contains two leagues of pasture land. It is further Ordered adjudged and decreed by the Court, that the State of Texas be and is by Virtue of this judgment and decree divested of all right, title interest and claim in or to the aforesaid tract of land, and the same is hereby fully vested and confirmed in the plaintiff, and the legal heirs of Ignacio Gutierrez dec^d the Original Grantee of the Same.

It is Ordered adjudged and decreed by the Court that the State of Texas do have and recover of and from the plaintiff Pedro Gutierrez and his securities all the Costs of this suit, including the Attorney Generals fee, for all which execution May issue. All of which is ordered adjudged and decreed by Virtue of an act of the Legislature of the State of Texas, entitled "An act to ascertain and adjudicate certain Claims for land against the State, situated between the Nueces and Rio Grande rivers" Approved Aug 15th 1870. And thereupon the Attorney General in behalf of the State, gave notice in open Court of an appeal to the Supreme Court.

3192 Gabriel Sarus vs The State of Texas. In this Case appeared the plaintiff by his attorneys, and the State of Texas by Wm Alexander Attorney General, and A W Terrill and D Sheeks Esqrs, and the defendant submitted a motion to dismiss this action for want of jurisdiction in the Court to try it, which Motion was overruled by the Court. The defendant then submitted exceptions to the plaintiffs petition which were also overruled by the Court. Whereupon the parties announced themselves ready for trial. After hearing the evidence introduced by the plaintiff, and by the Attorney General for the State of Texas, and hearing the arguments of Counsel, and the same being fully considered by the Court; Because it is the opinion of the Court that the law and facts establish the title of the plaintiff to the land set out and described in plaintiffs petition. It is ordered adjudged and decreed by the Court, that the plaintiff Gabriel Sarus for himself and the other heirs of Joseph Trevino dec^d the original Grantee of the land described in the plaintiffs petition do have and recover from the State of Texas, the land sued for in this action, situated and bounded as follows. In Zapata County Texas about 40 Miles N 54 1/4° E from the town of Carizo, known as "La Alberca" de Tio Marjil y los Churros" and adjoins on the south the tract called "La Alberca de Abajo" Confirmed by the act of February 10th 1852 to Filipe Perez, being a Square Survey based upon the said South

line of the Confirmed grant of "La Albercа de Abajo" It is further ordered adjudged and decreed by the Court, that the State of Texas be, and is by Virtue of this judgment and decree, divested of all right title, interest and claim in and to the aforedescribed tract of land, and that the same be and is hereby fully vested and confirmed in the plaintiff Gabriel Samas, and the other heirs of Joseph Trevino dec^d. the Orignal grantee of the land sued for in this action. It is ordered adjudged and decreed by the Court, that the State of Texas do have and recover of and from the plaintiff and his securities, all the costs of this suit, including the Attorney Generals fee, for all which execution may issue, and thereupon all of which is ordered adjudged and decreed by the Court by Virtue of an act of the Legislature of the State of Texas, entitled, "an act to ascertain and adjudicate Certain Claims for land against the State, Situated between the Nueces and Rio Grande Rivers". Approved August 15th 1870. And thereupon the Attorney General in behalf of the State, gave notice in Open Court, of an appeal to the Supreme Court,

3196 Julian Zapata et als vs. The State of Texas.

In this Cause appeared the plaintiffs by their Attorneys and the State of Texas by William Alexander Attorney General of the State of Texas. A W Terrill and D Shanks Esqs. and the defendants submitted a motion to dismiss the case for want of jurisdiction in the Court which Motion was overruled. Whereupon the defendant submitted exceptions to the plaintiffs petition which were also overruled by the Court, And the parties then announced themselves ready for trial. And after hearing the evidence introduced by the plaintiffs, and by the defendant, and the argument of Counsel. And the same having been fully considered by the Court that the law and the facts establish the title of the plaintiff to the land set out and described in plaintiffs petition. It is therefore ordered adjudged and decreed by the Court that the Plaintiffs Julian Zapata, Clemente Zapata and Eutemio Zapata for themselves and the other heirs and devisees of Juan Manuel Zapata the original Grantee of the land described in the plaintiffs petition, do have and recover of and from the State of Texas, the land sued for in this action, situated and bounded as follows, In Zapata County Texas, About Sixty Miles N E of the Town of Carrizo, is at a place called "La Chaucaca" contains four Leagues of land, and is situated just North of the tract of land called "La Abercade Arriba" Granted to Tomas Pena, and between that tract and that of "La Babacera" de los Angeles It is further ordered adjudged and decreed by the Court, that the State of Texas be, and is by Virtue of this judgment and decree, divested of all right, title, interest and claim in and to the aforedescribed tract of land, and the same is hereby fully vested and confirmed in the plaintiffs, and the legal heirs, devisees and assigns of the Original Grantee, Juan Manuel Zapata. It is further ordered adjudged and decreed by the Court, that the State of Texas do have and recover of and from the plaintiffs and their Securities all the Costs of the

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Suit, including the Attorney Generals fee, for all which execution may issue. All of which is ordered adjudged and decreed by virtue of an act of the Legislature of the State of Texas entitled "an act to ascertain and adjudicate certain claims for land against the State ~~of Texas~~ Situated between the Nueces and the Rio Grande rivers" Approved August 15th 1870. and thereupon, ~~in open Court~~ the Attorney General in Open Court, gave notice of appeal to the Supreme Court.

3199 Maria Albina Ansnaldo de Leon et als, vs. The State of Texas.
In this case appeared the plaintiffs by their attorneys, and the State of Texas by William Alexander Attorney General, and A W Terrill and David Sheeks Esqrs, and the defendants attorneys submitted a Motion to dismiss the cause for want of jurisdiction which Motion was overruled. Defendant then submitted exceptions to plaintiffs petition, which were also overruled, whereupon the parties announced themselves ready for trial. After hearing the evidence introduced by the plaintiffs and by the Attorney General for the State of Texas, and the Argument of Counsel: And the same having been fully considered by the Court. Because it is the opinion of the Court, that the law and the facts establish the rights of the plaintiffs to the land set out and described in plaintiffs petition. It is therefore ordered adjudged and decreed by the Court that the plaintiffs Maria Albina Ansnaldo de Leon, Francisco Leal, Julian Ansnaldo de Leon, Maria Jesus Rodriguez Ansnaldo, Antonio Leal Rodriguez, and John L Haynes, for themselves, and the other heirs and devisees of Antonio Leal de Leon, decd, the original Grantee of the land described in the plaintiffs petition, do have and recover from the State of Texas, the land sued for in this action, Situated and described as follows. In Hidalgo County Texas. Is known as "San Antonio del Encinal" Beginning at the S E Corner of the confirmed grant known as "Santa Rosa de Arriba" being the N E Corner of this grant known as San Francisco Thence S 4.300 varas to North line of "Tinados" to Corner known as San Andres, Thence W 22.500 varas to S W Corner of this tract. Known as "San Antonio del Encinal" being also a Corner of the tract of Estevan Martinez called "Norias de Jiv Ayala", Thence N 6800 varas with E line of Estevan Martinez tract to N W Corner of this tract, called "Jiv Leandrito" Thence E 12.500 varas to Corner on west line of "Santa Rosa del Arriba tract" (called "El Ballo" Thence S 2500 varas with west line of "Santa Rosa de Arriba" tract to the Corner called "San Francisco, which is also S W Corner of the said Santa Rosa tract. Thence East 10.000 varas to the place of beginning, and Containing Five Leagues and three labors of pasture land.

It is further ordered adjudged and decreed by the Court that the State of Texas be, and is by Virtue of this judgment and decree, divested of all right title, interest and claim in or to the aforedescribed tract of land, and the same is hereby fully vested and confirmed in the plaintiffs, and the legal heirs, devisees and assigns of

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the original grantee Antonio Leal de Leon Dec'd.

It is further ordered adjudged and decreed by the Court that the State of Texas do have and recover of and from the plaintiffs and their securities all the costs of this suit including the Attorney Generals fee, For all which execution May issue.

All of which is ordered adjudged and decreed by the Court by virtue of an act of the Legislature of the State of Texas entitled "an act to ascertain and adjudicate certain Claims for land against the State, situated between the Nueces and Rio Grande Rivers" Approved August 15th 1870. And thereupon the Attorney General in behalf of the State in open Court gave notice of appeal to the Supreme Court.

3465 Joseph Mechura & Co v Paul Agns et al: --

And now on this day came the attorney for the plaintiff and moved the Court to grant an order of sale to sell the property attached in this Case belonging to the defendant Paul Agns And it appearing that the following described property has been seized under a writ of attachment, and the same being perishable property in its nature, and liable to waste and deterioration

It is ordered that the sheriff of Travis County do sell as under execution the following described personal property levied upon as aforesaid, after due notice, and report the sale thereof to this Court.

Part Keg of Molasses. 1/3 Keg of pickles. 1/2 box Rock Candy. 2 lb Cheese 1/3 Keg of Mackerel. 1 peck of Onions. 1 bush of Coffee. 1/4 bbl White Sugar 1/3 Bll Native Wine. 1/2 bush dried peaches. 50 lb flour. 1 peck of Salt 1 bush hominy. 1 large side lamp. 2 Galls of Vinegar. 10 bottles blackberry wine. 5 bottles Kimmell. 7 do Cognac brandy. 6 do Schnapps. 9 do Brandy Cherries. 9 do Stomach bitters. 5 do blackberry brandy. 15 do Brandy peaches. 6 do port Wine. 10 do Sherry Wine. 8 do Lone Star bitters. 29 do Old Whiskey. 10 do Madeira Wine. 3 do Cognac br Superior. 5 do. peach brandy. 8 do Old brandy. 6 do fine Holland Gin. 14 do Syrup 11 do Sherry Wine. 16 do Gin Cocktail. 8 do Apple brandy. 9 do Brandy cocktail. 7 do pale Ale. 1 Coffee Mill. 21 bars of Soap. 62 boxes of figs 89 Cans of various fruits. 24 glass Stands part full of candy. 50 Candles 48 cakes of soda. 1 Small clock. 1/2 box clay pipes. 2 Small seal lamps 1 peck of nuts. 34 bottles of Snuff. 6 Boxes of Mustard. 36 boxes of Matches 2 doz Wooden pipes. 1/2 box of tobacco. 64 cakes Smoking tobacco. 3 boxes of Figs. 4 do smoking tobacco. 7 boxes of Cigars. 17 jars of pickles. 1 pair of scales & Weights. 6 doz Eggs. 2 Small demijohns. 1 quart cup. 2 Bottles 1/2 Gall do. 1 stove and utensils. 2 tables. 4 Glasses. 1 Sugar bowl 4 cups & Saucers. 1 foot tub. 1 large tub. 1 Mattress. 2 blankets, 2 shuck pillows.

3532 Cecelia & M W Townsend vs John Dillingham. And now on this day came the parties to this cause, and agree that judgment shall be entered for the Sum of $1204 12/100 dollars in gold, and that the Vendors lien be foreclosed upon the land described in the petition

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and thereupon it is ordered that the plaintiffs do have and recover of and from the defendant the said sum of twelve hundred and four and 12/100 gold dollars, with ten percentum per annum interest thereon from this date till paid, and all the costs of this suit, and it is further ordered that the lien of the plaintiffs upon the following described land be foreclosed, to wit: "620 acres more or less in Travis County, on the waters of Walnut Creek about 8 Miles N of the city of Austin. Commencing at the S E corner of J C Harrelsons survey No 78. thence S. 60. E. 393 Varas, crossing walnut creek to a stone mound & corner of Alfred Robinsons one hundred acre survey, from which a live Oak 6 in diameter brs S. 84° E. 11 vrs. thence N 30 E. 593 vrs. to a Stake & Corner of said Robinsons, from which an Elm 8 inches in diameter brs N 22½ E. 90 vrs: thence S 60 E. 951 vrs. croping a branch of Walnut Creek to a stone Mound in prairie, thence N. 30. E 1829 vrs to a Stake in the prairie, thence N 60° W. 1483 vrs. to the S E Corner of J G. Collins survey. No 61. Thence N 60 W 610 vrs to a stone Mound. Thence S 30 W. 1733 vrs to a cedar bush on the N of Walnut Creek with its Meanders to W boundary line Harrelsons survey. Thence N 30 E 120 vrs to the place of beginning. these lines embrace 780 acres embracing parts of surveys No 79 & 80. but it is agreed that the one hundred acres sold out of this tract by Mrs E C Gorgine to Mayfield joining the Robinson tract is reserved & not embraced in this deed." And that the clerk of this Court do issue an order of sale directing the sheriff of Travis County to levy upon and sell as under execution the above described real estate, and the proceeds thereof he shall apply as follows. 1st to the payment of the costs of this suit. 2nd to the payment of the principal and interest to grow due upon this judgment and 3d the remainder, if any, he shall pay over to the defendant.

3296 G Schleicker v Wm Thaxton Continued

2249 Mary Jane Lee vs R M Griffin Continued

3300 Mary Jane Lee vs J B Sedwick Continued

3306 J W Chandler vs Thos J. Pitt. Continued

3311 W H Bell v N Hanson. And now come the parties and upon motion it is ordered that this cause be dismissed, that the defendant and Garnishees go hence, and recover of the plaintiff W H Bell all the costs of this suit, for which execution may issue.

3330 J W Hannig v N Hanson et al Continued by agreement.

3332 Gray & Oliphant vs Thos Blanchard. A rule having been entered at a previous term requiring the plaintiffs to enter into bond and security for the costs of this suit, and the cause being called for trial, and said rule not being complied with, It is ordered that the cause be dismissed, and that the plaintiffs pay the costs of suit to be taxed, for which execution may issue.

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3205 John Newman vs E L Dewey, Continued.

3224 Louisa B Galpin et al vs. A Brichta et al. Come now the parties by their attorneys and upon motion in open court it is ordered that the parties respectively have leave to amend their pleadings

3237 Mary P Watson vs J Schultze Continued.

3277 Andres Garcia v The State of Texas.

And now on this day came the parties by their attorneys and announced ready for trial, and the Court having heard the evidence and the Argument of Counsel, and having duly considered the same. It is ordered that the plaintiff take nothing by his suit, That the cause be dismissed, and that the plaintiff and his security John L Haynes pay all the costs of the suit for which execution may issue. And thereupon the plaintiff by his attorney gave notice in open Court, of an appeal to the Supreme Court.

3278 Juan Manuel Ramires vs The State of Texas.

And now on this day came the parties by their attorneys, and announced ready for trial, and the Court having heard the evidence and the argument of Counsel, and having duly considered the same It is ordered that the plaintiff take nothing by his suit, that the cause be dismissed, and that the plaintiff and his security John L Haynes pay all the costs of the suit for which execution may issue

And thereupon the plaintiff by his attorneys gave notice in Open Court, of an appeal to the Supreme Court.

3282 E McPease v T.J. Pendley et al. It is ordered by the Court on motion that this cause be continued.

3333 Geo W Glasscock v Thomas Blanchard.

And now on this day, this cause being called for trial, the plaintiff came not, in person or by attorney to prosecute the same. Therefore it is Ordered that the cause be dismissed for want of prosecution, and that the plaintiff pay the costs of the suit, for which execution may issue.

3335 Sry J. J. McClelland v Rome & Dawson.

And now on this day came the plff, and dismisses the suit as to the defendant Dawson, and thereupon the plaintiff asks for judgment by default against the defendant Rome. And because said defendant Rome has been cited, and failed to answer within the time prescribed by law. It is Ordered that the plaintiff of the defendant C McRome according to the prayer of his petition and that a writ of inquiry be awarded.

3340 G W McCormick et al vs Emmett Carrington

This cause being called, and a rule for security for costs having been entered at the last term of this Court, and the same not being complied with. It is Ordered that the cause be dismissed for want of ~~prosecution~~ compliance, and that the defendant recover of the several plaintiffs all the costs hereof, for which execution may issue.

3345 The State of Texas vs Thomas Kimball et al. Ordered that this cause be dismissed from the dockets, the defendants not being served.

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✓ 3346 The State of Texas vs West Craft et al. Come the parties, and on Motion it is ordered that this cause be dismiped, and the forfeiture set aside, and that the dependant J S Craft pay the cost of this proceeding, for which execution May issue.

✓ 3352 The State of Texas v Fred Sawyer. Ordered that this cause be dismiped.

✓ 3353 The State of Texas v Alfred Jenkins.
Ordered that this cause be dismissed.

✓ 3355 The State of Texas v Wm Walters. Ordered that this cause be dismissed

✓ 3363. Samuel McJarvis v The State of Texas.
And now comes the parties by their attorneys, and announced ready for trial, And the Court having heard the pleadings, Evidence and Argument of Counsel, and duly considered the same. It is ordered that the plaintiff take nothing by his suit, That the cause be dismiped, and that the State of Texas recover of the plaintiff and the security John L Haynes, all the Costs of this suit, for which execution May issue, And the plaintiff thereupon gives notice in Open Court of an appeal to the Supreme Court.

✓ 3364 Seraphin Garza et als v. The State of Texas.
And now comes the parties by their attorneys and announced ready for trial, And the Court having heard the pleadings, Evidence and Argument of Counsel, and duly considered the same; It is ordered that the plaintiff take nothing by his suit, that the cause be dismissed, and that the State of Texas recover of the plaintiff, and the security John L Haynes, all the Costs of this suit, for which execution May issue, And the plaintiffs thereupon gave notice in Open Court of an appeal to the Supreme Court.

✓ 3368 G W Levin et al v The State of Texas, Continued by agreement.

✓ 3373 Raymond & Whitis v A S Roberts. Cause Continued.

✓ 3374 B McOdom v P & O Golden. Cause Continued.

✓ 3396 Phelps & Johnson v Austin Lodge No 12. Come now the parties and on Motion it is ordered that this cause be dismissed, and that the plaintiffs pay all the costs of this suit, for which execution may issue.

✓ 3427 H M Truehart vs J D Harrison et al. Ordered on Motion that the plaintiff in this cause have leave to amend.

✓ 3468 Jno McDonald v Collins & Powers. Ordered on Motion that the sheriff have leave to amend his return upon the writ issued in this cause.

And thereupon the Court adjourned till tomorrow at 9 A M.

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

3394 Irving & Lockett v G M Brass.
And now on this day Came the parties to this cause by their attorneys

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and announced ready for trial. Whereupon came a jury of twelve good and lawful Men of Travis County, duly tried elected empannelled and sworn according to law, who having heard the pleadings, the evidence, argument of Counsel, and the Charge of the Court, retired for deliberation, And thereupon the jury returned into Court the following verdict, to wit: "We the jury find for the plaintiff the sum of One hundred and forty two dollars, and thirty nine cents Specie ($142 39/100 W S Johnson Foreman"

Whereupon It is ordered by the Court, that the plaintiffs in this suit do have and recover of the defendant G M Brass the sum of One hundred and forty two and 39/100 Specie Dollars, and the Costs of this Suit, for which execution may issue.

3426 Doratha Milde vs Frederick Milde. And now on this day this case being called for trial, come the parties by Attorneys, and thereupon comes a jury, to wit: H Hirshfeld and eleven others good and lawful Men of Travis County, duly tried, elected empannelled and sworn, who after hearing the pleadings, Evidence and Charge of the Court, after deliberation returned into Court their verdict as follows (the issue on the subject of divorce alone being submitted) "We the jury find the allegations in the plaintiffs petition to be true, H Hirshfeld foreman!" And it appearing to the Court that the evidence is sufficient to sustain said verdict The Court does order and decree that the said Doratha Milde do have her divorce from said defendant. And that the bonds of matrimony heretofore existing between the said parties Doratha Milde and Frederick Milde be and the same is hereby dissolved. And it appearing to the court that said parties by their written consent respectively signed and herein filed do agree that plaintiff shall have the custody of the infant Frederick Milde Jr She agreeing to maintain and educate him, and that the plaintiff is interested in the property held by the defendant, and described in plaintiffs petition, in the amount of five hundred dollars in coin, and which she agrees to take in money, releasing all other claim of property, and for Alimony. Therefore the Court doth Order and decree, that the said Doratha Milde have the Custody of the child Frederick Milde Jr, aged about two years, and that she be and is hereby charged with the duty of supporting & Maintaining said Child. And that the said Frederick Milde have and recover of the plaintiff all right & interest in said two lots described in the petition, being lots No 5 & No 6 in Division E. Conveyed by Louis Horst to Fred Milde on 20th June 1872, and on which defendant now resides, charged however with the payment of five hundred dollars coin, which sum the Court doth adjudge and decree to said Doratha Milde, and that she have and recover of defendant said sum of five hundred dollars coin in full satisfaction of all her right in said land & property in plaintiffs possession, and of all claim against him for Alimony. And it is further ordered that

Rec'd the bill of Cost Lee Lee & Sneed Attys. 3 55 Rec'd

Rec'd May 17th 1873 from H. Milde the sum of five hundred dollars (500) Cash in full for costs in the foregoing Execution & Sheriffs fees in this case. This 17th May 1873

K

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the plaintiff do recover of dependant, all costs herein expended, and that in event that the dependant fails to pay to the plaintiff or her Attorneys, the said Sum of five hundred Coin dollars, and the costs, by the rising of this Court, then and in that event, an Order of Sale shall issue directing the sale of said two lots to make said Sum and costs of Suit.

✓ 3202 Candelario Ramires (Vela) vs The State of Texas.

In this cause appeared the plaintiff by her attorneys, and the State of Texas by William Alexander Attorney General of the State of Texas A W Terrill and D Sheeks Esqrs, and the dependants Submitted a Motion to dismiss this cause for want of jurisdiction in the Court, which Motion was overruled, Whereupon the dependant Submitted exceptions to the plaintiffs petition which were also overruled by the Court, and the parties then announced themselves ready for trial, and after hearing the evidence introduced by the plaintiff, and by the dependant, and the Argument of Counsel, and the same having been fully Considered by the Court, o Because it is the Opinion of the Court that the law and the facts establish the title of the plaintiff to the land set out and described in plaintiffs petition It is therefore ordered adjudged and decreed by the Court that the plaintiff Candelario Ramirez (Vela) for herself and the other heirs and devisees of Santiago Vela, the original grantee of the land described in the plaintiffs petition, do have and recover of and from the State of Texas, the land Sued for in this action, Situated and bounded as follows, In Zapata County Texas, is known as "El Peyote" Contains four Square leagues of land, and is so named from a noted Hill traversing the same, and which forms the Central Point of said Survey. It lies between the tracts of "Alberca de Abajo" granted to Filipe Pena, and the grant called "Cento Blanco" granted by the Spanish government to Manuel Percida, and is about twenty five miles North East of Carizo in said County, and it is further ordered adjudged and decreed by the Court, that the State of Texas be, and is by Virtue of this judgment and decree divested of all right, title, interest and claim in and to the afore-described tract of land, and the same is hereby fully vested and confirmed in the plaintiff, and the legal heirs devisees and assigns of the Original Grantee Santiago Vela dec'd, It is further ordered adjudged and decreed by the Court, that the State of Texas do have and recover of and from the plaintiff and her Securities all the Costs of this Suit, including the Attorney Generals fee, for all which execution May issue, all of which is Ordered adjudged and decreed, by Virtue of an act of the Legislature of the State of Texas, entitled "an act to ascertain and adjudicate certain Claims for land against the State situated between the Nueces and Rio Grande Rivers." Approved August 15th 1870: and thereupon the attorney General in behalf of the State of Texas, gave notice in open Court of an appeal to the Supreme Court.

3200 Concepcion Garza et als v The State of Texas

In this cause appeared the plaintiffs by their attorneys, and the State of Texas by William Alexander Attorney General of the State of Texas, A W Terrill and D Sheeks esqrs, and the dependants Submitted a Motion to dismiss this cause for want of jurisdiction in the Court, which Motion was overruled, Whereupon the dependant Submitted exceptions,

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to the plaintiffs petition, which were also overruled by the Court, and the parties then announced themselves ready for trial, and after hearing the evidence introduced by the plaintiffs, and by the defendant and the argument of Counsel, and the same having been fully considered by the Court, Because it is the opinion of the Court that the law and the facts establish the title of the plaintiffs, to the land set out and described in the plaintiffs petition. It is therefore ordered adjudged and decreed by the Court that the plaintiffs Concepcion Garza and Rafael Garcia y Garza for themselves and the other heirs and devisees of Andres Garcia dec'd the original grantee of the land described in the plaintiffs petition, do have and recover of and from the State of Texas, the land sued for in this action, Situated and bounded as follows, In Nueces and Duval Counties. Containing three Sitios 892.760 Square Varas of land. Known as "San Andres" and described as follows, Beginning at the N E Corner of said tract called Las Anacuas" Thence West 4888 Varas to N W Corner called "San Rafael" Thence South 16.150 Varas with East line of a tract called "Agua Poquita" granted to Santos Flores, to the S W Corner called "Agua Poquita" Thence East 4888 Varas with the north line of a a tract granted to Rafael Ramirez to S E Corner called "San Juan." Thence North 16.15 Varas with west line of the tracts called "La Huerta" granted to Antonio Gonzalez, and Las Anacuas granted to Vicente Hinajosa to the place of beginning. It is further ordered adjudged and decreed by the Court that the State of Texas be, and is by Virtue of this judgment and decree, divested of all right, title, interest and claim in and to the aforedescribed tract of land, and the same is hereby fully vested and confirmed in the plaintiffs, and the legal heirs, devisees and assigns of the Original grantee Andres Garcia dec'd. It is further ordered adjudged and decreed by the Court, that the State of Texas do have and recover of and from the plaintiffs and their securities all the cost of this suit including the Attorney Generals fee, for all which execution May issue, all of which is ordered adjudged and decreed by Virtue of an act of the legislature of the State of Texas entitled "an act to ascertain and adjudicate Certain Claims for land ~~Litigated~~ against the State, Situated between the Nueces and the Rio Grande Rivers." approved August 15th 1870. And thereupon the Attorney General in behalf of the State gave notice in Open Court, of an appeal to the Supreme Court.

3361 Trinidad Villareal et als vs The State of Texas.

In this Cause appeared the plaintiffs by their Attorneys, and the State of Texas by William Alexander Attorney General of the State of Texas, A W Terrill and D Shucks Esqrs, and the defendants submitted a Motion to dismiss the cause for want of jurisdiction in the Court, which motion was overruled, Whereupon the defendant submitted exceptions to the plaintiffs petition, which were also overruled by the Court, and the parties then announced themselves ready for trial, and after hearing the evidence introduced by the plaintiffs, and by the defendant, and

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the argnments of Counsel, and the same having been fully considered by the Court, because it is the opinion of the Court, that the law and the facts establish the title of the plaintiffs to the land set out and described in the plaintiffs petition. It is therefore ordered adjudged and decreed by the Court that the plaintiffs Trinidad Villareal, Refugio Villareal, Refugio Villareal, Jesus Villareal, Ynes Villareal, Madalena Villareal Indalsia Villareal and Josefa Villareal, and the other heirs and devisees of Juan Baptista Villareal the original Grantee of the land described in the plaintiffs petition, do have and recover of and from the State of Texas, the land sued for in this action, situated and bounded as follows. In Webb County Texas, about 3 Miles East of the Village of Laredo, and fronts on the Ejidos or Commons of said Village twelve hundred Mexican Varas, and running back due East thirty thousand Mexican Varas for quantity, It is bounded on the west by porcion No 28 originally granted to Estovan Martenez and on the East by porcion No 30. originally granted Jose Francisco Cordova Moreno, on the south by the Ejidos or Commons of said Village of Laredo, and on the north by Vacant lands, and Contains ~~thirty~~ six Labors. or 36.000. ovr Square Varas of land. It is further Ordered adjudged and decreed by the Court, that the State of Texas be, and is by Virtue of this judgment and decree, divested of all right, title interest and claim in and to the aforedescribed tract of land, and the same is hereby fully vested and confirmed in the plaintiffs and the legal heirs, devisees and assigns of the Original grantee Juan Bautista Villareal. It is further ordered adjudged and decreed by the Court, that the State of Texas do have and recover of and from the plaintiffs and their securities all the Costs of this suit, including the attorney Generals fee for all which execution may issue, all of which is ordered adjudged and decreed by Virtue of an act of the Legislature of the State of Texas entitled "An act to ascertain and adjudicate Certain Claims for land against the State, situated between the Nueces and the Rio Grande Rivers", Approved August 15th 1870. And thereupon the Attorney General in behalf of the State of Texas gave notice in Open Court, of an appeal to the Supreme Court.

3362 Victorino Juarez vs The State of Texas.

In this Cause appeared the plaintiff by his Attorneys, and the State of Texas by William Alexander Attorney General of the State of Texas, A W Terrill and David Sheeks Esqrs, and the defendants Submitted a Motion to dismiss this Cause for want of jurisdiction of the Court, which Motion was overruled. Whereupon the defendant submitted exceptions to the plaintiffs petition, which were also overruled by the Court, and the parties then announced themselves ready for trial, and after hearing the evidence introduced by the plaintiff, and by the defendant and the argument of Counsel, and the same having been fully Considered by the Court, because it is the opinion of the Court, that the law and the facts establish the title of the plaintiff to the land set out and described in the plaintiffs petition. It is therefore Ordered adjudged

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and decreed by the Court that the plaintiff for himself and the other heirs and devisees of Lauriano Salinas, and Jose Bartolo Chapa the Original grantees of the land described in the plaintiffs petition do have and recover of and from the State of Texas the two tracts of land sued for in this action, situated and bounded as follows, to wit: First Porcion No 36 Originally granted to Laureano Salinas by the General Visitation to the town of Laredo, Containing 1000 varas front on the Rio Grande river, and running back 30,000 varas, for depth situated in Webb County Texas, about five miles below the City of Laredo Texas. Second Porcion No thirty seven (37) containing 1000 varas fronting on the Rio Grande river, and 30,000 varas in depth, Originally granted to Jose Bartolo Chapa as appears on the Visita of the town of Laredo Made in the year 1767. Situated in Webb County Texas. It is further ordered adjudged and decreed by the Court, that the State of Texas be, and is by Virtue of this judgment and decree, divested of all right, title, interest and Claim in and to the aforedescribed tract of land, and the same is hereby fully vested and confirmed in the plaintiff, and the legal heirs devisees and assigns of the Original Grantees Lauriano Salinas and Jose Bartolo Chapa deceased. It is further ordered adjudged and decreed by the Court, that the State of Texas do have and recover of and from the plaintiffs and his securities, all the Costs of this suit, including the Attorney Generals fee, for all which execution may issue. All of which is ordered adjudged and decreed, by Virtue of an act of the Legislature of the State of Texas, entitled "An act to ascertain and adjudicate certain Claims for land against the State of Texas, situated between the Nueces and the Rio Grande Rivers." Approved August 15th 1870. And thereupon the Attorney General in behalf of the State of Texas, gave notice in open Court, of an appeal to the Supreme Court.

3260 A J Word & Co for use of Campbell & Taylor Vs J J McGinnis & C H McInnis. In this case come the parties to this suit, and submit the following agreement entered into by the plaintiffs by their attorneys, and the defendant J J McGinnis by himself, and as agent for the defendant C H McGinnis, and ask the Court to enter judgment thereon as a compromise judgment in this cause, which agreement is in the words & figures following "3260. A J Word et al Vs J J McGinnis Et al. In District Court Travis Co In the above entitled cause it is agreed that the defendants will pay Three hundred dollars ($300) gold coin on or before the 7th day of February 1873, and all costs of suit, and should not that sum and costs be paid by said 7th day of February 1873, then Plffs may have judgment for said three hundred dollars ($300) gold coin, with fifteen percent interest per annum thereon until paid, and costs of suit. J J McGinnis, C H McGinnis per J J McG. Jones & Sayres & Walton & Green Attys for Plffs."

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It is therefore ordered and adjudged that the same be accepted as a compromise of this suit, and that the said agreement becomes the judgment of this Court as a compromise between said parties, and that the said plaintiffs A J Word and James Carter, under their firm name of A J Word & Co. for the use of Campbell Taylor do have and recover of the said defendants the sum of three hundred dollars in the gold coin of the United States, together with interest thereon from the seventh day of February 1873 at the rate of fifteen per cent per annum till paid. It is further ordered that the Cross petition of the defendants against E B Garwood be dismissed, and that he go hence without day, and that the said plaintiffs have and recover of the defendants all costs in this behalf expended, for which execution may issue.

3424 T L Odum v G McBrass. And now on this day come the parties, and thereupon the parties submit the questions of law arising upon the demurrer & exceptions of the plaintiff, and after argument of Counsel the plaintiff doth sustain the said demurrer and exceptions of the plaintiff, and the Court doth order that the pleas and answer of the defendant, same the General denial be stricken out, to which order and judgment of the Court sustaining the demurrer & exceptions of the plaintiff the defendant at the time excepted, and thereupon came the parties and announced ready for trial, when came a jury of twelve good and lawful men of Travis County consisting of J H Washington and eleven others duly tried elected impannelled and sworn, who having heard the pleadings, the evidence, argument of Counsel and the charge of the court, retired, and returned into Court the following verdict to wit: "We the jury find for the plff in the sum of two hundred dollars in coin with interest thereon from the first day of January 1872 at the rate of eight per cent per annum, amounting in the aggregate, to the sum of two hundred and seventeen dollars and ninety nine cents coin. J H Washington Foreman" Whereupon it is Ordered that said T L Odum do recover of the defendant G McBrass the sum of two hundred and seventeen and 99/100 dollars in coin and the costs of the suit, for which execution may issue.

3249 The State of Texas vs Rudolph Blum. The defendant having been fined in the sum of ten dollars at the March term 1872 of this court as a defaulting juror, and having been served with writ of Scire Facias to appear and show cause why said judgment should not be made final, which he has wholly failed to do. It is ordered that said final, and that the State of Texas recover of the said Rudolph Blum said sum of ten dollars; and the costs of this proceeding, and that a Commissioner issue to collect the same.

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3397 Sampson & Hendricks vs Louis Winter. Come now the parties by their attorneys, and on motion it is ordered that this cause be dismissed, and that the defendant pay the costs of the suit for which execution may issue.

3399 The State of Texas vs Frank Dirks et al. Continued by defendant

3407 E J Davis Governor vs Isec W Honey Et al. And now on this day came the parties to this cause by their attorneys. Whereupon came on to be heard defendants General and Special demurrers to the plaintiffs petition, which being heard and argued by Counsel the same are overruled, to which ruling of the Court the defendant excepts. And thereupon came on to be heard the demurrer of the plaintiff to the answer of the defendant Honey, which being heard and considered, the same is ~~overruled~~ sustained, to which ruling the defendant excepts. And thereupon the cause is continued by the defendant.

3437 The State of Texas vs. Thomas Blair et als.

It appearing to the Court that on the 24th day of October 1872 judgment ni si was entered against the defendants in this case for the sum of two hundred and fifty dollars on a forfeited appearance bond, and that the defendants have been regularly served with writs of Scire Facias to appear and ~~xxxxxx~~ show cause why said judgment should not be made final, which they have failed to do, and have wholly made default. It is therefore ordered that the judgment ni si aforesaid be made final, and that the State of Texas do have and recover of the said defendants, Thomas Blair S A Mahon, I Stein, L Seligman, I Fontrel, L Fontrel E Philips and N B Bates the said sum of two hundred and fifty dollars, and the costs of this proceeding, for which execution may issue.

3438 The State of Texas vs Fletcher Bennett et als

It appearing to the Court that on the 24th day of October 1872 judgment ni si was entered against the defendants in this cause for the sum of three hundred dollars on a forfeited appearance bond, and that the defendants have been regularly served with writs of Scire Facias to appear and show cause why said judgment should not be made final, which they have failed to do, and have wholly made default. It is therefore ordered that the said judgment ni si be made final and that the State of Texas do have and recover of and from the said defendants Fletcher Bennett, B L Bennett & Spaulding, and F W Sutor the said sum of three hundred dollars and the costs of this proceeding for which execution may issue.

3439 The State of Texas vs James Crank et al, Ordered upon motion that the forfeiture in this case be set aside, and that the defendants James Crank and John H Robinson

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pay all the costs of this proceeding, for which execution may issue.

✓ 3443 The State of Texas v James Garner, On motion of the District Attorney, Ordered that this cause be dismissed.

✓ 3495 James R Pace vs W P Bacon. And now on this day comes again the plaintiff by his attorney and asks that the order for a writ of inquiry heretofore entered in this cause be set aside and vacated, and that judgment be entered by the court, the cause of action being liquidated, and thereupon it is ordered that the motion be granted, and that said order for a writ of inquiry be vacated, and thereupon it is further ordered that the plaintiff J R Pace do recover of the defendant W P Bacon the sum of six hundred and ten 27/100 dollars in Coin, principal and interest due upon the note sued on to this date, with twelve percentum per annum interest thereon from this date until paid, and all the costs of this suit, for which execution may issue.

✓ 3518 Harris Dudley & co vs G M Brass. And now on this day came on to be heard the application of the defendant to set aside the judgment by default, and Order for a writ of inquiry entered in this cause at a former day of this term, and the same being heard, and duly considered, It is ordered that the motion be granted, That said entry of judgment by default, and order for a writ of inquiry be set aside and vacated, and that the defendant be allowed to plead to the plaintiffs petition.

✓ 3523. L & H Blum v L N Spear Comes the plaintiff and claims a judgment by default, and the defendant having been cited by personal service, and having failed to answer within the time prescribed by law and wholly made default. It is ordered that the plaintiffs L & H Blum do recover of the defendant L N Spear according to the prayer of his petition, and that a writ of inquiry be awarded.

(1658 Susan Taylor vs J N A Carter et al.

And now on this day comes the parties by their attorneys, and thereupon came on to be heard the motion of the defendants heretofore made to set aside the verdict and judgment entered in this cause and to grant a new trial therein, And the said motion being heard and duly considered, It is ordered by the Court that the said Motion be overruled, and thereupon the defendants in open Court gave notice of an appeal to the Supreme Court.

3383. Geo W Honey vs E H Quick et al, On Motion of the defendants in this cause, It is ordered by the Court that the plaintiff be required to enter into bond with sureties, for the costs of this suit, on or before the first day of the next term of this Court.

(2905 H H Arlett vs S B Brush, And now on this day comes the parties by their attorneys, and thereupon came on to be heard the motion of the defendant to set aside the verdict and judgment entered in this cause, and to grant a new trial therein, and the said Motion being heard and duly considered by the Court, It is ordered that the Motion be overruled, and thereupon the defendants in open

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Court gave notice of an appeal to the Supreme Court.

↓ 3133 Jose Maria Garcia Bilareal vs The State of Texas

And now on this day came the parties by their attorneys, and thereupon came on to be heard the Motion of the plaintiffs to set aside the judgment entered in this case at a former day of this term and to grant a new trial therein, and the said Motion having been heard and duly considered by the Court, It is ordered that the Motion be overruled. And thereupon the plaintiff in open Court gave notice of an appeal to the Supreme Court.

↓ 3148 R N Lane vs G W Hetten et al.

And now on this day came the parties by their attorneys and thereupon came on to be heard the motion of the ~~Deputs~~ defendants, to set aside the verdict and judgment entered in cause at a former day of this term, and to grant a new trial therein. And the said Motion having been heard and duly considered by the court, it is ordered that the Motion be overruled, And thereupon the defendants in open Court gave notice of an appeal to the Supreme Court.

↓ 3148 R N Lane, vs G W Hetton et al.

And now on this day came the parties by their attorneys and thereupon came on to be heard the Motion of the defendants in arrest of judgment therein, and the said motion having been heard and duly considered by the court: It is ordered that the Motion be overruled. And thereupon the defendants in open Court gave notice of an appeal to the Supreme Court.

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

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

Pet't Jurors

And thereupon It is ordered that the Clerk of this Court issue Certificates for Jury Service to the following named persons for jury service during the present week of the term, to wit:

29	Jas Franklin	2 days	$4=	40	Peter Gregg	6 days	$12.00
30	King Hutchison	2 "	4=	41	W A Berkham	6 "	12.00
31	Moses Swisher	6 "	12=	42	Robt Johnson	6 "	12.00
32	John Musgrove	6 "	12=	43	Robt Smith	6 "	12.00
33	H. Hirshfeld	6 "	12=	44	W J Davis	6 "	12.00
34	Sandy Smith	6 "	12	45	L R Miller	6 "	12.00
35	John Washington	6 "	12	46	Borter McRunnels	6 "	12.00
36	H Samuels	6 "	12	47	Lem Van Zandt	6 "	12.00
37	Jacob Jackson	6 "	12	48	Wm Bell	6 "	12.00
38	W S Johnson	6 "	12	49	James Wall	6 "	12.00
39	Henry Vogt	6 "	12	50	DeWitt Robinson	6 "	12.00

February 15th 1873.

51	Dulin Maxwell	6 days	$12.00	54	J Dehnie	5 days	$10.00
52	Geo Briggs	6 "	12.00	55	Geo Doyle	5 "	10.00
53	B F Waddell	4 "	8.00	56	W S Patterson	1 "	2.00

And thereupon the Court adjourned to Monday Morning Feby 17th 1873. at 9 o'clock A.M.

February 17th 1873

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

Davis E. Thomas

And now on this day came Davis E. Thomas and asks that his name be enrolled as a practicing attorney in the several District and Inferior Courts of this State. And the said Thomas having presented to the Court his License as a practicing attorney in the Courts of the State of Tennessee It is ordered that said Thomas be and he is hereby admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas and that his name be enrolled accordingly.

1317 The State of Texas v. J. H. C. Edmond Continued for service
1352 The State of Texas v. C. W. Edwards et al Continued for service
1382 The State of Texas v. A. Chamberlain Continued for service
1468 The State of Texas v. John Martin Continued for service.
1691 The State of Texas v. Aurora Alexander Continued for service
1929 The State of Texas v. Green Continued for service
1931 The State of Texas v. Ara Carpenter et al Continued for service
1938 The State of Texas v Charles Sublett Continued for service
2008 The State of Texas v. J M Neal Continued for service
1941 The State of Texas v. C. W. Bryant. Continued for service.
1942 The State of Texas v. Gatlin and Gatlin Continued for service
1944 The State of Texas v. Jim Hamilton Continued for service
2090 The State of Texas v. Charley Moore Continued for service
2095 The State of Texas v. Geo Cravens Continued for service
2104 The State of Texas v. David Law. Continued for service
2120 The State of Texas v. Wm Lasson. Continued for service
2126 The State of Texas v. Geo W Allen Continued for service
2134 The State of Texas v. Thos Barnes Continued for service
2139 The State of Texas v. Miller Continued for service
2142 The State of Texas v. Peter Kenner Continued for service
2150 The State of Texas v. Harrison and Watson Cont'd for service
2153 The State of Texas v D Wimberley Continued for service
2189 The State of Texas v. Pole Carmiss Continued for service
2211 The State of Texas v. Geo H. Slaughter. Cont'd for service
2214 The State of Texas v. Silas Rawles Cont'd for service.
2252 The State of Texas v. Andrew Davis et al Cont'd for service
2284 The State of Texas v. Harper Jackson. Dismissed
2296 The State of Texas v. West Crapt et al. Dismissed
2324 The State of Texas v. Isum Smith Continued for service

February 14th 1873

Court gave notice of an appeal to the Supreme Court.

↓ 3133 Jose Maria Garcia Bilareal vs The State of Texas

And now on this day came the parties by their attorneys, and thereupon came on to be heard the Motion of the plaintiffs to set aside the judgment entered in this case, at a former day of this term and to grant a new trial therein, and the said Motion having been heard and duly considered by the Court, It is ordered that the Motion be overruled. And thereupon the plaintiff in open Court gave notice of an appeal to the Supreme Court.

↓ 3148 R N Lane vs L W Hetten et al.

And now on this day came the parties by their attorneys and thereupon came on to be heard the motion of the defendants, to set aside the verdict and judgment entered in cause at a former day of this term, and to grant a new trial therein, And the said Motion having been heard and duly considered by the court, it is ordered that the motion be overruled, And thereupon the defendants in open Court gave notice of an appeal to the Supreme Court.

↓ 3148 R N Lane, vs L W Hetton et al.

And now on this day came the parties by their attorneys and thereupon came on to be heard the Motion of the defendants in arrest of judgment therein, and the said motion having been heard and duly considered by the court; It is ordered that the Motion be overruled. And thereupon the defendants in open court gave notice of an appeal to the Supreme Court.

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

February 15th 1873

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

Petit Jurors

And thereupon It is ordered that the Clerk of this Court issue Certificates for Jury Service to the following named persons for jury service during the present week of the term, to wit:

29	Jas Franklin	2 days	$4=	40	Peter Gregg	6 days	$12.00
30	King Hutchison	2 "	4=	41	W A Berkham	6 "	12.00
31	Moses Swisher	6 "	12=	42	Robt Johnson	6 "	12,00
32	John Musgrove	6 "	12=	43	Robt Smith	6 "	12.00
33	H. Hirshfeld	6 "	12=	44	W J Davis	6 "	12,00
34	Sandy Smith	6 "	12	45	L R Miller	6 "	12.00
35	John Washington	6 "	12	46	Booker W Runnels	6 "	12,00
36	H Samuels	6 "	12	47	Lem Van Zandt	6 "	12.00
37	Jacob Jackson	6 "	12	48	Wm Bell	6 "	12,00
38	W S. Johnson	6 "	12	49	Jamis Wall	6 "	12,00
39	Henry Vogt	6 "	12	50	DeWitt Robinson	6 "	12,00

February 15th 1873.

51	Dulin Maxwell	6 days	$12.00	54	F Dehme	5 days	$10.00
52	Geo Briggs	6 "	12.00	55	Geo Doyle	5 "	10.00
53	B F Wadsell	4 "	8.00	56	W F Patterson	1 "	2.00

And thereupon the Court adjourned to Monday Morning Feby 17th 1873. at 9 oclock A.M.

February 17th 1873

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

Davis E. Thomas

And now on this day came Davis E. Thomas and asks that his name be enrolled as a practicing Attorney in the Central District and Inferior Courts of this State. And the said Thomas having presented to the Court his License as a practicing attorney in the Courts of the State of Tennessee It is ordered that said Thomas be and he is hereby admitted to practice as an Attorney and Counsellor at Law in the Central District and Inferior Courts of the State of Texas and that his name be enrolled accordingly.

1317 The State of Texas v. J. H. Edmond Continued for service
1352 The State of Texas v. C. W Edwards et al Continued for service
1382 The State of Texas v. A. Chamberlain Continued for service
1468 The State of Texas v. John Martin Continued for service.
1691 The State of Texas v. Aurora Alexander Continued for service
1929 The State of Texas v. Green Continued for service
1931 The State of Texas v. Ara Carpenter et al Continued for service
1938 The State of Texas v Charles Sublett Continued for service
2008 The State of Texas v. J M Neal Continued for service
1941 The State of Texas v. C. W Bryant. Continued for service.
1942 The State of Texas v. Gatlin & Gatlin Continued for service
1944 The State of Texas v. Jim Hamilton Continued for service
2090 The State of Texas v. Charley Moore Continued for service
2095 The State of Texas v. Geo Cravens Continued for service
2104 The State of Texas v. David Law. Continued for service
2120 The State of Texas v. Wm Lasson. Continued for service
2126 The State of Texas v. Geo W Allen Continued for service
2134 The State of Texas v. Thos Barnes Continued for service
2139 The State of Texas v. Miller Continued for service
2142 The State of Texas v. Peter Kenner Continued for service
2150 The State of Texas v. Harrison & Watson Cont'd for service
2153 The State of Texas v. D Wimberley Continued for service
2189 The State of Texas v. Pole Carnes Continued for service
2211 The State of Texas v. Geo H. Slaughter Cont'd for service
2214 The State of Texas v. Silas Rawles Cont'd for service.
2252 The State of Texas v. Andrew Davis et al Cont'd for service
2284 The State of Texas v. Harper Jackson. Dismissed
2296 The State of Texas v. West Craft et al. Dismissed
2324 The State of Texas v. Sam Smith Continued for service

February 17th 1873.

2351 The State of Texas v. Sam Scott. Dismissed

2352 The State of Texas v. Sam Scott. And now comes the parties and submit the cause to the Court. And the Defendant pleading guilty and the Court here fixing the fine at $10 It is ordered that the State of Texas do recover of the Defd. Sam Scott the sum of Ten Dollars and the cost of the prosecution and that a Capias do issue to collect the same.

2353 The State of Texas v. Pink Pedford. Continued

2359 The State of Texas v. Geo W. Slaughter. Continued

2365 The State of Texas v. W.H. Leggett Continued

2366 The State of Texas v. R. A. Brown. Continued

2371 The State of Texas v. James T. Brown. Come the parties and announced ready for trial and waiving a Jury submit the case to the Court. And the Court here fixing the fine at $5 upon a plea of guilty It is ordered that the State of Texas do recover of the Defendant, said sum of Five Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2373 The State of Texas v. James T. Brown Cause Dismissed ✓

2374 The State of Texas v. R. A. Brown. Continued for service

2375 The State of Texas v. R. A. Brown. Continued for service

2383 The State of Texas v. Bob Fields. Continued for service

2385 The State of Texas v. Wright. Continued

2394 The State of Texas v. A. Tobler. Continued for service.

2406 The State of Texas v. David Wills. Continued for service.

2420 The State of Texas v. Joe Wills Continued for service.

2425 The State of Texas v. A. S. Mason. Capias ordered to Williamson Co

2426 The State of Texas v. A. S. Mason. Continued for service.

2432 The State of Texas v. James Kellow. Continued for service.

2444 The State of Texas v. J. P. Malony. Continued for service.

2447 The State of Texas v. Wm Clark. Continued for service.

2448 The State of Texas v. Wm Schubard. Continued for Service.

2458 The State of Texas v. J. D. Barefoot. Continued for service.

2461 The State of Texas v. Fletcher Bennett. Continued for service.

2465 The State of Texas v. Wm Glasscock Continued for service

2466 The State of Texas v. Wm Glasscock. Continued for service.

2467 The State of Texas v. Bill Piper. Continued for service.

2469 The State of Texas v. Wm Cottingham. Capias to Bastrop Co

2494 The State of Texas v. Jake Continued for service

2495 The State of Texas v. Holmes Continued for service

2505 The State of Texas v. John Bond. Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Court here fixing the fine at $25 on a plea of guilty It is ordered that the State of Texas do recover of the Defendant the sum of Twenty-Five Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2506 The State of Texas v. Dilly Foster Cause Dismissed.

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2512 The State of Texas v. Boatman Continued for Service.
2514 The State of Texas v. Jo Inman. Capias to Williamson County
2517 The State of Texas v. Fairbanks And now come the parties and announce ready for trial and waiving a Jury submit the Case to the Court And the Defendant pleading guilty and the Court here fixing the fine at $25 It is ordered that the State of Texas do recover of the Defendant Fairbanks said sum of Twenty Five Dollars and the cost of the prosecution and that a Capias issue to collect the same
2522 The State of Texas v. Charles Murray. Continued for Service
2524 The State of Texas v. Melrose. Continued for service.
2527 The State of Texas v. Bob Fields. Continued for service.
2528 The State of Texas v. Frank Cotton. Dismissed.
2531 The State of Texas v. Dave Wills. Continued for Service
2532 The State of Texas v. Frank Cotton Come now the parties and announce ready for trial, and waiving a Jury submit the case to the Court. And Defendant pleading guilty and the Court fixing the fine at $10 It is ordered that the State of Texas recover of the Defendant Frank Cotton the sum of Ten Dollars. and the cost of the prosecution and that a Capias issue to collect the same.
2534 The State of Texas v. Worrell. Continued for service.
2535 The State of Texas v. Joe Wills. Continued for Service.
2536 The State of Texas v. Wright. Continued for service.
2537 The State of Texas v. Murray. Continued for Service.
2540 The State of Texas v. Wm Foster. Cause Dismissed
2545 The State of Texas v. John Brown. Continued for service.
2546 The State of Texas v. Charles Reade. Continued for service.
2547 The State of Texas v. McLennan. Continued for Service
2553 The State of Texas v. Charles Clinger Continued for service.
2554 The State of Texas v. Mays & Clanton Continued for service
2555 The State of Texas v. Thomas O'Blair Continued for service
2556 The State of Texas v. J. C. Garbell Continued for service
2557 The State of Texas v. J. C. Garbell Continued for Service.
2558 The State of Texas v. J C Garbell Continued for Service
2561 The State of Texas v. Wm H. Morris Continued for service
2568 The State of Texas v. James Kirk. Continued for service.
2570 The State of Texas v. Sam. Harris Continued for service.
2571 The State of Texas v. Clanton & Mays. Continued for service.
2572. The State of Texas v. R. C. McLaren. Continued by Defendant.
2576 The State of Texas v. Charles Smith Jr. Continued for service.
2589 The State of Texas v. James Grant. Cause Dismissed
2590 The State of Texas v. Wm Davison. Continued for Service.
2591 The State of Texas v. Giles Burditt Jr. Cause Dismissed
2594 The State of Texas v. Senator Saylor. Cont'd for service.
2595 The State of Texas v. Senator Saylor. Cont'd for service.
2596 The State of Texas v. Miet Swisher. Cause Dismissed

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2598. The State of Texas vs. James Pickle. Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court: and Defendant pleading guilty and the Court here fixing the fine at $10. It is ordered that the State of Texas recover of the Defendant said sum of Ten Dollars and the cost of the prosecution, and that a Capias issue to collect the same.

2724 The State of Texas vs. Jim, a Colored discharged Soldier. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by his attorney and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of A. B McGill and eleven others, who being duly tried elected, empannelled and sworn according to law, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, and after retirement and consideration, returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess his punishment at two years confinement in the Penitentiary. A. B. McGill Foreman." Whereupon It is ordered that said Defendant stand committed to the County Jail to await Judgment and Sentence.

Grand Jury And now on this day came into Court the Grand Jury of Travis County, duly tried, elected, empannelled and sworn and through their foreman J G Ringsberry presents to the Court the following bills of indictment, to wit,

2824 An Indictment against James McSwisher. For obstructing a public road
2825 An Indictment against Perry Timmin " Betting at Monte
2826 An Indictment against Brown Mares " Betting at Monte
2827 An Indictment against Henry Cook " Betting at Monte
2829 an Indictment against John Storey " Betting at Monte
2830 an indictment against Chigo " Betting at Monte
2831 an indictment against Charles Horst " Betting at Monte
2832 an indictment against Jim Brown " Betting at Chuck Luck
2833 an indictment against Jo Blum " Exhibiting Chuck Luck
2834 an indictment against Jack Levingston " Betting at Monte
2835 an indictment against Jerry Warren " Betting at Monte
2836 an indictment against Dick Blum " Betting at Monte
2837 an indictment against Warfield " Betting at Monte
2838 an indictment against Jim Burdett " Theft of Wagon Cover
2839 an indictment against Jim Brown " Betting at Monte
2840 an indictment against Seven up Jack " Betting at Monte
2841 an indictment against Gus Evans " Betting at Monte
2842 an indictment against Bill Smith " Betting at Monte
2843 an indictment against Bill Warren " Betting at Monte
2844 an Indictment against Alick Mack " Betting at Monte

2506 The State of Texas vs. [illegible]

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2845 an Indictment against Aleck Chalmers for Betting at Monte
2846 an indictment against Tom Fisher " Betting at Monte
2847 an indictment against Bob Smith " Betting at Monte
2848 ~~an indictment against Lawrence Hickman~~ " ~~Theft from a house~~
2848 an indictment against Nat Grumbles " Betting at Monte
2849 an indictment against Aleck Cook " Betting at Monte
2850 an indictment against Vince McCray " Betting at Monte
2851 an indictment against Andy Johns " Betting at Monte
2852 an indictment against Jo Woodman " Betting at Monte
2853 an indictment against Green Penn " Betting at Monte
2854 an indictment against Bill Warren " Betting at Monte
2855 an indictment against Bill Warren " Betting at Monte
2856 an indictment against Bob Smith " Betting at Monte
2857 an indictment against L A Speer " Aggravated Assault
2858 an indictment against Louis Allen " Betting at Monte
2859 an indictment against John Organ " Theft from a house
2860 an indictment against John Organ " Theft from a house
2861 an indictment against Smith Howell " Theft from a house
2862 an indictment against Samuel Hickman " Theft from a house

It is Ordered by the Court that Certificates for Grand jury Service at the present term of the Court, be issued to the following named jurors

		days	$				days	$	
1	Sb Kingsbury	11	22	00	9	Lacy McKenzie	11	22	00
2	Joseph Harrell	11	22	00	10	J J Jackson	11	22	00
3	W N Hardeman	11	22	00	11	John Billingsley	11	22	00
4	Ed Walker	11	22	00	12	J H Coleman	11	22	00
5	Lee B Giles	11	22	00	13	Tom Hill	11	22	00
6	J P Bott	11	22	00	14	Esen Earl	11	22	00
7	Robt Barr	11	22	00	15	John Clark	11	22	00
8	H Fort	11	22	00	16	J R Brizendine	11	22	00

And thereupon the Court adjourned till tomorrow at 9 O.C. A.M the said Grand Jury being finally discharged from service

February 18th 1873

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

2702 The State of Texas vs Bill Dell. And now comes the District Attorney on behalf of the State and the Defendant in person and by attorney and announced ready for trial. When came a Jury of twelve good and lawful men of Davis county consisting of M. C. Nichols and seven others duly tried elected empannelled and sworn who having heard the plea of guilty and the Charge of the Court, retired for deliberation and returned into Court the following verdict, to wit: We the Jury find the Defendant guilty and assess the punishment at two years in the Penitentiary. M C Nichols Foreman. Whereupon It is ordered that said Defendant stand committed to the County Jail to await the judgment and Sentence of the Court.

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2599 The State of Texas v. Geo Peirce. Come the parties and announce
X ready for trial and waiving a Jury submit the case to the Court
And the Defendant pleads guilty And thereupon It is adged that
The State of Texas do recover of the Defendant Geo Pierce the
Sum of Ten Dollars and the cost of the prosecution and that a
Capias issue to collect the same.

2600 The State of Texas v. E. Phillips. And now come the parties and
X announce ready for trial & waiving a Jury submit the case
to the Court. And the Defendant pleads guilty. Whereupon It is
ordered that the State of Texas do recover of the Defendant
E. Phillips the sum of Ten Dollars and the cost of the
prosecution & that a Capias issue to collect the same

2631 The State of Texas v. Jimmie Rawls. Come the parties and
X announce ready for trial and waiving a Jury submit the
cause to the Court. And the Defendant pleading guilty It is
ordered that the State of Texas do recover of the Defendant
Jimmie Rawles the sum of twenty five Dollars and the cost
of the prosecution, and that a Capias issue to collect the
same.

2648 The State of Texas v James Moore. Come the parties
X and announce ready for trial and waiving a Jury sub-
mit the case to the Court. And the Defendant pleading
guilty It is ordered that the State of Texas do recover
of the Defendant James Moore the sum of Ten Dollars
and the cost of the prosecution & that a Capias issue
to collect the same.

2665 The State of Texas v. Sonie Dryfuse Come the parties &
X announce ready for trial & waiving a Jury submit the
case to the Court And the Defendant pleading guilty It is
ordered that the State of Texas do recover of the Defendant
the sum of Ten Dollars and the cost of the prosecution
and that a Capias issue to collect the Same.

2681 The State of Texas v. Matt. Woodlief Come the parties &
X announce ready for trial & waiving a Jury submit the
case to the Court. And the Defendant pleading guilty
It is ordered that the State of Texas do recover of the
Defendant Matt. Woodlief said sum of Ten Dollars
and the cost of the prosecution and that a Capias
issue to collect the same

2684 The State of Texas v. H. N. Baker. Come the parties &
X announce ready for trial & waiving a Jury submit
the Case to the Court. And Defendant pleading guilty
It is ordered that the State of Texas recover of the
Defendant H. N. Baker the sum of Five Dollars &
the cost of the prosecution & that a Capias issue
to collect the same.

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2620 The State of Texas v. Jack Mahoney. Continued for service.
2625 The State of Texas v. Tom Rains Continued for service
2634 The State of Texas v. Boatman Continued for service
2654 The State of Texas v. Frank Cotton. Dismissed
2658 The State of Texas v Charley Black Continued for service
2662 The State of Texas v. Charles Reade. Capias to Bexar Co.
2664 The State of Texas v. Louis Dryfuss. Dismissed
2668 The State of Texas v. Fletcher Bennett. Continued for service
2670 The State of Texas v. John Johnson Cause Dismissed
2677 The State of Texas v. A.H. Musgrove. Cause Dismissed
2678 The State of Texas v. Bob Hoffman Cause Dismissed
2679 The State of Texas v. M. Ahrsted Continued by the State.
2682 The State of Texas v. Reuben Murphy. Continued for service
2683 The State of Texas v. Charles Smith Continued for Service
2686 The State of Texas v. Fitch. Continued for service
2687 The State of Texas v. Fitch. Continued for service
2693 The State of Texas v. Willis Jackson. Cause Dismissed
2694 The State of Texas v. A.L. Tisdale. And now comes the District attorney and the Defendant in person and by attorney and announced ready for trial And thereupon came a Jury of twelve good and lawful men of Travis county consisting of A.B. McGill and seven others duly tried elected empanelled and sworn who having heard the plea of not guilty, the evidence, argument of counsel and charge of the Court returned the following verdict, to wit:
"We the Jury find the Defendant not guilty. A B McGill Foreman." Whereupon It is ordered that the Defendant go hence without day fully acquitted and discharged

3441 The State of Texas v. Fairbanks et al. On motion It is ordered that this cause be dismissed upon payment of the cost of the proceedings. and it is ordered that the said Defendants Fairbanks, H. D. Mitchell and John Hanson pay the cost hereof to be taxed for which execution may issue
3627 Houston and Texas Central Railway v. B M Odum. Continued
3565 H. C. Garner v. J. W. Smith et al. And now comes the State of Texas by Attorney and upon motion a petition of intervention on behalf of the State of Texas is allowed to be filed.
2775 The State of Texas v. Frank Coats Come the parties by atty and announce ready for trial and waiving a Jury submit the Case to the Court And Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant Three hundred Dollars and the cost of the prosecution and that a Capias issue to collect the same

Whereupon Court adjourned till tomorrow morning 9 o'clock

Feleruary 19th 1873

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

2815 H. Thompson v. D. A. Wray

And now at this day comes the Plaintiff H. Thompson and announced himself ready for trial. And it appearing to the Court that the Defendant D. A. Wray has been duly and legally served in said cause and has wholly failed to appear, and that at a previous term he had made default and Judgment for non appearance had been entered against the said Wray and the said Deft Wray still continuing in default, the said Plaintiff proceeded to execute the Writ of Inquiry that had heretofore been accorded to him And thereupon came a Jury of five lawful good men to wit: H. Hirshfeld and eleven others; and the said Jury being duly sworn having heard the evidence and charge of the Court rendered the following verdict, to wit: "We the Jury find for plaintiff in the sum of Seven Hundred and Seventy Eight 95/100 Dollars. H. Hirshfeld, Foreman." It is therefore considered and adjudged by the Court that the said Plaintiff do have and recover of the said Defendant said sum of Seven Hundred and Seventy Eight & 95/100 Dollars with legal interest thereon from this date until its payment and that he, petitioner have and recover of and from the said Defendant all the costs in this behalf expended for all which execution may issue

And it further appearing to the Court that heretofore to wit: on the 26th day of October 1868 a writ of attachment was sued out against the property of said Defendant D. A. Wray and that on the 26th day of October, 1872 the same was duly levied on the following described property of the Defendant to wit: One large Buggy and Harness, One large Gray Horse Mule and One large Gray Mare Mule the said property being of the value of Five Hundred Dollars And it further appearing to the Court that the said above described property was never replevied by either party but remained in the custody of the Sheriff who attached the same, to wit: R. Platt, the Sheriff of Travis county. It is further ordered that said property so remaining in the custody of the law be forthwith sold by the Sheriff of Travis county and the proceeds of the same apply to the payment of said judgment and costs and in case the same is not produced and forthcoming to obey the orders of the Court, then and in that event the plaintiff shall have and recover of the said

February 19th 1873

Sheriff R. Hall, the appraised value of said property with 8 per cent interest thereon from the date of said attachment for all which execution may issue. It is further ordered that if the proceeds of said attached property be not sufficient to satisfy the amount of the judgment and costs in this case, then execution may issue for the unpaid balance

2429 The State of Texas v. Dick Meeks. Dismissed as to Dick Meeks.
2615 The State of Texas v. Pooly. Cause Dismissed
2641 The State of Texas v. Bill Galloway. Continued by the Defendant
2789 The State of Texas v. Smith Howell. Cause Dismissed
2816 The State of Texas v. Smith Howell. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial. Whereupon came a Jury of the good and lawful men of Travis county consisting of A. B. McGill and eleven others, duly selected, tried, empannelled and sworn, who having heard the plea of guilty, the evidence argument of counsel and the charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess his punishment at 5 years confinement in the Penitentiary A. B. McGill, Foreman." And thereupon It is ordered that the Defendant stand committed to the County Jail to await Judgment and Sentence

2817 The State of Texas v. Smith Howell. Cause Dismissed
2859 The State of Texas v. John Organ. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial. When came a Jury of the good and lawful men of Travis county consisting of Nat Moore and eleven others duly tried elected empannelled and sworn who having heard the plea of guilty and the charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess punishment at three years in the Penitentiary Nat. Moore, Foreman." Whereupon It is ordered that the Defendant stand committed to the County Jail to await Judgment and Sentence.

2860 The State of Texas v. John Organ Cause Dismissed
2861 The State of Texas v. Smith Howell Cause Dismissed

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

February 20th 1873.

Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon J. P. Richardson Judge 12th Judicial District presiding. Whereupon the following proceedings were had by said Court to wit:

February 20th 1873.

2741 The State of Texas v. Wm Wilson. Come the parties by their attorneys and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas do have and recover of the Defendant the sum of Twenty Five Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2742 The State of Texas v. Gus Evans. And now come the parties by attorney and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas do recover of the Defendant Gus. Evans the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same

2763 The State of Texas v. Toney a col'd man Come the parties by their attorneys and announce ready for trial, and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas do recover of the Defendant Toney a colored man the sum of Twenty Five Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2772 The State of Texas v. Gus Evans. Cause Dismissed.

2780 The State of Texas v. Tom Fisher. Cause Dismissed

2841 The State of Texas v. Gus Evans. Cause Dismissed

2846 The State of Texas v. Tom Fisher. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas do recover of and from the Defendant Tom Fisher the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2858 The State of Texas v. Louis Allen. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant Louis Allen the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect same.

And Court adjourned till to-morrow 9 a.m.

February 21st 1873

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

2478 The State of Texas v. George W Toney. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial: and thereupon came a Jury of twelve good and lawful men of Travis county duly tried elected

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empanelled and sworn, who after hearing the evidence, argument of counsel and the charge of the Court, returned the following verdict, to wit: "We the Jury find the Defendant not guilty H. C. Nickals Jackman." Whereupon It is ordered that the said Defendant go hence fully acquitted and discharged.

Petit Juris. And thereupon It is ordered that the Clerk issue Certificates of service to the following named Jurors for service during the present week of the Term, to wit:

1	Philip Jahn	5 days	$10.	14	Booker McReynolds	5 days	$10
2	W. T. Norton	5 "	10	15	H. M. Meeks	6 "	12
3	Carl Price	5 "	10	16	W. A. Peckham	6 "	12
4	L. Brown	5 "	10.	17	C. Jameson	6 "	12
5	A. B. McGill	5 "	10.	18	J. Shehan	6 "	12
6	James Wall	5 "	10	19	Chas. Robinson	6 "	12
7	Jas. Goodman	5 "	10.	20	Henry Voigt	6 "	12
8	Nat. Moore	5 "	10	21	Abe Timmins	6 "	12
9	Chas. Griffin	5 "	10	22	R. B. Parker	6 "	12
10	Philip McConnell	6 "	12	23	H. C. Nickals	6 "	12
11	Roger Blount	5 "	10	24	J. W. Schaffner	6 "	12
12	J. C. Gaulberry	5 "	10	25	C. T. B. Alley	3 "	6.
13	Ben. F. Rowe	6 "	12.				

2478 The State of Texas v. Geo. W. Honey et als
2479 The State of Texas v. Geo. W. Honey et als
2482 The State of Texas v. Geo. W. Honey
2483 The State of Texas v. J. H. Dennis
2525 The State of Texas v. Geo. W. Honey
2688 The State of Texas v. Geo. W. Honey
2689 The State of Texas v. Geo. W. Honey
2690 The State of Texas v. Geo. W. Honey
2691 The State of Texas v. Geo. W. Honey
2692 The State of Texas v. Geo. W. Honey

And now at this day came on to be heard the application of the Defendants for a change of the venue of the last preceding ten causes to the County of Williamson, which being heard by the Court and argued by Counsel, It is ordered that the said several motions be and the same are overruled. And the Defendants thereupon except to the said ruling

And thereupon Court adjourned till Monday morning at 9 o'clock.

Monday, Feby 24th 1873

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

2542 The State of Texas v. Raphael Castillo. And now on this day came the District Attorney on behalf of

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the State and came also the Defendant in person and by attorney and announced ready for trial. Whereupon came a Jury of twelve good & lawful men of Travis County, consisting of John P. Kirk and seven others, duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of counsel & the charge of the Court, after retirement returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at two years in the Penitentiary. Jno P. Kirk, Foreman." Whereupon It is ordered that the Defendant Stand committed to the County Jail to await Judgment & sentence

2743 The State of Texas v. Frank Gordon. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney & announced ready for trial. And then came a Jury of twelve good and lawful men of Travis county consisting of Nat Moore and eleven others duly tried elected, empannelled & sworn, who having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant not guilty. Nat Moore foreman." Whereupon It is ordered that the said Defendant Frank Gordon, go hence fully acquitted & discharged from Custody

2514 The State of Texas v. D. Inman. And now comes the District Attorney and the Defendant by attorney A.S. Walker and announced ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas do recover of the Defendant D. Inman the sum of Ten Dollars and the cost of the prosecution and that a capias issue to collect the same.

2800 The State of Texas v. Andrew Jackson. And now on this day came the District attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis County, consisting of John P. Kirk and seven others duly tried elected, empannelled & sworn, who having heard the Defendants plea of not guilty the evidence, argument of counsel and the charge of the Court, after retirement returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess his punishment at two years in the Penitentiary John P. Kirk foreman." Whereupon It is ordered that the Defendant Stand committed to the County Jail to await judgment & sentence.

February 20th 1873

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

2779 The State of Texas v. Shack Ware, col. On this day came the parties and announced ready for trial and waiving a jury submit the case to the Court. And the Defdt. pleading guilty It is ordered that the State of Texas do recover of the Defendant Shack Ware, col. the sum of Ten Dollars and the cost of the prosecution and that a capias issue to collect the same.

2843 The State of Texas v. Dill Warren On this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial and waiving a jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas do recover of the Defendant Dill Warren the sum of Ten Dollars and the cost of the prosecution and that a capias issue to collect the same.

2776 The State of Texas v. W. S. Williams And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial. Whereupon came a Jury of 12 good and lawful men of Travis county, consisting of W. A. Pitts and eleven others duly tried elected empannelled and sworn who having heard the plea of not guilty the evidence argument of counsel and the charge of the Court returned the following verdict, to wit.

" We the Jury find the Defendant guilty and assess his punishment at two years hard labor in the State Penitentiary W A Pitts, Foreman." Whereupon it is ordered that the Defendant stand committed to the county Jail to await Judgment and sentence.

2854 The State of Texas v. Dill Warren Dismissed

2855 The State of Texas v. Dill Warren Dismissed

2633 The State of Texas v. Chas. Fagett Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas do recover of the Defendant Charles Fagett the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same

2767 The State of Texas v. Dick Patterson Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defdt. pleading guilty It is ordered that the State of Texas recover of the Defendant said sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same

2814 The State of Texas v. Ed Lightfoot Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State

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of Texas do have and recover of the Defendant said sum of Ten Dollars and the cost of the prosecution and that alapias issue to collect the same.

2813 The State of Texas v. Ed. Lightfoot Dismissed

2815 The State of Texas v Ed. Lightfoot. Dismissed

2476 The State of Texas v. M. R. Jones. And now on this day came the District Attorney on behalf of the State and came also the Defendant M. R. Jones in person and by attorney and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county consisting of John P. Kirk and eleven others, duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court after retirement returned the following verdict, to wit: "We the Jury find the Defendant not guilty John P. Kirk foreman." Whereupon It is ordered by the Court that the said Defendant M R Jones do go hence fully acquitted and discharged from custody.

2468 The State of Texas v. Bob Johnson. Cause Dismissed

2852 The State of Texas v Jo Woodman Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Deft. pleading guilty It is ordered that the State of Texas do recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that alapias issue to collect the same.

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

February 26th 1873

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

2733 The State of Texas v. Cayetano Torres And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial and then came a Jury of twelve good and lawful men of Travis county consisting of W. A. Pitts and eleven others duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence argument of counsel and the charge of the Court, returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess her punishment at two years hard labor in the State Penitentiary W. A. Pitts foreman." Whereupon It is ordered that the Defendant stand committed to the County Jail to await Judgment and sentence.

2449 The State of Texas v. D. Wacker et al. Continued by the State.

2476 The State of Texas v Neil Cain Dismissed as to Cain

2785 The State of Texas v Red Ware. Dismissed

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2798 The State of Texas v. John Lenard And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial Whereupon came a Jury of twelve good and lawful men of Travis county consisting of John P. Kirk and eleven others duly tried elected unpannelled and sworn who having heard the plea of not guilty the evidence argument of counsel and the charge of the Court thereto the following verdict to wit. We the Jury find the Defendant not guilty. John P. Kirk Foreman." Whereupon It is ordered that said Defendant John Lenard go hence without day fully acquitted and discharged.

Error 2802 The State of Texas v. Margarette Spinosa. Indictment quashed and cause dismissed and Defendant discharged

2862 The State of Texas v. Samuel Hickman. Indictment quashed and Cause Dismissed

2803 The State of Texas v. Sam Hickman Indictment quashed and Cause Dismissed

3455 Raymond and Mintis v. James Davidson And now come the plffs and on motion It is ordered that the following personal property sized under attachment in this cause, being liable to waste, be and the same is hereby ordered to be sold after ten days notice, to wit. One cow and three calves, one Plow and attachments, one horse, two gang plows, three turning plows, one cultivator rake, six hundred bushels of corn, more or less, and one stack of oats; and the proceeds of said sale be shall apply and refund to this Court.

2438 The State of Texas v. E. P. Phillips. Cause Dismissed

2446 The State of Texas v. Wash Hill. Continued

2579 The State of Texas v. Miles Miller Cause Dismissed

2588 The State of Texas v. Rud Cotton. Cause Dismissed

2602 The State of Texas v. J. Schirer Continued for cause

2628 The State of Texas v. Wm. Thompson Continued by the Defendant.

2632 The State of Texas v. Bill Tong. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. Thereupon Deft pleading guilty It is ordered that the State of Texas recover of said Bill Tong the sum of twenty five Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2641 The State of Texas v. Bill Galloway Dismissed

2642 The State of Texas v. Bill Galloway Dismissed

2643 The State of Texas v. Bill Galloway Dismissed

2644 The State of Texas v. Bill Galloway Dismissed

2645 The State of Texas v. Bill Galloway Dismissed

2646 The State of Texas v. Bill Galloway Dismissed

2647 The State of Texas v. Bill Galloway Dismissed

2649 The State of Texas v. John Baughn Dismissed

2685 The State of Texas v. John Baughn Dismissed

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2703 The State of Texas v. John Baughn. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant John Baughn the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect.

2704 The State of Texas v. John Baughn Dismissed

2705 The State of Texas v. John Baughn Dismissed

2707 The State of Texas v. Billy Cannon. Capias to Harris Co.

2708 The State of Texas v. Neil Cain Dismissed

2709 The State of Texas v. Neil Cain Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Deft pleading guilty It is ordered that the State of Texas do recover of the Defendant Neil Cain the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect.

2710 The State of Texas v. Neil Cain Cause Dismissed

2711 The State of Texas v. Billy Cotton. Capias to Harris & Galveston

2712 The State of Texas v. Billy Cotton Capias to Harris and Galveston

2714 The State of Texas v. Frank Cotton. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Deft. pleading guilty It is ordered that the State of Texas recover of the Deft. the sum of ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2720 The State of Texas v. M & Hawes Cause Dismissed

2725 The State of Texas v. A. B. Mitchell. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Deft. pleading guilty It is ordered that the State of Texas recover of the Defts the sum of ten Dollars and the cost of the prosecution and that a Capias issue to collect the same

2726 The State of Texas v. A. B. Mitchell Dismissed

2727 The State of Texas v. James Moore Continued by Defendant.

2730 The State of Texas v. Billy Thompson. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defts pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2732 The State of Texas v. Bill Foy. Cause Dismissed

2735 The State of Texas v. Bill Foy. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defts Bill Foy pleading guilty It is ordered that the State of Texas do recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that Capias issue to collect the same.

2736 The State of Texas v. Matt Woodliff. Cause Dismissed

2737 The State of Texas v. Matt. Woodliff. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect

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2738 The State of Texas v. Matt Wood Def. Cause Dismissed

2747 The State of Texas v Aaron Robinson col. Come the parties and an-
X nounce ready for trial and waiving a Jury submit the case to the
Court. And Defendant pleading guilty It is ordered that the State of
Texas recover of the Defendant the sum of Twenty five Dollars and
the cost of the prosecution and that alcapias issue to collect.

2755 The State of Texas v Jimmie Ralls. Come the parties and announce
X ready for trial and waiving a Jury submit the case to the Court.
And Defendant pleading guilty It is ordered that the State of Texas
recover of the Defendant the sum of twenty five Dollars and
the cost of the prosecution and that a Capias issue to collect.

2756 The State of Texas v. O. H. Meroney. Come the parties and announce
X ready for trial and waiving a Jury submit the case to the Court.
And Defendant pleading guilty It is ordered that the State of Texas
recover of the Defendant the sum of Twenty five Dollars and the
cost of the prosecution and that a Capias issue to collect the same.

2762. The State of Texas v. Aaron Robinson Dismissed

2764 The State of Texas v. Ed. Wilkerson. Come the parties and announce
X ready for trial and waiving a Jury submit the case to the Court.
And Defendant pleading guilty It is ordered that the State of Texas
recover of the Defendant the sum of ten dollars and the cost
of the prosecution and that alcapias issue to collect the same.

2765 The State of Texas v. Ed. Wilkerson Cause Dismissed

2766 The State of Texas v. Ed. Wilkerson Cause Dismissed

2770 The State of Texas v Mack Haines col. Come the parties and
X announce ready for trial and waiving a Jury submit the case
to the Court. And Defendant pleading guilty It is ordered
that the State of Texas recover of the Defendant Mack
Haines col. the sum of ten dollars and the cost of the
prosecution and that alcapias issue to collect the same.

2776 The State of Texas v James Mase. Come the parties and announce
X ready for trial and waiving a Jury submit the case to the Court.
And Defendant pleading guilty It is ordered that the State of
Texas recover of the Defendant the sum of Ten dollars and
the cost of the prosecution and that alcapias issue to collect.

2786 The State of Texas v. Ed Wilkerson Cause Dismissed

2832 The State of Texas v Jim Brown Cause Dismissed

2839 The State of Texas v. Jim Brown alias L. Brown. Come the parties
X and announce ready for trial and waiving a Jury submit the
case to the Court. And Defd. pleading guilty It is ordered that
the State of Texas recover of the Defendant the sum of Ten
Dollars and the cost of the prosecution and that alcapias
issue to collect the same.

2853 The State of Texas v Green Penn. Come the parties and announce ready for trial
X and waiving a Jury submit the case to the Court. And Defd. pleading
guilty It is ordered that the State of Texas recover of the Defendant the sum
of ten dollars and the cost of the prosecution and that alcapias issue to collect

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3565 H. B. Garner v. J. W. Smith et al. Defendants and The State of Texas Intervenor And now at this term came the parties to this cause by their respective attorneys and announced ready for trial and waiving a Jury submit the case to the Court. And the Court having heard the pleadings, the evidence and argument of counsel and duly considered the same, is of opinion that the law is with the Intervenor. And thereupon It is ordered and decreed that the said H. B. Garner take nothing by reason of his suit; That the Injunction be dissolved; and that the State of Texas do have and recover of and from the said H. B. Garner and the securities on his Injunction Bond, to wit: F. W. Murray, G. W. Hill, N. W. Ellis and W. G. Adams the sum of One thousand dollars, and the further sum of one hundred dollars, being ten per centum damages on said sum of One thousand dollars, together with all the cost to be taxed, for which execution may issue. That the case be dismissed.

And Court adjourned till to-morrow 9 am

February 27th 1873

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

2699 The State of Texas v Boatman. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of Twenty five Dollars and the cost of the prosecution and that a capias issue to collect the same.

2745 The State of Texas v. Jo. Hallum Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas do recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that a capias issue to collect the same.

2746 The State of Texas v Jo Hallum. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of Ten Dollars and the cost of prosecution and that a capias issue to collect the same.

2748 The State of Texas v Jo Hallum. Cause Dismissed

2750 The State of Texas v. Jo. Hallum Cause Dismissed

2768 The State of Texas v Jo Hallum. Cause Dismissed

2784 The State of Texas v Pat Roberts Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas do recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that a capias issue to collect the same

2787 The State of Texas v. Shepherd Continued by the Defendant

2788 The State of Texas v. Shepherd Continued by the Defendant

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2850 The State of Texas v. Vince McCray. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Deft. pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that a capias issue to collect the same.

2626 The State of Texas v. James Irons. Now on this day came the parties and announce ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county consisting of H C Granberry and eleven others, duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, returned the following verdict, to wit: "We the Jury find the Deft guilty and assess the punishment at seven years in the Penitentiary. H C Granberry foreman." Whereupon It is ordered that the Defendant stand committed to the County Jail to await Judgment and Sentence.

3565 H C Garner Plaintiff v. James W. Smith et.al. Defendants and The State of Texas Intervenor

On motion of the State of Texas, the Intervenor in this cause by the District Attorney, It is ordered by the Court that the judgment in this cause rendered on the 26th Febreuary 1873 be and the same is hereby amended so as to read as follows. And now on this day this cause coming on to be heard the parties announced themselves ready for trial; and a Jury being waived the entire cause both as to law and matter of facts was submitted to the Court on the petition of Plaintiff, the answer of the Defendants and exhibits thereto attached and Petition of Intervenor; and the Court being satisfied that the law on the case made is with the Intervenor, It is therefore ordered adjudged and decreed by the Court that the Plaintiff H. C Garner take nothing by this suit, and that the injunction granted herein be dissolved and that the State of Texas, the Intervenor herein, do have and recover of and from said Plaintiff H C Garner, and the securities on his Injunction Bond to wit F. W. Murray, G. W. Hill, N. W. Ellis and W. G Adams the sum of One thousand Dollars the amount of the Judgment enjoined herein together with the further sum of One hundred Dollars as her damages of ten per cent. on the amount enjoined, and also all the costs in this cause expended. And it appearing to the Court from the allegations in the plaintiffs petition and from the admissions of the answer of Defendants and from the averments in the petition of the Intervenor that the execution issued by Defendant James W. Smith as a Justice of the Peace of Travis County (the sale under which was enjoined in this cause) was issued on the 19th day of December 1872 by the Defendant J. P. Galbraith, as a Constable of the

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County of Caldwell upon the fodowing described real estate situated in the town of Caldwell in said County of Caldwell to wit:

" An undivided one half interest in a certain store house & lot now occupied by John Anderson in the town of Lockhart, County of Caldwell, Texas. being 21½ feet off the North side of the South half of Lot No 4 in Block No 19 according to the plat of said town, fronting on the West side of the square of said town, and running back the full length of said lot. also the vacant portion of said lot lying between said 21½ feet and the store house on the N. E. corner of said lot now occupied by Fleet & Henderson"

And that said Galbreath has advertised said Real Estate and was about to sell the same under said execution as the property of said plaintiffs, at the time of the issuance of the injunction in this cause, and that by said levy the State of Texas did acquire a lien on said real estate for the satisfaction of the judgment and execution injoined in this cause, It is therefore further ordered by the Court that an Order of Sale do issue directed to the Sheriff or any Constable of Caldwell county requiring the sale of said real estate, as under execution, to satisfy this judgment, and that the proceeds of said sale be applied to the payment of this judgment and the remainder if any, be paid over to said plaintiffs: and in case said property shall not at said sale bring enough to satisfy this judgment, then execution shall issue against said plaintiffs and his said securities for any balance remaining unpaid.

3554. P. J. Willis & Bro v. T. E. Cater Continued by the Defendant.

2812 The State of Texas v. Peter Bratton And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas have and recover of the Defendant Peter Bratton the sum of ten dollars and the cost of the prosecution. and that a Capias issue to collect the same.

2830 The State of Texas v. Checo And now come the parties and announce ready for trial, and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant Checo the sum of ten dollars and the cost of the prosecution, and that a Capias issue to collect the same.

2845 The State of Texas v. Mock Chalmers. And now on this day came the parties and announce ready for trial. whereupon came a Jury of twelve good and lawful men of Travis county consisting of W A Pitts and eleven others duly tries elected empannelled and sworn, who having heard the plea of not guilty, the evidence and the charge of the Court returned the following verdict, to wit: " We the jury find the Defendant guilty and assess his

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fine at fifteen dollars. W. A. Pitts Foreman." Whereupon It is ordered that the State of Texas recover of said Defendant fifteen dollars and the cost of the prosecution and that a Capias issue to collect the same

2857 The State of Texas v. L. N. Speer. Ordered that this Indictment be quashed, the cause dismissed and Defendant discharged

2818 The State of Texas v. John Johnson. Continued by Defendant.

2819 The State of Texas v. James Davidson. Continued for service.

2801 The State of Texas v. Andres Coleman Continued by agreement

2757 The State of Texas v. Chas. Stansenbeck. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. and waiving a Jury submit the case to the Court. And Defft. pleading guilty It is ordered that the State of Texas recover of the Defendant said sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2848 The State of Texas v. Nat Grimes. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defft. pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of ten dollars and the cost of the prosecution and that Capias issue to collect the same.

2390 The State of Texas v. W S Williams Cause Dismissed

2391 The State of Texas v. W S Williams Cause Dismissed

2698 The State of Texas v. Tom Bowles Cause Dismissed

2809 The State of Texas v. Neville. And now on this day came the District attorney on behalf of the State and came also the Defendant by attorney And the Defendants counsel submitted his motion to quash the Indictment which being heard and duly considered, It is ordered that said motion be overruled. to which ruling the Defendant excepts and gives notice in open Court of an appeal to the Supreme Court-

2810 The State of Texas v. Neville. And now on this day came the District attorney on behalf of the State and came also the Defendant by attorney. And Defendants counsel submitted his motion to quash the indictment which being heard and duly considered It is ordered that said motion be overruled, to which ruling the Defendant excepts and gives notice in open Court of an appeal to the Supreme Court.

2847 The State of Texas v. Bob. Smith. Cause Dismissed

2856 The State of Texas v Bob. Smith Cause Dismissed

3247 The State of Texas v. Sam Scott et.als. On motion It is ordered that this cause be dismissed and that the Defendants Sam Scott, Jo. Wadsworth and N.B. Mitchell pay all the cost of the suit for which execution may issue.

And Court adjourned till to morrow 9 A.M.

February 28th 1873

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

Joseph G. Gangan — Comes now Joseph G Gangan and asks the Court to permit admit him to practice as an Attorney and Counsellor at Law in the several District and Inferia Courts of the State of Texas, he having produced evidence that he has heretofore been admitted to practice in the Courts of Lincoln County, Tennessee And thereupon It is ordered that said applicant be and he is hereby admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of this State.

2837 The State of Texas v. Warfield. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of W A Pitts and eleven others, duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess his punishment at six months imprisonment in the county jail. W. A. Pitts, foreman." Whereupon It is considered that said defendant be confined in the county jail of Travis County for six months, and that the State of Texas recover of the Defendant all the cost, and that alias issue to collect the same & execution

2619 The State of Texas v. Geo. Hickey And now on this day came the District attorney on behalf of the State, and came also the Defendant in person and by attorney and announced ready for trial And thereupon came a Jury of twelve good and lawful men of Travis County, consisting of John P Kirk foreman and eleven others duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of counsel, and the charge of the Court returned the following verdict. to wit. "We the Jury find the Defendant guilty, and assess his punishment at three years in the Penitentiary. John P. Kirk, foreman." Whereupon It is ordered that the said Defendant stand committed to the county Jail to await judgment and sentence.

2734 The State of Texas v. Andres Toras And now on this day came the District attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of W A Pitts and eleven others, duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of counsel, and the charge of the Court, returned the following verdict, to wit: We, the Jury find the Defendant not guilty.

W. A Pitts foreman

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

2401 The State of Texas v. Jace Wilson. Ordered that the bond in this case be quashed and that alias capias issue

Petit Jurie Ordered that certificates for jury service issue to the following persons for jury service during the present week of the Court

E S Randle	5 days	$10.	W A Beckham	5 days	10
G R Kirk	5 "	10.	F. W. Schaffnitt	5 "	10
E K Miller	5 "	10.	Henry Voigt	5 "	10.
B McReynolds	5 "	10.	Jack Shaw	5 "	10
R Johnson	5 "	10.	H. Cisag	5 "	10
W. H. Robinson	5 "	10	Thos Stanley	5 "	10
E. Madden	5 "	10.	Thos Henry	5 "	10
H A Jurgenson	5 "	10.	Geo. Ironsdale	4 "	8.
S. B. Granberry	5 "	10.	Duke Connoy	5 "	10.
James Wall	4 "	8.	Henry McGary	5 "	10.
Elijah Morris	5 "	10	Nat Moore	5 "	10
R B Parker	5 "	10	Merritt Robinson	5 "	10

W. A. Pitts 5 days $10.

Spaulding and Spain And now on this day came on to be heard the petition of G R Spaulding and T J Spain, under writ of habeas corpus, praying for a discharge from custody. And the Sheriff having returned the cause of the detention of said applicants: and the cause thereof being inquired into by the Court, and the testimony being heard; and it appearing that no sufficient cause exists for the detention of said applicants It is ordered that said G R Spaulding and T. J. Spain be and they are hereby discharged from custody

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

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

2706 The State of Texas v. Bud. Cotton. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant Bud. Cotton the sum of twenty five dollars and the cost of the prosecution, and that a Capias issue to collect the same.

2703 The State of Texas v. Dutch Dock Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of ten dollars and the cost of the prosecution and that a Capias issue to collect the same.

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2849 The State of Texas v. Aleck Cook Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of ten dollars and the cost of the prosecution and that a Capias issue to collect the same.

3578 M. A. Taylor v. H. B. Withers. And now on this day came the parties and thereupon the counsel for the Defendant submitted to the Court his motion to set aside the judgment by default entered herein at a former day of the term. And said motion being heard and duly considered It is ordered that the same be granted. that said judgment of default be set aside and vacated, and the Defendant permitted to plead.

3424 Odum v. Brass. And now on this day came the parties to this cause by their attorneys and the Defendant submitted his motion for a new trial, which being heard and duly considered It is ordered that said motion be overruled. to which ruling the said Defendant excepts and gives notice in open Court of an appeal to the Supreme Court.

3565 H. B. Garner v. J. W. Smith et al. Defendants, and The State of Texas, Intervenor And now on this day came the parties to this cause by their attorneys and the plaintiff submitted his motion for a new trial, which being heard and duly considered It is ordered that said motion be overruled: to which ruling the plaintiff excepts and gives notice in open Court of an appeal to the Supreme Court.

2619 The State of Texas v. Geo. Hickey. And now on this day came the parties to this cause by their attorneys and the Defendant submitted to the Court his motion for a new trial. And the same being heard and considered It is ordered that said motion be overruled. And it appearing that the Defendant has been found guilty, by the jury who tried the case, of the charge contained in the indictment, the same being an offence against the laws of this State, of the grade of felony, It is ordered, and decreed that said Geo. Hickey is guilty of the crime of stealing a Saddle, of the value of twenty dollars, the same being a felony. And thereupon the said Defendant excepts to the rulings of the Court herein, and gives notice in open Court of an appeal to the Supreme Court. And because of said notice of appeal, it is ordered that sentence be suspended, to await the judgment of the Supreme Court: and that said Defendant be remanded to jail to await the result of said appeal

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And Court adjourned till Monday morning at 9 o'clock

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

2344 The State of Texas v. W. H Brown And now on this day this cause being regularly reached, and the Defendant not appearing to prosecute the appeal, It is ordered that the cause be dismissed for want of prosecution and that the State of Texas do have and recover of the said Defendant W.H. Brown the sum of fifty dollars, that being the amount of the fine assessed against the Defendant in the Court below, together with all the cost in this Court and the Court below. And further ordered that the State of Texas recover also of the securities on the appeal bond, M. W Townsend and Joseph Brucksnijer, the said sum of fifty dollars and the cost of the Court below and in this Court for all which execution may issue against the said Principal and Defendants.

2380 The State of Texas v. Wile Slaughter. This cause being called for trial the Defendant W. H. Slaughter failing to appear and answer to the Indictment in this case, he and his securities Nat Moore and Wm H. Baker being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Wile Slaughter alias W. H. Slaughter with the said Nat Moore and Wm H. Baker as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated 14th day of February 1872, payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said defendant Wile Slaughter make his personal appearance at the District Court of said county of Travis sitten in session at the Courthouse thereof in Austin, to answer the Indictment preferred against the said defendant Wile Slaughter by the Grand Jurors of Travis county at the February terms, 1872, for Betting at Monte and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited: and it is considered by the Court that the State of Texas do have and recover of the said Wile Slaughter alias W. H. Slaughter, and the said Nat Moore and Wm H. Baker the said sum of one hundred dollars and that the Judgment will be

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made final unless good cause be shewn at the next term of this Court why the said Defendant Slaughter did not appear. And further ordered that citations do issue to the said securities.

2478 The State of Texas v. J.H. Burns. Dismissed as to Burns.

2479 The State of Texas v. Honey & Burns Cause Dismissed

2482 The State of Texas v. Honey & Burns. Cause Dismissed

2587 The State of Texas v. Wm Cotton. This cause being called for trial the Defendant Wm Cotton failing to appear and answer to the Indictment in this case, he and his securities L. E. Edwards and C. G. Graham, being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Wm Cotton, with the said L. E. Edwards and C. G. Graham as his securities did execute the Bail Bond on file in this case substantially as follows: Dated 21st day of June A.D. 1872 payable unto the State of Texas in the sum of One hundred dollars, conditioned that the said Defendant Wm Cotton, make his personal appearance at the District Court of said County of Travis then in session at the Courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant Wm Cotton by the Grand Jurors of Travis county at the June term A.D. 1872, for Betting at a gaming Bank called Monte, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is Considered by the Court that the State of Texas do have and recover of the said Wm Cotton and the said L. E. Edwards and C. G. Graham the said sum of One hundred dollars, and of this and that this Judgment will be made final unless good cause be shewn at the next term of this Court why the said Defendant Wm Cotton did not appear. And further ordered that citations do issue to the said securities.

2661 The State of Texas v. Harry Naylor. This cause being called for trial the Defendant Harry Naylor failing to appear and answer to the Indictment in this case, he and his securities D. J. Murchison and C. G. Graham being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Harry Naylor alias Henry Naylor, with the said D. J. Murchison and C. G. Graham as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 21st day of October 1872 payable unto The State of Texas in the

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sum of Onehundred dollars, conditioned that the said Dfendant Henry Nailor make his personal appearance at the District Court of said County of Travis forthwith then in session at the Courthouse thereof in Austin, to answer the Indictment prefered against the said defendant Harry Nailor alias Henry Nailor by the Grand Jurors of Travis county, at the October term A D 1872 for Disturbing the Peace, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. and it is considered by the Court that the State of Texas do have and recover of the said Harry Nailor alias Henry Nailor, and the said D. J. Murchison and W. G. Graham the said sum of Onehundred dollars and of his said securities Etc. and that this Judgment will be made final unless good cause be shewn at the next term of this Court why the said Defendant Harry Nailor did not appear. And further ordered that citations do issue to the said securities

2673. The State of Texas v. Jeff. Houston Come now A. D. Houston, Jack Houston, J. W. Garner, D. G. Scroggins, Morris Mitchell, Louis Spellz, Wm J. Johnson, Settie Speed, Geo. Washington, Ambrose Duty, and each of them acknowledges himself justly to owe and be indebted unto The State of Texas in the sum of fifty dollars each, to be levied upon his Goods and Chattels, lands, tenements and estate, But to be void upon condition that each of said witnesses be and remain in attendance upon the District Court of Travis county now in session, and there remain from day to day and from term to term thereafter, to give evidence on behalf of the Defendant in the above entitled cause and that they do not depart the Court without leave.

2674 The State of Texas v. Jeff Houston. And now come H. G. Rector, Wm Mobley and Jordan McWoodey and each of them acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of fifty dollars each, to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that said witnesses make their personal appearance before the District Court of Travis county now in session and there remain from day to day and from term to term to give evidence on behalf of the plaintiff in the above entitled cause and that they do not depart the Court without leave

2729. The State of Texas v. Charley Smith This cause being called for trial the Defendant Charley Smith, alias C. E. Smith failing to appear and answer to the indictment in this case heard

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his securities L. E. Edwards and M. B Hames being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Charley Smith alias C. E. Smith with the said L. E. Edwards and M. B. Hames as his securities did execute the Bail Bond on file in this case substantially as follows. Dated 10th day of February 1873 payable unto the State of Texas in the sum of One Hundred dollars conditioned that the said Defendant Charley Smith make his personal appearance at the District Court of said County of Travis forthwith then in session at the courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant Charley Smith alias C. E. Smith, by the Grand Jurors of Travis county at the February Term A D 1873 for Betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited, and it is considered by the Court that the State of Texas do have and recover of the said Charley Smith alias C. E. Smith, and of his said securities L. E. Edwards and M. B. Hames the said sum of One hundred dollars, and that this judgment will be made final unless good cause be shewn at the next term of this Court why the said Defendant Charley Smith did not appear. And further ordered that citations do issue to the said securities.

2734 The State of Texas v. Cayatana Toras. Cause Dismissed

2483 The State of Texas v. J. H. Burns. Come the parties and announce ready for trial: and waiving then came a Jury of twelve good and lawful men of Travis county consisting of J. H. Burns and eleven others, duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant not guilty. J. H. Pape foreman." Whereupon it is ordered that the Defendant go hence fully acquitted and discharged.

2525 The State of Texas v. Geo. W. Honey. Cause Dismissed

2754. The State of Texas v. Sam Evans. This cause being called for trial the Defendant Sam Evans alias S. M. Evans, failing to appear and answer to the Indictment in this case, he and his securities W. S. Johnson and A. Hardy being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant S. M. Evans, with the said W. S. Johnson and A. Hardy, as his securities, did execute the Bail Bond on

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(Error) filo in this cause substantially as follows: Dated 8th day of February 1873 payable unto the State of Texas in the sum of two hundred dollars, conditioned that the said Defendant Sam Evans make his personal appearance at the District Court of said County of Travis

2769 The State of Texas v. William Benton, col. This cause being called for trial the Defendant William Benton, failing to appear and answer to the indictment in this case, he and his securities Ben. H. Thompson and J. B. Minter being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Wm Benton, with the said Ben. H. Thompson and J. B. Minter, as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 9th day of January 1873 payable unto the State of Texas in the sum of five hundred dollars, conditioned that the said defendant William Benton make his personal appearance at the District Court of said County of Travis on the first Monday in February, 1873 to answer such indictment as might be presented to said Court by the Grand Jury of Travis county at the February term A.D. 1873 for the theft of a yoke of oxen and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said William Benton, and Ben. H. Thompson and J. B. Minter the said sum of five hundred dollars, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant William Benton did not appear. And further ordered that citations do issue to the said securities.

2773 The State of Texas v Bill Miller This cause being called for trial the Defendant Bill Miller failing to appear and answer to the indictment in this case, he and his securities J. M. Miller and N. B. Mitchell, being distinctly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Bill Miller, with the said J. M. Miller and N. B. Mitchell as his securities, did execute the Bail Bond on file in this case, substantially as follows. Dated 10th day of February 1873 payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said Defendant Bill Miller make his

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personal appearance at the District Court of said County of Travis forthwith then in session at the Courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant Bill Miller by the Grand Jurors of Travis county, at the February Term A.D. 1873, for Betting at Monte, and there remain from days to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited: and it is considered by the Court that the State of Texas do have and recover of the said Bill Miller and the said J. M. Miller and N. B. Mitchell the said sum of One hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Bill Miller did not appear. And further ordered that citations do issue to the said securities.

2781. The State of Texas v. Dick Brodie. This cause being called for trial the Defendant Dick Brodie failing to appear and answer to the Indictment in this case heard his securities J. H. Horan and Alex. Chalmers being duly called at the door of the Courthouse of Travis county, and the Defendant, after a reasonable length of time, still fails to appear. And it appearing to the Court that the Defendant Dick Brodie with the said J. H. Horan and Alex Chalmers as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated 14th day of February 1873, payable unto the State of Texas in the sum of One hundred dollars, conditions that the said Defendant Dick Brodie make his personal appearance at the District Court of said County of Travis then in session at the Courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant Dick Brodie by the Grand Jurors of Travis county, at the February term, A.D. 1873, for Betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Dick Brodie and the said J. H. Horan and Alex. Chalmers the said sum of One hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Dick Brodie did not appear. And further ordered that citations do issue to the said securities.

2688 The State of Texas v. G. W. Bovey. And now come the parties and announce ready for trial and thereupon a Jury of twelve

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good and lawful men of Travis county consisting of James Gildart and eleven others, duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, returned the following verdict, to wit: "We the Jury find the Defendant not guilty. James Gildart foreman." Whereupon It is ordered that the said Defendant go hence without day fully acquitted and discharged.

2805 The State of Texas v. Jim Lawrence And now on this day
X came the parties and announced ready for trial and waiving a jury submit the case to the Court. And the Court having heard the plea of not guilty, the evidence, and the argument of counsel, after due consideration, finds the Defendant guilty. And it is ordered that the State of Texas do recover of the Defendant the sum of ten dollars and the cost of the prosecution, and that a Capias issue to collect the same. And thereupon the Defendant gives notice in open court of an appeal to the Supreme Court.

3366 Juan Rodriguez Sais et als v. The State of Texas.
3366b In this case appeared the plaintiffs by their attorneys and the State of Texas by William Alexander Attorney General, and A. W. Terrell and D. Sheeks Esq and the State of Texas then submitted a motion to dismiss the cause for want of jurisdiction, which was overruled by the Court, the State of Texas then submitted exceptions to the plaintiffs petition, which were also overruled by the Court. Whereupon the parties announced themselves ready for trial, after hearing the evidence, written by the plaintiffs and by the attorney General for the State of Texas, and the argument of counsel, and the same having been fully considered by the Court, because it is the opinion of the Court that the law and the facts establish the title of the plaintiffs to the land set out and described in plaintiffs petition

(550 words in this judgment)

It is therefore ordered adjudged and decreed by the Court that the plaintiffs Juan Rodriguez Sais, Luis Sais, Antonio Sais and Santos Sais, for themselves and the other heirs and devisees of Leonardo Vargas, dec'd the Original grantee, do have and recover from the State of Texas the land sued for in this action, situated and bounded as follows: Situated in the county of Starr, known as Guadalupe and described by metes and bounds as follows: Beginning at the Original N. W. corner of said tract of land called Guadalupe, known as the corner of Don Ignacio

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Peña. Thence South 7.500 varas to the N. E corner known as "Encarnacion" "Encarnacion". Thence East 10.000 varas to the S. E corner known as Trinidad. Thence North 7.500 varas to the N. E corner known as "Corpus Christi" Thence West 10.000 varas to the place of beginning, containing three leagues of pasture land bounded North by the lands of Ignacio Peña, West by the tract called "El Tule" East by the tract called "Noriacitas" and South by vacant lands.

It is further ordered adjudged and decreed by the Court that the State of Texas be and is by virtue of this judgment and decree divested of all right, title, interest and claim in or to the aforesaid tract of land, and the same is hereby fully vested and confirmed in the Plaintiffs and the legal heirs devisees and assigns of Leonarda Vargas decd

It is further ordered adjudged and decreed by the Court that the State of Texas do have and recover of and from the plaintiffs and their security John L. Haynes all the costs of this suit, including the Attorney Generals fee, for all which execution may issue.

All of which is ordered adjudged and decreed by the virtue of an act of the Legislature of the State of Texas, entitled "an act to ascertain and adjudicate certain claims for lands between the Nueces and Rio Grande Rivers" approved August 15th, 1850. And the State gives notice of appeal to the Supreme Court.

2673 The State of Texas v. Jeff. Houston Cause continued

2689 The State of Texas v. Geo. W. Honey. Continued by the State.

2690 The State of Texas v. Geo. W. Honey Continued by the State

2691 The State of Texas v. Geo. W. Honey Continued by the State.

2692 The State of Texas v. Geo. W. Honey. Continued by the State.

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Previous notice having been given in open Court according to law, that the Grand and Petit Juries to serve at the next June term of this Court, 1873, were on this day selected in open Court, the Court this now proceeds to select the said Grand and Petit Juries as follows to wit.

Grand Jury.

1	B. Cox	7 Wm McCourt	13 Geo Bradley
2	P. J. Kenner.	8. T. a. Blalock	14. Milton Wallace
3	James Ward	9. Joseph McKee	15. A. Wakeman
4.	Asa Gardner	10. Bailey Sparks	16. Jesse Jefferson
5	Otis Anderson	11. Frank Davis	17. G. H. Hamilton
6	Thomas Jamieson	12. John Scroggins	18. John Park

19. Samuel Fowler. 20. J. G. Wheeler.

Petit Juries 1st week June 2d 1873

1	Josiah G Henderson	9 John White	17 W H Lancaster
2	Willis Lee	10. Dave Williams	18 Henderson Eddings
3	Ben Lee	11. Jesse Shackle	19. M. C. Townsend
4	Geo. Wooley	12 Jack Kelley	20. B. P. Templeton
5	Pearl Adams	13 Simon Mack	21. B. Wachter
6	T. M. Smith	14 C. N. Whitis	22 M. C. Teague
7	F. D. Sanford	15 Wm F. Clark	23 Augustus Evans
8	B. J. Williams	16 R. A. Jeffreys	24 A. C. Horne Jr.

Petit Juries 2d Week 9th June

1	Bason Sorrells	9 J. B. Martin	17 D M Wilson
2	W. M. Spence	10 Joseph Kuhn	18 Wm Stevens
3	James M Gaskin	11 Abe P. Bridgeford	19 J. H. Traynham
4	Henry Williams	12 J. H. Gilliand	20 W. Goode
5	B b Giles	13 Jeff Dawson	21 J H. Alford
6	Henry Nelle	14 Wm Gowan	22 Edmund Snyder
7	H. S. Hubby	15 Henry Means	23 Julius Quast
8	W. A. W Rowe	16 Mason Raiford	24 J. Turnipseed

Petit Juries 3d Week - June 16th

1	H A. Haralson	9 John Rauthson	17 Joseph Bain
2	John Marguckall	10 Gilson Smith	18 J. Wyatt B. Bragg
3	James White	11 Jordan Dewissie	19 Dew C. Baker
4	Lafayette Franklin	12 Thos A. Teague	20 H. N. Backer
5	J R Hardin	13 Berry Fowler	21 Rauler Rott
6	Wm Scales	14 Jally Stayton	22 Jim Organ
7	Henry Fields	15 Ben Musgrove	23 Arch Clayton
8	Henry Arch	16 John Hillebrant	24 Essen Cannington

4th Week = June 23d

1	W. Wagner	6. J. N. Raiford	11 Wm Hampton
2	R. G. Kiels	7. N. W C. Moraudy	12 John Lasana
3	J. C E. Washington	8 Pete Stone	13 W. H. Green
4	Chas. Bowman	9 J. M. Darlington	14 J. M. Wallace
5	Andrew Mitchell	10 J. P. Kemp	15 Chas. Crayton

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16	Rudolph Runge	19 B. A. Fisher	22 Philip Lane
17	A. J. Sharks	20 Simeon Smith	23 R. S. Rust
18	S. Wilson	21 Louis Scott	24 Benj. Franklin

5th Week June 30th

1	Douglass Benford	9 Louis Dawson	17 Louis Robinson
2	Juan Gonzales	10 O B Caldwell	18 Jim Wilson
3	Charles Neal	11 S. Smith	19 F. Schenck
4	Geo. Coats	12 T. R. Montgomery	20 John Dunham
5	Alfred Smith	13 Com. Kelley	21 E. Pearson
6	Henry Blair	14 J. C. Taylor	22 Wm D. Robinson
7	B McNeill	15 W. Wells	23 Geo Allen
8	J. G. Myer	16 Alfred Scott	24 Com. Dunaway.

3365 Salvador Cardenas et als. In this cause appeared the plaintiffs by their Attorneys and the State of Texas by William Alexander Attorney General C. M. Terrell, David Sheets, W. M. Walton and Colin A. Green Esqrs. And the State of Texas submitted a motion to the Court to dismiss the suit for want of Jurisdiction in the Court which motion was overruled, the State of Texas then submitted exceptions to the plaintiffs petition which was also overruled the plaintiffs then submitted their exceptions to and motion to strike out the plea in abatement and of out standing title filed by the State of Texas whereto exceptions and motion were sustained and the said pleas duly struck out. Whereupon the parties announced themselves ready for trial, after hearing the evidence introduced by the plaintiffs and by the Attorney General for the State of Texas and the argument of counsel and the same having been fully considered by the Court because it is the opinion of the Court, that the law and the facts established the title of the plaintiffs to the land set out and described in plaintiffs petition. It is therefore ordered adjudged, and decreed by the Court that the plaintiffs Salvador Cardenas (Guerra) Refugio Cabazos, Luisa Cabazos, Guadalupe Cabazos, Jorge Cabazos & Soledad Cardenas, Cecilia Cardenas Natividad Cardenas, Vicente Cardenas Joaquin Cardenas, Jesse Cardenas, Guadalupe Cardenas, Francisco Cardenas and Feliciana Cardenas for themselves and the other heirs and devisees and assigns of Juan Jose Balli deed the original grantee of the land described in plaintiffs petition, do have and recover of and from the State of Texas, the land sued for in this action situated and described as follows In Hidalgo County Texas being a tract of land containing seventy one and one a fraction leagues of land originally granted to Juan Jose Balli and known as San Salvador del Tule described by metes and bounds as follows. Beginning at the original S. E. corner of this survey in a pass in the woods on

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thicket called Las Agoniar. thence west 6 leagues or 30000 varas to the S.W. corner of this tract, this line running along the back line of the portion grants made to the original colonists of the town of Reynosa. Thence North through the Melada prairie three leagues or 15.000 varas to the N.W. corner of that part of the tract including the said Melada prairie. Thence East three leagues or 15,000 varas to the N.E. corner of that part of the tract including the said Melada prairie. Thence North through the prairie ten leagues and eighteen coreles or 30,000 varas to the North West corner of this tract which was at the point where there existed several Palm trees known as "Las Siete Palas." Thence East six leagues and fifty coreles or 32,500 varas to the West line of a tract of land containing one hundred and seven leagues and known as "San Juan de Carecitas" granted by the Spanish Government and confirmed by the Legislature of Texas to Jose Marcisso Cabazos Thence South with the west line of the said tract of San Juan de Carecitas six leagues and forty eight coreles or 32 400 varas to the N.E. corner of a tract of land containing thirty five leagues, known as "Las Mesteñas Petitas" and "Las abra" granted by the Spanish Government to Vicente de Ynijosa and confirmed to him by the Legislature of the State of Texas by act of Feby 10th 1852. Thence West three leagues and fifty coreles or 17,500 varas with the North line of the said tract of Vicente de Ynijosa to the N.W. corner of that tract. Thence South with the west line of the said tract of Vicente de Ynijosa six leagues and seventy coreles or 33,500 varas to the place of beginning with which is also the S.W. corner of the said tract of Vicente de Ynijosa containing seventy one and a fraction leagues of pasture land and being about twenty miles North East from the town of Edinburg. It is further ordered adjudged and decreed by the Court that the State of Texas be and is by virtue of this Judgment and decree divested of all right title interest and claim in or to the aforesaid tract of land, and the same is hereby fully vested and confirmed in the plaintiffs and the legal heirs, devisees, and assigns of the original grantee Juan Jose Balli. It is further ordered, adjudged and decreed by the Court, that the State of Texas do have and recover of and from the plaintiffs and their securities all the costs of this suit including the Attorneys generals fees for all which execution may issue All of which is ordered adjudged and decreed by virtue of an Act of the Legislature of the State of Texas entitled an Act to ascertain and adjudicate certain claims for land against the State situated between the Nueces and Rio Grande rivers" approved Aug 15th 1870. And the Defendant gives notice of appeal to the Supreme Court. in open Court.

March 4th 1873

And court adjourned till to-morrow 9 o'clk AM

March 4th 1873

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

3376 The State of Texas v. George D. Kelley et als. And now on this day came the District attorney and Messrs. Sheeks & Sneed, on behalf of the State of Texas and the Defendants came not, but made default. And it appearing that the Defendants have been served with process and failed to answer within the time prescribed by law, It is ordered that a Jury be empannelled to assess the damages. And there came a Jury of twelve good and lawful men of Travis county consisting of John H. Pope and eleven others, duly tried, elected, empannelled and sworn, who having heard the pleading, the evidence, and the charge of the Court, returned the following verdict, to wit:

"No. 3376. State v. Kelley et als. We the Jury find for the Plaintiff and assess her damages at two thousand six hundred and seventy five dollars and forty three cents. ($2675.43) J. H. Pope foreman."

Whereupon It is ordered, adjudged and decreed by the Court that the said State of Texas do have and recover of the Defendants George D. Kelley, Ira B. Taylor, H. C. Hunt and George W. Whitmore the sum of Two Thousand, Six Hundred and Seventy-five Dollars and forty-five cents, together with all the costs of this suit, for which execution may issue.

2419 The State of Texas v. Jack Conner. This cause being called for trial the Defendant Jack Conner failing to appear and answer to the Indictment in this case he and his securities L. E. Edwards and J. W. Robertson being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jack Conner, with the said L. E. Edwards and J. W. Robertson, as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated day of December 1871 payable unto the State of Texas in the sum of One Thousand Dollars, conditioned that the said Defendant Jack Conner make his personal appearance at the District Court of said County of Travis on the first Monday in February, 1872, to answer any Indictment that the Grand Jurors of Travis county might find against said Jack Conner for making an Assault with the intent to kill and murder one Sam Scott,

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and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited: and it is considered by the Court that the State of Texas do have and recover of the said Jack Conner, and the said L. E. Edwards and the said J. W. Roberts on the said sum of One Thousand Dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Jack Conner did not appear. And further ordered that citations do issue to the said securities.

2429 The State of Texas v. Owen Baker. This cause being called for trial the Defendant Owen Baker, alias O. J. Baker, failing to appear and answer to the indictment in this case, he and his securities H. N. Baker and Bill Smithson being distinctly called at the door of the Courthouse of Travis county, and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Owen Baker alias O. J. Baker with the said H. N. Baker and Bill Smithson as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 25th day of November A D 1892 payable unto The State of Texas in the sum of four hundred dollars conditioned that the said Defendant Owen Baker make his personal appearance at the District Court of said County of Travis on the first Monday in February, 1893, to answer the Indictment preferred against the said defendant Owen Baker by the Grand Jurors of Travis county at the February term A D 1892 for the theft of a steer, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Owen Baker alias O. J. Baker, and the said H. N. Baker and the said Bill Smithson the said sum of four hundred dollars, and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant O. J. Baker did not appear. And further ordered that citations do issue to the said securities.

2470 The State of Texas v. Neil Cain. Come the parties and announce ready for trial. And a jury being duly empanelled, after hearing the plea and the evidence and the charge of the Court, returned a verdict of not guilty. And

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It is ordered that the Defendant go hence discharged

2470 The State of Texas v. Ead. Pearce. Dismissed

2608 The State of Texas v. Book Stanley. Continued

2674. The State of Texas v. Jeff. Houston. Continued

2715 The State of Texas v. Jack Conner. This cause being called for trial the defendant Jack Conner failing to appear and answer to the Indictment in this case he and his securities John H. Conner and James G. Moore being distinctly called at the door of the Courthouse of Travis county; and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Jack Conner with the said John H. Conner and James G. Moore as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 10th of February 1873. payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said Defendant Jack Conner make his personal appearance at the District Court of said County of Travis, forthwith then in session at the Courthouse thereof in Austin to answer the Indictment prefered against the said Defendant Jack Conner by the Grand Jurors of Travis county, at the February term A D 1873 for Carrying Deadly Weapons, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited: and it is considered by the Court that the State of Texas do have and recover of the said Jack Conner and the said John H. Conner and the said James G. Moore the said sum of one hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Jack Conner did not appear And further ordered that citations do issue to the said securities.

2716 The State of Texas v. Jack Conner. This cause being called for trial the Defendant Jack Conner failing to appear and answer to the Indictment in this case he and his securities John H. Conner and James G. Moore being distinctly called at the door of the Courthouse of Travis county and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant Jack Conner with the said John H. Conner and James G. Moore as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 10th day of February 1873 payable unto the State of Texas in the sum of One hundred

March 4th 1873

dollars conditioned. That the said Defendant Jack Conner make his personal appearance at the District Court of said County of Travis ~~on the~~ fourth then in session at the Courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant Jack Conner by the Grand Jurors of Travis county at the February term A D 1873 for Betting at Monte and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Jacks Conner and the said John H. Conner and the said James G. Moore the said sum of one hundred dollars, and that this Judgment will be made final unless good cause be shewn at the next term of this Court why the said Defendant Jack Conner did not appear. And further ordered that citations do issue to the said securities.

2471 The State of Texas v. Neil Cain. And now on this day came the parties by attorney, the defendant also appearing in person and announced ready for trial. And then came a jury of twelve good and lawful men of Travis county consisting of and eleven others, duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, returned the following verdict, to wit. "We the Jury find the Defendant not guilty. foreman." Whereupon It is ordered by the court that the said Defendant go hence without day fully acquitted and discharged.

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

March 5th. 1873

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

3504 M A Taylor v. W D Glasscock. And now come the parties and on motion it is ordered that the cause be dismissed from the docket and that the defendant pay the costs to be taxed, for which execution may issue.

3490 G B. Banks v. Dan Hanesck. And now on this day comes the plaintiff, and on motion It is ordered that so much of the order entered in this cause at a previous day of the term as orders a writ of inquiry be vacated and set aside. And thereupon the plaintiff asks for a judgment final by default and a fore-closure

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of the vendors lien upon the property described in the petition. And thereupon it appearing that the Plaintiffs cause of action is liquidated, It is ordered that the plaintiff, J. B. Banks, do have and recover of the Defendant Saml. Hancock the sum of three hundred & twelve coin dollars, principal debt and interest due upon the note sued on to this date, together with all the cost in this behalf expended for which execution may issue. And it appearing that the note given and sued on in this case, was executed in consideration of the purchase of Lots One, five, six and eight, in Block No. thirty (30) in the town of Webberville, Travis county, Texas, and that plaintiff has a lien upon said lots to secure the payment of said note, It is ordered that the vendors lien aforesaid be and the same is hereby foreclosed, and that the Clerk of this Court issue an order of sale directing the Sheriff of Travis county to sell the said lots of ground and the improvements thereon, if any, as under execution, and the proceeds thereof, he shall apply to the payment of the judgment and costs, and the remainder, if any, pay over to the defendant

3492 X

J. B. Banks as Thomas Rhodes. And now comes the plaintiff, by attorney, and on motion It is ordered that so much of the order of default entered in this case at a previous day of the term as orders a writ of inquiry be vacated and set aside. And thereupon the plaintiff asks for a judgment, final by default, and for a foreclosure of the vendors lien upon the property described in the petition. And thereupon it appearing that the plaintiff's cause of action is liquidated, It is ordered that said J. B. Banks do have and recover of the Defendant Thomas Rhodes the sum of two hundred, eight and 75/100 Dollars in coin, principal debt and interest due upon the note sued on to this date, together with all the cost of this suit for which execution may issue. And it appearing that the note sued on was given in consideration of the purchase of Lots Nos. three, four, five and six in Block No. 37 in Webberville, Travis county, Texas, and that plaintiff has a lien upon said lots to secure the payment of said note, It is ordered that the vendors lien aforesaid be and the same is foreclosed, and that the clerk issue an order of sale directing the Sheriff of Travis county to sell the said lots of ground, and the improvements thereon, if any, as under execution, and the proceeds thereof he shall apply to the payment of

March 5th 1893

this judgment and costs, and the remainder if any he shall pay over to the Defendant.

3493 J.B. Banks v. Henry Banks. And now comes the plaintiff by attorney and on motion it is ordered that so much of the order of default entered in this case at a previous day of the term as orders a writ of injury, be vacated and set aside And thereupon the plaintiff asks for a judgment final by default, and for a foreclosure of the vendor's lein upon the property described in the petition. And thereupon it appearing that the plaintiff's cause of action is liquidated, It is ordered that said J.B Banks do have and recover of the Defendant Henry Banks the sum of One hundred and Seven Dollars in gold, principal debt and interest due upon the note sued on to this date, together with all the cost of this suit, for which execution may issue. And it appearing that the note sued on was given in consideration of the purchase of Lots two and Seven in Block No 30 in Webberville, Travis county, Texas, and that plaintiff has a lein upon said lots to secure the payment of said note, It is ordered that the vendors lein aforesaid be and the same is foreclosed, and that the clerk issue an order of sale directing the Sheriff of Travis county to sell the said lots of ground and the improvements thereon, if any, as under execution, and the proceeds thereof he shall apply to the payment of this judgment, and the remainder, if any, she shall pay over to the Defendant.

2401 The State v. Jack Wilson. Cause Dismissed

2666 The State v. Jack Wilson. Dismissed

2667 The State v. Jack Wilson. Dismissed

2697 The State of Texas v. Billy Brennan Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And defendant pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of Twenty five dollars and the cost of the prosecution and that a capias issue to collect the same.

2718 State of Texas v. Watt Good. Come the parties and announce ready for trial and waiving a jury submit the case to the Court. And defendant pleading guilty It is ordered that the State of Texas recover of the Defendant Watt Good the sum of ten dollars and the cost of the prosecution and that a capias issue to collect the same

2740 The State of Texas v. Jack Wilson. Come the parties and announce ready for trial and waiving a jury submit the

March 6th 1873

Case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of ten dollars and the cost of the prosecution and that Ab capias issue to collect

2757 The State of Texas v. Jace Wilson. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of ten dollars and the cost of the prosecution and that a Capias issue to collect the same.

2783 The State of Texas v. Jo. Myers. Continued

2471 The State of Texas v. Ed. Pearce Dismissed

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

March 6th 1873.

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

2663 The State of Texas v. Geo. W. Scholey. And now on this day came the District attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial, and then came a Jury of twelve good and lawful men of Travis county, consisting of and eleven others, duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of Counsel and the charge of the Court returned the following verdict, to wit: into Court that they were unable to agree upon a verdict.

Whereupon It is ordered by the Court that the cause be and the same is hereby continued until the next term of this Court, and that a mistrial be and is hereby awarded.

2781 The State of Texas v. Dick Brodie. Ordered that the forfeiture in this Case be set aside. And the parties came and announced ready for trial and waiving a jury submit the case to the Court. And deft pleading guilty It is ordered that the State of Texas recover of the Defendant the sum of ten dollars and the cost of the prosecution, and that a Capias issue to collect the same.

2713 The State of Texas v. Frank Cotton. Cause Dismissed

March 16th 1893.

2276 The State of Texas vs. W. S. Williams
And now on this day comes the Defendant in open Court. And it appearing that the said Defendant has been found guilty of the offence charged in the Indictment who assessed the penalty at confinement in the Penitentiary: and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is ordered, adjudged and decreed that the said Defendant W. S. Williams be confined in the Penitentiary at hard labor for the term of two years: and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor in the Penitentiary for two years

2542 The State of Texas vs. Raphael Castillo
And now on this day comes the Defendant in open Court And it appearing that the said Defendant has been found guilty of the Offence charged in the Indictment who assessed the penalty at confinement in the Penitentiary: and the said defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason Itis ordered adjudged and decreed that the Defendant Raphael Castillo be confined in the Penitentiary at hard labor for the term of two years, and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor in the Penitentiary for two years

2619 The State of Texas vs Geo. Hickey
And now on this day comes the Defendant in open Court and withdraws the appeal given in this case and asks to be sentenced And it appearing that the said Defendant has been found guilty of the offence charged in the Indictment who assessed the penalty at confinement in the Penitentiary, and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is ordered adjudged and decreed that the said Defendant Geo. Hickey be confined in the Penitentiary for the term of three years of felony and that he at hard labor for the term of three years: and that the Defendant be taken by the Sheriff of Travis County and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor in the Penitentiary for three years

2573. State of Texas v. Samuel Williams

March 16th 1893

2626 The State of Texas v. James Irvine
And now on this day came the Defendant in open Court and it appearing that the said Defendant has been found guilty of the Offence charged in the Indictment, who assessed the penalty at confinement in the Penitentiary and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is ordered adjudged and decreed that the Defendant James Irvine is guilty of felony, and that he be confined in the Penitentiary at hard labor for the term of Seven years and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor in the Penitentiary for Seven years

2696 The State of Texas vs. G. W. Adams.
And now on this day comes the Defendant in open Court and it appearing that the said Defendant has been found guilty of the Offence charged in the Indictment who assessed the penalty at confinement in the Penitentiary and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is ordered, adjudged and decreed that the Defendant G. W. Adams is guilty of felony, and that he be confined in the Penitentiary at hard labor for the term of two years: and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor in the Penitentiary for two years.

2702 The State of Texas v. Bill Bell
And now on this day comes the Defendant in open Court and it appearing that the said Defendant has been found guilty of the Offence charged in the Indictment who assessed the penalty at confinement in the Penitentiary and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict and offering no sufficient reason It is ordered adjudged and decreed that the said Defendant Bill Bell is guilty of felony, and that he be confined in the Penitentiary at hard labor for the term of two years and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor in the Penitentiary for two years.

March 16th 1893.

2724 The State of Texas vs "Jim", a colored discharged soldier.
And now on this day comes the Defendant in open Court And it appearing that the said Defendant has been found guilty of the Offence charged in the Indictment who assessed the penalty at confinement in the Penitentiary and the said Defendant being asked if he had anything to say why Judgment should not be rendered and sentence pronounced against him in accordance with said verdict and offering no sufficient reason. It is ordered adjuged and decreed that the Defendant Jim, colored, is guilty of felony and that he be confined in the Penitentiary at hard labor for the term of two years: and that the defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor in the Penitentiary for two years.

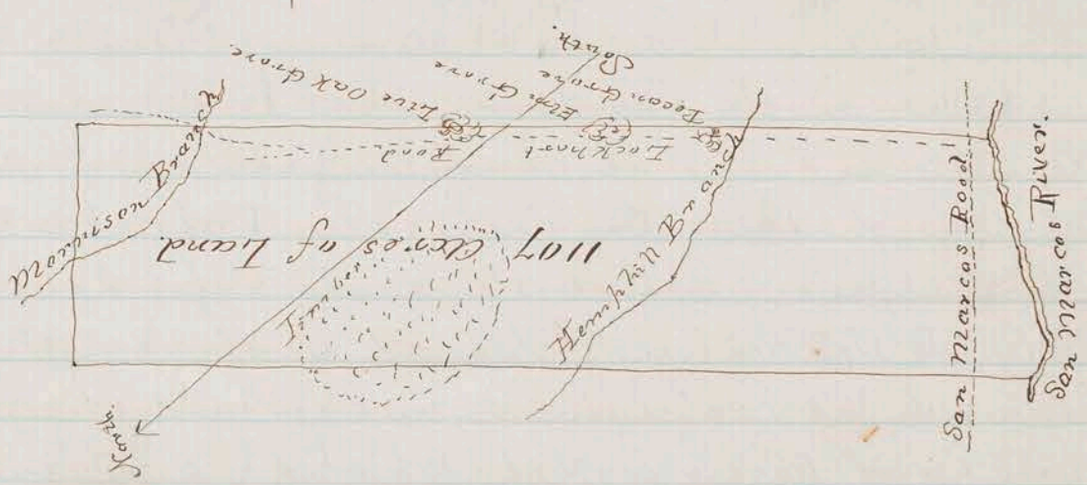
2800 The State of Texas vs. Andrew Jackson
And now on this day comes the Defendant in open Court, and it appearing that the said Defendant has been found guilty of the offence charged in the Indictment who assessed the penalty at confinement in the Penitentiary; and the said defendant being asked if he had anything to say why Judgment should not be rendered and sentence pronounced against him in accordance with said verdict and offering no sufficient reason It is ordered adjuged and decreed that the Defendant Andrew Jackson is guilty of felony, and that he be confined in the Penitentiary at hard labor for the term of two years and that the Defendant be taken by the Sheriff of Travis county, and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor in the Penitentiary for two years.

2816 The State of Texas vs. Smith Howell
And now on this day comes the Defendant in open Court and it appearing that the said Defendant has been found guilty of the Offence charged in the Indictment who assessed the penalty at confinement in the Penitentiary and the said defendant being asked if he had anything to say why Judgement should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason It is ordered adjuged and decreed that the Defendant Smith Howell is guilty of felony, and that he be confined in the Penitentiary at hard labor for the term of five years and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor in the Penitentiary for five years.

March 16th 1893

1728 P. B. Calhoun v. George Hancock etals Defendants, and M. C. Hamilton, Intervenor Judgment rendered in this Court at the Feby Term 1891 and Order of Survey made which judgment and Decree of this Court was confirmed by the Supreme Court on the 17th day of February, 1893

And whereas the Surveyor of Caldwell county has made the Survey, and returned the field notes of the Eleven hundred and Seven acres of land adjudged and decreed to the Intervenor M. C. Hamilton, and returned the same in conformity to the former Judgment, order and decree of this Court, which field notes and plat have been examined by the Court and found correct, which are as follows to wit:



The State of Texas } Plot and Field Notes of a Survey of
Caldwell county } Eleven hundred and seven (1107) acres of land made for M. C. Hamilton by virtue of an Order and decree of the Honorable District Court of Travis county issued on the 24th day of February A D 1893 by the Clerk of said Court

Said Survey is situated in Caldwell county, Texas, on the East side of the San Marcos River about 12 miles S. W. of the town of Lockhart and more particularly described as follows to wit: Beginning at the upper and Western corner of a 1000 acres Survey made for Martindale from which a bayspress tree 30 inches in diameter marked H bears N. 45° W. 13 1/4 varas said tree standing at water's edge. Thence N. 50° E. with Martindale's N. W. line 100 varas across San Marcos Road 1320 varas cross Hemphill branch 4180 varas Cross Lockhart Road 4200 varas Cross Morrison Branch 4900 varas a stake and pile of stone for the North corner of said 1000 acre Survey standing on N. E. line of Pettus two league Survey from which a Mesquite 10 inches in diameter marked X bears N. 42 1/2 ° W. 536 varas. Thence N. 40° W. with said Pettus line 745 varas cross the Morrison Branch 1260 varas a pile of stone for the North corner of this Survey from which a Mesquit 14 inches in diameter marked X bears S. 3° W. 154 varas.

Thence S. 50° W. 1500 varas to timber 2000 varas

March 4th 1873

to prairie 2700 varas cross the Hauphill Branch 3720 varas a pile of stones at cross Roads 4400 varas a hack berry marked blaze stands 5 varas N.W. of the line 4900 varas cross the San Marcos Road 5700 varas a stake on bank of San Marcos River from which a Cypress stump 50 inches in diameter bears N. 80° W. 12 varas a Cypress tree bears S. 3° W. 200 varas.

Thence down said River with its meanderings to the place of beging, and containg eleven hundred and Seven (1107) acres of land.

Jerry Burleson } Chain Carriers
Lee Jones }

Surveyed March 4th 1873.

I, S. L. French, Deputy Surveyor of Caldwell county, do hereby certify that the foregoing survey was made according to law, and that the metes and bounds with the marks natural and artificial are herein fully described, and that I have complied with the requirements of the above named order and decree this March 4th 1873.

S. L. French, Deputy Surveyor Caldwell Co.

I, Asa Pullen, County Surveyor of Caldwell county do hereby certify, that I have examined the foregoing Plat and field notes and find them correct, and that they are recorded in my office in Book "A" on page 286 this 5th day of March 1873. Asa Pullen, C. S. C. C.

By S. L. French, Special Deputy."

It is therefore further ordered adjudged and decreed by the Court that the Defendants in this suit be and they are hereby divested of all right, title, interest and claim in and to the foregoing described Eleven hundred and Seven Acres of land, and that the same is by virtue of this decree fully vested in the Intervenor Mc. C. Hamilton, and that a writ of possession issue to oust each and all the Defendants and all others claiming by, through, or under them, of the premises thereof, and to put the said Mc. C. Hamilton in the actual possession thereof, and that the Surveyor of Caldwell County be allowed the sum of $15.25 for his fee, to be taxed in the bill of cost, and that execution issue for all the costs of this suit.

And Court adjourned till to-morrow 9th March 9th 1873

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

March 7th 1873.

2800 The State of Texas v. Jackson. Come now the parties and the Defendant submitted his motion for to arrest the judgment, which being heard and duly considered by the Court It is ordered that said motion be overruled.

3539. Lewiston v. Britton. Comes the Defendant, and on motion It is ordered that the plaintiff be required to enter into bond and security for the cost of this suit on or before the next term of this Court, plaintiffs attorney being notified

3365. Salvador Cardenas et al. v. The State of Texas. Come now the parties and thereupon the defendant submits the motion for a new trial, which being heard and duly considered It is ordered that said motion be overruled, And thereupon the defendant gives notice in open Court of an appeal to the Supreme Court.

2696 The State of Texas v. W. W. Adams. And now on this day comes the District attorney on behalf of the State and comes also the Defendant in person and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis County, consisting of John H. Pope and eleven others duly tried, elected, empannelled and sworn, who having heard the plea of not guilty & the charge of the Court returned the following verdict, to wit: "We the jury find the defendant guilty and assess his punishment at two years in the Penitentiary. John H. Pope, foreman." Whereupon It is ordered that the Defendant stand committed to the county jail to await judgment and sentence

3382 Raymond Scholtis v. Taylor and Moore. In this case the motion of the plaintiffs coming on to be heard and it appearing that the Original writ had been lost, and due service by publication had been made thereon as required by law prior to the 1st Monday in October, 1872, and the plaintiff now presenting a copy of said writ as published in the State Journal newspaper published in the county of Travis, Texas. It is ordered that the said copy of said writ be substituted in place of the original, and it is further ordered that the Sheriff attach the said printed copy to said motion, and make his return thereon as required by law, nunc pro tunc.

2799 The State of Texas v. August F. Otto. Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court. And defendant pleading guilty, It is ordered that the State of Texas recover of the Defendant August F. Otto the sum of ten dollars and all the cost of the prosecution and that a Capias issue to collect the same.

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2271 The State of Texas v. George W. Barnes and Doss Kimball. And now on this day came the District attorney on behalf of the State, and came also said Defendants in person in open Court. And thereupon the Defendants being asked in open Court, if they had anything to say why judgment should not be rendered, and sentence pronounced against them in accordance with the verdict of the Jury who tried their cases. And giving no sufficient reason, It is ordered, adjudged and decreed that the said George W. Barnes and Doss Kimball are guilty of the Offence charged in the Indictment, to wit: of the Murder of one Phillpot, in the county of Travis: and it is further ordered that the said Defendants Doss Kimball and George W. Barnes be and they are hereby ordered to be hanged by the Sheriff of Travis county, by the neck, until they are dead, in the manner required by law, on Friday the 11th day of April, 1893, at any time between 11 o'clock and sunset of said day.

2733. The State of Texas v. Cayatano Joras And now come the parties and the Defendant submitted her motion for a new trial which being heard and argued by counsel, and duly considered, It is ordered that the motion be granted, that a new trial be granted, and that the cause be continued, to which ruling the State excepts, and the District atty gives notice in open Court of an appeal to the Supreme Court.

2419 The State of Texas v. Jack Conner. Come now the parties and on motion It is ordered that the forfeiture entered in this cause at a former day be set aside and vacated And thereupon the parties announced ready for trial and waiving a jury submit the case to the Court And the Defendant pleading guilty It is ordered that the Defendant be fined in the sum of ten dollars and that a capias issue to collect the same and the costs.

2695 The State of Texas v. O. J. Baker. Now comes S. E. McFarland and acknowledges himself justly to owe and be indebted unto The State of Texas in the sum of fifty dollars to be levied upon his goods and chattels, lands, tenements and estate But to be void upon condition that the said S. E. McFarland make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in June 1893 then and there to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas v. O. J. Baker, and that he do not depart the Court without leave.

2791 The State of Texas v. Virgil Conner. ordered that the Indictment be quashed and Defendant discharged.

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2859 The State of Texas v. John Organ. And now on this day comes the Defendant in open Court: and it appearing that the said defendant has been found guilty of the offence charged in the Indictment who assessed the penalty at confinement in the Penitentiary and the said defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict and offering no sufficient reason. It is ordered adjudged and decreed that the Defendant John Organ is guilty as below, and that he be confined in the Penitentiary at hard labor for the term of three years, and that the Defendant be taken by the Sheriff of Travis County, and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor for the space of three years

2751 The State of Texas v. Bill Rodgers Ordered that the bond in this case be quashed and that alias issue. to collect the same

2754 The State of Texas v. Sam Evans. Ordered that the bond in this case be quashed and alias capias issue.

B. Trigg $10 ordered that B. Trigg. Esq., be fined ten dollars for contempt and said Trigg being in Court and offering no excuse It is ordered that the judgment be made final and that a commitment issue to collect the same.

John Hanson 2734 The State of Texas v. Andreas Foras. It appearing that John Hanson has been legally summoned as a witness on behalf of the plaintiff in the above entitled cause, and the cause being called for trial and said Witness not appearing, after being distinctly called. It is ordered that said John Hanson be fined in the sum of thirty dollars as a defaulting witness, and that this judgment will be made final unless good cause be shown at the next term of this Court why said witness did not appear and testify: and that scire facias issue to said John Hanson

Defaulting jurors. And thereupon It is ordered that the following named persons who have been summoned as jurors to serve at the present term of this Court, and who have failed to appear in obedience to the summons of the Sheriff, be fined in the sum of thirty dollars each, as defaulting jurors, to wit: John Story: James Moore: Sam Scott: J. Lesser: W. H. Howard: Peter Smith: J. C. Talley: Emmett Duty: T. E. Cater: Richmond Riggles: Wm Jackson: Wm E. Evans: J. C. Kamp: C. G. Graham: Robert Moore and Albert Hutchins.

And that the clerk issue writs of Scire facias to said Defaulting jurors, to appear at the next term of this Court to show cause, if any they can, why said fine of thirty dollars against each of them should not be made final.

March 4th, 1893

Ja. And it is ordered that the following named persons be allowed the sums set opposite their names respectively, for services as Bailiffs during the present term of this Court, to be paid out of the County Treasury of Travis county, upon the certificate of the Clerk of this Court. to wit.

ipwd. Bailiffs Jack Saunchill - 18 days = thirty-six dollars.
" Emmett Carrington - 30 days = Sixty dollars
" M. Nuckols = 30 days = Sixty dollars
" James M. Hart - 30 days = Sixty dollars
" Henry Stokes - 30 days = Sixty dollars.

(3433 International Rail Road Company vs. A. Bledsoe, Comptroller. And now at this day appeares the parties respectively by their attorneys; and thereupon the plaintiff and the Defendant respectively submitted to the Court their demurrers to the pleadings, which being heard and argued by counsel, and well considered by the Court, It is ordered that the said demurrers be and the same are overruled: to which ruling of the Court the plaintiff and Defendant by attorney respectively except, and give notice in open Court of an appeal to the Supreme Court. And thereupon it is further ordered that the Defendant have leave to amend.

(3523 X L. & H. Blum v. L. N. Speer. And now come the plaintiffs by attorney, and on motion so much of an order entered at a previous day of the term as awards a writ of inquiry be set aside and vacated. And the plaintiffs claim a judgment final by default. And plaintiff's cause of action being liquidated It is ordered, adjudged and decreed that the plaintiffs do have and recover of the defendant L. N. Speer the sum of Eleven Hundred, forty-three and 60/100 Dollars principal debt and interest due upon the note sued on to this date, with all the cost of this suit, for which execution may issue.

(3382 X Raymond and Whitis v. Taylor and Moore. And now come the plaintiffs and ask a judgment final by default. And because the Defendants have been duly cited and failed to answer within the time prescribed by law and the cause of action being liquidated It is ordered that the said plaintiffs do have and recover of the Defendants Henry M. Taylor and W. B. Moore the sum of four hundred thirty-eight and 57/100 Dollars principal debt and interest due upon the note sued on to this date, with twelve per centum per annum interest thereon from this date till paid, and all the cost of this suit for which execution may issue.

(3433 International Railroad Company vs. A. Bledsoe, Comptroller. And now It is ordered by the Court that the Interlocutory order entered on the Minutes of this Court on this day

March 7th 1873.

in this cause be amended so as to read as follows: And now on this day came the parties to this cause by their attorneys respectively. and thereupon the Defendant submitted his demurrer to the petition which being heard and argued by counsel and duly considered, the same is overruled. And the plaintiffs demurrer to the defts plea in bar being also heard and argued by counsel and duly considered by the Court. It is ordered that said demurrer as to the first plea in bar be overruled- and said demurrer as to the second plea in bar be sustained. to all of which rulings the plaintiff and defendant respectively except and give notice in open Court of an appeal to the Supreme Court.

Petit Juries

and it is ordered that the clerk issue certificates for pay service to the following named persons for services as Jurors during the present week of this Court, to wit:

A Kuss	5 days	$10.	F. W. Schaffner	5 days	$10.
Geo. Dusmann	5d.	10.	Thos E. Smith	5 "	10.
Wm Davis	5.	10.	C. Spaulding	5 "	10.
O M Jackson	5.	10.	Alfred Smith	5 "	10
S. A. Fowler	5.	10.	J.H. Pope	5 "	10
T. S. Weir	5.	10.	DeWitt Robinson	5 "	10
H C. Surghnor	5.	10.	Duke Mitchell	5 "	10
John Kempfer	5	10.	Alex Chalmers	5 "	10
D. H. Walsh	5	10.	Wm Pfluger	5 "	10
Thos. Rhoads	5	10.	J. Steine	5 "	10.
Fritz Smith	5	10.	J M Swisher	4 "	8.
Geo. Phummer	5	10.			
Henry Vogt	5	10.			
James Gildart	5	10.			

W. S. Robards

Comes now G. R. Freeman. Esq. and asks that the following resolutions be entered upon the Minutes of the Court.

"The undersigned committee respectfully report: That Col. Thos. D Moseley departes this life at 3 o'clock P.M. of the 4th inst. at his residence in the City of Austin. His age was 67 years, a native of Tennessee. He was admitted to the bar at Nashville where for many years he practiced. He was appointed United States District Attorney by President Tyler and being re-appointed he served during the next administration. In December, 1849, he moved to Texas and settled in Austin, where he has resided and continued in active practice until his decease. He has shared much of the labor of the Federal Court in his office of Master in Chancery which he has held for the last five years. We bear earnest testimony to his unblemished private character. to his learning, industry and zeal as a lawyer; to his uniform courtesy to his brother lawyers. and to the respect he always exhibited to the Courts in which he practiced.

March 8th 1893

Therefore. Resolved, That his decease be formally announced to each of the Courts in session in the city, and to the District Court at its next session, and that a copy of these proceedings be offered for record in each of the said Courts, and that copies also be furnished the city papers for publication: that the members of the bar wear the usual badge of mourning for thirty days. A. S. Walker, W. J. Montgomery

W. A. Blackburn, Committee

2703. The State of Texas v. John Vaughn. It is ordered by the Court that the judgment rendered in this cause at a former day of the term be amended as follows: And thereupon It is ordered that the State of Texas do have and recover of the Defendant John Vaughn the sum of ten dollars, being the amount of the fine assessed by the Court, and all the cost of the prosecution, for which execution may issue and that the said judgment previously entered which orders a commitment, be revoked.

And thereupon the said Defendant, in pleading to the Indictment in this case, being under bail, and appearing by attorney, and not being present in Court to respond to said judgment, and failing to come forward to discharge the fine and costs assessed against him, on motion of the District attorney It is ordered that the bond executed by said Defendant in this cause be forfeited against him and his securities.

2703 The State 2703. The State of Texas v. John Vaughn. The Defendant being called, and failing to appear and discharge the fine and costs assessed against him in this cause, he and his securities W. Wilson and C. R. Johns being distinctly called at the door of the Courthouse of Travis county: and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant John Vaughn, with the said W. Wilson and C. R. Johns as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated 10th day of February, 1893, payable unto The State of Texas in the sum of one hundred dollars, conditioned that the said Defendant John Vaughn make his personal appearance at the District Court of said County of Travis forthwith then in session at the Courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant John Vaughn by the Grand Jurors of Travis county, at the February term A.D. 1893, for Betting at Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court which said bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said John Vaughn

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and the said C. R. Johns and the said W. Wilson the said sum of One hundred dollars, and that this judgment will be made final unless good cause be shewn at the next term of this Court why the said Defendant John Vaughn did not appear and satisfy the fine and cost adjudged against him in this cause. and further ordered that citations do issue to the said securities.

2842 The State of Texas v. Bill Smith. Come now the parties and announce ready for trial and waiving a jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas do have and recover of the Defendant the sum of ten dollars and the cost of the prosecution and that a Capias or Commitment issue to collect the same.

3433 International RailRoad Company v. A. Blodsoe, Compt. And now on this day comes the State of Texas by attorney and asks leave to intervene in the above entitled cause. And thereupon It is ordered that said motion be granted, and that the State of Texas do have leave to intervene in said cause, to which ruling the plaintiffs attorney excepts, and gives notice in open Court of an appeal to the Supreme Court.

3572. W. J. Montgomery v. J. F. Battaile et al. And now at this term comes the plaintiff and asks for judgment by default against the Defendants A.B. Palm and A. Bikenstein And it appearing that said Defendants have been duly cited and have failed to answer within the time prescribed by law and wholly made default It is ordered that the said plaintiff W. J. Montgomery do have and recover of the Defendants A.B. Palm and A. Bikenstein the sum of according to the prayer of their petition: and ordered that the cause be continued as to the Defendant Battaile.

Clerk ordered that A.R. Morris clerk be allowed One hundred and fifty dollars for extra services as Clerk at this term of the Court, to be paid out of the County Treasury of Travis county upon the certificate of said clerk

Sheriff ordered that G.B. Zimpelman, Sheriff, be allowed One hundred and fifty dollars for extra services as Sheriff at this term of the Court, to be paid out of the County Treasury of Travis county upon the certificate of said Clerk.

J. P. Richardson
Judge of the 27th Jud. Dist.

June 2d 1873.

The State of Texas } At a Term of the District Court begun and
County of Travis } held at the City of Austin, within and for
the County and State aforesaid, on Monday, the second day
of June, 1873, Present Hon. J.P. Richardson, Judge of the Twenty-
Seventh Judicial District of the State of Texas presiding; A.K.
Morris, Clerk of the District Court of Travis county by Frank
Brocon, Deputy; and Geo. W. Tinsperman, Sheriff of Travis
County By T.T. Pendley, Deputy. Whereupon the following
proceedings were had by said Court, to wit:

And thereupon the Court ordered that the Sheriff call the names
of those persons appearing upon the Regular Venire returna-
ble to this term, which being done: and a sufficient number
not appearing, It is ordered that the Sheriff summon enough
bystanders to complete the panel. which being done, the fol-
lowing named persons were thereupon tried, elected, empan-
nelled and sworn as the Grand Jury of Travis county for
and during the present term of said Court, to wit:

Robert[1] Jones - R.W. Fauekner[2] - M.C. Nickols[3] - Sam[4] Fowler -
J.G.[5] Wheeler - John[6] Scroggins - Jesse[7] Shackle - W.H.[8] Lancaster -
Gus. Evans - James[10] Gildart - C.W.[11] Dieson - D.F.[12] Waddell -
W.R.[13] Robinson - Alfred[14] Smith - J.W.[15] Taylor -

And thereupon the Court appointed Robert
Jones foreman of said Grand Jury, and being duly charged
by the Court, were ordered to retire upon a discharge of
their duties.

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

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

June 3d 1873.

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

✓	✓	2641.	S.M. Swenson vs J. Nicholson et.al. Continued for service.
✓	✓	2644	S.M. Swenson vs J.H. Henson et.al. Continued for service.
✓	✓	2739	Lucy Ann Johnson vs J.H. Wacker, et.al Ordered upon motion that the Defendants herein have leave to amend
✓	✓	2931	Thos F. McKinney vs A.M. Cox. Continued by consent.
✓	✓	2973	S.B. Bruch vs E. Raven. Continued
✓	✓	2976	Geo. H. Gray vs M.J. Denman. Continued
✓	✓	3050	E.J. Davis Gov. v. A. Blodsoe et.als. Comes now the State of Texas by the District attorney, and upon motion It is ordered that the said State of Texas have leave to intervene in this cause.
✓	✓	3117	J.M. Sitten v J.R. Worrall. Continued to make parties.
✓	✓	3357	A.J. Berry v. E.W. Talbot et.al. Ordered that the Intervenor in this cause have leave to amend

June 3d 1873

3536 Miller + Dowell v. A. St. Longley et al Ordered upon motion that the Plaintiffs herein have leave to amend

3335 J. J. McClelland v. Rowe + Dawson

3561 J. J. McClelland v. John M. Dawson.

3579 J. J. McClelland v. N. B. Mitchell

3589 C. L. Terrell v. Thos. Breedlove et al

3627 Cooke et al. v. Jo. Lee et al

3628. Cooke et al v. C. Krohn

3635 Donaldson et al v. Stiff et al.

3638 J. S. Baker v. J. E. Mexey

3639 A. Griesenbeis v. F. Greisenbeis

3642 Bayley + Pond v. S. N. Speer.

3644 Freeman v. Waelon

3645 Brunton v. Waelon

3656 Gorad Bros Hamelin v. Weiselberg

3658 Belger v. Sheehan

3659 Baker v. Conner

3660 Beard v. Conner

3661 Saeb + Co. v. Conner.

3667 Neal v. Boatman et al

3674 Mitchell v. McMillan et al

3679 McCrary v. Dye.

3681 Williams v. Williams

3685 Ochiltree v. Ochiltree

3687 Goldfrank Frank + Co. v. Baker.

3688 Day v. Cloud et al

3692 Swisher v. Swisher.

3708 Scott v. Billingsley Adm

3710 Cooke v. Cooke

And now on this day came the clerk and moves the court to require the plaintiffs in the last preceding twenty-seven causes, to enter into bond and security for the cost of said several suits: And it is ordered that said Plaintiffs be required to give bond and security on or before the next term of this Court, otherwise the same will be dismissed, the said plaintiffs having notice hereof.

2955 Abby Thompson Adm et al vs Barnes + Merrell. Continued

2956 Abby Thompson Adm et al. v. Riley + Riley Continued

2957 Abby Thompson Adm et al. v. Continued by Plaintiffs

2958 Abby Thompson Adm et al. v. Geo. Saunders. Continued

2959 Abby Thompson Adm et al. v. Charles Barnes. Continued

2960 Abby Thompson Adm et al. v. H. L. Raven. Continued

3121 William Coats v. M. C. Haines. And now on this day came the parties to this cause by their attorneys and announced ready for trial. And thereupon Defendants demurrer coming on to be heard, and being considered the same is overruled. And then came a Jury of twelve good and lawful men of Travis county, consisting of J. C. Holmes and eleven others.

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who were tried, elected, empannelled and sworn according to law. And the Jury having heard the pleadings, evidence, and the charge of the Court, after deliberation, returned the following verdict, to wit: "we the Jury find for the plaintiffs the sum of four hundred, One + 73/100 Dollars. J. B Holmes foreman." Wherefore It is ordered that said William Coats do have and recover of the Defendant M. B. Hawes the sum of four hundred, One + 73/100 Dollars and the cost to be taxed, for which execution may issue.

/ A. M. Montieth

And now on this day came on to be heard the application of Arthur M. Montieth, asking to be admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas. And it appearing that said applicant was heretofore admitted to practice as an Attorney at Law and Solicitor in Chancery in the several Courts of the States of Michigan, as appears from the license produced here in open Court, It is ordered that said Arthur M. Montieth be and he is hereby admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of this State.

/ John C. Townes
/ Albert Maxsand

Ordered that A. W. Terrell Esq Thomas E. Sneed Esq and D E. Thomas Esq be appointed a committee to examine the applicants for Law License, Messrs. John C. Townes and Albert Maxsand, and that the examination be had in open Court on next Saturday, the 7th inst.

/ / 3125 X

James M. Brown vs A. B. Burleson. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of Wm Thaxton and eleven others, who being duly tried, elected, empannelled and sworn according to law, heard the evidence, argument of counsel, and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Defendant. Wm Thaxton, foreman." Wherefore It is ordered that the plaintiff take nothing in this behalf; that the Defendant go hence and recover of the said plaintiff James M. Brown and the security on his cost bond, to wit: Wash. Bonner, G. W. Spencer and John M. Coatley all the cost hereof to be taxed, for which execution may issue.

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

June 4th, 1873.

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

June 4th 1873.

3205 John Norman v. E. L. Dewey. Come the parties by attorney and on motion It is ordered that this cause be dismissed and that the plaintiff and his securities P. de Cordova and A. T. Logan pay the cost hereof, for which execution may issue.

3214 Joseph Carothers vs B. H. Davis, Admt. This cause having been appealed to the Supreme Court, and the judgment of this Court affirmed, as per mandate returned, It is ordered that the cause be dismissed.

3217 J. L. Morrow v. T. J. Wren. This cause having been appealed to the Supreme Court, and the judgment of this Court affirmed, as per Mandate returned, It is ordered that the cause be dismissed

3298 Geo. W. Glasscock v. Jane H. Glasscock. Comes the plaintiff by attorney, and on motion ordered that the cause be dismissed, and that the plaintiff pay the cost hereof, for which execution may issue.

3357 A. J. Berry v. E. W. Talbot et al. Upon motion in open Court It is ordered that the Defendants herein have leave to file amended answer.

3405 The State of Texas v. De La Tulle's Estate. Ordered upon motion that the Defendant Hughes in this case have leave to amend.

3636 Raymond & White v. Thomas McCormick et al. Upon motion in open Court It is ordered that P. Milam and J. P. Sindley have leave to intervene in this cause

3695 William Chappell, Ex Parte. And now on this day came on to be heard the application of William Chappell, nineteen years of age, praying for a removal of the disabilities of non-age, duly sworn to: And the same being duly considered It is ordered that the Disabilities of non-age of the said applicant be and the same are removed, and that said William Chappell be held competent and responsible as fully as if he were twenty-one years of age, except as to voting

Seth Shepherd ordered that Seth Shepherd Esq be enrolled as an attorney of this court

3607 E. S. Matthews v. John M. Young et al. Ordered, on motion, that that Dennis Corwin, Deputy Surveyor of Travis county, make Survey of the land in controversy in this suit, showing the locality of the boundaries of said land, and that he make a Survey of the said land described in the petition and of such adjacent and contiguous surveys as may be necessary to determine the locality of the boundary lines of said tract of land claimed by said plaintiff, and that said Deputy Surveyor make report of said Survey to this Court by Monday the 9th June 1873

3411 Joseph Harrell v. T. J. McNeigh and William M. Wilson. This day came the plaintiff by attorney and the Defendant William M. Wilson, though duly cited to appear, came not, but wholly made default. Whereof plaintiff ought

Received Feby 19th, 74 on this Judgment
$100. coin. for which receipt is given
J Harrell June 4th 1873

Aug. 5. 1873. Received of W. M. Wilson
Two hundred and fifty coin dollars and 50
cts in full of this Judgment
Issued Sept 2d 1873 and sent to Travis
County
J Harrell

to have and recover of him the amount of his damages and debt, and the same being liquidated by instrument in writing, It is ordered that the clerk do hereinon assess the damages of plaintiff in the premises. And the said defendant T. J. McVeigh, came by attorney and waived a Jury and submitted the questions of fact as well as of law to the Court. And the matters and things therein being seen and fully understood, and the clerk having assessed the damages aforesaid at the sum of three hundred and eighty-seven specie dollars, It is ordered adjudged and decreed that the plaintiff do have and recover of the defendants the said sum of three hundred and eighty seven specie dollars together with interest thereon from date at the rate of twelve per cent. per annum, and for the cost of suit, and that he have his execution.

1 / 3244 X — Leon & H. Blum v. S. D. Meeks. And now on this day appeared the parties by their attorneys and announced ready for trial. And thereupon came a jury of twelve good and lawful men of Travis county consisting of B. F. Wacker and eleven others, duly tried, elected, empannelled and sworn, who having heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation, and returned the following verdict, to wit: "We the jury find the sum of $40 54 due the Defendant. B. F. Wacker, foreman." Whereupon It is ordered that the plaintiffs take nothing by their suit: and that the Defendant have and recover of the plaintiffs Leon Blum and H. Blum said sum of forty 54/100 Dollars and the cost of the suit for which execution may issue

1 / 3050 X — E. J. Davis, Gov. v. A. Bledsoe, et als. And now on this day came the plaintiff and the Intervenor by attorney and announced ready for trial. And thereupon, on motion, It is ordered that this cause be dismissed as to all of the Defendants herein, (without prejudice to the State) except the Defendant Longley. And thereupon, It is ordered that a jury be empannelled to execute the writ of inquiry awarded. And then came a jury of twelve good and lawful men of Travis county, consisting of David Fulenwider and eleven others, duly tried, elected, empannelled and sworn, who after hearing the pleadings, evidence, argument of counsel and the charge of the Court, returned the following verdict, to wit: "We the jury find for the State of Texas against the Defendant A. H. Longley the sum of $1764 00 in currency, and we further find that said sum was illegally and improperly paid to said Longley out of the Treasury of said State. David Fulenwider, foreman." Whereupon It is ordered that the State of Texas do have and recover of the Defendant A. H. Longley said sum of

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seventeen hundred and sixty-four dollars in currency and all the cost of this suit, for which execution may issue.

13306 W. W. Chandler vs. Thomas J. Pitt. Continued by agreement.

13335 J. J. McClelland vs. C. M. Rome. And now comes the plaintiff and asks that the writ of inquiry heretofore awarded in this case be now executed, the case being regularly reached on the docket. Whereupon came a Jury of true good and lawful men of Travis County, consisting of Wm Thaxton and eleven others, who being tried, elected, empannelled and sworn according to law, heard the pleading, evidence, and the charge of the Court, and after retirement, returned the following verdict, to wit. "We the jury find for the plaintiff One hundred and forty-four 90/100 Dollars. Wm Thaxton, foreman." Whereupon It is ordered that said J. J. McClelland do have and recover of the Defendant C. M. Rome said sum of Onehundred forty-four and 90/100 Dollars and the cost of the suit, for which execution may issue.

13337 Amanda Jones v. Henry Jones. A rule for security for cost having been entered in this cause at a former term of the Court, and the same not being complied with It is ordered that the cause be dismissed for want of compliance with the rule, and that the plaintiff pay all the cost hereof to be taxed, for which execution may issue.

13379 C. R. Johns & Co. v. Unknown Heirs of Wm Howard. Continued

13388 Moses Raynor v. Wm Palm. This cause having been appealed to the Supreme Court, and the judgment having been affirmed, It is ordered that the cause be dismissed.

13418 W. H. D. Barrington v. James O'Neall. On motion It is ordered that this cause be dismissed and that the plaintiff pay all the cost hereof to be taxed, for which execution may issue.

13420 Nat. Moore v. Perry Yoe. Continued by plaintiff

13428 Sam Smith v. Eloiza Smith. A rule for security for cost having been entered in this cause at a former term of the Court and the same not being complied with. It is ordered that the cause be dismissed for want of compliance with the rule and that the plaintiff pay all the cost of the suit, for which execution may issue

13432 C. F. Millett v. A. Scholz. Comes now the plaintiff and asks that the writ of inquiry heretofore awarded in this case be now executed. Whereupon came a jury of true good and lawful men of Travis county, consisting of Wm Thaxton and eleven others, duly tried, elected, empannelled and sworn, who having heard the pleading, evidence and the charge of the Court returned the following verdict, to wit: "We the Jury find for the plaintiff forty-eight 50/100 Dollars. and also find that said amount is due for carpenter work and material put on house of Defts. on Blk K

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No 56 Division "E" Austin, Cty. Wm Thurston, foreman."
Whereupon It is ordered that the said C. F. Mellett do
have and recover of the Defendant A. Schalz the said sum
of forty-eight & 50/100 Dollars and the cost hereof to be taxed
for which execution may issue. And it appearing that Pfff.
has a mechanic's lien upon the lot No 56 in Division "E", Austin
City, to secure the amount of this judgment, It is ordered that
said lien be foreclosed and that the clerk issue an order of Sale
as under execution, requiring the Sheriff to sell said Lot No
56 in Division "E" in Austin, as under execution, and apply
the proceeds to the satisfaction of this judgment, interest to
grow due, and the costs of suit, and the remainder, if any,
he shall pay over to the defendant.

/ / 3431. A. W. Maroney v. Thomas McCormick. Ordered, upon motion,
that the Defendant in this cause have leave to amend.

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

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

/ / 3448 Thomas McCormick v. T. F. Cheatham et als. Comes now the pfp
by attorney and on motion It is ordered that the cause be
dismissed. that the Defendants go hence and recover of said
Thomas McCormick and his securities S. A. Mahon and W. B.
Brush all the cost of this suit for which execution may issue.

/ / 3472 J. W. Baroness v. A. McKenzie et als. Continued for service.

/ / 3491 J. B. Banks v. Willis Bacon. Continued for service

/ / 3494 J. B. Banks v. Stephen Scroggins. Comes now the plaintiff by
attorney and on motion It is ordered that this cause be
dismissed and that the plaintiff pay the cost of the
suit for which execution may issue.

/ / 3570 J. B. Morris Admr v. Henry Johnson et al Con. for service.

/ / 3265 Scherck & Berkson v. S. Newman. And now on this day came
the parties to this cause by their attorneys and announced
ready for trial. When came a jury of twelve good and lawful
men of Travis county, consisting of Wm Thurston and eleven
others, who being tried, elected, empanelled and sworn,
heard the pleading, evidence, argument of counsel and the
charge of the Court, and after retirement returned the following
verdict, to wit: "We the jury find for the plaintiffs two
hundred ~~twenty~~ ninety-nine and 70/100 Dollars. Wm Thurston, foreman."
Whereupon It is ordered that the plaintiffs Louis Scherck and
Theodore Berkson, under their firm name of Scherck and
Berkson do have and recover of the Defendant S. Newman
the sum of two hundred twenty nine & 70/100 Dollars and the
cost of the suit, for which execution may issue.

And it appearing to the Court that a

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writ of attachment was lawfully ifsued in this cause on the 2d day of April, 1892, in favor of said Plaintiffs, by virtue whereof the Sheriff seized upon certain goods, wares and merchandise as the property of said Newman, to wit: 26 work boxes: 9 accordeons: 18 mens hats: 28 ladies hats, 27 ladies hats, 1 Box Sundries, 5 sacks, 1 box Razor Straps 5 babies caps. 83 Spools thread, 5 pr Drawers, 12 under Shirts, 26 over Shirts, 17 bottles Perfumery, 12 albums, 22 Bolts Calico, 4 bed Spreads, 1 box Ladies Belts and Cord, 27 doz. large Spoons, 4 clothes Brushes: 5 pr Ladies Gloves, 4 SK. Sick, 2 pr Babies hose, part box paint buckles, 47 pr pants, 17 vests, 4 fancy shirts, 1 box and 9 ladies woolen hats, 20 ladies woolen neck ties, 1 box pipes, 4 ladies woolen sacks, 18 blacking brushes 3 bunches Shoe Strings, 19 boxes paper collars, 7 Knit mens coats, 4 Shawls, 2 boxes mens hose, 1 box Ladies hose, 1 box boys 1/2 hose, 1 box mixed hose, 28 pr. mens woolen hose, 2 boxes cards, 8 bolts mens pants goods, 1 doz Ladies fine Knit patterns 10 Balmoral Skirts, part bolt Domestic. 1 paper mixed Ladies goods, 1 pr Mens buckskin Gloves, 30 Carpet sacks 1 box oil Sick Gents Hats, 3 boxes Caps, 9 hair brushes. 47 hats, large and small, 6 pitchers, 2 cloaks, part bolt coat lining, 28 coats, 6 trunks, 7 pr. mens calf boots, 8 pr. mens and boys coarse boots, 2 part boxes boys coarse boots, 4 pr. Shoes, 6 pr children shoes, 8 small trunks, 2 boys coats, 1 box bread, 11 boxes crockery, 1 box mens boots, 1 side saddle, 2 pieces oil cloth."

as appears by the return on said writ: and it further appearing to the Court that the said S. Newman, on the 15th day of October, 1892, files his bond for the replevy of said goods in which the said Newman as principal and V. B Mclasky and L. Seligman as sureties, bind themselves under the penalty of five hundred dollars to return said goods which were by the said Sheriff delivered up to the said S. Newman, It is ordered adjudged and decreed that the clerk of this Court do ifsue an order of sale commanding the Sheriff of Travis county to sell the goods attached as aforesaid or a sufficiency thereof to satisfy the aforesaid debt, interest and costs adjudged as aforesaid to be recovered by the plaintiffs against the Defendant and it is further ordered that in the event said attached goods be not returned to said Sheriff within ten days from the date of this judgment, that the said replevy bond shall be and become forfeited, and that on being so endorsed the clerk of this Court shall ifsue execution against the said Newman and V. B. Mclasky and L. Seligman for the full amt of this judgment, interest and costs.

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3299. Mary Jane Lee v. R. H. Griffin. Comes now the plaintiff, and on motion It is ordered that Dennis Corwin, Deputy Surveyor of Travis county, do make a Survey of the tract of land described in petition of the plaintiff, and of such adjacent and contiguous surveys as may be necessary to determine the locality of the boundary lines of said tract of land claimed by plaintiff, and that said Deputy Surveyor make report of said Survey and of the location of the boundary lines of said tract claimed by plaintiff and as to whether there is any conflict in said tract and the tracts or surveys contiguous thereto, and if so what tracts or Surveys and that said Surveyor make such Report on or before the 12th June 1878, or as soon thereafter as he can.

3379 C. R. Johns & Co. v. Unknown Heirs of Wm Morris. Comes now the plaintiffs by attorney and move the Court to set aside the Continuance entered in this cause at a former day of the term, which being heard and considered It is ordered that said motion be sustained and that said continuance be set aside and vacated.

3401 John H. Conner v. C. Hauke et als. Continued.

3451 C. W. Hill v. J. Lancaster. Comes now the Defendant, and on motion It is ordered that said Defendant have leave to amend his answer.

3452 W. von Rosenberg v. S. Mulpina. And now comes the plaintiff by attorney and asks that the writ of inquiry awarded in this case be executed. Whereupon came a jury of twelve good and lawful men of Travis county consisting of J. B. Holmes and eleven others, duly tried, elected, empannelled and sworn, who having heard the evidence and the charge of the court, rendered the following verdict, to wit: "Rosenberg vs S. Mulpina. We the jury find for the plaintiff a verdict for $1219 50/100 gold, and we further find that the obligation sued on was given for the purchase money of the land described in the petition. J. B. Holmes, foreman." Whereupon It is ordered that W. von Rosenberg do have and recover of S. Mussina said sum of twelve hundred, Nineteen 50/100 dollars in gold, with ten per centum per annum interest thereon from this date until paid, and all the costs of this suit for which execution may issue.

And it appearing that the plaintiff has a lien upon Block No 190, South of and fronting 586 feet on Water Avenue and west of and fronting 164 feet on East Avenue in the City of Austin as per patent No 840, to secure the payment of the judgment rendered in this case, It is ordered that said lien be foreclosed, and that the clerk do issue an order of Sale directed to the Sheriff of Travis county, requiring him to sell, as under execution, the

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above described real estate, as under execution, and apply the proceeds thereof to the satisfaction of this judgment, the interest to grow due thereon, and the costs of the suit, and the remainder, if any, he shall pay over to the Defendant

No. 3457 - This judgment is this day set aside in full - B. Mellasky Solicitor for Plaintiff in error

✓ ✓ 3453 D. Sheeks v. Andrew Kerr, et al. Continued for service.

✓ ✓ 3457 Bibenstein & Melasky vs. B. M. Carpenter. And now on this day came the plaintiffs and the Defendant by attorneys and announced ready for trial, and waiving a jury agree to submit the case to the Court. And the Court now hearing the pleadings and the evidence, Do th order that the said plaintiffs A. Bibenstein and B. Melasky under their firm name of Bibenstein & Melasky, do have and recover of the Defendant B. M. Carpenter, the sum of One hundred, eighty-eight + 43/100 Dollars, principal and interest due upon the note sued on to this date, together with ten per centum per annum interest thereon from this date until paid, and the cost to be taxed, for which execution may issue.

✓ ✓ 3458 E. Marquize & Co. v. B. Asher. Cause continued

✓ ✓ 3459 J. J. Adams & Co. v. B. Asher. Cause continued

✓ ✓ 3460 M. B. Hamilton v. J. H. Riveley. And now come the parties and announce ready for trial. when came a jury of twelve good and lawful men of Travis county, consisting of Wm Thurston and eleven others, tried, elected, empannelled and sworn, who having heard the pleadings, evidence, and the charge of the Court, returned the following verdict, to wit: "We the jury find for Pff. the sum of two hundred & thirty nine 42/100 Gold Dollars June 5th 1873. Wm Thurston, foreman." Whereupon It is ordered that the said M. B. Hamilton do recover of J. H. Riveley the sum of two hundred, thirty-nine + 42/100 dollars in gold, and interest thereon at the rate of One + 1/4% per cent. per month till paid and the cost of the suit for which execution may issue.

✓ ✓ 3462 Raymond & Whitis v. Thomas McCormick. And now come the parties and announced ready for trial, and waiving a jury submit the case to the Court. And the Court having heard the pleadings & evidence, Do th order that said James H. Raymond and Chas. W. Whitis, under their firm name of Raymond & Whitis, do recover of Thomas McCormick the sum of two hundred, eighty-two 50/100 dollars in gold, with ten per cent per annum interest thereon from this date until paid and all the cost of this suit, for which execution may issue

✓ ✓ 3463 Raymond and Whitis v. B. Goodloe. Come the parties and announce ready for trial and waiving a jury submit the case to the Court and the Court having heard the pleading and the evidence, Do th order that James H. Raymond and B. W.

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Whitis, under the firm name of Raymond and Whitis do recover of the Defendant C. Goodloe the sum of two hundred thirty six + 78/100 Dollars coin, debt and interest due upon the note sued on to date, together with 12 per centum per annum interest thereon from this date until paid, and all the cost of this suit, for which execution may issue.

this	✓	3468	Jno. M. Gould v. Collins & Powers. Continued to docket.
ners	✓	3477	Cyrus Phillips v. Collins & Powers. Continued to docket
ry	✓	3478	D. L. Twigley & Co. v. Collins & Powers. Continued to docket.
nors	✓	3479	Thing & Norris v. Collins & Powers. Continued to docket.
that	✓	3480	J. D. Mullen & Co. v. Collins & Powers. Continued to docket.
der	✓	3484	E. J. Logan v. A. T. Logan. Comes now the plaintiff, and on motion It is ordered that said plaintiff have leave to amend.
and One	✓	3485	David Valentine & Co. v. Mitchell & Smith. Come now the plaintiffs and announce ready for trial, whereupon came a jury of twelve good and lawful men of Travis county, consisting of Wm Thaxton and eleven others, duly tried, elected, and sworn, who having heard the pleading, the evidence, and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the plaintiff two hundred and twenty-seven 67/100 Dollars. Wm Thaxton, foreman" Whereupon It is ordered that David Valentine, Frederick A. Macy & William H. Wing, under their name of David Valentine & Co. do recover of the Defendants T. F. Mitchell and R. A. Smith the sum of two hundred, twenty-seven and 67/100 Dollars and all the cost of this suit, for which execution may issue.
	✓	3509	Harris Dudley & Co. v. Henry Klenert. Continued
	✓	3511	C. R. Johns & Co. v. T. F. Mitchell et al. Comes the plaintiffs and asks for a trial - the cause being regularly reached. And then came a jury of twelve good and lawful men of Travis County, consisting of J. C. Holmes and eleven others, duly tried, elected, empannelled and sworn, who having heard the pleadings, evidence and the charge of the Court, returned the following verdict, to wit: "We the jury find for the plaintiffs the sum of $355.98 J. C. Holmes foreman." Whereupon It is ordered that said C. R. Johns, F. Everett and W. von Rosenberg under their firm name of C. R. Johns & Co. do recover of the Defendants T. F. Mitchell and R. A. Smith the sum of three hundred fifty-five + 98/100 Dollars, so found due by the jury and the cost of the suit, for which execution may issue.
	✓	3512	Edward J. Gay v. T. F. Mitchell et al. This cause being called for trial, came the plaintiff and announced ready for trial, when came a jury of twelve good and lawful men of Travis county, consisting of Wm Thaxton and eleven others duly tried, elected, empannelled and sworn, who having heard the pleading, evidence and the charge of the Court, returned the following verdict, to wit: "We the jury find for the

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plaintiff nine hundred and eighty-seven 11/100 Dollars. Wm Thaxton, foreman" Whereupon It is ordered that the plaint Edward J Gay do have and recover of the plaintiff Defendants T F Mitchell and R A Smith the sum of Nine hundred, eighty-Seven 11/100 Dollars and the cost to be taxed for all which execution may issue

3513 E. S. Jaffray & Co. v. T. F. Mitchell, et al. R A Smith. This cause being called for trial, came the plaintiffs and announced ready for trial. when came a jury of twelve good and lawful men of Travis county, consisting of J C Holmes and eleven others. duly tried, elected and sworn, who having heard the pleading and the evidence and the charge of the Court, rendered the following verdict, to wit: "We the jury find for the plaintiff the sum of Seven hundred, thirty-four & 25/100 Dollars, J C Holmes, foreman." ~~and the cost of the suit, for which execution may issue.~~ Whereupon It is ordered that the plaintiff recover of the Defendants said sum of Seven hundred thirty-four & 25/100 Dollars and the cost, for which execution may issue.

3514 Mills & Gibb v. T. F. Mitchell et al. Come now the plaintiffs by their attorneys and on their motion It is ordered that this cause be dismissed from the docket and that said plaintiffs and the securities on their cost bond, to wit:

pay the cost of the suit, for which execution may issue.

3515 Evans Gardner & Co. v. T. F. Mitchell et al. This cause being called for trial, and came the plaintiffs and announced ready for trial: when came a jury of twelve good and lawful men of Travis county, consisting of William Thaxton and eleven others, duly tried, elected and sworn, who having heard the pleading and the evidence returned the following verdict, to wit. "We the jury find for the plaintiff three hundred and forty-three 4/100 Dollars. Wm Thaxton, foreman." Whereupon It is ordered that the pltffs Thos W. Evans, Richard Gardner, William R. Hutchinson and Wm B. Melton, under their firm name of Evans Gardner & Co. do recover of the Defendants T. F. Mitchell and R. A. Smith the sum of three hundred forty-three 4/100 Dollars and the cost of the suit for which execution may issue.

3516 B. M. Odom v. T. F. Mitchell et al. This cause being called for trial, came the plaintiff and announced ready for trial when came a jury of twelve good and lawful men of Travis county, consisting of J. C. Holmes and eleven others duly tried, elected and sworn, who having heard the pleadings and the evidence, returned the following verdict, to wit. "We the jury find for the plaintiff the sum of $146 29/100 J. C. Holmes, foreman." Whereupon It is ordered that the said B. M. Odom do have and recover of the Defendants T. F. Mitchell and R. A. Smith the sum of one hundred forty-six & 29/100 Dollars and the cost of the suit; for which execution may issue

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3517. Melins, Trask & Ripley v. T. F. Mitchell et al. This cause being called for trial, came the plaintiffs and announced ready. When came a jury of twelve good and lawful men of Travis county, consisting of Wm Thurston and eleven others duly tried, elected and sworn, who having heard the pleadings, and the evidence, and the charge of the Court, returned the following verdict, to wit. "We, the jury find a verdict for the plaintiffs for the sum of two hundred, Seventeen 13/100 Dollars. Wm Thurston, foreman." Wherefrom It is ordered that the said Riley Melins, George D. Trask and Dwight Ripley, under their firm name of Melins, Trask & Ripley do have and recover of the Defendants T. F. Mitchell and R. A. Smith the sum of two hundred, Seventeen & 13/100 Dollars, and the cost of the suit, for which execution may issue.

3529 G. H. Coleman v. Alfred Smith. Comes now the Defendant, and on motion in open Court It is ordered that said Defendant do have and accords leave to amend.

3296 G. Schleicher v Wm Thurston. This cause being regularly reached on the docket, and it appearing that at a former term of this Court a rule for security for cost having been entered, which has not been complied with, It is ordered that the cause be dismissed for want of compliance with said Rule, and that the plaintiffs pay all the cost of this suit, for which execution may issue.

3357 A. J. Berry v. E. W. Talbot et al. Comes now the plaintiff and upon motion It is ordered that said Plaintiff have leave to amend

3587. Virginia C. McGinnis, Admr. v. James H. Fox. Comes now the plaintiff, and on motion It is ordered that the said plaintiff have leave to amend.

3687. Goldfrank, Frank & Co. v. Thos E. Cater. Comes now the plaintiff, and on motion It is ordered that the said Pff have leave to amend.

Ex Parte Henry C. Fisher

The committee appointed to examine the applicant Henry C. Fisher, for license to practice as an Attorney and Counsellor at Law having reported that they had examined him in open Court and recommended that license do issue, and the Court being satisfied therewith, It is ordered that said Henry C. Fisher be and he is hereby admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas and that a license issue accordingly.

3400 C. H. Fox v. Amelia Fox. And now on this 5th day of June, 1873, comes the plaintiff by his attorney and announced himself ready for trial. And it appearing that the Defendant Amelia Fox has been duly served in person

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and has failed to answer, and no one appearing for the Defendant, under the supervision and direction of the Court thereupon came a jury of twelve good and lawful men, to wit: B. F. Waeker and eleven others, who were duly sworn according to law, and having heard the pleadings, the evidence, the argument of Counsel and the charge of the Court, retired to consider of their verdict. And thereupon returned into Court the following verdict, to wit: "We the Jury find the facts set forth in the Pffs's petition to be true. B. F. Waeker, Foreman." And thereupon it appearing to the Court that sufficient grounds of divorce are shown, It is ordered adjudged and decreed that the bonds of matrimony heretofore existing between the plaintiff B. H. Fox and the Defendant Amelia Fox, be dissolved, annulled and set aside, and the divorce prayed for be granted. And it appearing that there is no child or children of said marriage, and no community real or personal property, and no separate real or personal property in the possession of the plaintiff belonging to the Defendant, It is ordered that the plaintiff be freed from all claims or allowances against him or his property in favor of said defendant. And it is ordered that said plaintiff pay all costs of this suit, for which execution may issue.

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

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

3379 C. R. Johns & Co. v. Unknown Heirs of Wm. Morris. And now on this day come the plaintiffs and ask that the Defendants be defaulted, and for a writ of inquiry. And the Defendants having been duly cited according to law and failed to answer on or before default day, It is ordered that said plaintiffs do have and recover of the Defendants herein according to the prayer of the petition, and that a writ of inquiry be awarded.

3455 Raymond & Whitis v. James Davidson. And now comes the Pffs and ask that the Defendant be defaulted and for a writ of inquiry. And because the Defendant has been duly cited and failed to answer within the time prescribed by law, It is ordered that the plaintiffs do have and recover of the Defendant according to the petition and that a writ of inquiry be awarded.

3519 M. C. Hamilton v. William Jurnall. And now on this day comes the plaintiff and claims a judgment by default. And because the Defendant has wholly failed to answer within the time prescribed by law, having accepted service of plaintiffs suit. And the cause of action being liquidated, It is ordered that M. C. Hamilton do have and recover of the said William Jurnall

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the sum of Eleven Hundred, Sixty-Eight & 43/100 Good Dollars and interest thereon from date at ten per cent. per annum, and the cost of the suit, for which execution may issue. And it appearing that plaintiff has a lien upon the lower or Eastern half, being 320 acres out of the Martin Strouse Survey in Williamson County, to secure the payment of this judgment, It is ordered that said lien be foreclosed, and that the Clerk issue an order of sale directed to the Sheriff of Williamson County, requiring him to sell, as under execution, the above described tract of land, and the proceeds thereof he shall apply to the satisfaction of this judgment, interest to grow due thereon, and the cost of the suit, and the remainder, if any, he shall pay to the Defendant.

3543. B. Mc. Odom v. A. H. Longley. Comes now the plaintiffs and asks that Defaret be entered. And it appearing to the D

3552 Charles Van de Mark, for use v. R. B. Renick. And now comes the plaintiff and claims a judgment by defaret. And because the Defendant has been cited and has failed to answer within the time prescribed by law and wholly made defaret: and the cause of action being liquidated, It is ordered that said Charles Van de Mark, for the use of Thomas P Hughes, do have and recover of the Defendant R. B Renick the sum of Two Hundred, Fours & 80/100 Dollars in coin, with twelve per centum per annum interest thereon from this date until paid, and all the cost of this suit, for which execution may issue.

3569 D. V. Spring v. Jael b. Coggins. Comes now the plaintiff and asks that the Defendant be defaulted. And because the defendant has been cited and failed to answer within the time prescribed by law and wholly made defaret, It is ordered that the plaintiff do have and recover of the defendant according to the prayer of his petition and that a writ of inquiry be awarded.

3579 J. J. McClelland v. N. B. Mitchell. Comes the plaintiff and asks that the Defendant be defaulted. And because the Defendant has been cited and failed to answer within the time prescribed by law and wholly failed to answer within the time prescribed by law and wholly made defaret, It is ordered that the plaintiff do recover of the Defendant according to the prayer of his petition and that a writ of inquiry be awarded.

3581 Ben. Waeker v. N. B. Mitchell. Continued

3587. S. B. Brush v. John Alexander et al. Comes the plaintiffs and asks for defaret. And because the Defendants have been cited and failed to answer within the time prescribed and made defaret, It is ordered that the plaintiffs do have and recover of the Defendants according to the prayer of the petition.

3585 Ben. Waeker v. C. L. Johnson. ordered that the cause be dismissed the cost being paid.

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3588 S. B. Brush v. James H. Fox et als. Comes the plaintiff, and on motion It is ordered that this cause be dismissed and that the plaintiff pay the cost of the suit. for which execution may issue.

3638 J.S. Baker v. Jas. E. Mersey. Continued for service.

3640 T. J. Moore v. A. Whitmore Ordered on motion that this cause be dismissed and that the Plaintiff pay the cost of the suit for which execution may issue.

3642 Bayley & Pond v. D. N. Speer. Continued for service.

3659 Geo. A. Baker v. John H. Conner. Continued

3660 W. B. Beard v. John H. Conner. Continued

3661 Lock & Co. v. John H. Conner Continued

3672 Annie E. Hall v. M. B. McRae. Comes now the plaintiff and on motion It is ordered that the plaintiff herein have leave to amend

3671 Mary A. Payne v. Ed Wickerson. Continued

3677 Henry A. Newmann v. G. W. Beaumont et al. Comes now the plaintiff and claims a judgment final by default. And because the Defendants have been served with process and have failed to answer within the time prescribed by law, It is ordered that said Henry A. Newmann do have and recover of the said G. W. Beaumont and John W. Robertson the sum of Five Hundred Eighty-Eight $\frac{32}{100}$ Dollars in gold, principal and interest due upon the instrument sued on in this case to date, and all the cost of this suit. for which execution may issue.

3680 Moses Callaway v. R. Senterfet et al. Come the defendants and on motion It is ordered that the plaintiff be required to enter into bond and security for the cost of the suit on or before the next term of this Court, Plaintiffs attorney having notice of the motion.

3689 Wacter Bristard v. John J. Musgrove. Continued for service.

3692 Frank Swisher v. Jury Swisher. Continued for service.

3694 C. F. Millett v. John Stringer. Comes now the plaintiff and claims a judgment final by default. And because the defendant has been served with process and failed to answer within the time prescribed, and the cause of action being liquidated, It is ordered that C. F. Millett do have and recover of the Defendant John Stringer, the sum of three hundred twelve + $\frac{13}{100}$ Dollars in gold, and being principal and interest due upon the note sued on to date, and the cost of the suit, for all which execution may issue.

3675 Jacob T. Chandler v. J. W. McCown, Sen. and F. W. Chandler. This day came the plaintiff by attorney, and the said Defendants J. W. McCown Sen. and F. W. Chandler having failed to appear and answer in this behalf, but wholly made default. wherefore the said Jacob T. Chandler ought to recover against the said J. W. McCown Sen. and F. W. Chandler his damages by occa-

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sion of the premises: and it appearing to the Court that the cause of action is liquidated and fixed by an instrument in writing. It is ordered that the Clerk do assess the damages sustained by said plaintiffs: and the said Clerk now here having assessed the damages aforesaid at the sum of five hundred and twenty-three and $\frac{50}{100}$ Dollars in coin It is therefore considered by the Court that the said plaintiffs do have and recover of the said J. W. McCown, Sen., as principal, and F. W. Chandler, as endorser the sum of five hundred, twenty-three & $\frac{50}{100}$ Dollars in coin, with interest thereon at the rate of eight per cent. per annum, together with his costs in this behalf expended and that he have his execution. And it further appearing to the Court that the said Defendant F. W. Chandler is only liable as endorser upon the instrument sued on, It is therefore considered by the Court that the said F. W. Chandler have judgment over against the said J. W. McCown, Sen., for the sum of five hundred, twenty-three & $\frac{50}{100}$ Dollars in coin, and that he do have and recover the same from the said J. W. McCown, Sen., in the event that said F. W. Chandler shall be compelled to pay said said judgment, and that execution may issue accordingly.

3404 R. S. Rust et al. v. Martin H. Royston. And now on this day came the plaintiffs and claim a judgment by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law and wholly made default, It is ordered that the plaintiffs do have and recover of the defendant according to the prayer of the plaintiffs, and that a writ of inquiry be awarded

3708 Joseph B. Scott v. J. R. Billingsly, adm'r. of John T. Tinnin decd. And now comes the plaintiff by attorney, and claims a judgment by default, and the Defendant having been duly cited, and failed to answer within the time prescribed by law, and wholly made default, It is ordered that said plaintiff do have and recover of the Defendant according to the prayer of the petition, and that a writ of inquiry be awarded.

3528 Raymond & White v. A. B. Palm et al. Continued.

3529 J. A. Coleman v. Alfred Smith. Continued by the Defendant Deft.

3534 C. W. Hill v. Wade Henry. Comes the parties by attorney and on motion It is ordered that the cause be dismissed from the docket and that the plaintiff pay the cost of the suit for which execution may issue.

3543 B. M. Odom v. A. H. Longley. Comes the plaintiff and claims a judgment by default. And because the Defendant has been cited by personal service and failed to answer within the time prescribed by law and wholly made default, It is

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ordered that the plaintiff do recover of the defendant ac-
cording to the prayer of the petition and that a writ of in-
quiry be awarded

3522. J. B. Morris, adm^r vs Henry Johnson et.al. And now comes
the plaintiff and dismisses this suit as to the defendants
Henry Johnson and Elizabeth A Pratt, who have failed to be
served with process. And thereupon came the other defendants
and the parties announced ready for trial. And the dem-
urrer of the Defendants coming on to be heard and the
same being duly considered, is overruled. And then came a
jury of twelve good and lawful men of Travis county
consisting of J. B. Holmes and eleven others, who being duly
tried, elected, empannelled and sworn, heard the pleadings,
evidence, argument of counsel and the charge of the Court,
and after retirement returned the following verdict, to wit:
" We the Jury find a verdict in favor of plaintiff for $ 654.^{00}
" six hundred and fifty-four dollars. Special finding. He is
" a resident of Hays county, Texas - but insolvent. J. B. Holmes
" foreman." Whereupon It is ordered that the said James B.
Morris, Adm^r of J. D. Hobby, dec'd do have and recover of
the Defendants W. T. Norton, Jno. E. Campbell, Leigh Chalmers
Peter Schmidt and G. W. Glick the sum of Six hundred and
fifty-four dollars and all the cost of this suit, for which
execution may issue.

3484 Elizabeth J. Logan v. A. T. Logan. And now at this day comes
the plaintiff in the above entitled cause and announced
herself ready for trial: and it appearing to the Court that the
defendant A. T. Logan has been duly served and has filed an
answer, but fails to appear by attorney or in person on the trial
thereupon came a jury of twelve good and lawful men, to wit:
Wm Thaxton and eleven others, who were duly sworn and em-
pannelled in accordance with law and having heard the
pleadings, the evidence and the charge of the Court, retired to
consider of their verdict, and after due deliberation returned
into open Court the following verdict, to wit: " We the jury find
the material allegations in the petition are true. William Thaxton
foreman." And it appearing to the Court that the allegations in
the petition are true, It is ordered and adjudged by the Court
that the said plaintiff be granted a divorce from the said De-
fendant, and that the bonds of matrimony heretofore Solemnized
between the said plaintiff E. J. Logan and the said Defendant
A. T. Logan, be forever dissolved. And it further appearing
proper and equitable to the Court that the custody of the mino
children of said plaintiff and Defendant Thaddeus and Jefferson
during their minority is hereby vested exclusively in the said
plaintiff E. J. Logan. And it further appearing that Lots
Nine and Six (5&6) in Block No one hundred & fifty seven

June 6th, 1873.

in the City of Austin, Texas, are the common property of the said Plaintiff and Defendant and are used as the homestead of the said Plaintiff and Defendant, It is ordered that the possession of said homestead be awarded to the said plaintiff, and her sole right and title to all her separate property set forth in Exhibit A to her petition is hereby confirmed, and the said Defendant is enjoined and prohibited from in any manner interfering with the plaintiff's custody of the said children or her possession of said homestead. It is further ordered that the said plaintiff do have and recover of and from the said Defendants all the costs of this suit, for all which execution may issue.

✓ ✓ 3290 Ingram & Whaley v. O. L. Dewey. Come now the parties and on motion It is ordered that this cause be dismissed, the Cost being paid.

✓ ✓ 3320 G. H. Burditt Adm'r of Thomas. Miller Deft and W. D. Smith, Gar. And now on this day came on to be heard the answer of the garnishee. W. D. Smith, by which it appears that he is indebted to the Defendant in the sum of One Hundred Dollars in coin It is therefore ordered that G. H. Burditt, adm'r of Jesse Burditt. decd, do have and recover of said W. D. Smith, said sum of one hundred dollars in coin, for which execution may issue, and said Smith, on paying the same into Court, is discharged from all liability to the said Miller and that the costs be paid out of said sum.

✓ ✓ 3499. Sampson & Hennicke v. Roberts & Brazeall. And now on this day came the plaintiffs by their attorneys and claim a judgment by default. And because the Defendants have been cited by personal service and have failed to answer within the time prescribed by law and wholly made default It is ordered that said plaintiffs do have and recover of the Defendants according to the prayer of their petition and that a writ of inquiry be awarded.

✓ ✓ 3536 Miller & Dowell v. Longley & Taylor. And now on this day came the plaintiffs by their attorneys and claim a judgment by default. And because the defendants have been cited by personal service and have failed to answer within the time prescribed by law. and wholly made default, It is ordered that the plaintiffs do recover of the Defendants according to the prayer of their petition and that a writ of inquiry be awarded.

✓ ✓ 3543 X B. M. Odom v. A. H. Longley. And now on this day comes again the plaintiffs by attorney, and on motion It is ordered that so much of an order previously entered in this cause as awards a writ of inquiry, be set aside. And the cause of action being liquidated, as shown by the instruments sued on produced in evidence. It is ordered that judgment be now here entered for the sum due thereon. And thereupon It is ordered that the plaintiffs B. M. Odom do have and recover of the de-

June 6th, 1878.

dendant A. H. Longley the sum of Three Hundred thirty five & 30/100 Dollars in gold, together with twelve per centum per annum interest thereon from this date until paid, and all the costs of this suit, for which execution may issue.

Jury Service

And thereupon it is ordered that Certificates for Jury service issue to the following named persons for jury service during the present week of the Court, to wit:

D. F. Waddell	2 days	Harry Hawkins	3 days	Jno McGowan	5 days
Peter Bratton	5 "	John Penn	5 "	J. C. Holmes	5 "
D. F. Walker	5 "	D. Fullenwider	5 "	J R Smith	5 "
M. M. McGehee	5 "	Jno. Fisher	5 "	K S & Duff	5 "
A. Klein	5 "	Wm Paxton	5 "	W D & McGarland	5 "
Henry Land	5 "	John Clark	5 "	Jerry Johnson	5 "
Caesar Kennedy	5 "	Paul Harris	5 "	J P Hart	5 "
Jas Wade	5 "	G A Banks	5 "	Ben Lee	5 "
Henry Eddy	5 "	H Saunds	1 "	W J Hill	1 "
David Williams	1 "	A B Burleson	3 "	R. B. Smith	2 "

Clerk and Sheriff

And thereupon it is ordered that the Clerk of the District Court of Travis County and the Sheriff of Travis County be and they are hereby allowed to charge for services rendered in any cause or proceeding in this Court as follows to wit:

For recording any Interlocutory or final decree (not in the nature of an Ordinary Judgment or decree) to include any papers required to be recorded, twenty cents for every hundred words.

For each Duplicate, or Copy of citation, or Copy of Injunction, or of any other writ, where a Duplicate or Copy is required to accompany the Original to be delivered to any party - seventy five cents.

For each Duplicate or Copy of any writ of Scire facias (except against a Defaulting Juror who may be excused) one dollar and fifty cents.

For docketing each criminal cause, twenty-five cents.

For filing each paper in Criminal Cause, fifteen cents.

For entering each appearance in person or by attorney, in each criminal cause, to be charged but once, twenty cents.

For each continuance in Criminal Cause, twenty five cents.

For swearing each witness in Criminal Cause, fifteen cents.

For each oath or affirmation, with certificate (and seal when required) twenty-five cents.

For each Subpoena in criminal cause, thirty cents - for each additional name, 15 cents.

To the Sheriff for posting notices under any application for the probate of a will, or for letters of administration or for executorship, or for the settlement of any annual, final, or other account or exhibit of any Guardian, executor or administrator, the sum of One dollar and fifty cents.

June 6th 1873

No 3708

Joseph B. Scott vs. John R. Billingsly Admr. of the Estate of John T. Trimm deceased. Now at this day appeared the Plaintiff in the above entitled cause, and asked for a Judgment by default with a writ of inquiry in said cause; and it appearing to the Court that the cause of action is based upon a title bond executed by John T. Trimm, (now deceased) to the Plaintiff in said cause on the 26th day of December, 1870, in which he bound himself in the sum of fifteen hundred Dollars to make the Plaintiff herein a good and sufficient conveyance in fee simple, whenever said Plaintiff should pay to him the sum of Seven hundred and fifty & 1/100 Dollars of the following described tract of land, to wit: Situated in Burleson County in the State of Texas and beginning at the S.W. corner for the S.E. Corner of this Lot (the same being Lot No 6 of the land belonging formerly to the estate of Hugh Trimm, dec'd. Thence S. 71° E. West 653 varas to the S.W. corner of a 147 acre tract of land bought of Cross. Thence N. 19° W. 600 vrs to a Corner of the said Cross tract. Thence S. 71° W. 60 vrs to a corner. Thence N. 19° W. 600 vrs to N.W. corner of the said Cross tract. Thence N. 71° West 713 vrs to the N.E. corner of the Cross tract. Thence S. 19° E. 1200 vrs to the place of beginning. And thereupon came a Jury to wit. James P. Hart and eleven others, duly empaneled and sworn, according to law, who after hearing the evidence and charge of the Court brought in the following verdict, to wit. "We the Jury find for the Pff. James P. Hart, foreman." It is therefore ordered adjudged and decreed by the Court that the said John R. Billingsly Administrator of the Estate of John T. Trimm, Deceased, be required to make title to the said Plaintiff herein Joseph B. Scott, of the tract of land hereinbefore described, whenever said Plaintiff shall pay to the said Billingsly Administrator as aforesaid, all the purchase money for said tract of land, and that the Plaintiff Joseph B. Scott recover all the costs in this behalf expended, from the Defendant Joseph R Billingsly Administrator of the Estate of the said John T. Trimm, decd to be paid out of the assets of said estate.

3496

Geo. Ball, J. H. Hutchings, John Sealy and Georg Sealy, Partners under the firm name and style of Ball, Hutchings & Co vs. James L. Nichols & John Burton. And now on this day came the Plaintiffs by their attorneys and the said Defendants having failed to appear and answer in this behalf, but wholly made default; wherefore the said Plaintiffs ought to recover against the said Defendants their damages occasioned by the premises; and it appearing to the Court that the cause of action is liquidated and proved by two instruments of writing It is ordered that the Clerk assess the damages sustained by the said Plaintiff and the said Clerk now here having assessed the damages at the sum of two thousand two hundred, Eight & 85/100 Dollars in gold. It is therefore considered by the Court that the said Plaintiffs do have and recover of and from the said James L. Nichols and John Burton the said sum of Two thousand two hundred Eight & 85/100 Dollars in gold, with interest thereon at the rate of twelve per cent per annum from the date hereof together with their costs and that execution issue therefor.

June 7th 1873

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

Saturday June 7th 1873.

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

3295

C. H. Saunders v. F. Schieffer Deft and J. B. Hedspeth Garnishee. And now on this day comes the plaintiff and asks for judgment upon the answer of the garnishee. And it appearing from the answer that said Garnishee that he is indebted to the Defendant in the sum of twenty one coin dolls It is ordered that said C. H. Saunders do have and recover of the Garnishee, John B. Hedspeth the sum of twenty one coin dollars, and upon paying the same into Court, he shall be absolved from all liability to the Defendant for said sum of $21 and that the cost be paid out of said sum.

3561

J. J. McClelland vs. John M. Dawson. And now on this day came on to be heard Cause No 3561 of J. J. McClelland vs. John M. Dawson, and the Defendant Dawson failing to appear and make known his right to said property, but wholly made default: thereupon plaintiff dismissed as to B M. Odom one of the sureties on the bond of said Defendant John M. Dawson and asked that said bond be declared forfeited and he have judgment against said John M. Dawson as principal and Silas Hannah and Thos. Franks as surties on said bond for the sum of one hundred and forty four dollars and seventy cents coin the amount heretofore adjudged to be due said McClelland plaintiff by C. M. Rowe - whereupon said bond is declared forfeited and it is ordered adjudged and decreed by the Court that said J. J. McClelland do have and recover of John M. Dawson as principal and Silas Hannah and Silas Franks as sureties the sum of One Hundred and forty-four dollars coin with costs of suit for which execution may issue.

3592

The State of Texas vs. Will Slaughter et al. It appearing that at the February terms 1873 of this Court judgment nil si was entered against the Defendants in this cause for the sum of One hundred dollars on a forfeited appearance bond dated 14th February, 1872, signed by Will Slaughter, Nat. Moore and Wm H. Baker and the Defendant Nat Moore being served with scire facias to appear and show cause why said judgment should not be made final, (Defendant Baker not being found the cause is dismissed as to him which he has wholly failed to do, and said Slaughter and Moore having made default, It is ordered that the said judgment nil si be made final and that the State of Texas do have and recover of the Defendants Will Slaughter and Nat Moore the said sum of One hundred Dollars and the cost of the prosecution, and that execution issue therefor.

3594

The State of Texas v. Wm Cotton et al's. It appearing that at the February term 1873 of this Court judgment nil si was entered against the defendants in this cause for the sum of One hundred dollars on a forfeited appearance bond for the sum of One hundred dollars

June 7th 1873.

dated 21st June 1872, signed by said Wm Catton as principal and L E Edwards and C. G. Graham as securities, and said securities having been served with writs of Scire facias to appear and shew cause why said judgment should not be made final, which they have wholly failed to do and made default, It is ordered that said Judgment nisi be made final and that the State of Texas do have and recover of the Defendants Wm Catton, L. E. Edwards and C. G. Graham the said sum of One hundred dollars and the cost of the proceeding for all which execution may issue.

✓ ✓ 3595 X

The State of Texas v. Dick Armstrong et al. It appearing that at the October Term 1872 of this Court judgment nisi was entered against the Defendants in this cause for the sum of One hundred dollars on bond dated the 25th June 1873, signed by said Armstrong as principal and J. H. Fitch and R. Barr as securities, and said Defendant Barr having been cited to appear and shew cause why said judgment nisi should not be made final which he and his said principal have wholly failed to do (the Defendant Fitch not being served the cause is dismissed as to him) It is ordered that said judgment nisi be made final as against them and that the State of Texas do have and recover of and from said Dick Armstrong and Robert Barr the sum of One hundred dollars and the cost of the prosecution and that execution issue therefor.

✓ ✓ 3596 X

The State of Texas v. Harry Nailor et als. It appearing that at the February term 1873 of this Court judgment nisi was entered against the Defendants in this cause for the sum of One Hundred Dollars on a forfeited appearance bond dated 21st October, 1872, signed by said Harry Nailor alias Henry Nailor as principal and D. J. Murchison and W. G. Graham as securities and said D. J. Murchison having been cited to appear and shew cause why said judgment nisi should not be made final which he and his said principal have wholly failed to do (the Defendant Graham not being served the cause is dismissed as to him) It is ordered that said judgment nisi be made final as against them and that the State of Texas do have and recover of and from said Harry Nailor alias Henry Nailor the sum of One hundred dollars and the cost of the proceeding, and that a ~~Capias~~ execution issue to collect the same

✓ ✓ 3598 X

The State of Texas v. Jacks Conner et. als. It appearing that at the February term 1873 of this Court judgment nisi was entered against the Defendants in this cause for the sum of One hundred dollars on a forfeited appearance bond dated 10th February 1873 signed by said Jacks Conner as principal and John H. Conner and James G. Moore as securities, and said securities having been cited to appear and shew cause why said judgment should not be made final which they have wholly failed to do, It is ordered that said judgment nisi be made final and that the State of Texas do have and recover of said Jacks Conner, John H. Conner and James G. Moore the said sum of One hundred dollars and the cost of the proceeding for which execution may issue.

June 7th, 1873.

3599. The State of Texas v. Jack Conner et.al. It appearing to the Court that at the February term 1873 judgment ni si was entered against Jack Conner as principal, and John H. Conner and James G. Moore as securities on a forfeited appearance bond for the sum of One hundred dollars dated 10th February, 1873, in a cause wherein said Jack Conner was charged with Betting at Monte, and said securities having been cited to appear and shew cause why said judgment should not be made final which they have wholly failed to do, It is ordered that said judgment ni si be made final by default, and that the State of Texas do have and recover of the said Jack Conner, John H. Conner and James G. Moore the said sum of One hundred dollars and the Cost of this proceeding, for which execution may issue.

3600 The State of Texas v. Charley Smith et.als. It appearing to the Court that at the February term 1873 judgment ni si was entered against the Defendants Charley Smith as principal, and C. C. Edwards and M. C. Haines as securities on a forfeited appearance bond for the sum of One hundred dollars dated 10th February 1873, on a charge of Betting at Monte, and said securities having been cited to appear and shew cause why said judgment should not be made final, which they have wholly failed to do. It is ordered that said judgment ni si be made final by default, and that the State of Texas do have and recover of the said Charley Smith alias C. C. Smith, as principal, and C. C. Edwards and M. C. Haines as securities said sum of One Hundred Dollars and the Cost of this proceeding for all which execution may issue.

3601 The State of Texas v. William Benton et.als. And now on this day this cause being called, and the answer of the Defendants being heard and being insufficient and it appearing that at the February term 1873 of this Court judgment ni si was entered against the Defendants William Benton as principal and Ben H. Thompson and J. B. Minter as securities for the sum of five hundred dollars on a forfeited appearance bond dated 9th day of January 1873, and the defendants being served with citation to appear and shew cause why said judgment should not be made final which they have wholly failed to do and made default, It is ordered that said judgment ni si be made final, and that the State of Texas do have and recover aforsaid William Benton as principal and Ben H. Thompson and J. B. Minter as securities the said sum of Five Hundred Dollars and the cost of the prosecution and that execution issue therefor.

3602 The State of Texas v. Bill Miller et.als. It appearing to the Court that at the February term 1873 judgment ni si was entered against the Defendant Bill Miller as principal and J. M. Miller and N. B. Mitchell as securities on a forfeited appearance bond for the sum of One Hundred Dollars dated 10th February 1873, on a charge of Betting at Monte and said securities having been cited to appear and shew cause why said judgment should not be made final, which they have wholly failed to do It is ordered that said judgment ni si be made final by default and

June 7th 1873

that the State of Texas do have and recover of the said Bill Miller as principal, and J. M. Miller and N. B. Mitchell as securities said sum of One hundred Dollars and the cost of this proceding for all which execution may issue.

✓	✓	3604	The State of Texas v. Albert Hutchins Ordered upon motion that the fine entered against the Defendant in this cause be set aside.
✓	✓	3606 *	The State of Texas v. C. G. Graham. Came the parties, when came on to be heard the sworn answer of the Defendant filed in this cause, which being heard and considered, and the showing therein made not being deemed sufficient, It is ordered that the said fine of One Hundred Dollars (Thirty) aksessed against the Defendant as a Defaulting Juror at the February term of this Court be made final and that the State of Texas do have and recover of the said C. G. Graham said sum of Thirty Dollars and the cost of this proceeding and that a Commitment issue to collect the same.
✓	✓	3608	The State of Texas v. Wm C. Evans. Ordered that the fine assessed against said Wm C Evans at the February term of this Court be set aside.
✓	✓	3610 X	The State of Texas v. Thomas C. Cater. Comes the District attorney and asks that the fine in this cause be made final for want of an answer. And said Defendant having been fined thirty dollars at the February term 1873 of this Court as a defaulting Juror and having been served with citation to appear and shew Cause why the same should not be made final which he has wholly failed to do It is ordered that said judgment be made final and that the State of Texas recover of said Thomas C. Cater the sum of thirty dollars and the Cost of the proceeding and that a Commitment issue to collect the same.
✓	✓	3611	The State of Texas v. Richmond Riggles Ordered that the fine entered against this Defendant be set aside.
✓	✓	3613	The State of Texas v. Peter Smith. Ordered that the fine entered against the Defendant as a Defaulting Juror be set aside
✓	✓	3615 X	The State of Texas v. W. H. Howard. The Defendant in this cause having been fined thirty dollars as a defaulting Juror at the last term of this Court, and having been cited to appear and shew cause why the judgment ~~in si~~ should not be made final which he has wholly failed to do. It is ordered that said judgment be made final and that the State of Texas do recover of said W. H. Howard said sum of thirty dollars and the cost of this proceeding And that a Commitment issue to Collect the same.
✓	✓	3616	The State of Texas v. J. Leser. Ordered that the fine of thirty dollars entered against the Defendant as a Defaulting Juror at the last term of this Court be set aside
✓	✓	3617 X	The State of Texas v. James Moore. The Defendant in this cause having been fined thirty dollars as a defaulting Juror at the last term of this Court and having been cited to appear and shew cause why the ~~in si~~ judgment should not be made final which he has wholly failed to do. It is ordered that said judgment be made final and that the State of Texas recover of said James Moore the sum of thirty dollars and the cost hereof and that a Commitment issue to collect same.

June 7th 1873

3702 W. M. Walton v. L. E. Edwards. And now on this day comes the plaintiff and claims a judgment final by default. And because the defendant has accepted service of plaintiffs petition and has failed to answer within the time prescribed by law and wholly made default It is ordered that said W. M. Walton do have and recover of the defendant L. E. Edwards the sum of Four Hundred and Fourteen dollars in gold and the sum of Seven Hundred, twenty four & 00/100 Dollars in currency, being principal and interest due upon the note of hand sued on to this date, together with ten per centum per annum interest thereon from this date until paid, and all the cost of this suit, for which execution may issue.

3713 C. Billy Lott, Ex Parte. And now on this day came on to be heard the application of C. Billy Lott, praying to have his disabilities of non-age removed, which is duly sworn to as the law prescribes. And the petition being heard and duly considered, It is ordered that the relief asked for be granted, that the Disabilities of non-age of said C. Billy Lott be and the same are removed, and that the said C. Billy Lott be held competent and responsible in all his transactions as fully and completely as if he were twenty one years of age, except as to the right of voting

3357. A. J. Berry, Pff. v. C. W. Talbot and Leroy Lord Shff. Defendants and Charles P. Talbot and Thomas Talbot, Intervenors.

On this day this cause being called, came the parties by their attorneys and announced themselves ready for trial. And thereupon came a jury to wit: Wm Thaxton and eleven others duly empannelled and who after hearing the pleadings, evidence adduced and charge of the Court, returned into Court their verdict as follows. "We the jury find for the Intervenors. Wm Thaxton." And there being no controversy as to the amount of the judgment enjoined and the Defendant C. W. Talbot having exhibited his discharge in Bankruptcy, therefore it is ordered, adjudged and decreed by the Court that the injunction herein be and the same is hereby in all things dissolved, and it is further ordered, adjudged and decreed that the said Intervenors Charles P. Talbot and Thomas Talbot (the firm of C. P. Talbot & Co) do have and recover of the said Plaintiff and his sureties upon his injunction bond, Thomas P. Hughes and J. M. Devron, the sum of Eleven hundred and ten + 20/100 Dollars, of which sum one thousand, Nine + 30/100 dollars bear ten per centum interest per annum (but that only the sum of One thousand dollars be collected of the said sureties, said sum being the amount of the injunction bond) and all costs of suit by Intervenors expended, for all which execution may issue. And it is further ordered & adjudged by the Court that (upon the showing of said discharge in bankruptcy) the said Defendant C. W. Talbot be discharged as against the judgments set out in the petition and that plaintiff take nothing by his suit against said C. W. Talbot, and that he and Leroy Lord do have and recover of plaintiff all costs herein expended, for all of which execution may issue: and that execution may issue in favor of the officers of Court against the parties to this suit for the costs incurred by them respectively

Filed 4th day of July 1873 in office of Clerk of District Court in Shelby Co Texas. A. Georges Clerk
Issued execution to Sheriff Shelby Co Texas for the sum of Eleven hundred & 20/100 Dollars
Which sum was to be collected of the sureties on the injunction bond
and which sum is to be paid to the Intervenors
Chas P. Talbot & Thos Talbot

June 9th 1873

And thereupon Court adjourned till Monday morning at 9 o'clock.

Monday, June 9th 1873

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

John C. Townes and Albert W. Marsand

And now on this day came on to be heard the Report of the Committee appointed to examine the applicants for Law License, Messrs John C. Townes and Albert W. Marsand, in which they report that they have performed that duty and recommend that License do issue, and the Court being satisfied, with said examination and report and Doth order that said applicants be admitted to practice as an attorneys and Counsellors at Law in the several District and Inferio Courts of the State of Texas and that Licenses ifsue therefor.

3180 William Ebon vs. Geo B. Zimpelman Admr. And now comes the Plaintiff and on motion in open Court, It is ordered that said plaintiff have leave to amend the petition

3259 William Neese vs. Risher & Hall. And now on this day comes the plaintiffs attorney, and on motion It is ordered that Geo. Weyand Admr. of said plaintiff, be made party plaintiff in this suit and that the cause proceed in the name of said Administrator as Plaintiff And thereupon, on motion, It is further ordered that the cause be dismissed as to the Defendant C. K. Hall, who has departed this life.

3399 The State of Texas vs. Frank Dirks et als. Comes now the Plaintiff by attorney and upon motion It is ordered that said Plaintiff have leave to amend the petition

3431 A.W. Marsand vs. Thomas McCormick. Comes now the attorney for the Defendant and upon motion It is ordered that said Defendant have leave to amend the answer.

3447 Adrien Dionnehet v. J. Kuechler et.als. Comes now the Defendant by attorney and on motion It is ordered that said Defendant have leave to amend the answer.

3578 Harris Dudleyites. v. G.M. Brass. Comes now the Defendant and upon motion in open Court It is ordered that said Defendant have leave to amend.

3551 John A Swisher Jr. vs T.W. Nolen. Come now the parties and on motion It is ordered that this cause be dismissed from the docket and that the plaintiff pay the cost of the suit, for which execution may issue

3531 D. Sanders and wife vs Phineas Burchard. And now on this day came the parties by their attorneys and on motion It is ordered that Judgment be entered in accordance with the agreement on file. Wherefore It is ordered that the said plaintiffs do have and recover of the Defendant Phineas Burchard the sum of Two hundred, forty-two $\frac{91}{100}$ Dollars and all the cost of this suit for which execution may issue.

June 9th 1873.

✓	✓	3553	R. E. Carrington vs E. T. Moore. And now on this day came the parties to this cause by their attorneys: and thereupon defendant submitted his demurrer to the petition, which being heard and considered It is ordered that the same be sustained: And thereupon on further motion of the Plaintiff, said Plaintiff is allowed to amend the petition, upon payment of all costs to date: And it is ordered that the Defendant recover of the Plaintiff all cost incurred up to this date, And the plaintiff thereupon excepts to the ruling of the Court as to the judgment for costs. And the parties thereupon waive a Jury and submit the case to the Court. And upon a hearing of the case It is ordered that the plaintiff take nothing by reason of his suit; that the cause be dismissed, and that the Defendant go hence and recover of the Plaintiff all his costs, for which execution may issue. And thereupon the Plaintiff gives notice in open Court of an appeal to the Supreme Court.
✓	✓	3555	Raymond & White v. J. Davidson & L. E. Edwards. Comes now the pltff and on motion It is ordered that the plaintiffs do have and recover of the Defendant L. E. Edwards judgment by default for want of an answer, according to the prayer of their petition, the Defendant Edwards having been cited by personal service and failed to answer within the time prescribed by law.
✓	✓	3556	Raymond & White v. J. Davidson et als. It appearing that the defendants Mrs. Davidson, L. E. Edwards and William M. Walton have been cited by personal service and have failed to answer within the time prescribed by law, and wholly made default, It is ordered that the plaintiffs do recover judgment against said Defendants for want of an answer.
✓	✓	3558	M. Thalheimer & Co. vs A. B. Palm. Comes now the plaintiffs by attorney and suggest the bankruptcy of the Defendant. And upon motion the cause is continued.
✓	✓	3559	Raymond & White v. A. B. Palm. Come now the plaintiffs by attorney and suggest the bankruptcy of the Defendant. And thereupon the cause is continued.
✓	✓	3564	P. P. Cluff v. J. J. Long. On this day this cause being regularly reached on the docket the plaintiff appellant came not in person or by attorney to prosecute the appeal. And thereupon It is ordered by the Court that the cause under upon appeal be dismissed for want of prosecution and that the Defendant go hence and recover of said plaintiff appellant J. J. Long and his securities Ed Fanning & Nat. P. Jackson and Harris & E. T. Moore all the cost of this suit in this Court and the Court below, for all which execution may issue.
✓	✓	3567	W. M. Rogers vs J. C. Washburn. Come now the Parties and the motion to dismiss the appeal for want of a proper appeal bond Coming on to be heard, and the same being considered, It is ordered that the motion be sustained; that the bond be quashed; the cause dismissed: and that the plaintiff and appellant W. M. Rogers pay the costs of the appeal, for which execution may issue.

June 4th 1873.

3570 John G. Root & Leo. v. H. F. Matthews et als. Come now the Plaintiffs by attorney and upon motion it is ordered that the Plaintiff have leave to amend the petition: and thereupon the cause is continued

3571 C. H. Moore & Co. v. M. W. Townsend. Comes now the Plaintiffs and upon motion duly made, It is ordered that the Defendant have leave to amend the answer. And upon motion of the Plaintiff It is further ordered that said Plaintiff have leave to amend

3573 Stuart & Mair vs. A. B. Palm. Come now the Plaintiffs by attorney and upon motion It is ordered that the cause be continued bankruptcy of Defendant being suggested

3574 Alberts Darling vs. A. B. Palm. Comes now the Plaintiff and suggests the Bankruptcy of the Defendant: and thereupon the cause is continued

3575 Mark Kemper & Co. v. A. B. Palm. Comes now the Plaintiff and suggests the Bankruptcy of the Defendant. And the cause is continued

3576 Reubena Bell, Wood et al. v. G. R. Freeman et al. Continued for service

3568 H. B. Anderson and J. B. Gibson v M. M. Long. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of S. C. Gaulberry and eleven others duly tried, elected, empannelled and sworn, who having heard the evidence, argument of Counsel and the charge of the Court, after retirement, returned the following verdict, to wit: "We, the Jury find for the Defendant S. C. Gaulberry foreman." Whereupon it is ordered that the plaintiffs take nothing by their suit, that the Defendant go hence and recover of the Plaintiffs and their security on the appeal bond Martin White, all the costs of this Court and the Court below, for all which execution may issue

3572 W. J. Montgomery vs. J. F. Battaile et als. And now on this day came the parties to this cause by their attorneys and announced ready for trial, and waiving a Jury submit the case to the Court. And plaintiffs cause of action being based upon a liquidated demand, It is ordered that the said W. J. Montgomery do have and recover of the Defendants, J. F. Battaile, A. B. Palm and A. Dobrstein the sum of Five Hundred and Eighty Four Dollars in gold being principal and interest due upon the note of hand sued on to this date, with interest thereon at five per cent. per month from this day until paid, and all the cost of this suit, for which execution may issue.

3587 Virginia C. McGinnis, Admx. vs. James H. Fox. Come now the parties and upon motion it is ordered that this cause be dismissed at plaintiffs cost. And thereupon it is decreed that the cost of this suit be adjudged against the estate of McGinnis deceased to be paid in due course of administration.

3579 J. J. McClelland vs. N. B. Mitchell. And now on this day came the parties and announced ready for trial when came a Jury of twelve good and lawful men of Travis County, consisting of

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William Thaxton and eleven others. duly tried, empannelled and sworn, who having heard the pleading, evidence and the charge of the Court, after retirement, returned the following verdict, to wit. "We the Jury find for the Plaintiff four hundred and eighty four 36/100 Dollars. Wm Thaxton Foreman." And thereupon It is ordered that said J. J. McClelland do have and recover of the said N. B. Mitchell the sum of Four hundred, eighty-four & 36/100 Dollars and the cost of this suit, for which execution may issue.

3586 Hancock & White v. Thomas and Celia McCormick. Come now the defendants by attorney and on motion it is ordered that said Defendants have leave to file their demurrer.

3579 J. J. McClelland v. N. B. Mitchell Deft and M. M. Long and R. S. Grant, Garnishees. And now on this day came the plaintiff and the garnishees M. M. Long and R. S. Grant, by their respective attorneys and announced ready for trial upon the answers of said Garnishees and the contest thereof by the Plaintiff. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of Wm Thaxton and eleven others, duly tried, elected and sworn, who having heard the issues raised by the parties, the evidence introduced, argument of counsel and the charge of the Court retired to consider of their verdict, and returned the following verdict, to wit. "We the Jury find the Garnishees are due the Defts Eighty-Two and 94/100 Coin Dollars. Wm Thaxton, foreman." Whereupon It is ordered that the Plaintiff J. J. McClelland do recover of the Garnishees M. M. Long and R. S. Grant the sum of Eighty two & 94/100 Coin Dollars for which execution may issue.

Grand jury. And now on this day came into Court the Grand Jury of Travis County, duly Tried, elected, empannelled, and Sworn and through their foreman Robert Jones presents to the Court the following bills of indictment, to wit:

2868 An Indictment against Robt & James Hamilton for theft of a red Cow

2869 An Indictment against Robt Hamilton " Theft of a pig.

2870 An Indictment against John Bryan. alias Simpson " Apt with intent to kill & M

2871 An Indictment against Alex Piper, for taking up & using a Milch Cow

2872 An Indictment against Thos McCormick. carrying away timber &c

2873 An Indictment against. Thos McCormick. Cutting timber &c.

2874 An Indictment against A. H. Tucker. Carrying away timber &c

2875 An Indictment against A. H Tucker. Robbery

2776 An Indictment against A H Tucker. Aggd assault.

2677 An Indictment against James Mose. Betting at Monte.

2878 An Indictment against J. G. Tracy. Carrying a deadly weapon.

2879 An Indictment against E. J. Randle Carrying a deadly weapon.

2880 An indictment against Tony Betting at Monte

2881 An Indictment against Bob Roberts Betting at Monte.

2882 An Indictment against. Roger Blount & James Goodall. Theft of lumber

2883. An Indictment against Ed Wilkerson. Betting at Monte.

2884 An Indictment against Ed Wilkerson. Betting at Monte.

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2885 an Indictment against Virgil Conner for Arson
2886 an Indictment against Aly Gardner . Playing Cards in a public place
2887 an Indictment against Henry Mordecai . Carrying a deadly weapon
2888 an Indictment against Roger Blunt & James Goodall. Malicious Mischief
2889 An Indictment against Bill Long Exhibiting Monte.
2890 an Indictment against Booker Griffith . Theft of a heifer.
2891 an Indictment against Green Littleton Dealing Monte
2892 an Indictment against "Chico" Betting at Monte
2893 An Indictment against "Sid" Jones Betting at Monte
2894 An Indictment against Viviano Medina Cortez Swindling
2895 An Indictment against Simon Alexander . Theft of a gelding.
2896 an Indictment against Green Johnson . Betting at Monte.
2897 an Indictment against John Stokes Betting at Monte.
2898 an Indictment against William Blair for Murder.
2899 an Indictment against Jake Smith " Betting at Monte.
2890 an Indictment against Dick Brodie " Betting at Monte.
2901 an Indictment against Abe Craft " Theft of a gelding.
2902 an Indictment against Orange Battle " Perjury.
2903 an Indictment against Shack Ware " Betting at Monte.
2904 an Indictment against T. H. Doran " Playing Cards &c
2905 an Indictment against Maria Simpson " Apanet to Kill & Murder
2906 an Indictment against Anthony Whitmore " Swindling.
2907 an Indictment against Squire Johnson " Betting at Monte.
2908 An Indictment against Isaac Johnson " apanet to Kill & Murder
2909 an Indictment against James Moore " Exhibiting Monte.
2910 an Indictment against Charles Boatman " Dealing Monte.
2911 an Indictment against John Shade " Betting at Monte.
2912 an Indictment against Moze Mitchell " Betting at Monte
2913 an Indictment against John Freeman " Betting at Monte
2914 an Indictment against Mack Hawes " Betting at Monte
2915 an Indictment against Henry Mordecai " Aggrivated assanet
2916 an Indictment against Viviano Medina Cortez " Theft of Mare & cart.
2917 an Indictment against "Colman Sam" Harris " Maliciously Wounding an of
2918 an Indictment against C Fahey " Playing Cards in public place
2919 an Indictment against C Fahey " Playing Cards in public place

And said Jury suggesting that there is still business pending befor them they retired upon a discharge of the Same

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

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

3264 Thomas F. M. Kinney vs C. W. Whites. Comes now the Plaintiff by his attorney and upon motion in open Court it is ordered that said Plaintiff have leave to file an amended petition.

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3099 The State of Texas vs. Frank Dirks et al. Comes now the Defendants by
on motion It is ordered that said Defendants have leave to amend the
answer

3425 Duval Deall vs. Lediard & Townsend. Comes now the Plaintiff and on motion
It is ordered that said Plaintiff have leave to amend the petition

3467 C. Krohn for use vs. John H. Conner. Continued by the Defendant.

3509 Thomas Lewiston vs. L. G. Britton. Comes now the Plaintiff and on motion
It is ordered that the Plaintiff have leave to amend.

3560 Henderson Edwards & Co. vs. T. F. Mitchell et al. And now on this day
came the parties to this cause by their attorneys and announced ready
for trial whereupon came a jury of twelve good and lawful men of
Travis county, consisting of S. C. Granberry and eleven others, duly
tried, elected, empannelled and sworn, who having heard the pleadings,
evidence and the charge of the Court, returned the following verdict, to wit:
"We the Jury find for Plaintiff $303 59/100 S. C. Granberry foreman." And
thereupon It is ordered that the Plaintiffs S. D. Henderson, E. W. Edwards
and J. A. Blanchford, do have and recover of the Defendants T. F. Mit-
chell and R. A. Smith the Sum of Three Hundred Three & 59/100 Dollars
principal and interest due upon the note sued on to this date and
all the cost of this suit, for which execution may issue. And it ap-
pearing that said R. A. Smith is security for the Defendant R. A.
Smith T. F. Mitchell, it is ordered that in the event said Smith
should be compelled to pay this judgment, or any portion thereof
then he shall have execution against said Mitchell for any portion
of said Judgment he may be compelled to pay; and it is declared
that said Smith shall recover judgment against said Mitchell
for the same.

3499 Sampson & Kevricks vs. Roberts & Breazeall. And now on this day
came the Plaintiffs and ask that the writ of Inquiry awarded at a
former day of this term be now executed. Whereupon came a Jury of
twelve good and lawful men of Travis County consisting of
and eleven others, duly tried, empannelled and Sworn, who having heard
the evidence and the charge of the Court, returned the following verdict,
to wit. "We the Jury find for Plff $764 42/100 Coin Dollars. S. C. Granberry
foreman." Whereupon It is ordered that the Plaintiffs Geo. W. Sampson
and B. F. Abram Kevricks under their firm name of Sampson & Kevricks
do have and recover of the Defendants Alexander Roberts and
Frank Breazeall the Sum of Seven Hundred Sixty Four 42/100
Coin Dollars, and all the cost of this suit, for which execution may issue.

3563 William Walsh vs. John W. Glenn. And now on this day this cause
being reached, the appellant came not either in person or by atty
to prosecute the appeal. Wherefore It is ordered that the said
cause be dismissed for want of prosecution, and that the ap-
pellant William Walsh and his security A. Blomeke pay all
the cost of this Court and the Court below, for which execution
may issue.

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3582 S. B. Brush vs John Alexander and W. B. McFarland. And now on this day came the plaintiff by attorney and asks that the writ of inquiry awarded at a former day of the term, be now executed. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of Wm Thaxton and eleven others, duly tried, empannelled and sworn, who having heard the evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Plaintiff One hundred and thirty three & 31/100 Dollars in Coin. Wm Thaxton, foreman." Whereupon It is ordered that S. B. Brush do have and recover of the said John Alexander and W. B. McFarland the sum of One hundred, thirty three & 31/100 Dollars in Coin and the Cost of the suit for which execution may issue.

3586 Hancock & Whitis vs Thos and Celia McCormick. Comes now the Defendants and upon motion in open Court it is ordered that the said Defendants have leave to amend the answers.

3590 John H. Conner et al. vs Ella R. Carter et als. Continued by Plaintiff.

3620 Chas. W. Hill vs C. L. Durham. And now on this day came the parties and on motion It is ordered that this cause be dismissed and that the Defendant and appellant and her security C. S. Nat pay the cost, for which execution may issue.

3621 Ellen C. Hunton et al. vs E. B. Nichols et al Continued by plaintiff

3622 Ellen C. Hunton et al. vs Mary M. Bowers et al. Continued by plaintiff

3623 Ellen C. Hunton et al vs A. H. Cook et als Continued by plaintiff

3624 Ellen C. Hunton et al. vs J. M. A. E. & B. Agn. Continued by plaintiff

3625 Ellen C. Hunton et al vs William Oliphant. Continued by plaintiff

3627 Louis P. Cooke et al vs Joseph Lee et als. Continued

3628 Louis P. Cooke et als vs C. Krohn. Continued

3630 G. R. Freeman vs Jacob Kuechler et als. And now on this day comes the Defendant Lester in this cause, and upon motion It is ordered that said Defendant have leave to withdraw his plea of not guilty entered herein.

3633 Thomas J. McGehee vs Houston and Texas Central Rail Road. Comes now the said Plaintiff and on motion in open Court it is ordered that said Plaintiff have leave to amend the petition.

3637 C. F. Millett vs John P. Miller. Comes now the Defendant and upon motion It is ordered that said Defendant have leave to amend the answer.

3641 Houston and Texas Central Railway vs Jonathan Rogers. And now on this day comes the Defendant and upon motion It is ordered that said Defendant have leave to amend.

3665 A. R. Valls et als v. Evaline A. Minter et als. And now on this day came the parties to this suit, and upon motion It is ordered that Chas. O. Sorelle Esq be appointed Guardian ad litem to represent the interests of the minor Defendants in this suit.

3673 O. Ketcham v. G. M. Brass. Comes now the Defendant and upon motion It is ordered that said Defendant have leave to amend the Answer.

3676 Wm Custard et als vs W. Tipps & Co. Come now the Plaintiffs and on motion It is ordered that said Plaintiffs have leave to amend.

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

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

3563 William Walsh vs. John W. Glenn. And now on this day came the parties by their attorneys and upon motion made and by consent of parties It is ordered that the Judgment dismissing the appeal, entered at a former day of this term, be set aside and vacated; that the cause hereinstated upon the docket and that the cause stand for trial.

3691 Mary Middlebrooks v. H. T & C. R R. Ordered upon motion that the plaintiff and Defendant in this cause respectfully have leave to amend their pleadings.

3626 A. S. Roberts vs. C. W. Whites. Comes now the Defendant, and upon motion It is ordered that said Defendant have leave to amend the answer.

3635 Donaldson Northcraft & Co. v. O D Stiff et al. Continued for service.

3653 The State of Texas vs. Estate of Joseph Cecil. Ordered upon motion that publication be made, according to the statute, of the proceeding in this case to escheat the estate of Joseph Cecil. &c and cause continued.

3669 Mary C. Acford vs. James A. Maxwell. Comes the plaintiff and on motion It is ordered that the Plaintiff have leave to amend the petition

3676 Wm Custard et als. vs. W. Tipps & Co. Come now the Defendants and upon motion It is ordered that the Defendants have leave to amend the answer.

3684 Miller & Powell v. M. J Matteson. Comes the plaintiffs and on motion It is ordered that the Plaintiffs have leave to amend.

3639 Amelia Greidenweis vs. Frank Greidenweis. And now on this day this cause being called for trial the defendant came not, though duly cited. And then came the plaintiff and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county Consisting of S. C. Granberry and eleven others, duly tried, empanneled and sworn who having heard the pleading, the evidence and the charge of the Court, after retirement returned the following verdict, to wit: "We the Jury find the allegations set forth in the plaintiffs petition to be true. S. C. Granberry foreman. Whereupon It is ordered by the Court that the bonds of matrimony heretofore solemnized between the plaintiff and Defendant be set aside and a Divorce be granted; and it is further ordered that the care and custody of the infant child of the parties be committed to the plaintiff and the Defendant is enjoined from interfering with the Plaintiff in the custody and possession of said son, the issue of said marriage, and that the plaintiff recover of the Defendant all her Costs for which execution may issue.

3644 Robert Freeman vs. W. M. Walton. And now come the parties by their attorneys and the Defendant submitted his demurrer to the petition which being heard and considered, It is ordered that the same be overruled. And the parties announced ready for trial and then came a jury of twelve good and lawful men of Travis county to wit: William Thayton and eleven others duly tried and sworn who having

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heard the evidence and the charge of the Court returned the following verdict, to wit: "We the Jury find for the Plaintiff five hundred thirty four 50/100 Dollars. Wm Thaxton foreman." Whereupon It is ordered that the said Robert Freeman do have and recover of the Defendant William M. Walton the sum of five hundred thirty four 50/100 Dollars (and the cost of the suit) with ten per centum per annum interest thereon from date till paid for which execution may issue.

3643 A. Bahn v. Newman et al Continued for service.

3645 Josiah P Hunton v. Wm M. Walton. And now on this day came the parties and announced ready for trial and waived a Jury and submit the cause to the Court. And the Defendants demurrer coming on to be heard and the same being considered, is overruled And upon a consideration of the evidence and pleadings, It is ordered that the said Josiah P Hunton do have and recover of the Defendant William M. Walton the sum of Five Hundred forty Six & 50/100 Dollars principal and interest due upon the instrument sued on to this date, together with all the cost of this suit for which execution may issue. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3648 H. & Tex. C. R. R. Co. vs A.R. Morris. Continued

3237 Mary P. Watson vs J. Schultze. Comes now the Plaintiff and on motion It is ordered that the said Plaintiff have leave to amend the petition.

3652 The State of Texas vs Estate of Geo. K. Teulon. And now on this day this cause came on to be heard and the parties announced ready for trial, and waiving a Jury submit the case to the Court. And after hearing the evidence & argument of counsel and a due consideration of the same, It is ordered that the State of Texas take nothing in this behalf; that the cause be dismissed and that the Defendant go hence. And thereupon the Counsel for the plaintiff gives notice in open Court of an appeal to the Supreme Court.

3655 Gould Brothers vs J. A. Cato. And now on this day this cause being regularly reached and called for trial, the plaintiffs came not to prosecute the same in person or by attorney. And thereupon It is ordered that the cause be dismissed for want of prosecution and that the Defendant go hence and recover of the Plaintiffs and their Security all the costs of this suit, for which execution may issue.

3657 E. S. Matthews vs Young & Wright. Continued

3636 Raymond & Willis vs Thomas McCormick et als. In the above entitled and numbered cause came the Plaintiffs by attorney and also came the Defendant Thomas McCormick by attorney and also came the Intervenors John T. Linsley and Burress Milam by their attorney And it appearing to the Court that Defendant H. C. Maddox a member of the firm of Davis, Maddox & Co. had been legally cited to appear and answer this suit and has failed so to do but has wholly made default. It is therefore ordered by the Court that Plaintiffs have judgment

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by default against said Defendant Maddox personally and against the said firm of Davis Maddox & Co and said Defendant McCormick And said Intervenors announced themselves ready for trial and the said Intervenors withdrew all their plea to the effect that said note and vendors lien should be enforced against the property purchased by them from said McCormick according to the pro rata of said amount to the whol debt and their prayer to that effect. Whereupon the parties Plaintiffs, Defendant and Intervenors by their Attorneys waived a Jury and submitted the matters in controversy to the Court. And it appearing to the Court, after hearing the pleadings of the parties the evidence adduced and argument of counsel that there is due from the Defendants to the Plaintiffs as evidenced by the promissory note of said Defendants read in evidence, principal and interest the Sum of twenty Six hundred and forty Six and 92/100 Dollars in gold coin, and that said note stipulated for ten per cent. interest per annum And it further appearing to the Court that said note was given as a part of the purchase money of Lots Nos. 7. 8. 9. & 10 in Block No 1 of Out Lot No. 1 in Division "A" according to the Sub divisions of said Out Lot No. 1 made by said Connor and Known as Conners addition to the City of Austin in Travis County, Texas; And it further appearing to the Court that the vendors lien was expressly retained on said lots to secure the payment of said note, It is therefore ordered adjudged and decreed by the Court that said Plaintiffs Raymond & White do have and recover of and from said Defts Thomas McCormick H. C. Maddox and the firm of Davis Maddox & Co the Sum of twenty Six hundred and Forty Six & 92/100 Dollars in gold coin with ten per cent. interest thereon from this date until paid together with all costs in this behalf expended. And it is further ordered by the Court that the vendors lien on the said lots herein before specified be foreclosed, and that an Order of Sale issue to the Sheriff or any Constable of Travis County to sell the same or so much thereof as may be sufficient, as under execution, to satisfy said debt interest and Costs and that execution may issue against said Thomas McCormick H. C. Maddox and the firm of Davis Maddox & Co for any balance that may be due after the sale of said lots. And it appearing to the Court that said Intervenors have purchased from said McCormick part of Lot No. 9 commencing forty feet from the line of Pine Street running back sixty-five feet to the building of Thomas McCormick Said lot is twenty three feet wide by sixty five feet deep. It is therefore ordered by the Court that said Order direct that all the balance of said lots are to be sold before said part of lot sold to Intervenors, and that the same shall be sold only in the event the remainder should be insufficient to satisfy said Judgment, interest and Costs And in the event that the above described lot which was bought by Intervenors Kindley and Burris, from the Defendant McCormick shall be sold by virtue of this order of sale to satisfy this Judgment then the said B. Milam and J. T. Kindley, said Intervenors shall have

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and recover from the Defendant Thomas McCormick the sum of three hundred and thirty two Dollars in gold, with 8 per centum interest thereon from this day for which execution may issue and that said Intervenors recover of said McCormick their costs.

3658 Martin Belger vs. J. Sheehan. And now on this day came the parties to this cause by their attorneys and announced ready for trial whereupon came a Jury of twelve good and lawful men of Travis County consisting of S. C. Granberry and eleven others, duly tried, empannelled and sworn, who having heard the pleadings, evidence, argument of Counsel and the charge of the Court retired for deliberation, and returned the following verdict, to wit. "We the Jury find for Plf. $157 00 Coin Dollars. S. C. Granberry Foreman." Whereupon It is ordered adjudged and decreed that the Plaintiff, Martin Belger do have and recover of the Defendant Jeremiah Sheehan the sum of One Hundred and Fifty Seven Dollars and in Coin and all the cost of this suit for which execution may issue.

3662. Mrs. E. Morgan vs. Geo. Tyler. And now on this day came the Defendant by his attorney and moved the Court to quash the writ of Sequestration issued in this case. And because it appears that the affidavit is insufficient, and the grounds of the motion are good, It is ordered that the Writ of Sequestration issued in this cause be quashed and that the two mules levied upon by virtue thereof be delivered by the Sheriff of Travis County to the Defendant in this Cause from whose possession they were taken.

3665 Jos. Luxinger et al. vs. G. B. Zimpelman Sheriff. Continued for service.

3668 G. W. Faucet vs. L. C. Edwards. Come now the parties to this cause by their attorneys and upon motion It is ordered that the Plaintiff and Defendant respectively have leave to amend

3669. Mary C. Alford vs. James H. Maxwell. And now on this day came the parties to this cause by their attorneys when came on to be heard Defendants demurrer to the petition, which being heard and argued by Counsel the same is overruled. Whereupon the parties having announced ready for trial, came a Jury of twelve good and lawful men of Travis county, consisting of Wm. Thaxton and eleven others, duly tried, empannelled and sworn who having heard the pleadings, evidence, argument of counsel and the charge of the Court, after retirement, rendered the following verdict, to wit: "We the Jury find for the Plaintiff Four Hundred and thirty-Seven and 76/100 Dollars in coin; and We further find the above amount due for purchase of land described in the petition of Plaintiff Wm. Thaxton Foreman." Whereupon It is ordered that the said Mary C. Alford do recover of the Defendant James H. Maxwell the Sum of Four Hundred, thirty-Seven and 76/100 Coin Dollars, together with ten per centum per annum interest thereon from this date until paid, and all the cost of this suit, for which execution may issue. And it appearing that the Plaintiff

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has a lien upon the following described tract of land to secure the judgment rendered in this cause, to wit: " Beginning at a point on the N. W. line of the M. Castro League line 1165 varas from the North corner of the said M. Castro League, and being the North West line of the most westerly corner of a two hundred acre tract of land sold by said W. T. Alford to one J. E. Rowe; thence running with the South West line of said Rowe tract about S. 45° E. 484 1/2 varas to a point on said line, thence in a parallel line with the North West line of said M. Castro League 1165 varas to a point. Thence about N. 45° W. parallel with the S. W. line of said J. E. Rowe tract 484 1/2 varas to the N. W. line of said M. Castro League Thence in a North East direction with the said M. Castro League line to the place of beginning, containing one hundred acres of land more or less and forming an Oblong rectangle of land 1165 varas in length and 484 1/2 varas in width — Which said lien is hereby foreclosed, and it is ordered that an order of Sale be issued by the Clerk to the Sheriff of Travis County, requiring him to levy upon and sell, as under execution the above described tract of land, or as much thereof as may be necessary in lots of not less than ten nor more than forty acres each, and the proceeds thereof he shall apply to the Satisfaction of this judgment, the interest to grow due thereon, and the costs of this suit, including the costs of Sale and the subdivision of said tract into lots as aforesaid, and the remainder, if there be any, he shall pay over to the Defendant. And if said land shall not bring an amount sufficient to satisfy this judgment, interest and Costs, then execution may issue against the Defendant for the deficit. And it is ordered that the Surveyor of Travis County do subdivide said land into lots as aforesaid and plat the same, and that the said Surveyor furnish the same to the Sheriff.

1 3676 William Custard et.als. v. W. Tipps & Co. Come now the parties & upon motion It is ordered that this cause be dismissed from the Docket and that the Plaintiffs in this suit pay all the Costs thereof to be taxed for which execution may issue

And Court adjourned till to morrow 9 A.M

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

1 3655. Gouled Bros. v. J. A. Cats. On motion in open Court It is ordered that the Order dismissing the Cause entered on yesterday, be set aside and the cause stand for trial.

1 3481 Sidney T. Fontaine et.al. v. J. Pinckter et.al. And now on this day came the parties to this cause by their attorneys and announced ready for trial and waiving a Jury submit the case to the Court. And thereupon the Court having heard the pleadings and the argument of Counsel and well having considered the matters of law arising is of opinion that the law of the case is with the Defendants

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And thereupon It is ordered adjudged and decreed that the Plaintiffs take nothing in this behalf; that the Mandamus prayed for be refused: that the cause be dismissed, and that the Defendants go hence and recover of the Plaintiffs Sidney T. Fontaine, Henry M. Rhodes, Thomas Hawley, George Fry and Nahor B. Yard all the costs of this suit, for which execution may issue.

3597 The State of Texas vs. John Baughn et als. Comes now the Defendant and on motion in open Court it is ordered that said Defendant have leave to file Amended answer.

3672 Annie E. Hall vs. M. B. McRae. And now on this day came the plaintiff and the Defendant and thereupon plaintiffs counsel submitted his motion to amend the citation issued and returned in this case, which being heard, as also the motion to quash said citation submitted by the Defendant, and it is ordered that said motion to quash the citation be sustained.

3680 Moses Callaway vs. Reuben Sentelfelt et al. And now on this day came the Plaintiff and on motion It is ordered that the said Plaintiff have leave to amend the petition.

3682 Daniel A. James vs Pocosla Archer. Comes now the Defendant, and on motion It is ordered that said Defendant have leave to amend the answer.

3684 Miller & Dowell vs. J. Matteson. Comes now the Defendant, and on motion in open Court it is ordered that the Defendant have leave to amend the answer.

Sam Nuckols $20 Cr. Ordered that Sam. Nuckols recive a certificate for twenty Dollars for services as Bailiff to the Grand Jury at the present Term of this Court.

3673 C. Ketcham vs. G. M. Brass. And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of S. C. Granberry and eleven others, who being tried, elected, empannelled and Sworn, heard the pleading, evidence, argument of counsel and the charg of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: We the Jury find for pef $115 90 coin Dollars. S. C. Granberry foreman. Wherupon It is ordered that the plaintiff C. Ketcham do have and recover of the Defendant G. M. Brass the sum of One hundred fifteen & 90/100 Coin Dollars and the cost of the suit for which execution may issue.

3674. Harvey Mitchell vs. J. A. McMillan et al. Continued for service.

3681. Polly Williams vs. Robert Williams and now comes the plaintiff and on motion It is ordered that the cause be dismissed from the docket, and that the Plaintiff pay the cost of this suit for which execution may issue.

3682. Daniel A. James vs O. Archer. Comes now the Plaintiff and on motion in open court it is ordered that said Plaintiff have leave to amend.

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3680 Moses Wm P. Callaway vs R. Senterfelt et al. And now on this day this cause being called for trial came the Plaintiff by attorney and dismissed this suit as to the Defendant Senterfelt who has not been served. Whereupon the Plaintiff and the Defendants Stuart and Mair announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of H. Samuels and eleven others, duly tried, empannelled and sworn, who having heard the evidence and the charge of the Court, after retirement, returned the following verdict, to wit: "We the Jury find the plaintiff entitled to one thousand currency dollars. H. Samuels, Foreman." Wherepon It is ordered that the said Moses Wm P. Callaway do have and recover of the Defendants R.C. Stuart and A.S. Mair the sum of One Thousand Dollars and the cost of this suit, for all which execution may issue.

Grand Jury. And now on this day came into Court the Grand jury of Travis County duly tried, elected, empannelled and sworn, and through their foreman Robert Jones presented to the Court the following bills of Indictment to wit.

No	2920	An Indictment against	Buck Walton	for Betting at Monte
	2921	An Indictment against	John Baughn	" Exhibiting Monte
	2922	An Indictment against	Giles Burditt jr	" Betting at Monte
	2923	An Indictment against	Wm Wilson	" playing cards in a public place
	2924	An Indictment against	Neil Cain	" Betting at Monte
	2925	An Indictment against	Frank Cotton	" Exhibiting Monte
	2926	An Indictment against	Bill Tony	" Exhibiting Monte
	2927	An Indictment against	J Dison	" Betting at Monte
	2928	An Indictment against	Ceed Pierce	" Betting at Monte
	2929	An Indictment against	Jack Conner	" Betting at Monte
	2930	An Indictment against	Billy Rodgers	" Betting at Monte
	2931	An Indictment against	Newell Burditt	" Betting at Monte
	2932	An Indictment against	Toney	" Betting at Monte
	2933	An Indictment against	Nathaniel Grumbles	" Betting at Monte
	2934	An Indictment against	Wm Wilson	" Exhibiting Monte
	2935	An Indictment against	Jo Foster	" Exhibiting Faro.
	2936	An Indictment against	J Johnson	" Betting at Monte
	2937	An Indictment against	Jeff Taylor	" Betting at Monte
	2938	An Indictment against	Johnny Hand	" Playing cards in public p
	2939	An Indictment against	Alf Gardner	" Playing cards in public pla
	2940	An Indictment against	Gray Franks	" Betting at Faro
	2941	An Indictment against	Jace Wilson	" Exhibiting Faro
	2942	An Indictment against	Lee Thurston	" Betting at Monte
	2943	An Indictment against	Bob Ridley	" Betting at Monte
	2944	An Indictment against	Burd Cotton	" Exhibiting Monte
	2945	An Indictment against	Charley Boatman	" Exhibiting Monte
	2946	An Indictment against	Matt Woodley	" Playing cards in public pla
	2947	An Indictment against	Sam Evans	" Exhibiting Monte
	2948	An Indictment against	Senator Taylor	" Betting at Faro.

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2949 an Indictment against C Fahey for playing Cards in public place
2950 an Indictment against Walt Hipp " Betting at Monte
2951 an Indictment against Thomas Berdett " Betting at Monte
2952 an Indictment against James Ralston " Betting at Monte
2953 an Indictment against Neil Cain " Betting at Monte
2954 an Indictment against Robert Smith " Betting at Monte
2955 an Indictment against Billy Brennan " Betting at Monte
2956 an Indictment against O H Maroney " Playing Cards in public place
2957 an Indictment against Billy Rodgers " Exhibiting Monte
2958 an Indictment against Dutch Dock " Playing Cards in public place
2959 an Indictment against Aly Jenkins " Betting at Monte
2960 an Indictment against Bill Tony " Exhibiting Monte
2961 an Indictment against Wm E Horne " Betting at Faro
2962 an Indictment against James Moore " Betting at Monte
2963 an Indictment against Billy Thompson " Betting at Monte
2964 an Indictment against Charles Reade " Betting at Monte
2965 an Indictment against Ed Randle " Betting at Faro
2966 an Indictment against John Robinson " Betting at Monte
2967 an Indictment against John Hartson " Betting at Monte
2968 an Indictment against Tilman Hannibal " aggravated asault
2969 an Indictment against Wesley Baker " Carrying deadly weapon
2970 an Indictment against Neil Cain " Theft of a red ox
2971 an Indictment against Robert Martin " Uttering & passing false and forged documents &c
2972 an Indictment against Samuel Hickman " Theft from Store house
2973 an Indictment against John Lewis " Theft of a Steer
2974 an Indictment against C Culmore " Theft.
2775 an Indictment against L A Spear " Aggravated Assault.
2776 an Indictment against Barnes Parker. E H Ayers & W H Griffin for passing forged Power of Attorney
2777
2977 an Indictment against. Barnes Parker. E H Ayers & W H Griffin for Swindling
2978 an Indictment against Isam Earles. for Asault with intent to Murder
2979 an Indictment against Thomas Reese " uttering forged power of atty
2980 an Indictment against Barnes Parker E H Ayers & W H Griffin for passing and using a forged power of Attorney.

This Court adjourned till to-morrow at 9 AM

June 13th 1873

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

3697 M. A. Taylor vs. Tracy Quick et al. Comes now the Plaintiff in open Court by attorney and upon motion It is ordered that said Plaintiff have leave to amend the petition

3698 M. A. Taylor vs Newcomb Tracy et al. Comes now the Plaintiff in open Court by attorney and upon motion It is ordered that said Plaintiff have leave to amend the petition

3699 M. A. Taylor vs. Newcomb et al Comes the plaintiff and upon motion It is ordered that the plaintiff have leave to amend the petition

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3700 M. A. Taylor vs. C. H. Quick et al. Comes now the Plaintiff in open Court, and upon motion in open Court it is ordered that said Plaintiff have leave to amend the petition

3630 G R Freeman vs. J. Kuechler et als. And now at this term came the parties to this cause by their attorneys and the Defendants Plaintiffs submitted to the Court their motion to dissolve the Injunction and their demurrer to the petition. And the Court having heard the said motion and demurrer, after argument of counsel, and a due consideration of the same, is of opinion that the law is with the Defendants Wherefore It is ordered by the Court that the demurrer of said Defendants be sustained, that the Injunction be dissolved, that the plaintiff take nothing by his said suit, that the cause be dismissed: that the Defendants go hence and recover of the said G. R. Freeman and his securities J. G. Freeman and R. S. Rust are the cost of this suit, for which execution may issue. Whereupon the plaintiff by his attorney gives notice in open Court of an appeal to the Supreme Court.

3180 William Eborn vs. Geo. W. Zimpelman, Admr. And now comes the Defendant by attorney, and upon motion It is ordered that said Defdt have leave to amend his answers.

3697 M. A. Taylor vs. Tracy Quick et al. And now comes the Plaintiff in open Court, and upon motion It is ordered that this cause be dismissed from the docket, and that the Plaintiff pay all the cost of this suit, for which execution may issue.

3698 M. A. Taylor vs. Newcomb Tracy et al. And now on this day this cause being called for trial, came the plaintiff by attorney and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county, consisting of S. G. Granberry and eleven others duly tried, empanneled and sworn, who having heard the petition and answer, the evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Plff the sum of twelve hundred and eighty-two & 25/100 Coin Dollars, principal and interest. June 13th/73 S. G. Granberry foreman." Whereupon It is ordered that M. A. Taylor do recover of the Defendants J. J. Traeg, Leinering, C. H. Quick and James P. Newcomb said sum of twelve hundred eighty two & 25/100 Coin Dollars and the cost of the suit for which execution may issue.

3699 M. A. Taylor vs. Newcomb & Wheelock. And now on this day this cause being called for trial, came the plaintiff by attorney and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county consisting of S. G. Granberry and eleven others, duly tried, empanneled and sworn, who having heard the petition and answer, the evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Plaintiff four hundred and ninety Dollars in the lawful coin of the United States. S. G. Granberry foreman."

June 14th 1873

Whereupon It is ordered that said M. A. Taylor do recover of the Defendants James P. Newcomb and E. M. Wheelock said sum of Four Hundred and Ninety Dollars, in coin, and all the cost by him incurred, for which execution may issue.

3700. M. A. Taylor vs. E. H. Quick et al. And now comes the Plaintiff and on motion It is ordered that this cause be dismissed and that said Plaintiff pay the cost of this suit for which execution may issue.

3589 Charles L. Tennelle vs. Thomas Breedlove et als. Comes now the Plaintiff and upon motion It is ordered that said Plaintiff have leave to amend

3589 Charles L. Tennelle vs. Thomas Breedlove et als. Continued

Grand Jury. And now on this day came into court the Grand Jury of Travis County, duly tried, elected, empannelled, and sworn and through their Foreman Robert Jones presented to the Court the following Bills of Indictment, to wit:

2981 An Indictment against Theodore Gibbs for Betting at Monte
2982 An Indictment against George Hicks " Betting at Monte
2983 an Indictment against C Colmore " Swindling
2984 an Indictment against Stephen Pounds " Theft of a hog.
2985 an Indictment against Jake Phillips, (alias Dick Brodie, for Swindling
2986 an Indictment against Thomas Jones & Monroe Sawyer " Malicious Mischief
2987 an Indictment against Squire Babbit & Mollie Williams " Adultery
2988 an Indictment against Mc New for theft of a hog.
2989 an Indictment against Al Stone & Galloway " theft of a Mare
2990 an Indictment against Tom Jones & Bud Sawyer " Disturbing religious Meeting
2991 an Indictment against Virgil Conner " Theft of geldsiey
2992 an Indictment against John Mc Arthur " aggravated asault.
2993 an Indictment against John Mc Arthur " aggravated asault.
2994 an Indictment against Henry Seacat " Theft
2995 an Indictment against Henry Seacat " Malicious Mischief
2996 an Indictment against Haywood Cross " Robbery
2997 an Indictment against Andreas Aguilar " Theft from house
2998 an Indictment against Andreas Aguilar " Theft.
2999 an Indictment against Z H Peter for Embezzlement.

And said Grand Cary suggesting that there is no further business pending before them, they were ordered to retire & now be discharged from further sittings.

June 14th, 1873.

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

No 2033. M. C. Hamilton v James O. Rice. And now come Smith & James Attorneys for the Plaintiff, and move the Court for leave to withdraw from the papers in said cause a bond for title executed by M. C. Hamilton to Davis Harris which was attached by Charles Harris as an Exhibit to

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His Deposition taken in said Cause, to be used in evidence in a certain cause now pending in the District Court of Williamson County entitled Elizabeth Meeks et al. vs. Sheppard & Tompkins. And it is ordered that they have leave to withdraw said title bond upon leaving on file a certified copy thereof.

Juries. Ordered that Certificates for Jury Service issue to the following persons for Jury Service during the present week of the term:

Julius Quast	1 day	Jas Tunnipseed	5 days	J C Granberry	5 days
John Holland	5 "	Charles Marshall	5 "	Levi Green	5 "
John Bower	6 "	Nat Timmeles	5 "	James Wall	6 "
B. F. Wroe	5 "	J. M. Mansfield	5 "	R B. Smith	5 "
C. Kennedy	6 "	John Fisher	6 "	H A Duff	6 "
Henry Eddy	6 "	Wm Thaxton	6 "	M. M. McGehee	6 "
J. O. Hart	6 "	J C Cronwickle	1 "	Wm Patterson	6 "
John Penn	6 "	J. E. Sharp	6 "	Richd Johnson	6 "
David Williams	6 "	Jas Jackson	1 "	Lang Wilson	1 "
Wm Hamilton	1 "	H Timmels	3 "		
Grand Jury. Robert Jones	11 "	R. B. Faulkner	11 "	M. C. Nichols	9 "
Sam. Fowler	11 "	L. G. Wheeler	11 "	John Scroggins	11 "
Jesse Shackle	11 "	W A Lancaster	11 "	Geo Evans	11 "
James Gildart	11 "	C. W. Dixon	11 "	D. F. Waddle	11 "
W R Robinson	11 "	Alfred Smith	11 "	J. W. Taylor	11 "

And Court adjourned till to-morrow 9 a.m.

June 16th 1873

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

2999 The State of Texas v. J. H. Peter et al. And now comes J. H. Peter as principal, and G. H. Burdett, J. F. Haynes and Geo. W. Malone as securities, and they acknowledged themselves jointly and severally justly to one and be indebted unto The State of Texas in the sum of Five Hundred Dollars to be levied upon their goods and Chattels, lands, tenements and estate. But to be void upon condition that the said J. H. Peter make his personal appearance before the District Court of Travis county now in Session and there remain from day to day and from term to term thereafter to answer the Indictment preferred against the said J. H. Peter by the Grand Jury of Travis County at the June Term 1873 for Embezzlement, and that he do not depart the Court without leave.

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

June 17th 1873

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

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proceedings were had by said Court, to wit.

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

June 18th 1873

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

3670 Stuart & Mair v. R. S. Bacon. And now comes the Plaintiff by attorney and claims a Judgment final by default. And because the Defendant has been cited by personal Service and has failed to answer within the time prescribed by law and wholly made default, It is ordered that the said Plaintiffs R. S. Stuart and A. S. Mair, under their firm name of Stuart and Mair, do have and recover of and from the said R. S. Bacon the sum of Three Hundred and Nineteen and 30/100 Dollars in coin, being principal and interest due upon the note sued on to this date, together with twelve per centum per annum interest thereon from this date until paid and all the cost of this suit, for which execution may issue.

And Court adjourned till to-morrow 9 AM

June 19th 1873

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

3180 William Ebom vs Geo. B. Zimpelman Admr of Thos. Ebom. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County Consisting of William Thaxton and eleven others, duly tried, empannelled and Sworn, who having heard the pleadings, evidence argument of Counsel and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit. We the Jury find for the Defendants, and further find that the letter dated Jan. 1st 1871, was not written and signed by Thos. Ebom. William Thaxton, Foreman." Whereupon It is ordered and decreed by the Court that said plaintiff take nothing by this suit; that the cause be dismissed, and that the Defendants go hence and have and recover of said William Ebom all the cost of this suit, for which execution may issue

1317 The State v. J. H. Esmond. Continued for service

1352 The State v. Edwards et al Continued for service

1382 The State v. A. Chamberlain. Continued for service

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1468 The State of Texas v. John Martin. Continued for service
1691 The State of Texas v. Aurora alexander. Continued for service
1929 The State of Texas v. Green. Continued for service
1931 The State of Texas v. Ira Carpenter et al Cont. for service
1938 The State of Texas v. Charles Sublett. Continued for service
1939 The State of Texas v. Charles Sublett Continued for service
2008 The State of Texas v. J. M. Neal. Continued for service
1941 The State of Texas v. C. W. Bryant. Continued for service
1942 The State of Texas v. Gatlin & Gatlin Continued for service
1944 The State of Texas v. Jim Hamilton Continued for service
2090 The State of Texas v. Charley Moore. Continued for service
2095 The State of Texas v. Geo Travens Continued for service
2104 The State of Texas v. David Lane. Continued for service
2122 The State of Texas v. Wm Lasson. Continued for Service
2126 The State of Texas v. Geo W. Allen. Continued for service
2134 The State of Texas v. Thos Barnes Continued for service
2139 The State of Texas v. Miller Continued for service
2142 The State of Texas v. Peter Kenner. Continued for service
2150 The State of Texas v. Wade Harrison et al Continued for service
2153 The State of Texas v. E. Winberley Continued for service
2187 The State of Texas v. Pate Carriess Continued for service
2211 The State of Texas v. Geo. Slaughter Continued for service
2214 The State of Texas v. Silas Rawls Dismissed
2252 The State of Texas v. Andrew Davis et al Cont'd for service
2286 The State of Texas v. Gabriel Kelley Dismissed
2324 The State of Texas v. Sam Smith Dismissed
2353 The State of Texas v. Pink Bedford Dismissed
2359 The State of Texas v. Geo. Slaughter. Continued by consent.
2365 The State of Texas v. W. W. Leggett. Continued for service
2366 The State of Texas v. R. A. Brown. Continued for service
2374 The State of Texas v. R. A. Brown. Continued for service
2375 The State of Texas v. R. A. Brown. Continued for service
2380 The State of Texas v. Will Slaughter. Continued for service
2383 The State of Texas v. Bob Fields Dismissed
2385 The State of Texas v. Wright. Continued
2394 The State of Texas v. A. Tobler. Continued for service
2406 The State of Texas v. David Wills. Dismissed
2420 The State of Texas v. Jae Wills. Dismissed
2425 The State of Texas v. A. S. Mason. Dismissed
2426 The State of Texas v. A. S. Mason. Dismissed
2429 The State of Texas v. Meeks et al Continued for service
2430 The State of Texas v. Meeks et al. Continued for service
2432 The State of Texas v. Jas. Mellow. Continued for service
2444 The State of Texas v. J. P. Maloney. Continued for service.
2446 The State of Texas v. Wash. Hill. Continued by consent
2447 The State of Texas v. Wm Clark. Continued
2448. The State of Texas v. Wm Schubard Continued for service

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2456 The State of Texas v Jae Phieps Dismissed
2457 The State of Texas v Jae Phieps Dismissed
2458 The State of Texas v Isaac D. Barefoot. Continued for service.
2460 The State of Texas v. Byron. Glasscock et al. Dismissed
2461 The State of Texas v. Fletcher Bennett. Continued for service
2462 The State of Texas v. J.L. Griffith Dismissed
2465 The State of Texas v. Wm Glafcock Cont'd for service
2466 The State of Texas v. Wm Glafcock Cont'd for service
2467 The State of Texas v. Bill Piper Cont'd for service
2469 The State of Texas v. Wm Cottingham. Dismissed
2494 The State of Texas v. Jake, Dismissed
2495 The State of Texas v. Holmes. Dismissed
2512 The State of Texas v. Boatman Dismissed
2516 The State of Texas v. R.C. McLaren Cont'd by consent
2522 The State of Texas v. Charley Murray Dismissed
2524 The State of Texas v Melrose. Dismissed
2527 The State of Texas v. Bob Fields. Dismissed
2531 The State of Texas v. Dave Wells Dismissed
2534 The State of Texas v. Warnell. Dismissed
2535 The State of Texas v. Jae Wells. Dismissed
2536 The State of Texas v. Wright. Dismissed
2537 The State of Texas v. Murray Dismissed
2543 The State of Texas v. Byron Glafcock. Dismissed
2545 The State of Texas v. John Brown. Dismissed
2546 The State of Texas v. Charles Reade. Cont'd for service
2547 The State of Texas v. McKernan. Dismissed
2553 The State of Texas v. Charles Clinger. Continued for service
2554 The State of Texas v. Mays & Clanton. Continued for service
2555 The State of Texas v. Thos Blair. Continued for service
2556 The State of Texas v. J.C. Gaylett Dismissed
2557 The State of Texas v. J. C. Garbett. Dismissed
2558 The State of Texas v. J. C. Garbett. Dismissed
2568 The State of Texas v. Jas Kirk. Continued for service
2570 The State of Texas v. Jim Harris Continued for service
2571 The State of Texas v. Clanton & Mays Cont'd for service
2572 The State of Texas v. R. C. McLaren. Cont'd by consent
2576 The State of Texas v. Charles Smith Jr. Dismissed
2587 The State of Texas v. Wm Colton. Cont'd for service
2590 The State of Texas v. Wm Davidson. Cont'd for service
2593 The State of Texas v. Tho Anderson. Dismissed
2594 The State of Texas v. Senator Taylor. And now on this day appeared the parties to this cause by their attorneys and announced ready for trial, and waiving a Jury submit the case to the Court. And thereupon the Defendants enters the plea of guilty. And the Court here fixing the penalty at ten Dollars, It is ordered that the State of Texas do recover of the Defendant Senator

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Saylar the sum of Ten Dollars and the cost of the prosecution and that Commitment issue to collect same

2595 The State of Texas v. Senator Saylar. Dismissed

2602 The State of Texas v. Z. Schner. Continued for Service

2608 The State of Texas v. Book Stanley. Dismissed

2609 The State of Texas v. Dick Armstrong Con. for Service

2620 The State of Texas v. Jack Mahoney Con. for Service.

2625 The State of Texas v. Tom Parris Con. for Service

2627 The State of Texas v. James Irvine Dismissed

2658 The State of Texas v. Charley Black. Con. for Service.

2661 The State of Texas v. Harry Naylor. Cause Dismissed

2668 The State of Texas v. Fletcher Dennett. Con for Service.

2679 The State of Texas v. Mc Amsted. Continued by the State. And now comes W. W. Knowles and Robert Chaney and acknowledged themselves to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars each to be levied upon their Goods and Chattels, Lands Tenements and Estate But to be void upon condition that the said W. W. Knowles and Robert Chaney make their appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in October, 1873 and there remain from day to day and from term to term thereafter to give evidence in behalf of the Defendant in the said cause, and that they do not depart the Court without leave.

2682 The State of Texas v. Reuben Murphy. Cont'd for Service

2683 The State of Texas v. Charles Smith. Dismissed

2686 The State of Texas v. Fitch. Dismissed

2687 The State of Texas v. Fitch Dismissed

2695 The State of Texas v. O. J. Baker. Continued by consent.

2700 The State of Texas v. Dan. Butler. Continued for Service

2701 The State of Texas v. Dan. Butler. Continued for Service.

2707 The State of Texas v. Billy Cannon. Continued for Service.

2711 The State of Texas v. Billy Cotton. Continued for Service

2712 The State of Texas v. Billy Cotton. Continued for Service.

2717 The State of Texas v. Louis Dryfuss. Continued for Service.

2719 The State of Texas v. Hall. Dismissed

2722 The State of Texas v. Hall. Dismissed

2727 The State of Texas v. James Moore. And now on this day came the parties by their attorneys and announced ready for trial and waiving a Jury submit the case to the Court. And thereupon the Defendant enters the plea of guilty. And the Court here fixing the fine at $10 It is adjudged that the State of Texas do have and recover of the Defendant James Moore the sum of ten Dollars and the cost of the prosecution and that a Capias issue to collect same

2728 The State of Texas v. Carl. Pearce. Dismissed

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2729 The State of Texas v. Charles Smith. Continued for Service.
2731 The State of Texas v. Ben. Thompson. Continued for Service.
2733 The State of Texas v. C. T. Texas. Dismissed
2739 The State of Texas v. Weston. Dismissed
2744 The State of Texas v. Green. Continued for Service.
2749 The State of Texas v. A. J. Lezon. Cause Dismissed
2751 The State of Texas v. Bill Rogers. Cause Dismissed
2754 The State of Texas v. Sam Evans. Cont'd for Service
2758 The State of Texas v. M. Lemau. Cause Dismissed
2759 The State of Texas v. Billy Robinson col. And now on this day came the parties and announced ready for trial and waiving a Jury submit the Cause to the Court. And thereupon the Defendant enters the plea of guilty. And thereupon It is ordered that the State of Texas do recover of said Billy Robinson the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect same.
2760 The State of Texas v. A. J. Lyon. Cause Dismissed
2761 The State of Texas v. Claibe Goodrich. Cause Dismissed
2769 The State of Texas v. Wm Benton. Cont'd for Service.
2771 The State of Texas v. James Gilmore Con. for service.
2773 The State of Texas v. Bill Miller. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant enters the plea of guilty. Whereupon It is ordered by the Court that the State of Texas do have and recover of said Bill Miller the sum of Ten Dollars and the cost of the prosecution and that a Commitment issue to collect the same.
2774 The State of Texas v. Larkin C. Lock. Cont'd by Defendant
2777 The State of Texas v. Charley Horst. And now on this day came the parties by attorney and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant thereupon enters the plea of guilty. Whereupon It is ordered by the Court that the State of Texas do have and recover of said Charley Horst the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.
2778 The State of Texas v. Squire Johnson Con. for Service.
2782 The State of Texas v. Larkin C. Lock. Con. by Defendant
2787 The State of Texas v. Shepherd. Dismissed
2788 The State of Texas v. Shepherd Dismissed
2790 The State of Texas v. Bennis. Con. for service
2792 The State of Texas v. Elijah Eagle. Con for service.
2793 The State of Texas v. Ambrose, a tall Yellow man. And now come the parties by attorney and announced ready for trial and waiving a Jury submit the case to the Court. And the Defendant thereupon enters the plea of guilty. And it is ordered that the State of Texas do have and recover

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of said Defendant the Sum of ten Dollars and the cost of the prosecution, and that a Commitment issue to collect Sam

2794 The State of Texas v. Davis. And now on this day came the parties by attorney and announce ready for trial and waiving a Jury submit the cause to the Court. And thereupon the Defendant enters the plea of guilty. And it is ordered that the State of Texas do have and recover of said Davis the Sum of ten Dollars and the cost of the prosecution and that a Capias issue to collect the Same.

2795 The State of Texas v. Davis. And now on this day came the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant thereupon enters the plea of guilty. Wherupon It is ordered that the State of Texas do have and recover of the Defendant said Sum of ten Dollars and the cost of the prosecution and that a Capias issue to collect the Same.

2796 The State of Texas v. Davis Dismissed

2797 The State of Texas v. Davis Dismissed

2802 The State of Texas v. M. Spinosa Continued for Service.

2804 The State of Texas v. Wm Dixon. Continued for Service.

2806 The State of Texas v. Irin Laurence Dismissed

2807 The State of Texas v. James Laurence. And now come the parties and announce ready for trial and waiving a Jury submit the cause to the Court. And thereupon the Defendant enters the plea of guiety. Wherupon It is ordered that the State of Texas do have and recover of the Defendant James Laurence the Sum of ten Dollars and the cost of the prosecution and that a Capias issue to collect the Same.

2808 The State of Texas v. James Laurence. Cause Dismissed

2811 The State of Texas v. West Earnest. Cause Dismissed

2819 The State of Texas v. James Davidson Cont'd for service.

2820 The State of Texas v. James Davidson Cont'd for service

2821 The State of Texas v. James Davidson Cont'd for service.

2822 The State of Texas v. James Davidson Cont'd for service

2823 The State of Texas v. James Davidson Cont'd for service.

2886 The State of Texas v. Alf Gardner. And now come the parties by attorney and announced ready for trial and waiving a Jury submit the Case to the Court. And thereupon the Defendant enters the plea of guiety. Wherupon It is ordered that the State of Texas do have and recover of the Deft said sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the Same.

2901. The State of Texas v. Abe Craft. And now on this day came the parties by their attorneys and announced ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis County, consisting of M M

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McGehee and seven others duly tried, elected, empannelled and sworn who having heard the plea of guilty and the charge of the Court after retirement returned the following verdict, to wit. "We the Jury find the Defendant guilty and assess his punishment to be confined in the Penitentiary for (5) five years. M. M. McGehee foreman." Whereupon It is ordered that the said Defendant be committed to the County Jail to await Judgment and Sentence

2912 The State of Texas v. Mose Mitchell. And now on this day came the parties and announce ready for trial and waiving a Jury submit the case to the Court. And thereupon the Defendant enters the plea of guilty. And thereupon it is ordered that the State of Texas do have and recover of the Defendant said sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2923 The State of Texas v. Wm Wilson. And now on this day came the parties by attorney and announced ready for trial and waiving a Jury submit the case to the Court. And thereupon the Defendant enters the plea of guilty. And it is ordered that the State of Texas do recover of the Defendant said sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2930 The State of Texas v. Billy Rogers. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court And thereupon the Defendant enters the plea of guilty And it is ordered that the State of Texas do have and recover of the Defendant Billy Rogers the sum of ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2934 The State of Texas v. William Wilson Dismissed

2939 The State of Texas v. Alf Gardner. Dismissed

2972 The State of Texas v. Sam. Hickman. And now on this day came the State by the District Attorney and came the Defendant in person and by attorney and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of Richard C. Hart and eleven others duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment to two (2) years in the Penitentiary Richd C. Hart, Foreman. Austin June 19th 1873." Whereupon It is ordered that said Defendant Stand Committed to the County Jail to await Judgment and Sentence.

June 20th 1873

2908 The State v. Isaac Johnson. And now comes the District Attorney and the Defendant in person and by attorney and announced ready for trial. Whereupon came a Jury of twelve good and lawfulmen of Travis county consisting of M M McGehee and eleven others duly tried empanelled and sworn who having heard the plea of not guilty the evidence argument of counsel and charge of the Court returned the following verdict after retirement, to wit:
" We the Jury find the Defendant Ike Johnson guilty and confinement in the Penitentiary for the term of (3) years. M. M. McGehee Foreman." Whereupon It is ordered that the said Defendant Stand Committed to the County Jail to await Judgment and Sentence

3771 Sarah E. Moore And now on this day came on to be heard the application of Sarah E. Moore praying for a removal of the Disabilities of non-age. And it appearing, from a hearing of the petition and the affidavit in support thereof, that there are sufficient grounds and that the relief sought should be granted, It is ordered adjudged and decreed by the Court that the Disabilities of non-age of said applicant Sarah E. Moore be and the same are removed, and that said Sarah E. Moore is declared to be held competent and responsible the same as if she were twenty one years of age.

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

June 20th 1873

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

2824 The State of Texas v. James M. Swisher. Continued
2825 The State of Texas v. Perry Tinnin Cont'd for service
2826 The State of Texas v. Brown Moses. Cont'd for service
2827 The State of Texas v. Henry Cook. Cont'd for service
2829 The State of Texas v. John Story. Cont'd for service
2831 The State of Texas v. Chas. Horst Dismissed
2833 The State of Texas v. Jo. Blum. Cont'd for service
2834 The State of Texas v. Jack Levington. Cont'd for service
2835 The State of Texas v. Jerry Warren. Cont'd for service
2836 The State of Texas v. Dick Blum. Cont'd for service
2840 The State of Texas v. Seven up Jack. Cont'd for service
2844 The State of Texas v. Aleck Mack. Cont'd for service
2857 The State of Texas v. Andy Johns Cont'd for service.
2863 The State of Texas v. Evan Jackson. Cont'd for service

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2866 The State of Texas v. C. W. McGehee. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And thereupon the Defendant enters the plea of guilty. And the Court here fixing the penalty at $100, It is ordered that the State of Texas do have and recover of said appellant and Defendant C. W. McGehee and his securities on the appeal bond B. Mclasky and M. M. McInnis the said sum of One Hundred Dollars and the cost of the proceeding in this Court and the Court below for all which execution may issue. And a Commitment may issue against the Defendant for the fine and costs.

2867 The State of Texas v. Elsie Bell. Dismissed

2868 The State of Texas v. Robert Hamilton. Cont'd for service

2869 The State of Texas v. Robert Hamilton Cont'd for service

2870 The State of Texas v. John Bryan alias John Scripson. And now comes John Bryan alias John Scripson as principal, and Booker Griffith and David Alexander as securities, and they acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of two Hundred Dollars, to be levied upon their Goods and Chattels Lands Tenements and Estate, But to be void upon condition that said John Bryan alias John Scripson make his personal appearance before the District Court of Travis County now in Session, and there remain from day to day and from term to term thereafter to answer the Indictment preferred against the said Defendant by the Grand Jury of Travis County at the June term 1873 for an assault with intent to Kill and murder, and that he do not depart the Court without leave. And the cause is continued by the State.

2871 The State of Texas v. Aleck Piper. Continued

2872 The State of Texas v. Thomas McCormick. Cont'd by the State.

2879 The State of Texas v. O. P. Randle. Cont'd by Consent.

2915 The State of Texas v. Henry Mordecai. And now on this day came the parties by their attorneys and announced ready for trial and waiving a Jury submit the case to the Court. And thereupon the Defendant pleads guilty to a simple assault And it is ordered that the State of Texas recover of said Henry Mordecai the sum of Five Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2918 The State of Texas v. C. Fahey. And now come the parties and announce ready for trial and waiving a Jury submit the Case to the Court. And the Defendant enters the plea of guilty Wherefore It is ordered that the State of Texas do recover of said C. Fahey the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

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2919 The State of Texas v. C. Fahey. Dismissed

2949 The State of Texas v. C. Fahey. Dismissed

2957 The State of Texas v. Billy Rogers. Dismissed

2965 The State of Texas v. Ed. Randle. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. Whereupon the Defendant enters the plea of guilty. And it is ordered that the State of Texas do recover of said Ed. Randle the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2997 The State of Texas v. Andreas Aguilar. And now on this day came the District Attorney and came the Defendant in person and by attorney and announced ready for trial. And there came a Jury of twelve good and lawful men of Travis County, consisting of Richard C. Hart and eleven others, who being tried, elected, empannelled and sworn, heard the plea of not guilty the evidence, argument of counsel and the charge of the Court, after retirement returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment to three (3) years in the Penitentiary Rich'd C. Hart Foreman." Thus in June 20th 1873." Whereupon It is ordered that the Defendant stand committed to the County Jail to await Judgment & Sentence.

2885 The State of Texas v. Virgil Conner. And now come Valentine Croons, Ed. Oliphant, Viney Conner, Viney Washington, Sally Croons, Betty Wright, and J. M. Donaldson, and each of them acknowledges himself and herself to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied upon their goods and Chattels Lands tenements and estate But to be void upon condition that each of said persons above named personally appear before the District Court of Travis County now in Sesion, and there remain from day to day and from term to term thereafter, to give evidence on behalf of the Defendant in the above cause of the State of Texas vs. Virgil Conner, and that they do not depart the Court without Leave. And the Cause is continued by consent.

2163 The State of Texas v. Geo. W. Schobey. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of and eleven others, duly tried, empannelled and sworn, who having heard the plea of not guilty, the evidence, argu-

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ment of counsel, and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: " We the Jury find the Defendant not guilty. M. M. McGehee " Foreman." Whereupon It is ordered that said Defendant go hence fully acquitted and discharged.

Jury Service Ordered that Certificates for Jury Service issue to the following named persons for Jury Service this week.

Caesar Kennedy	5 days	John Fisher	4 days	A. A. Duff	5 days
Henry Eddy	4 "	Wm Thurlow	4 "	M M McGehee	5 "
D. P. Hart	4 "	John Penn	5 "	Richd Johnson	4 "
David Williams	5 "	James Wall	5 "	John Bauer	4 "
Levi Green	5 "	John Washington	5 "	Robert Herndon	5 "
R. C. Hart	5 "	C. H. Carter	4 "	Geo. Driggs	5 "
B. F. Wood	5 "	B. Stanley	5 "	Jas. Hickey	5 "
H. N. Baker	4 "	John Stratton	5 "	J. D. Shepherd	5 "
C. H. Alexander	4 "	Tyson Davis	5 "	Essex Carrington	5 "
Henry Arch	5 "	J. McGowen	5 "	D. McDaniels	4 "
John Holland	5 "	Wm Hudson	4 "	R B Smith	5 "
Chas. Marshall	4 "	I. Stein	5 "	Walter Dean	4 "
T. A. Jones	4 "	T. A. Payne	4 "	Berry Fowler	4 "
James Ralston	1 "	W B Turner	1 "	Wm Lard	1 "
Wm Stonk	1 "	Alex. Piper	1 "		

And Court adjourned till to-morrow 9 a.m.

June 21st 1873

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

3577 J. C. Rector v. P. Delcordova. And now on this day came the parties by their attorneys and thereupon the plaintiff submitted his motion to re-tax the cost in this case, which being heard and considered. It is ordered that said motion and ordered that plaintiff pay the costs at this term for which execution may issue be and the same is overruled. Whereupon said plaintiff excepts to the ruling of the Court

3522 J. B. Morris Admr v. Henry Johnson et al. And now on this day came the parties to this cause by their attys and said Defendants submitted their motion for a new trial, which being heard and argued by counsel and duly Considered by the Court the same is overruled. Whereupon said Defendants give notice in open Court of an appeal to the Supreme Court.

3237 Mary P. Watson v. J. Schutze. And now on this day came the parties by their attorneys. Whereupon the Defendant submitted to the Court his motion to dismiss the cause which being heard and duly considered by the Court, It is ordered that said motion be overruled.

3596 The State of Texas v. Nailor et als. And now on this day appeared the Defendants, by attorney and sub-

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mitted their motion to set aside the Judgment rendered in this cause at a former day of the term And by consent of the District Attorney, It is ordered that said Judgment be set aside and a new trial granted.

3405 The State of Texas vs De la Fuller's Estate. On motion It is ordered that John E. Campbell, Surveyor of Travis County, do make a Survey of the Land described in plaintiffs petition and the land described in the petition of the Intervenor J. E. Mowin &Co and that he make a plat there of shewing what conflict if any there is between said two described tracts of land, and that he report the same to the next term of this Court.

3669 Alford v. Maxwell. And now on this day came the Defendant by attorney and submitted to the Court his motion for a new trial, which being heard and duly considered by the Court, It is ordered that said motion be and the same is overruled. Whereupon the said Defendant by attorney gives notice in open Court of an appeal to the Supreme Court

3673 Ketchum v. Brass. And now on this day came the parties by attorney and thereupon the Defendants Counsel submitted to the Court his motion for a new trial in this cause, which being heard and duly Considered by the Court, It is ordered that said motion be and the same is overruled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

2908 The State of Texas v Isaac Johnson. And now comes the Defendant and submits to the Court his motion for a new trial, which being heard and duly considered by the Court It is ordered that said motion be overruled. And because said Defendant Isaac Johnson has been found guilty by the Jury who tried the case of the offence of Committing an Assault with intent to Kill and Murder one George Penn, an offence against the laws of this State of the grade of felony It is ordered, adjudged, and decreed, by the Court, that said Isaac Johnson is guilty of Felony as charged in the Indictment, To: all of which rulings and Judgment the Defendant excepts and gives notice in open Court of an appeal to the Supreme Court. And it is ordered that said Defendant Stand Committed to the County Jail to await the appeal.

3707 S. W. Wacton & Co. v. Archer & Meyer. And now comes the attorney of the appellee and presents his motion to dismiss the appeal, which being heard and duly Considered by the Court, It is ordered that said motion be overruled.

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3180 William Eborn vs Geo B. Zimpelman Admr And now on this day came the parties to this cause by their attorneys whereupon the Counsel for the Plaintiff submitted to the Court his motion for a new trial, which being heard and argued by Counsel and duly considered by the Court It is ordered that said motion be overruled Whereupon the said Plaintiff by his attorney gives notice in open Court of an appeal to the Supreme Court.

3379 C. R Johns & Co. v Unknown Heirs of Wm Morris And now on this day came the Plaintiffs by their attorneys and on motion in open Court It is ordered that the entry of default in this case at a former day of this term be and the same is set aside and vacated, and further ordered that Judge A. S. Walker be appointed to defend the interests of the unknown heirs in this cause.

3680 Moses Callaway vs Stuart & Mair And now come the Defendants by attorney and present to the Court their motion for a new trial, which being heard and duly considered It is ordered that said motion be overruled. Whereupon said Defendants give notice in open Court of an appeal to the Supreme Court

3706 Wilkins vs O'Neal And now come the parties by their attorneys and the appellee submitted his motion to dismiss the appeal bond which being heard and duly considered by the Court, It is ordered that said motion be overruled.

And thereupon Court adjourned till Monday 9 A.M.

Monday, June 23d 1873

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

2469 The State of Texas v Davidson Wacker, S. J. Dowly and Charles Peterson. And now on this day came the parties to this cause by their attorneys the Defendants coming also in person and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of H Krlew and eleven others duly tried elected empannelled and sworn who having heard the plea aforesaid guilty the evidence and the charge of the Court retired for deliberation Whereupon said Jury returned into Court the following verdict to wit. "We the Jury find the three Defendants not guilty H Krlew foreman." Whereupon It is ordered by the Court that said Defendants go hence without day fully acquitted and discharged.

3721 N. W. Burditt ex parte. And now on this day came on to be heard the petition of N. W. Burditt a minor over the age of Seventeen years, praying to have his Disa-

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bilities removed, duly sworn to. And it appearing to the Court that the causes set out are sufficient, and that it is advisable that his Disabilities shoud be removed as a minor, It is ordered and decreed that the Disabilities of Non age of said N. W. Burdett be and the same are removed, and said N. W. Burdett is declared and shall be deemed and held for all legal purposes of full age and shall be held responsible and shall have all the privileges and advantages as if he were of full age, saving only the privilege of voting.

3722 Thomas J. Stewart. Ex Parte. And now on this day came on to be heard the petition of Thomas J. Stewart a minor over the age of Seventeen years praying to have his Disabilities removed, duly sworn to. And it appearing to the Court that the causes set out are sufficient and that it is advisable that his Disabilities should be removed, as a minor It is ordered and decreed that the Disabilities of non age of said Thomas J. Stewart be and the same are removed, and said Thomas J. Stewart is declared and shall be deemed and held for all legal purposes of full age, and shall be held responsible, and shall have all the privileges and advantages as if he were of full age, Saving only the privilege of voting.

And Court adjourned till to-morrow 9 AM

June 24th 1873

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

2898 The State of Texas v. William Blair. And now on this day came the District Attorney on behalf of the State and Came also the Defendant in person and by attorney and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County to-wit: of D McWilson and eleven others, duly tried, elected, empannelled and Sworn, Who having heard the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to-wit:

" We the Jury find the Defendant guilty of manslaughter
" and assess the punishment at five years in the State
" Penitentiary. D. M. Wilson. Foreman. Whereupon it is ordered that said Defendant stand Committed to the County Jail to await Judgment and Sentence.

2985 The State of Texas v. Jake Phillips alias Dick Brodie. And now come the parties and the Counsel for Defendant submits his motion to quash the Indictment, which being heard

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and duly considered the same is overruled. to which ruling of the Court the Defendant excepts. And thereupon the cause is continued on affidavit of the Defendant.

✓ 2561 The State of Texas v. Wm H Morris. This cause being called for trial the Defendant Wm H. Morris failing to appear and answer to the Indictment in this case he and his securities L. M. Shaffer and James C. Shelton being distinctly called at the door of the Courthouse of Travis County, and the Defendant after a reasonable length of time still fails to appear. And it appearing to the Court that the Defendant W H Morris with the said L M. Shaffer and James C. Shelton as his securities did execute the bail bond on file in this Case substantially as follows: Dated 3rd day of January 1873 payable unto the State of Texas in the Sum of One Hundred Dollars by the said W H Morris and in the sum of Fifty Dollars each by the said Sureties L. M Shaffer and James C. Shelton, conditioned that the said Defendant W H Morris make his personal appearance at the District Court of said County of Travis on the 1st Monday in February 1873 to answer the Indictment preferred against the said Defendant W H Morris alias Wm H Morris by the Grand Jurors of Travis County at the June Term A.D. 1872 for Betting at Monte and there remain from day to day and from term to term of said Court, and that he do not depart there without leave of said Court, which said Bond is forfeited. And it is Coinsidered by the Court that the State of Texas do have and recover of the said Wm H. Morris the said sum of One Hundred Dollars and of his said Securities the sum of Fifty Dollars each, and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant did not appear. And further ordered that citations do issue to the said Securities.

And Court adjourned till to-morrow at 9 AM

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

✓ 2873 The State of Texas v. Thomas McCormick. Continued

✓ 2874 The State of Texas v. A H Tucker. Continued for service

✓ 2875 The State of Texas v. A H Tucker. Continued for service

✓ 2876 The State of Texas v. A H Tucker. Continued for service

2877 The State of Texas v. James Mose. Continued for service

2878 The State of Texas v. J. G. Tracy Continued for service

2880 The State of Texas v. Tracy Continued for service

✓ 2975 The State of Texas v. L. A. Sheer. And now on this day came

X the parties to this cause by their attorneys and announced

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ready for trial and waiving a Jury submitted the case to the Court. And thereupon the Defendant pleads guilty to a simple spanet. And thereupon It is ordered that the State of Texas do have and recover of said L. A. Deer the sum of Five Dollars and the cost of the prosecution and that a Commitment issue to collect same

2882 The State of Texas v. Roger V Blount And now on this day came the parties and announced ready for trial & waiving a Jury submit the case to the Court Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of J M Holland and eleven others, duly tried, empannelled and sworn, who having heard the plea of not guilty, the evidence, argument of Counsel and the Charge of the Court returned the following verdict to wit: "We the Jury find the Defendant not guilty. J. M. Holland foreman." Whereupon It is ordered that said Defendant go hence fully acquitted and discharged. And thereupon the case is dismissed as to Defendant Goodall.

2888 The State of Texas v. R. Blount et als Dismissed

2916 The State of Texas v. Viviano Medina Cortez. And now on this day came the District Attorney on behalf of the State and came also the Defendant in person and by attorney and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, Consisting of D M Wilson and eleven others, duly tried, empannelled and sworn who having heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant not guilty D. M. Wilson Foreman." Whereupon It is ordered that said Defendant go hence freely acquitted and discharged.

2894 The State of Texas v. Cortez. Dismissed

2723 The State of Texas v. Charles Hass. Dismissed

2863 The State of Texas v. Evan Jackson. Dismissed

2864 The State of Texas v. M. J. Matteson Dismissed Costs by Defts.

2883 The State of Texas v. Ed. Wickerson Continued by the State

2884 The State of Texas v. Ed. Wickerson. Continued by the State

3887 The State of Texas v. Henry Mordecai. Continued by agreement.

2890 The State of Texas v. Booker Griffith. Continued by Consent.

2891 The State of Texas v. Green Littleton Continued for Service

2892 The State of Texas v. Checo. Continued for Service

2893 The State of Texas v. Sid Jones. Continued for Service

2897 The State of Texas v. John Stokes Come the parties and announce ready for trial and waiving a Jury submit the Case to the Court. And the Defendant enters the plea of guilty. Whereupon It is ordered that the State of Texas do have and recover of the Defendant John Stokes the sum of Ten Dollars and the cost and that a Capias issue to collect the same.

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2899 The State of Texas v. Jake Smith. Continued for service

2900 The State of Texas v. Dick Brodie. Dismissed

2903 The State of Texas v. Shack Ware Continued for service

2904 The State of Texas v. T H Doran Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant enters the plea of guilty. Whereupon It is ordered that the State of Texas do have and recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that a Capias ifsue to collect.

2905 The State of Texas v. Maria Simpson. And now comes Maria Simpson as principal and Booker Griffith and Daniel Alexander as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of three Hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate But to be void upon condition that said Maria Simpson appear before the District Court of Travis county now in sefion and there Remain from day to day and from term to term thereafter to answer the Indictment preferred against said Maria Simpson by the Grand Jury of Travis county at the June term 1873 for an afsault with intent to kill and Murder and that she do not depart the Court without leave. And the cause is continued by consent.

2906 The State of Texas v. Anthony Whitmore Dismissed

2907 The State of Texas v. Squire Johnson. Capias for service

2909 The State of Texas v. James Moore. Dismissed

2910 The State of Texas v. Charles Boatman Capias for service

2911 The State of Texas v. John Shade Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant enters the plea of guilty. Whereupon It is ordered that the State of Texas recover of the Defendant said sum of Ten Dollars and the cost of the prosecution and that a Capias ifsue to collect

2913 The State of Texas v. John Freeman Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant enters the plea of guilty. Whereupon It is ordered that the State of Texas do recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that a Capias ifsue to collect.

2914 The State of Texas v. Mack Hamed. Capias for service

2917 The State of Texas v. Cotton Seed Harris And now on this day came the parties and announced ready for trial and then came a Jury of twelve good and lawful men of Travis county consisting of I P Batt and eleven others duly tried elected and sworn who having heard the plea of not guilty the evidence, argument of counsel and the charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant

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not guilty. J. D Batt Foreman." Whereupon It is ordered that said Defendant go hence fully acquitted & discharged.

3597 The State of Texas v. John Daughtw et als. Now come the parties and on motion It is ordered that the forfeiture in this cause be set aside, the case dismissed and that the Defendants John Daughtw W. Wilson and C. A. Johns pay all the cost of this proceeding for which execution may issue.

2864 The State of Texas v. M. J. Matteson. And now comes J. R. Ivey and acknowledged himself to owe the State of Texas in the sum of One hundred Dollars to be levied upon his Goods and Chattels Lands tenements and Estate But to be void upon condition that said J. R. Ivey appear before the District Court of Travis county to beheld at the Courthouse thereof in Austin on the first Monday in October, 1893 and then remain from day to day and from term to term thereof to testify on behalf of the Defendant in the above cause No 2864 of the State of Texas v. M. J. Matteson and that he do not depart the Court without leave.

2920 The State of Texas v. Brack Walton. Dismissed

2921 The State of Texas v. John Daughtw. Come the parties by attorney and announced ready for trial and waiving a Jury submit the case to the Court. And the Defendant enters the plea of guilty. And it is ordered that the State of Texas recover of said John Daughtw the sum of Twenty Five Dollars and the cost of the prosecution and that a Capias issue to collect.

2922 The State of Texas v. Giles Burditt Jr. Continued for service

2924 The State of Texas v. Neil Cain Contd for service

2925 The State of Texas v. Frank Colton. Contd for service

2926 The State of Texas v. Bill Tony. Contd for service

2927 The State of Texas v. J. Dison. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon It is ordered that the State of Texas recover of the Defendant the sum of four Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2928 The State of Texas v. Ed Pearce Contd for service

2931 The State of Texas v. Newell Burditt. Contd for service

2932 The State of Texas v. Toney, Continued for service

2933 The State of Texas v. Nat. Franklin Contd for service

2935 The State of Texas v. Jo. Foster Contd for service

2937 The State of Texas v. Jeff. Taylor. Contd for service

2938 The State of Texas v. Johnny Hand. Contd for service

2940 The State of Texas v. Gray Franks Contd for service

2941 The State of Texas v. Jack Wilson Contd for service

2942 The State of Texas v. Lee Thaxton. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. Whereupon

June 25th 1873

it is ordered that the State of Texas recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2943 The State of Texas v. Bob Ridley. Contd for service

2944 The State of Texas v. Bud Colton Continued by the State.

2945 The State of Texas v. C. Boatman Contd for service.

2946 The State of Texas v. Matt Woodlief. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And thereupon the Defendant pleads guilty. Whereupon It is ordered that the State of Texas recover of said Defendant the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect

2947 The State of Texas v. Sam Evans. Continued for service

2948 The State of Texas v. Saylor. Dismissed

2951 The State of Texas v. Thos Burditt Contd for service

2952 The State of Texas v. James Ralston. Cause Dismissed

2953 The State of Texas v. Neil Cain Contd for service

2955 The State of Texas v. Billy Brennan Contd for service

2956 The State of Texas v. O. K. Mooney. Contd for service

2958 The State of Texas v. Dutch Dock. Come the parties by attorney and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant enters the plea of guilty. Whereupon It is ordered that the State of Texas recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2959 The State of Texas v. Jeff Jenkins. Contd for service

2960 The State of Texas v. Bill Tony. Contd for service

2961 The State of Texas v. Wm E Horne. Contd for service

2962 The State of Texas v. James Moore. Dismissed

2963 The State of Texas v. Billy Thompson. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant enter the plea of guilty. Whereupon It is ordered that the State of Texas recover of the Defendant the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect

2964 The State of Texas v Edward Reade. Contd for service

2967 The State of Texas v. John Hairston Contd for service

2968 The State of Texas v. T. Hannibal. Contd for service

2969 The State of Texas v. Wesley Baker. Contd for service

2970 The State of Texas v. Neil Cain. Contd for service.

2971 The State of Texas v. R. Martin. Contd for service

2973 The State of Texas v. John Lewis. Contd for service

2974 The State of Texas v. C. Culmore. And now comes C. Culmore as principal and R. E. Carrington and Fanny Culmore as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of four hundred dollars to be levied upon their goods and

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Chattels Lands Tenements and Estate But to record upon condition that C. Culmore make his personal appearance before the District Court of Travis County now in sesion and there remain from day to day and from term to term thereafter to answer the Indictment prefered against him by the Grand Jury of Travis County at the June Term 1873 for theft and that he do not depart the Court without leave. And thereupon the cause is continued upon motion of the Defendant.

2979 The State of Texas v. Thos. Keese. Cont'd for service

2981 The State of Texas v. Theodore Stubs. Cont'd for service

2982 The State of Texas v. Geo. Hicks. Cont'd for service

2983 The State of Texas v. C. Culmore. And now comes C. Culmore as principal and R. L. Carrington and Fanny Culmore as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of four hundred Dollars to be levied upon their Goods and Chattels Lands, Tenements and Estate But to be void upon condition that the said C. Culmore make his personal appearance before the District Court of Travis County now in sesion and there remain from day to day and from term to term thereafter to answer the Indictment prefered against him by the Grand Jury of Travis county at the June Term 1873 for Swindling, and that he do not depart the Court without leave. And thereupon the cause is Continued upon motion of the Defendant.

2984 The State of Texas v. S. Pounds. Continued for service

2988 The State of Texas v. M Rew. Continued for service

2989 The State of Texas v. Stone et al Cont'd for service

2992 The State of Texas v. John McArthur Cont'd for service

2993 The State of Texas v. John McArthur. Cont'd for service

2998 The State of Texas v. A. Aguilar. Dismissed

And Court adjourned till to-morrow at 9 am

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Court met at 9 o'clock am Present same as heretofore. Whereupon the following proceedings were had by said Court to wit.

Jury. Grooms Lee $2.00 Ordered that Grooms Lee be allowed Forty-Two Dollars for Services as Bailiff at this Term of the Court.

2896 The State of Texas v. Green Johnson. And now come the parties by their attorneys and announce ready for trial and waiving a Jury submit the Case to the Court. And thereupon the Defendant enters the plea of guilty. And It is ordered that the State of Texas recover of the Defendant said Sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same

2978 The State of Texas v. Isom Earle. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court and waiving a Jury submit the case to the Court. And the Defendant enters the plea of guilty and

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It is ordered that the State of Texas have and recover of the Defendant Jenn Earles the sum of One Hundred Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3287 Ella R Carter Ex Parte Ordered that Hancock & West have leave to withdraw the Original Papers in this cause.

2628 The State of Texas v. Wm Thompson Cont'd by consent.

2634 The State of Texas v. Boatman. And now on this day came the parties and announce ready for trial and waiving a Jury submit the case to the Court. And thereupon the Defendant enters the plea of guilty. Whereupon It is ordered that the State of Texas do have and recover of the Defendant Boatman the sum of Twenty Five Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2662 The State of Texas v. Charles Reade. And now on this day came the parties and announce ready for trial and waiving a Jury submit the Case to the Court. And Defendant enters the plea of guilty. Whereupon It is ordered that the State of Texas recover of said Charles Reade the sum of ten Dollars and the cost of the prosecution and that a Capias issue to collect same.

2689 The State of Texas v. Geo. W. Honey. Continued by the State

2690 The State of Texas v. Geo. W. Honey. Continued by the State

2691 The State of Texas v. Geo. W. Honey. Continued by the State

2692 The State of Texas v. Geo. W. Honey. Continued by the State.

2818 The State of Texas v. John Johnson. Continued by the State

2896 The State of Texas v. Green Johnson. Come the parties and announce ready for trial, and waiving a Jury submit the case to the Court. And the Defendant enters the plea of guilty. And it is ordered that the State of Texas recover of the Defendant the sum of Ten Dollars and the Cost of the prosecution and that a Capias issue to collect the same.

Ent'd on 412

2929 The State of Texas v. Jack Conner. And now come the parties and announce ready for trial and waiving a Jury submit the Case to the Court. And the Defendant enters the plea of guilty. And it is ordered that the State of Texas recover of said Jack Conner the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2978 The State of Texas v. Jenn Earles. And now come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the District Atty dismisses as to the count of an Assault with intent to kill and pleads guilty to an aggravated Assault. And thereupon It is ordered that the State of Texas recover of Jenn Earles the sum of One hundred Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2996 The State of Texas v. Haywood Cross. Dismissed

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3711 P. W. Hall et al. vs. E. J. Davis, Governor. And now at this term came the parties to this cause by their attorneys. Whereupon came on to be heard Defendants Demurrer to the petition of the Plaintiffs, and the motion for an injunction on behalf of said Plaintiffs, which being heard and duly considered by the Court, It is ordered, adjudged and decreed that the said Demurrer of the Defendant be sustained, that the injunction asked for be refused: that the plaintiffs take nothing by their suit, that the cause be dismissed, and that the Defendant go hence and recover of the Plaintiffs P. W. Hall, J. G. Tracy, Thomas H. Baker, Henry Rawson Marshow Gaines, Ed. T. Randall, and G. T. Ruby, all the cost of this suit, for which execution may issue. And thereupon said Plaintiffs gave notice in open Court of an appeal to the Supreme Court.

2673 The State of Texas v. Jeff Houston. And now on this day by attorney came the parties, and announced ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis County consisting of D M Wilson and eleven others who being tried, elected, empaneled and sworn, heard the plea of not guilty, the evidence, argument & Counsel and the charge of the Court, and after deliberation returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess the fine & damages at eighty dollars. D. M. Wilson Foreman." Whereupon It is ordered that the State of Texas recover of the Defendant Jeff. Houston said sum of Eighty Dollars and the cost of the prosecution and that a Commitment issue to collect the same.

And Court adjourned till to-morrow at 9 A M

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

3464 R. N. Lane et al. vs. Eliza Chalmers Green et al. In this case it appearing that service of process had been duly made by publication upon Janet Green, one of the children of Thomas and Mary Wallace Green, and upon Thomas Green and Laura Green two others of the children of said Thomas and Mary W. Green. And it further appearing that the said Janet, Thomas and Laura Green are within their minority, and have no regular Guardian to represent them, It is ordered by the Court that James H. Raymond be appointed Special Guardian of said Minors to represent them in this suit upon his giving bond and filing oath as such required by law.

2674 The State of Texas v. Jeff. Houston. Continued by the Deft. And now come A. D. Houston, Jack Houston, D. G. Scogin, Louis Speed, Lettie Speed, Maurice Mitchell, J. N. Casner

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and Ambrose Duty and acknowledged themselves to owe the State of Texas the sum of One Hundred Dollars each, to be levied upon their Goods and Chattels, Lands, Tenements and Estate, to be void upon condition that each of said witnesses personally appear before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in October 1873, and there remain from day to day and from term to term thereafter, to give evidence on behalf of the Defendant in the above entitled cause, and that they do not depart the Court without leave.

2721 The State of Texas v. M. C. Hawes. Dismissed

2783 The State of Texas v. Jo. Myers. Contd by State

2801 The State of Texas v. Andrew Coleman. Ordered by the Court that the Defendant in this case be required to give a new bond.

2881 The State of Texas v. Bob. Roberts. Continued by the State

2889 The State of Texas v. Bill Tong. Continued for service

2895 The State of Texas v. Simon Alexander. Contd for service

2902 The State of Texas v. Orang Battle. Continued by the State. And now come Austin Fields, John Fields, Frank Earls, Orrilla Battle, witnesses for the Defendant, and T. J. Houston, C. Goodloe, A. S. Horston, Geo. Duke, Jo. Howard, Jesus Cotez, Brown Williams, Alvino Rodriquez, witnesses for the State, and each of said witnesses acknowledged himself and herself to owe the State of Texas the Sum of one hundred Dollars each, to be levied upon their Goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that each of them appear before the District Court of Travis County, to be held at the Courthouse in Austin on the first Monday in October 1873, then and there to testify as witnesses in the above stated Cause, and that they do not depart the Court without leave.

2950 The State of Texas v. Walter Hipp. Contd by Defendant.

2954 The State of Texas v. Robert Smith. Contd by Defendant.

2986 The State of Texas v. Jones & Sawyer. Continued

2987 The State of Texas v. Babbitt & Williams. Contd for service

2990 The State of Texas v. Jones & Sawyer. Contd for service

2991 The State of Texas v. Virgil Conner. Ordered that the Judgment in this case be quashed and the Defendant discharged

2994 The State of Texas v. Henry Seacat. Come now the parties and announce ready for trial and ~~waiving a Jury~~ whereupon came a Jury of twelve good and lawful men of Travis County, consisting of B. F. Ware and eleven others duly tried, elected, empannelled and sworn, who having heard the plea of not guilty, the evidence and the charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant not guilty B. F. Ware Foreman." Whereupon It is ordered that said Defendant go hence acquitted and discharged.

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2995 The State of Texas v. Henry Seacat. Come the parties and announce ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of B. F. Wroe and eleven others, duly tried, empannelled and sworn, who having heard the plea of not guilty, evidence and charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant not guilty. B. F. Wroe, Foreman." Whereupon It is ordered that the Defendant go hence acquitted and discharged.

2715 The State of Texas v. Jack Conner. This cause being called for trial the Defendant Jack Conner failing to appear and answer to the Indictment in this case he and his securities John H. Conner and James J. Moore being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant after a reasonable Jack Conner with the said John H. Conner and James J. Moore as his securities, did execute the Bail Bond on file in this case substantially as follows: Dated the 10th day of February 1893 payable unto the State of Texas in the sum of One Hundred Dollars, conditioned that the said Defendant Jack Conner make his personal appearance at the District Court of said County of Travis then in session at the Courthouse thereof in Austin, to answer the Indictment preferred against the said Defendant Jack Conner by the Grand Jurors of Travis county at the February term A.D. 1893 for Carrying Dearly Weapons, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court - which said Bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said Jack Conner, John H. Conner and James J. Moore the said sum of One Hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant Jack Conner did not appear. And further ordered that citation do issue to the said securities.

2865 X The State of Texas v. Parr. And now at this term this cause being called for trial, the appellant Parr came not to prosecute the appeal. Whereupon It is ordered that the appeal in this case be dismissed for want of prosecution, and that the State of Texas do recover of said Parr and the securities on the appeal bond, Jno. W. Wright and J. W. Wayman all the costs of this Proceeding in this Court for which execution may issue, and that a Writ of Procedendo issue to the Justice J. W. Smith to proceed with the execution of the Judgment rendered by him in the case

H. Sidberry v. B. Trigg Ordered that the fines of ten Dollars entered at the last term of this Court against B. Trigg Esq and H. Sidbery be remitted and the order imposing same set aside.

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2936 The State of Texas v. J. Johnson. This cause being called for trial the Defendant J. Johnson failing to appear and answer to the Indictment in this case heard his securities Ed. Wickerson and S. A. Mahon being distinctly called at the door of the Courthouse of Travis County, and the Defendant, after a reasonable length of time stell failed to appear. And it appearing to the Court that the Defendant J. Johnson with the said Ed. Wickerson and S. A. Mahon and his as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated 13th day of June 1873 payable unto the State of Texas in the Sum of One Hundred Dollars conditioned that the said Defendant J. Johnson make his personal appearance at the District Court of said County of Travis then in session at the Courthouse thereof in Austin to answer the Indictment preferred against the said Defendant J. Johnson by the Grand Jurors of Travis county at the June term AD 1873 for Betting at Monte and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court, which said bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said J Johnson, Ed. Wickerson & S. A. Mahon the said Sum of One hundred Dollars and that this Judgment will be made final unless good cause be shown at the next term of this Court why the said Defendant J. Johnson did not appear. And further ordered that Citations do issue to the said Securities.

2966 The State of Texas v. John Robinson. This cause being called for trial the Defendant John Robinson failing to appear and answer to the Indictment in this case he and his securities J. H. Robinson being distinctly called at the Door of the Courthouse of Travis county and the Defendant, after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant John Robinson with the said J. H. Robinson as his security did execute the Bail Bond on file in this case substantially as follows. Dated 13th day of June 1873 payable unto The State of Texas in the Sum of One hundred Dollars conditioned that the said Defendant John Robinson make his personal appearance at the District Court of said County of Travis then in Session at the Courthouse thereof in Austin to answer the Indictment preferred against the said Defendant John Robinson by the Grand Jurors of Travis County at the June term A D 1873 for Betting at Monte and there remain from day to day and from term to term of said Court and that he do not depart thence without leave of said Court which said Bond is forfeited And it is considered by the Court that the State of Texas do have and recover of the said John Robinson and the said J. H. Robinson the said Sum of One Hundred Dollars, and that this Judgment will be made final unless good Cause be shown at the next term of this Court why the said Defendant John Robinson did not appear. And further ordered that Citations do issue to the said security.

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

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3714 James M. Williams Ex Parte And now on this day
came on to be heard the application of James M. Wil-
liams a minor over the age of Seventeen years praying
to have his Disabilities of non age removed. And it ap-
pearing that the grounds set out in said petition are
sufficient, and that the relief sought should be granted.
It is ordered that the disabilities of non-age of said
James M. Williams be and the same are removed
and that said applicant shall be deemed and held for
all legal purposes of full age, and responsible as such
except as to the right of voting.

2715 The State of Texas v. Jack Conner. Bond quashed & alias capias award
2716 The State of Texas v. Jack Conner. Bond quashed & alias capias award
2838 The State of Texas v. Jim Burdett. Dismissed
2936 The State of Texas v. J. Johnson. Come now the parties by atty
and on motion It is ordered that the Defeture entered in
this cause be set aside. And thereupon the parties an-
nounce ready for trial and waiving a Jury submit the
case to the Court. And thereupon the Defendant enters
the plea of guilty. Whereupon It is ordered that the State
of Texas recover of said J. Johnson the Sum of Ten Dollars
and the Cost of the prosecution and that a Capias
issue to collect the same.

2901 The State of Texas v. Abe Craft.

And now on this day comes the Defendant in open
Court and it appearing that the said Defendant has been
found guilty of the Offence charged in the Indictment
by the Jury who tried the case, who assessed the penalty at
Confinement in the Penitentiary, and the said Defendant
being asked if he had anything to say why Judgment
should not be rendered and sentence pronounced against
him in accordance with said verdict, and offering no
sufficient reason, It is ordered and adjudged that the Defendant
Abe Craft is guilty of Felony, and that he be confined
in the Penitentiary at hard labor for the term of five years
and that the Defendant be taken by the Sheriff of Travis
County and safely conveyed to the Superintendant of said
Penitentiary, there to be confined at hard labor in the Peni-
tentiary for five years.

2908 The State of Texas v. Isaac Johnson

And now on this day comes the Defendant in
open Court: and it appearing that the said Defendant has
been found guilty of the offence charged in the Indictment
by the Jury who tried the case who assessed the penalty at
Confinement in the Penitentiary: and the said Defendant
being asked if he had anything to say why Judgment
should not be rendered and sentence pronounced against

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him in accordance with said verdict, and offering no sufficient reason It is ordered and adjudged that the Defendant Isaac Johnson is guilty of Felony and that he be confined in the Penitentiary at hard labor for the term of three years; and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary, there to be confined at hard labor in the Penitentiary for three years

/ 2972 The State of Texas v. Samuel Hickman

And now on this day comes the Defendant in open Court. and it appearing that the said Defendant has been found guilty of the offence charged in the Indictment by the Jury who tried the case who assessed the penalty at confinement in the Penitentiary. and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict. and offering no sufficient reason, It is ordered and adjudged that the Defendant Samuel Hickman is guilty of Felony and that he be confined in the Penitentiary at hard labor for the term of two years: and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor in the Penitentiary for two years.

/ 2997 The State of Texas v. Andreas Aguilar.

And now on this day comes the Defendant in open Court. and it appearing that said Defendant has been found guilty of the offence charged in the Indictment by the Jury who tried the case who assessed the penalty at confinement in the Penitentiary. and the said Defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and offering no sufficient Reason, It is ordered & adjudged that the Defendant Andreas Aguilar is guilty of Felony and that he be confined in the Penitentiary at hard labor for the term of three years. and that the Defendant be taken by the Sheriff of Travis county and safely conveyed to the Superintendent of said Penitentiary there to be confined at hard labor in the Penitentiary for three years.

/ 2898. The State of Texas v. Wm Blair.

And now comes the District attorney and the Defendant, when came on to be heard the motion for a new trial in this case, which being heard and duly considered by the Court, It is ordered that the same be overruled. And it appearing that the Defendant has been found guilty by the Jury who tried the case of the offence charged in the

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In dictment, the same being an offence against the laws of this State of the grade of Felony, and fixed the penalty at five years confinement at hard labor in the Penitentiary. It is ordered that said William Blair is guilty of Felony as charged; and the Defendant excepts to the rulings and judgment of the Court, and gives notice in open Court of an appeal to the Supreme Court. And because of said appeal, It is ordered that sentence be deferred to await the result of said appeal.

2673 The State of Texas v. Jeff Houston. And now on this day came the parties by attorney and the Defendant submitted his motion for a new trial in said cause, which being heard and duly considered, It is ordered that said motion be overruled: whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

2673 The State of Texas v. Jeff. Houston. And now on this day comes the Defendant. And thereupon the Defendant Jeff. Houston and A. D. Houston and A. S. Roberts his sureties jointly and severally acknowledge themselves indebted to the State of Texas in the penal sum of five hundred dollars for the payment of which, well and truly to be made, they bind each of themselves, their heirs, executors and administrators, to be levied of their respective goods, lands, tenements and estates: but to be void on condition that the said Defendant Jeff. Houston, who is charged with the offence of maliciously killing a cow, the property of Jones, appear before the District Court of the County of Travis on the first Monday of October next, there to remain from day to day and from term to term, and not depart without leave of said District Court, in order to abide the judgment of the Supreme Court of the State of Texas.

3654 John A. Webb et Bro. v. B. J. Swenson. Comes now the Pltffs and upon motion in open Court It is ordered that the said Plaintiffs have leave to amend the petition.

3666 A. R. Valls et. als. v. Evaline A. Minter et. als. Comes now the Plaintiffs by their attorneys and upon motion It is ordered that said plaintiffs have leave to amend the petition. And further ordered that J. R. M. Shackelford, O. H. Cullen and F. W. Giraud be appointed Commissioners to make partition of the estate of the parties to this suit.

Jury Service

And thereupon It is ordered that Certificates for Jury Service issue to the following named persons for Jury Service, to wit:

John Darlington	2 days	=	T. A. Jones	5 days	=	T. A. Teague	5	days
John Penn	5 "	=	John Holland	5 "	=	David Williams	5	"
Wm Hampton	5 "	=	Henry Means	5 "	=	B. F. Wroe	5	"
F. Rice	5 "	=	T. B. Bott	5 "	=	James Wall	5	"
R. B. Smith	5 "	=	O. M. Wilson	5 "	=	Levi Green	5	"

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R. C. Ibart 5 days = Caesar Kennedy 5 days = J. C. Holmes 5 days =
P. H. Rooney 5 " = Milton Wallace 5 " = Henry Eddy 5 "
Nat Moore 5 " = D. Fullenwider 5 " = Robert Henson 5 "
B. O. Stanley 5 " = James Sant 5 " = Nat. Watrous 2 "
F. Dohme 2 " = H Green 2 " = R. Bertram 2 "
E. Berryman 2 " = Bud. Sawyer 2 " = W. B Turner 2 "
F. H. Sanders 2 = J. H. Nitschke 2 " = J. Whitehead 2 "
Roger Blount 2 = Tom Bowles 2 " = C. Fahey 2 "
D. C. Stevenson 2 = Wm Hamilton 2 " = N. B. Mitchell 2 "
E. Thompson 2 = Sam Williams 2 " = Sam Fowler 2 "
S. H. Carter 2 = C. Lawrence 2 " = J. H. Keese 2 "
John Cloud 2 = R. H. Cameron 2 " = H. Hellman 2 "
Davis Izell 2 = Lacy McKenzie 2 " = C. L. Johnson 2 "
H. Hurtel 2 = C. Schlueter 2 " = H. Bendrat 2 "
J. D. Shepherd 3 = W. Wagner 2 " = J. Rosengreen 2 "
Sam Piper 2 = C. Behnke 2 " = Chas Johnson 2 "
A. Kulp 2 = A. Wahrman 2 " = Philip Meyer 2 "
James Martin 2 = A. Bikenstein 2 " = C. Dietrich 2 "
Walter Tipps 2 = J. Lesser 2 " = J. W. Casner 2 "
Tom Fisher 2 =

And Court adjourned till to-morrow at 9 AM

Monday June 20th 1893

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

1958 Susan L. Ward v. Thos Wm Ward. In this case upon application by attorney, the defendant having departed this life, It is ordered by the Court that the plaintiff have permission to withdraw from the files in this cause all pleadings and depositions as Plaintiff may think proper both in the pleadings and depositions on the part of both plaintiff and Defendant.

2728 W. H. Morris Peff vs. R. C. McLaren, Defendant and J. W. Dunton Garnishee. And now comes the Plaintiff by attorney and the Garnishee came not. And then came a Jury of twelve good and lawful men of Travis county, consisting of B. A. Risher and eleven others, duly tried, empannelled and sworn, who having heard the evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Peff the sum of Sixty Dollars against J. W. Dunton garnishee. This June 20th 1893. B A. Risher, foreman." And it is ordered that said W. H. Morris recover of J. W Dunton said sum of Sixty Dollars, and the cost of the garnishment shall be paid out of said sum when collected.

187 Robert Mitchell v. M. C. & J. Burditt. Continued.

2013 E. Henry v. A. M. Davidson. Continued by consent.

2228 A. Ten Eyck v. Henry & Hamilton. Continued by consent.

2229 A. B. McGill v. Henry & Hamilton. continued by consent.

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✓	✓	2536	W. S. Barney v. D. M. Blackwell. Continued
✓	✓	2595	A. Morrill v. Bonston & Cook Continued
✓	✓	2596	A. Morrill v. McGuire & Cook Continued
✓	✓	2598	A. Morrill v. Moore & Cook. Continued
✓	✓	2599	A. Morrill v. Wood & Cook. Continued
✓	✓	2745	Beasley Pack v. J. F. McKinney & Co. And now come the
	X		parties by their attorneys and the Defendants counsel sub-
			mitted their demurrer to the petition, which being heard
			and duly considered by the Court, It is ordered that said
			demurrer be sustained. that the cause be dismissed, and
			that said Defendants go hence and recover of the said
			Beasley Pack and the securities on his cost bond L. Washburne
			and M. R. Lurce ace the cost of this suit, for which execution
			may issue.
✓	✓	2803	B. R. Townsend et al. v. McKinney & Bayles. Cont. by agreement.
✓	✓	2981	W. B. Philips v. A. A. Scroginet al. Continued
✓	✓	3010	D. L. Cross v. Geo. L. Robertson. And now on this day this
	X		cause being called, and for reasons appearing to the Court
			sufficient It is ordered that this cause be dismissed, and
			that the Defendant go hence and recover of the Defenda
			Plaintiff D. L. Cross ace the cost of this suit for which ex-
			cution may issue.
✓	✓	3106	National Bank of Texas v. John M. Swisher. And now come the
	X		parties by attorney. whereupon the Defendant submitted his
			demurrer to the petition, which being heard and duly consid-
			ered by the Court, It is ordered that said demurrer be sus-
			tained. that the cause be dismissed from the docket, that
			the Defendant go hence and recover of the Plaintiffs ace his
			cost, for which execution may issue
✓	✓	3107	A. G. Mitchell v. Risher & Hall. Continued
		3119	The State of Texas v. A. J. Hamilton. On this day this cause
			being called for trial, and the plaintiff not appearing in
			person nor to prosecute the same, by her attorney, It is ordered
			that said cause be dismissed for want of prosecution and that
			the Defendant go hence.
✓	✓	3150	W. A. Shaw et al. v. John Norwood et als Continued
✓	✓	3151	C. Shepherd v. J. J. Sneed et al. Continued
✓	✓	3237	Mary P. Watson v. J. Schutze. And now comes the Plaintiff
			by attorney and upon motion It is ordered that the said
			Plaintiff have leave to amend the petition
✓	✓	3241	Schenck & Berkson v. E. M. Rome et al Continued by consent.
✓	✓	3264	Thos F. McKinney v. C. C. Whitis. Comes now the Defendant
			by attorney and on motion It is ordered that said Defendant
			have leave to amend the answer.
✓	✓	3570	J. B. Morris Admr. v. Henry Johnson et al. And now comes the pff
	X		and on motion It is ordered that this cause be dismissed. that
			the Defendants go hence and that the cost of this suit be

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adjudged against the estate of J. S. Hobley, to be paid in due course of administration.

2895 The State of Texas v. Simon Alexander. Comes now Simon Alexander and acknowledges himself justly to owe and be indebted unto The State of Texas in the sum of Two hundred dollars, to be levied upon their goods and chattels, lands, tenements and estate, to be void upon condition that said Simon Aleixander appear before the District Court of Travis County, to be held at the Courthouse thereof in Austin on the first Monday in October, 1893, then and there to remain from day to day and from term to term thereafter, to answer the Indictment prefered against him by the Grand Jury of Travis county, at the June terms 1893 for theft of Gelding and that he do not depart the Court without leave.

2976 The State of Texas v E. H. Ayers. Comes E. H. Ayers as principal, and W. F. Wells and Thomas Bird as securities acknowledge themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Five Hundred Doclars to be levied upon their goods and Chattels, Lands, tenements and estate But to be void upon condition that E. H. Ayers make his personal appearance before the District Court of Travis county to be held at the Courthouse in Austin on the first Monday in October, 1893, there to remain from day to day and from term to term thereafter, to answer the Indictment prefered against said Ayers by the Grand Jury of Travis county, at the June term, 1893, for Passing forged Power of attorney and that he do not depart the Court without leave.

2977 The State of Texas v. E. H. Ayers. And now comes E. H. Ayers as principal and W. F. Wells and Thomas Bird as securities and acknowledges themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Five hundred Doclars to be levied upon their goods and chattels, Lands, tenements and estate But to be void upon condition that said E. H. Ayers make his personal appearance before the District Court of Travis county, to be held at the Courthouse thereof in Austin, on the first Monday in October, 1893, there to remain from day to day and from term to term thereafter, to answer the Indictment prefered against said Ayers by the Grand Jury of Travis county at the June term, 1893, for Swindling, and that he do not depart the Court without leave.

2980 The State of Texas v. E. H. Ayers. And now comes E. H. Ayers as principal and W. F. Wells and Thomas Bird as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Five hundred Doclars to be levied upon their Goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that said E. H. Ayers make his personal appearance before

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the District Court of Travis county, to be held at the Court-house thereof in Austin on the first Monday in October, 1873, there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against him by the Grand Jury of Travis county, at the June term 1873 for Paping and Using a forged Power of Attorney

3464. Richard N. Lane & wife et al. vs. Eliza Chalmers Green et al.

This cause at this time coming on to be heard upon the petition, answers, exhibits and proof, and it appearing that the Defendants Henry D. Beasley and wife Alice, Eliza Chalmers Green, and Janet Green, had been only cited by publication: and the Defendants Laura D. Green and Thomas Green had been duly cited by personal service; and the plaintiffs being represented by their attorney A. J. Hamilton: the defendants H. D. Beasley and wife and Eliza Chalmers Green by their attorney W. M. Walton: the defendants Janet, Thomas and Laura D. Green by their special guardian James H. Raymond and the Defendant John A. Green by himself, and there being no controversy about the facts and all of said parties submitting the matters involved in this suit to the Court, It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff Mary Wallace Lane, and the Defendants Eliza Chalmers Green, Alice Marcia (formerly Green) now wife of Henry D. Beasley, Janet Green, Thomas Green and Laura D. Green, are the children and heirs at law of Thomas and Mary Wallace Green, and are each entitled to one-sixth of the property left by them, the said Thomas and Mary Wallace Green, at the time of their death: that at the death of said Thomas and Mary Wallace Green there was left by them the following

Of the property belonging to the separate estate of Thomas Green, there was as follows:

(1.) 640 acres of land in Fayette county, Texas, granted to him as a donation by the Republic of Texas and lying on Rocky creek, a branch of the Navidad.

(2.) 476 acres of land in said county of Fayette part of the headright of T. A. Bettenger, situated on Buckner's creek.

(3.) 1087 acres of land in said county of Fayette on the headwaters of Cummin's creek, patented to said Thomas Green, assignee of William Tryon, less about 320 acres of same deeded by said Thomas to Rutersville College, as shown by the records of Fayette county.

(4.) 389 acres of land also in Fayette county, on the waters of Rabb's creek, patented to said Thomas Green as assignee of William Tryon

(5.) 640 acres of land in San Saba county, Texas, granted to said Thomas Green as a bounty, and lying on San Saba River

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(6.) 1476 acres of land lying in Delta county, formerly Lamar county, part of the headright of John H. Fowler, situated on the Sulphur Fork of Red River.

(7.) Lots No 271 and 294 in Block 40 in the town of La Grange in Fayette county, Texas.

(8.) One-sixth undivided locative interest in ten tracts of land being Scrip Surveys and patented to W K. Pendleton as follows:

(1) White Scrip No 32 Genl Land office file Bexar Scrip 283, Patent No 370, Vol. 2: 320 acres, in San Saba county 6½ miles above the mouth of Brady's creek.

(2) White Scrip No 151 Genl Land office file Bexar Scrip 287 Patent No 371, Vol. 2, 640 acres in San Saba county, three and a half miles above the mouth of Brady's creek

3 White Scrip No 141 Genl Land office file Bexar Scrip 286 Patent No 367 Vol 2 Scrip 640 acres in San Saba county 1/3 miles above mouth of Brady's creek patented Jany 5. 1852

✓ 4. White Scrip No 148 Genl Land office file Bexar Scrip 285 Patent No 366 Vol. 2 Scrip 640 acres in San Saba county on North Bank of San Saba including mouth of Brady's creek.

✓ 5 White Scrip No 29 General Land office file Bexar Scrip 282 Patent No 368 Vol. 2, 320 acres, in San Saba county 6 miles above the mouth of Brady's creek

✓ 6. White Scrip No 149 General Land office Bexar Scrip 3, Patent No 369, Vol. 2. Scrip 640 acres, in San Saba county one-third mile below mouth of Brady's creek

✓ 7. White Scrip No 145 General Land office file Travis 30 Patent No 566, Vol 2 Scrip, 640 acres. In Taylor county on the waters of Pecan Bayou about 2½ miles West from Bald Eagle Point of dividing Ridge.

✓ 8 White Scrip No 140 Genl Land office file Fayette Scrip 2 Patent No 149 Volume 1, 640 acres, in Fayette county 17 miles S.W of La Grange

✓ 9 White Scrip No 143 Genl Land office file Fayette Scrip 4 Patent No 50 Vol 1, 640 acres in Fayette county 17 miles S.W. of La Grange

✓ 10 White Scrip No 146 General Land Office file Fayette Scrip 3 Patent No 51, Vol. 1, 640 acres, in Fayette county, 20 miles North of La Grange.

Of the community property between the said Thomas and Mary Wallace Green, then was as follows:

(1) Lots (1.2.3&4) one, two, three and four in Block (90) Ninety including the residence and improvements occupied by them as a homestead in the City of Austin, Travis county, Texas.

(2) The whole of Block (63) Sixty-three in said City of Austin, consisting of eight lots.

(3) Lots Numbers (5&6. 21&22.) five, six, twenty-one and twenty-two often acres each in Division O of the Ort Lots

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adjoining the said City of Austin, and now lying contiguous to the Eastern boundary line of the corporate limits of said city and South of the Houston and Texas Central Rail Road.

(4) Lots (526) five and six in Block Six at Lampasas Springs in Lampasas county, Texas.

(5) 640 acres of land in Burleson county on Davidson creek patented to Thomas Green as assignee of Seorge Irwin.

(6.) 169 acres of land in Dallas county, Texas, about three miles west of the town of Dallas, the same being the South end of the West-half of a tract of Six hundred and forty acres granted to George L. Leonard, as shewn by deed from J. H. McGraw to John A. Green, Executor of Thomas Green, for the benefit of his children dated 10 July 1871.

7 Lot No 380 of ten acres in Section Number One according to the map of Galveston Island by Fielding, and Section No 3 according to partition between Edward Hall and Levi Jones, fronting South on Blind Bayou

(8.) One-Seventh of the estates of Johnly. and Mary Wade Chalmers the same having been purchased by Thomas Green during his marriage with said Mary W. from Alexander H. Chalmers, it being his share in the said estate

(9) A large amount of fees due to the said Thomas Green as Clerk of the Supreme Court of Texas as shewn by the Records of said Court at Austin, Texas, being for fees accrued at the terms of said Court held at Austin, Galveston and Tyler.

Of the property which belonged to the separate estate of Mary W. Green there was as follows.

(1) 640 acres of land Scrip Survey, patented to her in her maiden name of Mary W. Chalmers and situated on Mineral Creek in Grayson county, Texas

(2) One-seventh of the estates of her father and mother Johnly. and Mary Wade Chalmers, as the same appears in Case No. 3035, in this Court, of Albert S. Roberts + wife v. W. S. Chalmers + others for the partition of said estates

Of the property held in trust by Mary W. Green for the benefit of the children of Thomas Green there was as follows: Block No 28 in the town of Webberville with the improvements thereon as appears by deed from B. A. Shepherd dated Sept. 27, 1864

† And it appearing to the Court that the deceased Thomas Green, on the 28th September, in the year 1861 made and executed his last will and testament, and that the same, on the 30th May, 1864, was duly probated in Travis county, by which he constituted his wife, Mary W. and his brother, John A. Green his executors: that the said Mary W. died in 1866 intestate, and that the said John A. Green has been acting as sole executor of said Thomas, since the day of 186

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and was charged as such with the maintenance and education of his children, and was given power to sell the property of said testator for that purpose: and that as such executor acting under said will he had sold the following of the above enumerated property, viz: X

Of the community property between the said Thomas and Mary C. Green Lots 5 & 6 in Block No. 6 in the town of Lampasas, in Lampasas county, to Esther Johnson, wife of Doctor Johnson, for the sum of Two hundred and Seven Currency Dollars, and sale having been made on the 19th December, 1868 (2) That in the month of March, 1870 the said John A. Green as said Executor, sold of the separate property of Thomas Green, the tract of Six hundred and forty acres mentioned as lying in Fayette county on Rocky creek a branch of the Navidad and which was granted to said Thomas Green as a Donation to Ferdinand Merkin for the sum of two thousand four hundred (2400$) gold dollars. (3) That in Sept 1871 said John A. Green sold as said Executor four hundred and seventy-six acres, being the tract mentioned as being part of 1476 acres lying on Buckners creek in Fayette county, Texas, granted to F. A. Beetinger, for four hundred and seventy-six dollars gold, the same being owed to (4) That he sold to T. W. Flato of Fayette county, Texas, the one sixth locative interest the said Thomas Green had in two six hundred and forty acre tracts of land in Fayette county, being Scrip Surveys, and patented to W. K. Pandling, the first being White Scrip No. 140, patent No. 49, Vol. 1, Scrip, and the other being White Scrip No. 143, Patent No. 50, Vol. 1, for eight hundred dollars in gold coin.

And it appearing that the said sales were made under power granted in said will, and that they were made for the benefit of the children of said Thomas Green and for the purpose of maintaining and educating them, It is adjudged and decreed that the said sales be ratified and confirmed into the said purchasers respectively. X

And it appearing that the said estates so far as the land lie outside of the County of Travis and the fees of office due Thomas Green for costs in the Supreme Court, are not now ready for partition, and that the estates are or will become liable for amounts of money which is or will be due therefrom for various purposes, and that there will be a necessity to raise money out of the same by sale of a portion thereof to meet the said debts, as well as to maintain and educate the children of said Thomas Green. It is ordered that all of said property with which he is chargeable under said will of Thomas Green be left in the hands of the said executor for the purposes expressed therein, without any interference with his powers of sale

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for the purposes contemplated therein and that said executor John A. Green report his action to this Court from time to time, and that as to all such matters they be continued till the next term of this Court.

And as to the account of said executor with the estates as well as the account between the children of the testator Thomas Green as to advancements and benefits received by them, that the same be referred to John V. Costa as Auditor of this Court to take and state an account, and report the same at the next term of this Court: and it is ordered and adjudged, with respect to said account, that the Auditor take into the same the balance due the children of Thomas Green from said executor John A. Green, whilst acting as Commissioner of this Court in the case of Albert S. Roberts + wife et al. vs. W. S. Chalmers et al. for the partition of the estates of John G. and Mary Wade Chalmers.

+ And it appearing that with respect to that portion of the property of said estates situated in the County of Travis, Texas, that the same is now ready for partition among the heirs of said Thomas and Mary W. Green, and all the parties desiring the same. It is adjudged and decreed that partition be now ordered in respect to the same, viz: Lots 1. 2. 3. & 4. in Block 90 in the City of Austin, Texas: Lots 1. 2. 3. 4. 5. 6. 7 & 8. the same being the entire Block No 63 in said city: Out Lots No 5. 6. 21. & 22 in Division O of ten acres each of the lots adjoining the City of Austin: and Block No 28 in the town of Webberville, and improvements: and that Joseph Spencer, William M. Wilson and Dennis Corrigan, be appointed by the Court as Commissioners to divide and partition the same that the said Commissioners shall sub-divide the same in such way as may be most equitable, into six equal shares, as near as may be, one of which shall be allotted to the plaintiff Mary W. Lane, one to Eliza Chalmers Green, one to Alice Marcia Bentley, one to Janet Green, one to Thomas Green and one to Leonard D. Green.

And it being represented to the Court that it will be greatly to the advantage of the estates aforesaid, and the interest of said heirs, for the purpose of said division, to lay off the said four ten acre lots, viz: Out Lots Numbers five, six, twenty-one and twenty-two in Division (O) into sixteen blocks of equal size, with streets between conformably to the plan of said city adjacent thereto, the said Commissioners are hereby authorized so to lay off said Out Lots, if in their judgment the same shall be to the advantage of said estate, and that they report their action to the next term of this Court, with plats of the sub-divisions so made. And all other matters not disposed of in this decree are continued till the next term of this Court.

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

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

R. A. Valls and Grace Valls vs E. A. Munter et als. The above cause being called for trial, came ace the parties, the Plaintiffs by Archer & Moore, the Defendants E. A. & J. B. Munter by Montgomery & Wheeler, and the other Defendants by their guardian ad litem C. O. Sorelle, and announced themselves ready for trial. A Jury being waived the cause was submitted to the Court - it first being agreed by all the parties that the relation existing between the plaintiffs and Defendants is that the plaintiff Grace Valls is the sister of the Defendants Mary A. Sinn, John E. Sinn, Henry Sinn, Lulu Sinn and Katie Sinn: and that they are all the children of the Defendant E. A. Munter, by her deceased husband Edward Sinn. The pleadings, evidence, and argument of counsel then being submitted to the Court, and the same being duly considered the following facts were established to the satisfaction of said Court

1st- That Edward Sinn died on the 28 day of Nov. 1868

2nd That Edward Sinn left at his death the following community property: Homestead, consisting of ninety-two and a half acres 3/4 miles from the City of Austin, part of the H. Warrell tract, since sold for $3700.00

214 acres (located by virtue of a certificate granted to H. Martin) situated in Lavaca County est 214.00

477 3 acres (192 unsettled balance locative interest) granted to F. A. Sherman, situated in Lavaca Co. est 600.00

17 5 acres (36 unsettled locative interest) granted to F. A. Sherman situated in Lavaca county estimated 150.00

106 Locative interest in a tract granted to T. G. Weston Lavaca Co. est 106.00

4214/2 acres, granted to James Reese situated in Live Oak Co est 400.00

375 acres granted to W. & Dinsdes located in Coleman Co. est. 200.00

640 acres (locative interest granted to A. B. Williams Lavaca Co. est 320.00

1671/5 acres granted to A. Gogney situated in Bexar County estimated 800.00

320 acres granted to Henry Martin located in Lavaca county est 200.00

640 acres one undivided half of Land certificate (Bounty of 1280 acres) issued to F. A. Sherman No. 13/117 est 250.00

276 acres land certificate issued to H. Martin No. 17/136 estimated 150.00

1 3666 d/c

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16 acres one half of unlocated balance land certificate No 15/124 issued to H. A. Sherman $16.00

And also a homestead situated near the City of Austin which the said E. A. Minter afterwards sold for the sum of, in coin, 3700.00

Also that there were debts due said estate which said E. A. Minter has collected, amounting in the aggregate to the sum of $600 in currency

3d That said Edward Linn left at the time of his death the following separate property:

810 acres in Victoria County granted to John Linn, est 2.500.00

640 acres granted to Edward Linn located in Victoria Co. est 640.00

20 acres town lot town of Victoria granted to E. Linn 200.00

Lots 2 & 3 Block 8 lots 1 & 2 Block 46 lot 1 Blk 90 Victoria est 215.00

One undivided one-third of 2258 acres granted to John Linn located in Lavaca Co. est 500.00

4th That E. A. Linn has paid the following debts & taxes against the estate of said Edward Linn, amounting in the aggregate to $743 83 coin and $211 04 cur. to wit:

Note to John Horan dated Sept. 11th 1868 paid 7th Oct. 1869 coin $145.00

Account of T. E. bated of 1867 currency 52.65

Note to J. M. Sutten dated Oct. 27. 1863 for $206.50 and account of 1868 for $92 496.00

Account of Alexander & Thompson of 1868 paid Oct 30 1869 $ 20.70

Account of J. W. Banning of 1868 paid Oct 30 1869 coin 45.00

Account of Joseph Wright of 1868 paid Oct 30, 1869, coin 15.25

Account of Spalding & Gordon of 1868 paid Sept 1. 1869, coin 41.88

Amount taxes paid as per receipts exhibited currency 172.04

Attorneys fee and cost of suit for tract of land in Bexar county (S. Sopney) 471 2/5 acres 81.50

of which $50 gold and $31 50 currency

For recorded Deeds in Lavaca county currency 7.50

(The Note and account of J. M. Sutten was settled by paying $85 cash and by Mrs Eveline A. Linn giving her note for $281 06 coin at ten per cent. interest from the 31st June 1871 until paid, amounting June 1st 1873, to the amount charged.)

5th That during the first year after the death of Edward Linn said E. A. Minter expended for the support of herself and children nine hundred and fifty dollars in coin - that said amount was reasonable

6th That from the expiration of said first year said E. A. Minter supported herself and children, and makes charge for such support against each child as follows in coin

To. Grace Linn $200. Mary A. Linn $400.

John E. Linn 300. Henry Linn 360.

Lula Linn 360. Kate Linn 360.

Total $1980 coin.

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which charges are reasonable.

It is therefore ordered adjudged and decreed

1st. That said amount of money paid by said E. A. Minter to settle the debts and taxes against said estate and the sums expended for the support of herself and children during the first year after the death of Edward Linn, which amounts in the aggregate to $1693.83 coin, and $211.07 Currency, be paid back to said E. A. Minter out of the said sums of $3700.00 coin, and $600 currency and that the residue of said sums be divided into two equal shares one of said shares to be given to said E. A. Minter and the other share to be divided equally between the six children of said E. A. Minter

2nd That out of each of the respective parts of said children in said money paid E. A. Minter shall be paid the respective sums due from each child for his or her support upto Nov. 4th, 1892, viz: from Grace Valls $200.00 John E. Linn $300. Lulu Linn $360. Mary A. Linn $405. Henry Linn $360. Kate Linn $360.

3d That if the sums of money allotted to each child out of said sums of money to be divided as above directed, be not sufficient in amount to settle the claim against him or her, then, in the partition of the balance of the estate of said Edward Linn between said E. A. Minter and said children, regard shall be had for such deficiency: and said E. A. Minter shall be allowed out of the share of each child so deficient such amount as will be equivalent to such deficiency.

It is further ordered adjudged and decreed that O.H. Cullen, F.O. Girard and R.M. Eastman be appointed Commissioners to partition said estate between said E. A. Minter and said Grace Valls and said minor children. To said Minter they shall give one-half of all the above specified community property of said estate; and a life interest in one-third of all the separate property left by said Edward Linn. Between said Grace Valls and said other children shall be equally divided all of the balance of said estate, both community and separate, after setting apart to said E. A. Minter the share apportioned to her.

It is further made the duty of said Commissioners to diligently enquire into the value and title of all said estate and to make partition thereof on the basis of the valuation and title of said estate.

If said Commissioners on investigation of said estate, as above directed, find said estate not susceptible of partition without greatly diminishing the value of the estate, then if practicable they will set apart to said Grace Valls her interest out of both of said community & separate

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property of said estate, and make such report with reference to the interest of the other parties as to them shall seem proper. If, however, said Commissioners find that said estate is not susceptible of partitioning so as to take out the interest of said Grace Vales, nor to partition between all the parties, without greatly diminishing the value of said estate, then they will report that fact to the Court, and each, as soon as they shall have fully satisfied themselves with reference to the value and title of said property and its susceptibility of partition.

It is further ordered that the Defendant E. A. Meister pay all the costs of this suit, for which execution may issue

3522 J.B. Morris, Admr &c Henry Johnson et al. And now comes J.B. Morris, Admr of J.B. Hobley dec'd and presents and files a Remittitur of $90: and it is ordered that the judgment entered in this cause at a former day of this term be reduced to the extent of Ninety Dollars, and execution issue accordingly.

And court adjourned till to-morrow 9 A.M.

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

3433 International RailRoad Company v. A. Bledsoe, Comptroller. And now on this day comes the Plaintiff by attorney and on motion It is ordered that said Plaintiff have leave to amend.

3666 A.R. Vales et al v. E. A. Meister et al. And now on this day came on to be heard the Report of Commissioners appointed herein at the present term of the Court: and it appearing to the Court therefrom that the lands described in the decree of this Court heretofore made, cannot be partitioned between the heirs and distributees of Edward Linn, dec'd and in accordance with said Report it is considered, ordered adjudged and decreed by the Court that the several tracts of land and land certificates therein described be sold for the purpose of partition And it appearing to the Court that Jalen W. Patton, the father of Evaline A. Meister and the grandfather of the other parties plaintiff and Defendant is a suitable and proper person It is ordered that he be appointed Commissioner and is hereby authorized to sell said lands and land certificates at private or at public sale, after having given due notice, the land certificates for cash and the lands for one-third cash, and the remainder upon six and twelve months credit and that he be required to take from the purchaser or purchasers of each of said tracts of land, a note payable to himself as Commissioner, with good personal security, together with a mortgage upon the land so sold to each, and that his action herein be reported to and subject to the confirmation and approval of this Court: and that the costs of the sales made hereunder be taxed to each in accordance with his interests herein.

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✓ ✓ 2739 Lucy Ann Johnson vs J. H. Walker et al. Continued by consent.

✓ ✓ 3238 G. C. & S. F. R. Smith & Co v. E. H. Mitchell et al. Continued.

✓ ✓ 3264 Thomas F. McKinney vs C. W. Whites. And now come the parties to this cause by their attorneys and announced ready for trial. Whereupon came on to be heard the demurrer of the Defendant to the petition of the Plaintiff, which being heard, after argument of counsel and duly considered, the same is overruled. And the demurrer of the Plaintiff to the answer of the Defendant being heard and considered, It is ordered that the same be sustained. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of Richard C. Hart and eleven others, who being tried, elected, empannelled and sworn according to law heard the evidence, argument of Counsel and the charg of the Court and retired for deliberation. Whereupon said Jury returned into Court the following verdict to wit: "We the Jury find verdict for Plaintiff Four Thousand Five Hundred and Sixty Dollars. Rich'd C. Hart, foreman. Austin July 2nd 1873." Whereupon It is ordered adjudged and decreed that said Thomas F. McKinney do recover of said C. W. Whites said sum of Four Thousand Five Hundred and Sixty Dollars and all the costs of this suit for all which execution may issue.

✓ ✓ 3086 A. B. Burleson vs Martha Ann Burleson. And now on this day this cause being called for trial came the Plaintiff by his attorney and the Defendant came not. And the plaintiff announced ready for trial. And said Defendant being cited by personal service, and not appearing to Defend the same It is ordered that the cause proceed to trial. When came a Jury of twelve good and lawful men of Travis County, consisting of A. H. Cook Jr. foreman and eleven others, who were tried, empannelled and sworn according to law. And the Jury having heard the petition, the evidence and the charge of the Court, after deliberation, returned the following verdict, to wit: "We the Jury find the facts set forth in the plaintiffs petition to be true. A. H. Cook, Jr. Foreman." Wherefore It is ordered adjudged and decreed that the bonds of matrimony heretofore solemnized and existing between said A. B. Burleson and Martha Ann Burleson be and the same are dissolved, and that the parties declared to be divorced from each other. And ordered that the plaintiff pay the costs of the suit for which execution may issue

✓ ✓ 3266 Scherck & Berkey vs D. Newman Defendant & W. W. R. Black and Chas. E. Swain Garnishees. And now come the parties and announce ready for trial. When came a Jury of twelve good and lawful man of Travis County, consisting of A. H. Cook Jr. and eleven others, duly tried, elected, empannelled and sworn, who having heard the evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Plaintiff in the sum of three hundred Seventy two Dollars and fifty ~~forty~~ nine cents. A. H. Cook Jr. foreman." Wherefore It is ordered adjudged and decreed that

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Louis Scherck and Theodore Berkson, under their firm name of Scherck and Berkson, do have and recover of the Defendant D. Newman, the sum of three hundred Seventy two & 49/100 Dollars and all the cost of this suit, for which execution may issue. And because it appears that said Garnishees are not indebted to the pld Defendants, It is ordered that they go hence discharged with their Costs.

3282 E. M. Pease vs. T. T. Pendley et als. Come the parties by their attorneys and on motion It is ordered that this Cause be dismissed from the docket and that the cost be adjudged against the Defendants for which execution may issue

3289 Phineas Burchard vs Potter, Hancock and West Continued

3299 Mary Jane Lee v. R. H. Griffin Continued

3300 Mary Jane Lee v. J. B. Sedwick. Continued

3330 J. W. Harris v. N. Hanson. Continued

3359 M. J. Carleton et al. v. B. H. Tinney Admr et al Continued

3368 G. W. Levin et al v. The State of Texas Cont'd by agreement

3373 Raymond & Whitis v. A. S. Roberts Continued

3374 B. McAdow v. P. & B. Golden. Continued

3383 Geo. W. Honey v. E. H. Quick et al. Continued by Consent

3387 America Johnson v. B. L. N. Johnson. Continued

3399 The State of Texas v. Frank Dirks et al. And now comes the atty for the Defendants and suggests the death of John Kirker, one of the defendants, since the last term of this Court: and upon motion in open Court It is ordered that Scire facias issue to make his representatives parties Defendant to this suit, when known.

3408 H. Hirshfeld v. J. H. Peter et al. Continued by Consent

3412 E. Bremond v. J. H. Good et al. Continued

3413 Hugh F. Young vs Charles J. Evans. This cause being reached, and it appearing that at a former term a motion and rule for security for Cost was entered, which has not been complied with, It is ordered that the Case be dismissed for want of compliance with said rule, and that said plaintiff pay the cost of the suit to be taxed, for which execution may issue.

3423 C. R. Johnstes vs D. Waters et al. Continued for service.

3427 H. M. Trueheart vs Isaac D. Harrison and W. M. Walton. And now on this day this cause being called for trial, came the plaintiff and the Defendant Walton and announced ready for trial. And thereupon the plaintiff dismisses the suit as to the Defendant Harrison who has not been cited. And a Jury being waived said plaintiff and Defendant Walton submitted the case to the Court and the Court having heard the pleadings and proofs, It is ordered that said H. M. Trueheart do recover of said W. M. Walton the sum of Six Hundred fifty-Seven 66/100 Dollars being principal, interest and cost of protest for non-acceptance and non-payment, of the instrument sued on, to date, together with all the cost of this suit, for all which execution may issue

3431 A. W. Marcus v. Thos McCormick. Continued

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√ 1 3655 Gouts Brothers v. J. A. Cato. Continued by consent.
√ 1 3434 The State of Texas vs. Joseph Cahn et als.
√ 1 3435 The State of Texas vs. Joseph Cahn et als.

On this day the two causes styled The State of Texas vs. Joseph Cahn et als. numbered 3434 and 3435 came on for trial, Archer & Moore appearing for the Defendants and the District Attorney B. Trigg and Miller & Dowell for the plaintiff. It appearing to the Court that these suits were instituted by Plaintiff against Defendants for taxes collected by Defendant Joseph Cahn in Cachoma County Texas for the years 1869, 1870 and 1871, amounting in the aggregate to over the sum of eight thousand Dollars: and it further appearing to the Court from the agreement on file in both of said causes that the entire subject matter of both of said suits were to be settled upon Defendant Joseph Cahn paying the Plaintiff herein the sum of eight thousand and one 20/100 ($8001 20/100) Dollars and all Costs of these suits And it further appearing to the Court from the two receipts attached to said agreement and on file in said two suits. that the Defendant Joseph Cahn has fully complied with said agreement and paid to the State of Texas through the District Attorney B. Trigg, in compliance with said agreement the sum of eight thousand and one 20/100 Dollars ($8001 23/100) And it further appearing to the Court that the Defendant Joseph Cahn has paid all Costs incurred in both of said suits and that the entire subject matter of both of said suits is now fully settled and paid, It is therefore Considered adjudged and decreed by the Court that said suits No. 3434 and 3435 be and the same are hereby dismissed as per agreement on file.

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

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

3425 Duval Beall vs. Lediard & Townsend. Comes now the Defendants and on motion It is ordered that said Defendants have leave to file an amended answer.

√ 3465 J. Macheca & Co. vs. Paul Agno & Simon Borge And now come the Pltffs and announce ready for trial When came a Jury of twelve good and lawful men of Travis County consisting of Richd. B. Hart and eleven others duly tried empanelled and sworn who having heard the petition and the evidence (the Defendants failing to appear) after and the charge of the Court, returned the following verdict, to wit: "We the Jury find verdict for plaintiff three Hundred and twenty-five 26/100 Dollars. Richd. B. Hart foreman: Whereupon It is ordered that Joseph Macheca, J.V. Macheca and John Macheca, under their firm name of Jos. Macheca & Co. recover of the Defendant Paul Agno the sum of three hundred, twenty-five & 26/100 Dollars and the cost of this suit, for which execution may issue.

√ 3584 Martha M. Goodlett v. Wm J. Goodlett. And now on this day this cause being called for trial, came the plaintiff by

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attorney and announced ready for trial: and the defendant came not, though legally cited to appear. And thereupon came a jury of twelve good and lawful men of Travis county, consisting of Richard C. Hart and eleven others, duly tried, empannelled and sworn, who having heard the petition, the evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find the allegations in the Peffo petition to be true "Richd C. Hart, foreman." Whereupon It is ordered that the bonds of matrimony heretofore solemnized and existing between the said Martha M. Goodlett and William J. Goodlett be dissolved and that the parties be divorced: and that the plaintiff recover her costs.

↓ ↓ 3379 K

C R Johns & Co. v. Unknown Heirs of William Harris. Now on this day came the plaintiffs by their attorneys W. A. Blackburn and it appearing to the Court that the Defendants herein had made no appearance within the time allowed for pleading, Judge A. S. Walker was appointed by the Court to defend this case in behalf of the defendants who filed his answer, denying the facts alleged in plaintiffs petition and demanding strict proof of the same. Whereupon came a Jury of twelve good and lawful men of Travis county to wit: Ab. N. Cook, Jr. and eleven others, who being duly empannelled and sworn, having heard the evidence, the argument of Counsel and charge of the Court, returned into Court the following verdict, to wit: "We, the Jury, find that the allegations in plaintiffs petition are true. Ab. N. Cook Jr. foreman." Wherefore It is ordered adjudged and decreed by the Court that the Plaintiffs, C. R. Johns, F. Everett and W. von Rosenberg, under their firm name of C. R. Johns & Co. be decreed to have a valid and legal title to the following described land script No 139 issued to Thomas Toby on the seventeenth day of December A. D. 1836, for six hundred and forty acres of land: also land Script No 140 issued to Thomas Toby on the twentieth day of December A D 1836 for six hundred and forty acres of land: that Defendants be divested of all title or apparent title which they have in and to said land Script; that all clouds be removed from the title of plaintiffs, and that their title to the same be forever quieted as against the said Defendants: and that plaintiff do have and recover all cost in this behalf expended for which execution may issue. and that a copy of this decree be furnished plaintiffs as a muniment of title as against the said Defendants, and that a fee of twenty-five dollars be allowed said A. S. Walker to be taxed as costs.

↓ 3455 K

Raymond and White v. James Davidson. And now on this day this cause being called for trial, came the plaintiffs by atty and announced ready - and the Defendant came not, though duly cited, and makes default. And then came a Jury of twelve good and lawful men of Travis county consisting of Richard C. Hart and eleven others, who being tried, empan-

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nelled and sworn, according to law, heard the petition, the evidence, and the charge of the Court, and returned the following verdict, to wit: "We the Jury find verdict for Plaintiff for Five Thousand Three hundred and Sixty-Nine $^{09}/_{100}$ Currency Dollars $5369.09 cy. Richd B. Hart, Foreman." Whereupon It is ordered that James N Raymond and C W Whitis under their firm name of Raymond & Whitis, recover of James Davidson the sum of five thousand three hundred, sixty-nine $^{09}/_{100}$ Dollars in currency and the cost of this suit, for which execution may issue.

And it appearing to the Court that the following described property has been seized under writ of attachment, to wit. A tract of land in Fayette County, recorded in Book Y, pages 421 and 422, described thus: Patent 40, Vol. 19, beginning 314 varas S. from the N. W. corner of the Jado Woods Survey from which a P. O. marked X bears N. 7° W. 3 varas: thence S. 1129 varas with the W. boundary line of the said Woods Survey a cedar stake marked W. the S. corner of said Survey thence E. with S. boundary of said Survey 1443 varas to a stake in the W. boundary line of the Thomas Green Survey of Springer of Botinger from which a P. O. marked T bears N. 27° E. 9 varas: thence S. 999 varas with W. boundary line of said Survey to its S. W. corner a big stake thence E. 594 varas with the S. boundary of the Green Survey from which a Black Jack marked H bears N. 9 1/2 E. 7 varas: thence S. 68 varas with the W. boundary of the Vivian Survey to a stake from which a P. O. marked X 17° W. 5 varas, another P. O. bears S. 51° 4 varas: thence W. 2329 varas to a cedar stake from which a P. O. marked V bears S. 20 E. 24 varas, thence E. 291 varas to the place of beginning.

2 Another tract Patent No. 4444 Vol. 19 beginning at a stake in the E. boundary line of the P. Brown league from which a P. O. marked bears N. 21 W. 3 1/2 varas said stake is S. of the S. W. corner of the E. Devero league: thence E. 932 varas to a stake from which a P. O. marked V bears S. 2° E 24 varas, thence S. 2796 varas to the N boundary of the John Marshall Survey a cedar stake for a Corner from which a P. O. marked = bears N. 12 varas: thence W. 1883 varas to a cedar stake and a stone marked X: thence N. 1060 varas intersecting the S. boundary line of the P. Brown league a stake from which a P. O. marked E bears 11° E. 4 varas a do marked X bears S. 50 E 7 varas: thence N. 736 varas with the boundary of said league to the beginning.

Also the following property in Travis county: four cows and three calves: one Mower and attachments: 1 horse: 2 gang plows: 3 turning plows: 1 Sulkie Rake: 600 bushels of corn, more or less: 1 stack of Oats

also Lot No. 1 Block No. 1 of sub-division of Out Lots 15: 16 & 17 of Division D. known as the Harney Property said lot No. 1 being the same which was conveyed from Wheelock to

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Mrs. A. E. Davidson, wife of James Davidson

also on following property subject to attachment levied heretofore previously in case 3454 of the State v. Jas. Davidson, to wit.
Six shares in the Capital Stock of the Star State Savings Association three of them Nos 87. 103 & 120 standing on the books of said Association in the name of James Davidson: the others 2. 14 & 15 on said books in the name of Mrs. A E. Davidson, wife of James Davidson

Also the following Real Estate Beginning at a stake in the North Bank of Onion creek, 5 varas below a Pecan 16 in. in dia. marked X ditto above 12 in dia. marked X six varas. Thence N. 38° W. 133 poles to a stake on Williamson creek: thence up the South side of said creek, with its meanders to a stake: thence S. 7° W. 820 varas to Onion Creek: thence down said stream with its meanders to the place of beginning less 42 acres taken from said tract and sold by P. H. Rayford trustee to Jas. N. Raymond 26 June 1863

Also on 42½ acres adjoining & above the above described tract beginning at the S W. corner of Rayfords tract on the bluff above the lower banks of Onion creek at the corner of the fence of said Rayford: thence N. 8° E. 600 varas to the corner of the fence near Williamson creek: thence S. 80½° W. 140 varas to a point from which a passway 10 varas wide into a permanent water hole supplied at this point by a Spring in the bluff of Williamson creek: thence 654 varas to a stone pile on the banks of Williamson creek thence South 8° W. 240 varas to Onion creek: thence down Onion creek on the bluff with its meanders to the beginning

And it is ordered that orders of sale issue directed to the Sheriff of Fayette County and to the Sheriff of Travis county requiring them to sell, as under execution, the above described property and the proceeds thereof, after due advertising, subject to the prior lien of the State, apply to the satisfaction of the judgment and costs in this case, and the remainder, if any, apply to the Defendant.

3484 Mrs. E. Logan vs A. T. Logan And now at this day come the parties to the above cause: and the motion heretofore filed to reform the judgment heretofore rendered in this cause coming on to be heard, It is ordered and decreed by the Court that the decree heretofore rendered be reformed so as to read as follows. That Lots No. 10. 11. 12. 13. 14. 15. 16. and 17 in Block No. 4 in the town of Helena, Karnes county, Texas, be decreed to be the property of the Defendant A. T. Logan, and the title to the same is hereby vested in him. It is further decreed that the homestead, being Lots No. 5 and 6 in Block No. 157 in the City of Austin, Travis county, Texas, now occupied by the plaintiff as a homestead, be decreed to be community property and the use and possession of the same is given hereby to the plaintiff until the youngest child, Jeff. D. Logan, comes of

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age, or would become of age, should he die a minor, and then at that time the Sheriff of Travis County, after due notice given as is required in Sheriffs sales, shall publicly sell said Lots 5 & 6. in Block 157 and after paying the expenses of the sale, divide the proceeds thereof equally between the said plaintiff and defendant in all other respects the said decree heretofore rendered is to be in full force and unchanged

✓ 3259 William Neese vs. Risher & Hall. Comes now the Defendants in open Court and upon motion It is ordered that the Defendants have leave to amend.

✓ ✓ 3447 Adrien Dronelhet v. J. Krochler, et.als. Cause continued.

✓ ✓ 3449 Summerow & Bro. v. L. S. Williams et.al. Continued

✓ ✓ 3468 John M. Gould v. Collins & Powers. Comes now the Plaintiff by attorney and on motion It is ordered that this cause be dismissed from the docket that said plaintiff and his security on the cost bond B Trigg and S. G. Kingsbury be adjudged to pay the Cost of this suit for which execution may issue

✓ ✓ 3477 Cyrus Phillips vs Collins & Powers Comes now the Plaintiff by atty and on motion It is ordered that this cause be dismissed from the docket and that the plff and his securities B Trigg and S. G. Kingsbury pay the cost of this suit for which execution may issue.

✓ ✓ 3478 D. L. Twigley & Co. v. Collins & Powers. Comes now the Plaintiff by attorney and on motion It is ordered that this cause be dismissed from the docket and that the plaintiffs and the securities on their cost bond, to wit: B Trigg and S. G. Kingsbury pay all the cost of this suit, for which execution may issue.

✓ ✓ 3479 Thing & Morris v. Collins & Powers. Comes now the Plaintiff by attorney and on motion It is ordered that this cause be dismissed from the docket and that said pleffs and their securities B. Trigg and S. G. Kingsbury pay all the costs of this suit for which execution may issue.

✓ ✓ 3480 J. D. Mullen & Co. v. Collins & Powers. Come now the Plaintiffs by atty and on motion It is ordered that this cause be dismissed from the docket and that the plaintiffs pay all the cost of this suit for which execution may issue.

✓ 3486 Paul Lewis v. Houston & Texas Central R. R. Co. Cont'd by Defendant.

✓ 3503 M. A. Taylor v. H. S. Roy. Continued

✓ 3505 M. A. Taylor v. J. T. Brown. Continued

✓ 3506 M. A. Taylor v. John Stringer. Continued

✓ 3518 Harris Dudley & Co. v. G. M. Brass. Come now the Plaintiffs by attorney and on motion It is ordered that this cause be dismissed from the docket and that said plaintiffs and the security on their Cost bond, F. M. Noble and John W. Day, pay the Cost of this suit for which execution may issue.

✓ 3521 Sampson & Hendricks vs G. M. Brass. Continued

✓ 3531 R. A. Smith v. A. C. Hill. Continued

✓ 3533 Louisa Robinson v. Geo E Robinson Continued

✓ 3535 C. Spaulding v. A. Hill et.al. Continued

✓ 3536 Miller & Dowell v. A. N. Longley et.al. Continued

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3539 Thomas Lewiston vs L. G. Britton. Continued by the Defendant.

3542 A. W. Johnson v. M. W. Townsend. Continued

3554 P. J. Willis & Bro. v. T. E. Cater. Continued by the Defendant.

3562 M. J. Carleton et al. v. J. & A. Lancaster. Continued

3563 William Walsh v. John O. Glenn. Comes now the Plaintiff by atty and on motion It is ordered that this cause be dismissed from the docket and that the Defendant go hence and recover of said plaintiff William Walsh and his security A. Blomeke, all the Cost of this suit, for all which execution may issue.

3566 T. E. Cater v. W. A. Craft. Continued

3569 D. V. Spring v. J. C. Coggins. Continued

3578 M. A. Taylor v. H. C. Withers. Continued

3583 I. Bernstein & Co. v. T. E. Cater. Continued

3698 M. A. Taylor v. Newcomb, Tracy et al. Comes now the plaintiff by attorney and enters a Remittitur for the sum of Forty-Six $\frac{70}{100}$ Dollars. And it is ordered, upon motion, that the judgment rendered in this cause at a former day of this term, be reduced to the extent of said sum of forty-six $\frac{70}{100}$ Dollars, and that execution issue for the amount of said original judgment, less the sum of $46.70 as aforesaid.

2866 The State of Texas v. McGehee et al. Come now the parties by their attorneys and upon motion and by consent It is ordered that the judgment rendered in this cause at a former day of the term be set aside, and a new trial granted.

3710 Betsey Ann Cooke vs Jerry Cooke. And now come the parties and announce ready for trial and then came a Jury of twelve good and lawful men of Travis County, consisting of Ab. H. Cook Jr. foreman and eleven others duly elected, tried, empanelled and sworn, who having heard the petition, evidence, and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the allegations in Pffs petition to be true. Ab. H. Cook Jr foreman" Wherefore it is ordered that the bonds of matrimony heretofore existing and solemnized between the said Betsey Ann Cooke and Jerry Cooke be dissolved and a divorce decreed between the parties

3686 Caroline Johnson v. Jerry Johnson. And now come the parties and announce ready for trial: and then came a Jury of twelve good and lawful men of Travis County consisting of Ab. H. Cook Jr. foreman and eleven others, duly tried, elected, empanelled and sworn, who having heard the pleadings, evidence and the charge of the Court, retired for deliberation. And thereupon said Jury returned the following verdict to wit: "We the Jury find the allegations in the plaintiffs petition true. Ab. H. Cook Jr foreman Wherefore It is ordered that the bonds of matrimony heretofore existing between said Caroline Johnson and Jerry Johnson be dissolved and that a divorce be granted. And it is ordered that the case

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custody and support of the child of the marriage Johnny Johnson be committed to the Defendant, and that the Defendant pay the cost of this suit for which execution may issue.

✓ 3704 R. S. Rust et al. vs Martin H. Royston. And now come the Plaintiffs and ask that the writ of inquiry awarded at a previous day of this term be now executed. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of Ab. H. Cook Jr Foreman and eleven others duly tried empannelled and sworn, who having heard the petition, the evidence and the charge of the Court, returned the following verdict to wit. "Austin July 3rd 1873 We the Jury find the Defendant indebted to the Peffs in the sum of Five Hundred and Sixty-Five dollars and ninety-two cents. Ab. H. Cook Jr Foreman." Whereupon It is ordered that Robt. S. Rust, Thed. W. Moore and Edwin Rust recover of Martin H. Royston the sum of Five Hundred Sixty-Five 92/100 Dollars, with ten per centum per annum interest thereon from date till paid and the cost of this suit for which execution may issue.

✓ 3244 L. & H. Blum vs. S. D. Meeks. And now on this day came the Plaintiffs by their attorneys and submitted their motion for a new trial in said cause, which being heard and considered It is ordered that the same be overruled.

✓ 3125 J. M. Brown vs A. B. Garleson. And now on this day came the Plaintiff by his attorneys and submitted the motion for a new trial in said cause, which being heard and considered It is ordered that the same be overruled.

✓ 3357 A. J. Berry vs E. W. Pabst et al. And now on this day came on to be heard the motion for a new trial in said Cause, which being heard and duly considered, It is ordered that the same be overruled.

✓ 3683 Nalle & Co. v. James & Archer. On motion of the Defendants It is ordered that the Plaintiffs in this Cause be required to enter into bond and security for the cost of this suit on or before the next term of this Court otherwise the case will be dismissed. Plaintiffs attorney being notified

3119 The State of Texas v. A. J. Hamilton. And now on this day came on to be heard the motion of the Plaintiffs to reinstate this Cause upon the docket, which being only considered It is ordered that the same be overruled.

✓ 3264 T. F. McKinney v. C. W. Whitis. And now on this day came on to be heard the motion of the Defendant for a new trial in this Cause, which being heard, and only considered by the Court, after argument of Counsel, It is ordered that said motion be overruled. Whereupon the said Defendant gives notice in open Court of an appeal to the Supreme Court.

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3433 The International Rail Road Company vs. A. Bledsoe, Comptroller.
And now on this the 3d day of July 1873, came on for hearing the Demurrer and exceptions of the Plaintiff to the petition of Intervention filed by the Attorney General in behalf of the State of Texas, and after argument thereon by the Counsel of both parties upon consideration thereof by the Court it was ordered, and adjudged that said demurrer and exceptions be sustained, and that the said petition of intervention be dismissed. Thereupon the Defendant filed an application for a continuance, which upon consideration by the Court was overruled. Whereupon came the following jury, viz: Richard C. Hart and eleven others, who were duly empannelled and sworn, and having heard the pleadings of the parties, the evidence, the argument of Counsel and the charge of the Court, retired, and after deliberation returned the following verdict: "We the Jury find the allegations in the Plaintiff's petition to be true. Richd C. Hart, foreman." "We the Jury find the Defts allegations of fraud not true. Richd C. Hart, Foreman" It is therefore considered by the Court, ordered, adjudged and decreed, that the Defendant A. Bledsoe Comptroller of the State of Texas, be and he is hereby Commanded to Countersign and register the five hundred Bonds numbered from One to Five Hundred, both inclusive, heretofore issued by the Governor of the State of Texas to the Plaintiff in this suit and signed by said Governor and the Treasurer of said State, being the same bonds particularly described in the Plaintiffs petition

It is further ordered that the Plaintiff and Intervenor have and recover of the Defendant A. Bledsoe all costs by them in this behalf expended. It is further ordered that the Clerk of this Court issue a writ of execution reciting this Judgment and Commanding the said Defendant A Bledsoe to observe and obey this Judgment in all things.

3433 International Rail Road Company vs. A. Bledsoe, Compt.
And now on this day came the parties by their attorneys, and the Counsel for the Defendant and Intervenor submitted to the Court the motion for a new trial heretofore filed. And the same being heard and duly considered, It is ordered that said motion be overruled. Whereupon the Defendant and Intervenor by their attorneys, separately gave notice in open Court of an appeal to the Supreme Court.

Error 2999
3035 The State of Texas vs. J. H. Peter. And now comes J. H. Peter
Albert S. Roberts & wife et al. vs. W. L. Chalmers et al.
This day comes John A. Green, the Commissioner appointed by the Court to sell and distribute the Estates of John J. and Mary Wade Chalmers among the heirs

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and other persons entitled to the same, and presents his Report and final account concerning the same, which are in the following words, to wit:

" 3035 Albert S. Roberts and wife et al. vs W. L. Chalmers et al. } For Partition of Estates of J. G. & Mary Wade Chalmers.

John A. Green, who was by your honorable Court appointed Commissioner to make sale of and distribute the property of the estates of John G. & Mary Wade Chalmers among the children and other parties entitled to an interest in said Estate, the same being parties to this suit, begs leave to report to your Honor, that he has fully discharged the duty devolved on him under the decree of your honor, and has sold all the property of said estate, and comes now and presents his Report of the monies arising therefrom as well as the sums paid out by him, or that may be due him as services, and for reasonable fees and commissions

He says the estate has been troublesome to manage, because the property thereof was widely scattered, and that his compensation as charged is small in proportion to said trouble and the expense, and asks that it may be allowed him.

He says that since the institution of this suit Mrs. Sarah G. Riddell, as well as her husband, have both died intestate leaving no children, but leaving the other parties to this suit (except the children of B. A. Risher) as her heirs at law. That Commissioner paid to said Mrs. Sarah G. Riddell in her life time on account of her share in the said estates of John G. & Mary Wade Chalmers the sum of Six Hundred and Ten 28/100 Gold Dollars, and that as a balance there is now due to her share the sum of One hundred and forty five 79/100 Dollars which is to be divided into six shares each, amounting to the sum of twenty four 30/100 Dollars.

Commissioner further reports all of the property was sold for gold coin, and the whole account as to payments is reduced to that basis.

Your Commissioner presents the following as his final account

John A. Green, Commissioner for the Sale of the Estates of John G & Mary Wade Chalmers Dr.

For amt. Collected from sale of the tract known as the 364 acre tract of the Santiago del Valle Grant Colorado River Travis county below Austin viz:

From Sale of Lot No 1 to B. A. Risher 40a		120.00
" " " " " 2 " W. M. Walton 40a		215.25
" " " " " 3 " Sarah A Jones 40		260.00
" " " " " 4 " L. K. Meiller 40		240.00

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" " " " 5 }		
" " " " 6 to Albert S. Roberts 80 acres		1840.00
" " " " 7 Henry Edelin 40 a		1659.00
" " " " 8 }		
" " " " 9 }		
" " " " 10 } R. N. Lane 100 a		370.58
For amt collected for sale of 320 acres Coleman county patented to Heirs of J. G. Chalmers a/c of J. Gray Same being purchased by W. M. Walton Spec? Guard? Mary Major }		160.00
For amt collected from Sale of 640 acres Coleman Co. sold to W. M. Walton, Special Guard? Mary Major being 640 acres patented to Hrs John G. Chalmers a/c of R. Merrett		320.00
For amt collected from J. M. Dinsday for sale of 320 acres Cooke county granted to Joseph W. Chalmers		400.00
For sale of undivided 492 acres of land in Ellis County part of headright of R. F. Brenham, same being in Conflict with the grant claimed by estate N. Townsend		285.10
For Collection of Sale to W. R. Maxwell of Lots 6. 7. & 8 of the 500 acre tract in Burleson County west part of G. W. Grimes' headright 1/3 league		119.00
For sale of remainder of said 500 acre tract in Burleson County west end of G. W. Grimes 1/3 league headright sold to F. B. Wilkes, subject to his interest allowed therein by Court		400.00
For sale of John G. Chalmers 640 acres Blanco county to Irving Eggleston		169.20
		6.558.13

Credit.

Feby 6/71. By publication of writ against non residents	42.50 cy less	
10% dist to reduce to gold	4.25	38.25
Feby 12/71. By publication of sale for 5th Dept 1871	36.00 cy	
less 10% dist to reduce to gold	3.60	32.40
Oct 5/71. Paid W. H. Carr Auctioneer auctioneering property		25.00
Oct 7/71. D. Corwin subdividing lands & for plats		25.00
Nov. 23/71. Clerk Dist. Court Costs	119.50 cy	
reduced to gold at 90¢	11.95	107.55
Nov. 24/71. Paid taxes for 1871	26.07 cy	
reduced to gold at 90¢	2.60	24.47
Jany 13/72 Handbills for sale adv. Feby 6/72		4.50
Mch 7/72 Ferris & Helgendemer a/c for effecting sale of lands in Ellis County		14.04
Mch 12/72. Edw? H. Wilkes Exp. & fee division of land in Burleson Co		49.00
Mch 6/72 adv. of sale handbills May 1872		4.00
April 10. Extra handbills for sale of May 72		2.50
Sept. 3/72. Handbills for sale of Sept. 3/72		3.50
Paid for copies of deeds for land in Ellis Co		1.90
Paid for executing sixteen deeds and mortgages & notes		

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in sale of land		100.00
Recording deeds in Burleson County		3.00
Paid for Stamps on deeds		12.50
" " probate of mortgages		6.00
" " Costs in District to close of this & decree thereon		16.00
Reasonable fees and commissions for making sales, collecting money due thereon, and distributing the same among the parties entitled, and preparing decrees and attention to the Settlement of estate 5% on amt received		327.90
5% on amount disbursed	£5902.83 £65 58 13	295.11
Paid A. C. Wickes his interest in sale of the G. W. Grimes 500 acres Burleson Co. allowed by Court heretofore, sale $579 his interest one third		173.00
Paid out to distributees as follows.		
Fannie Roberts & her husband A.S. Roberts	610.28	
Annie T. Masterson & her husband W.T. Masterson	610.28	
On account of W. S. Chalmers viz		
To W S. Chalmers order 112.00		
B A Risher for children 452.00	564.00	
Sarah G. Riddell & husband W.P. Riddell	610.28	
Mary Major purchase of land by her special guardian	480.00	2.874.00
		4139.62

Statement of Distribution of Share of William Leigh Chalmers
The whole estate produced six thousand five hundred and fifty-eight 13/100 Dollars, and is chargable with twelve hundred and sixty five 62/100 Dollars for costs, commissions & expenses leaving to be distributed to each share $756.07
The children of B. A. Risher the Defendants in this suit are entitled out of the share of said W. L. Chalmers the proceeds less costs and expenses aforesaid of that portion of the estate described as 3 left acres of land in Travis County on the Colorado River below Austin and which is part of the Santiago del Valle grant, and was deeded to Mary Wade Chalmers by A. C. Horton which portion produced the sum of 4.704.83
and which said portion is entitled to bear of said costs and expenses the sum of 907.90
Leaving for distribution 3.796.73
One seventh of which amounts to the sum of five hundred and forty two 50/100 dollars as due to the Children of said B. A. Risher to wit. And the remainder of said estate, amounting to 1853.30 is chargeable with costs and expenses 00 357.72
Leaving for distribution 1495.58
One seventh of which belongs to the said William L. Chalmers amounting to two hundred and thirteen 57/100 Dollars. all of which is subject to payments on account of the same.

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The account of the estates of John G. and Mary Ware Chalmers in Commissioner's hands with F. C. Wilkes is as follows:

Purchase by him of 400 acres of the G. W. Grimes 500 acres belonging to estate J. G. Chalmers subject to expenses incident to sale and his 1/3 interest		400.00
To 1/3 of following Costs & Charges		
Paid F. H. Wilkes for Surveying &c	49.00	
Adv. Dales May/72	4.00	
" Sept /72	3.50	
additional posters	4.00	
Making deeds & other costs	10.00	
Recording deeds in Burleson	3 00	
Com^n of Commissioner on wholeamt of Sale of 500 acres Burleson Co. $519	51.90	
	125.40	41.80
		441.80
Credit by his one-third interest in the Western 500 acres of the G W Grimes Survey of 1/3 league in Burleson Co. interest allowed by Court for procuring title for estate		173.00
		268.80
Amount in Commissioners hands subject to distribution including that already distributed		5292.51
which at the time of the Original decree in this case was to be divided in seven shares making each share		$756.07

There was distributed as stated in the account the following amounts to the following persons entitled to receive the same under the decree of the Court

To A. S. Roberts and his wife Fannie		610.28
To W. L. Chalmers & have as follows:		
To W. L. Chalmers on his order for A.S. Roberts	112.	
" B. A. Fisher Special Guardian of his children	452.	564.00
" T. W. Masterson & wife Annie	610.28	
" W. P. Riddell and wife Sarah	610.28	
and Mary Major was charged with her purchases	480.00	

Since then W. P. Riddell and his wife Sarah G. have both died intestate having the unpaid remainder of her share to be inherited by her heirs, who as she left no child or children are her brothers and sisters and their descendants, being the other parties to this suit. The balance due from the estate to the share of Sarah G. Riddell formerly Chalmers is one hundred and forty five 79/100 Dollars, the same being shown as follows:

One seventh of amt to be distributed 5292.51 is	756.07	
Amount already paid to Sarah G. Riddell	610.28	145.79

which is to be divided into six shares each amounting to twenty four 30/100 Dollars, and distributed to her brothers and sisters and their descendants.

The amount to be distributed to the respective

July 3d 1873

parties, heirs and distributees is therefore as follows:
To Fannie Roberts wife of A. S. Roberts whole sum 756.07
Less amt already distributed 610.28
145.79

To which add one sixth of the share of Sarah
G. Riddell descended to her not paid over 24.30 170.09
To Annie T. Masterson wife of T. W. Masterson whole share 756.07
Less amt already received 610.28
145.79

To which add one sixth share of S. G. Riddell as above 24.30 170.09
To Mary Meyer in right of her mother whole share 756.07
Less amt of land bought for her by her Special Guardian 480.00
276.07

To which add 1/6 of Sarah G. Riddell's unpaid portion 24.30 300.37
To William L. Chalmers share as follows, whole sum 756.07
Less this amt paid A.S. Roberts or order 112
" this amt deeded to children of B.A. Risher 452. 564.00
192.07

Of whole amount there is due the children of B.A. Risher 90.50
And to W. L. Chalmers 101.57
to which add amount coming to him from
share of Mrs. S. G. Riddell 24.30 125.87
And there is due to the children of Thomas Green
and Mary W. Green as follows:
For share of Alex. H. Chalmers in right of their father 756.07
For share of their mother Mary W. Green 756.07
To which add one share of remainder of estate of
Mrs. Sarah G. Riddell 24.30 24.30
One sixth of the balance of Sarah G. Riddell's share
goes to her neice Mary Chalmers daughter of Ar Chalmers
And your Commissioner having fully reported prays that this
his final account may be examined and allowed and
that he be discharged from his said trust upon paying
over the balances of the estate in his hands as shown by
this account, to the parties entitled thereto. all of which
is submitted Jno. A. Green, Commissioner.
Sworn to and subscribed July 3d 1873.
F. Brown, dep. CCK

And the Court having inspected the same and being satisfied
therewith, It is adjudged and decreed by the Court that the
said Report and account be allowed as stated, and that the
said Commissioner do pay the balances in his hands as
reported to the parties entitled thereto as follows.
To Fannie Roberts wife of A. S. Roberts 145.79
and 1/6th of unpaid balance of Sarah G. Riddell's share 24.30 170.09
To Annie T. Masterson wife of W.T. Masterson 145.79
and 1/6th of balance of Sarah G. Riddell's share 24.30 170.09

July 3d 1873.

To Wm M. Walton Special guardian of Mary Major and 1/6th of balance on Sarah G. Riddell's share 276.07 / 24.30 = 300.31

To B. A. Risher Special guardian of his children mentioned in the former decrees of this Court, the remainder due on account of their interest in the 3/4 of Santiago del Valle tract of land being the interest of W. L. Chalmers therein 90.50

To W. L. Chalmers the remainder of his share after deducting amt. coming to the children of Risher and that which has been paid him heretofore 101.57

And one sixth of balance of Sarah G. Riddell's share 24.30 = 126.87

To the children or representatives of Thomas Green and Mary W. Green as follows:

To the representatives of Thomas Green A/c Chalmers share 756.07 = 756.07

Also the share of their mother Mary W. Green 756.07

To which add 1/6th interest balance of share of S. G. Riddle 24.30 = 780.37

And that he pay over the one sixth of the interest of Mrs. Sarah G. Riddell in unpaid portion of her share to Mary Chalmers daughter of Alex. H. Chalmers in right of inheritance from said Sarah G. 24.30

And it is ordered that upon the payment of the said several amounts to the parties entitled as above set forth, their atty's agents, guardians, or representatives, that the said John A. Green be discharged from his trust as Commissioner of this Court.

Juries. And it is ordered that Certificates for Jury Service issue to the following named persons for Jury Service this week:

B. A. Risher	4 days	Milton Wallace	4 days	John Penn,	4 days
L. K. Miller	4 "	E. H. Darter	4 "	D. Williams	4 "
W. R. Robinson	4 "	B. F. Ware	4 "	F. Rice	4 "
Nat Moore	4 "	Henry Eddy	4 "	J. C. Holmes	4 "
J. A. Dwopes	4 "	T. P. Bolt	4 "	C. Kennedy	4 "
R R Allen	4 "	A B Burleson	4 "	Henry Fisher	4 "
A H Cook Jr	4 "	R B Smith	4 "	Jas. Wall	4 "
R B Hart	4 "	J. D. Shepherd	4 "	J. P. Hart	4 "

Bill Miller previous term not heretofore allowed 5 days.

West, Dowell & Bell ordered that B. S. West, Mr. Dowell and J. N. Bell be fined ten dollars each for contempt. and said parties being in Court and failing to offer any excuse, It is ordered that commitments issue to collect same.

Defaulting Jurors It appearing that Julius Quast, Wyatt Good, H. A. Haralson and O. B. Caldwell, and R. B. Templeton, had been the service of Twenty Dollars each were duly summoned by the Sheriff as Jurors to appear and serve at the present term of this Court, which they have wholly failed to do, and being in contempt. It is ordered that each of said defaulting Jurors be fined in the sum of twenty dollars, and that writs of Scire Facias issue to each of them returnable to the next term of this Court, commanding them to appear and show cause, if any they can, why said judgments and fines should not be made final

July 5th 1873

To-morrow being the fourth day of July, the Anniversary of American Independence, It is ordered that Court stand adjourned till Saturday July 5th 1873, at 8 o'clock a.m.

Saturday July 5th 1873

Court convened at 8 o'clock A M Pursuant to adjournment. Present same as heretofore Whereupon the following proceedings were had, to wit.

Bail ffps

And thereupon It is ordered that the following named persons be allowed the sums set opposite their names for services as Bailiffs during the present term of this Court, to be paid out of the County Treasury of Travis county upon the certificate of the Clerk, to wit:

Tannehill ffp. Jack Tannehill, 30 days = Sixty Dollars
Nuckols ffp. M. C. Nuckols, 30 " = Sixty Dollars.
Rowe ffp. C. M. Rowe, 30 " = Sixty Dollars.

2976 The State of Texas v. Barnes Parker. And now comes Barnes Parker, as principal, and T. E. Tullis and F. M. Chandler as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One thousand dollars, to be levied upon their Goods and Chattels, lands, tenements and estate, But to be void upon condition that said Barnes Parker make his personal appearance before the District Court of Travis county, to be held at the Courthouse thereof in Austin, on the first Monday in October, 1873, and there remain from day to day and from term to term thereafter, to answer the Indictment preferred against the said Defendant Barnes Parker by the Grand Jury of Travis county, at the June term 1873 for Passing forged Power of Attorney, and that he do not depart the Court without leave.

2977 The State of Texas v. Barnes Parker. And now on this day comes Barnes Parker, as Principal, and T. E. Tullis and F. M. Chandler as his securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One thousand dollars, to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that said Barnes Parker make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in October, 1873, then and there to answer the Indictment preferred against the said Barnes Parker by the Grand Jury of Travis county at the June term 1873 for Swindling and that he do not depart the Court without leave.

2980 The State of Texas v. Barnes Parker. And now comes Barnes Parker as principal, and T. E. Tullis and F. M. Chandler as his securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of five hundred dollars, to be levied upon their goods and chattels, lands, tenements and

July 5th 1873

estate, But to be void upon condition that the said Barnes Parker make his personal appearance before the District Court of Travis county, to be held at the Courthouse there of in Austin, on the first Monday in October, 1873, there to remain from day to day and from term to term there after, to answer the Indictment Prefered against said Barnes Parker by the Grand Jury of Travis County at the June Term 1873 for Passing and Having aforged Power of attorney, and that he do not depart the Court without leave.

3379 C. R. Johns & Co. v. Unknown Heirs of Wm. Harris. And now on this day came the Plaintiffs by their attorneys and upon motion in open Court It is ordered that said Plaintiffs have leave to withdraw all title papers filed by them in said cause.

3442 The State of Texas vs Wm. Davidson et al. Cause Dismissed

3444 The State of Texas vs Jos. Wadsworth. Cause Dismissed

3445 The State of Texas v. Jos. Wadsworth Cause Dismissed

3446 The State of Texas v. Jos. Wadsworth Cause Dismissed

3596 The State of Texas v. Harry Nailor et als And now on this day came the parties and upon motion It is ordered that the forfeiture in this cause be set aside and the Cause Dismissed and that the said Harry Nailor, W. G. Graham and D. J. Murchison pay all the cost of this suit, for which execution may issue.

3119 The State of Texas v. A. J. Hamilton. And now on this day came the Counsel for the Plaintiff and again asked and moved the Court to reinstate this cause upon the Docket: and after Consideration It is ordered that the Cause be reinstated only for the purpose of hearing said motion.

2173 The State of Texas v. Jeff. Houston. And now comes the Defendant in person and withdraws his appeal heretofore entered in said cause.

2674. The State of Texas v. Jeff. Houston. Cause Dismissed

2809 The State of Texas v. Neville Dismissed

2810 The State of Texas v. Neville Dismissed

Clerk And thereupon It is ordered that A. R. Morris Clerk of this Court, be allowed the Sum of One Hundred and Fifty Dollars for extra Services as Clerk, to be paid out of the County Treasury of Travis County upon the Certificate of the Judge

Sheriff And thereupon It is ordered that G. B. Zimpelman be allowed the Sum of One Hundred and Fifty Dollars for extra Services as Sheriff, to be paid out of the County Treasury of Travis County upon the Certificate of the Clerk

3455 Raymond & White vs James Davidson. It appearing from the record and former orders of the Court that certain personal property levied on by the attachment, was sold by order of the Court, It is ordered that the proceeds of said sale now in the hands of the Sheriff, as it appears by the return of the Sheriff on said order of sale, be applied in satisfaction of the Judgment in favor of the Plaintiffs, and that the order of sale as to the real estate attached, issue for the balance of the judg-

July 5th 1893

ment remaining unsatisfied

1693 Thomas Cassidy's Admrs vs R. A Smith Admr's

And now at this day came on to be heard the motion of plaintiff filed on the 15th day of February 1893, as to the imposition of Costs on Defendant, in filing the Mandate of the Supreme Court, and the Demurrer Considered by the Court, is overruled.

And there being no further business to be transacted, it is ordered that this Court stand adjourned to the next regular term.

A. P. Richardson
Judge 27th Judicial District.

October 6th, 1873.

The State of Texas } at a term of the District Court begun and
County of Travis } held at the City of Austin within and for
the County and State aforesaid, on Monday. October 6th. 1873, the
same being the time fixed by law for the meeting of the October term
1873, of the District Court of Travis county, Present Hon. J. P. Richardson
Judge 27th Judicial District of the State of Texas presiding: Geo. W.
Zimpelman, Sheriff Travis county: and A. R. Morris Clerk by Frank
Brown, Deputy. Whereupon the following proceedings were had by said
Court, to wit.

And thereupon the Court ordered the names of those persons
appearing upon the Regular Venire facias issued for the Grand Jurors
selected to serve at the present terms of this Court, to be called.
Whereupon the following named persons having answered to their
names, they were duly sworn according to law, empanelled and
tried as Grand Jurors for and during the present term of the Dis-
Grand Jury. trict Court of Travis county, to wit: John[1] T. Haynes, James[2] Thompson,
W.[3] B. Jones, Wm.[4] Piper, Geo.[5] F. Darne, Jerry[6] Parsons, E.[7] Williams: G. H.
Burditt[8] Ed. D.[9] Saunders. Geo.[10] Sissmann: Milton[11] Wallace: J. J.[12] Ham-
mow: Jacob[13] Swank: Ben.[14] Van Gant: Sal.[15] Freeman, L. G.[16] Britton

And thereupon the Court appointed John T. Haynes foreman
of the Grand Jury: and said Grand Jury were thereupon duly charged
as to the duties devolving upon them, and were ordered to retire upon
a discharge of the same.

And thereupon It is ordered that the criminal docket be
set for hearing for the third Monday of the term.

1733. C. A. Hopkins et al. vs Amos Morrill. Come now the Plaintiffs and on
motion in open Court It is ordered that the Plaintiffs herein have
leave to amend.

187 Robert Mitchell v. M. & J. Burdett. Comes now the Plaintiff and
upon motion in open Court It is ordered that the Plaintiff have leave
to amend

3531 R. A. Smith v. A. B. Hill. Comes now the Plaintiff in open
Court and upon motion It is ordered that this cause be dis-
missed and that the Plaintiff pay the cost of this suit for
which execution may issue.

3663. L. W. Cochins vs Geo. Washington. And now on this day comes Charlotte
Cochins, widow of L. W. Cochins, by attorney, and suggests to the Court
the death of said L. W. Cochins And thereupon on motion It is
ordered that said Charlotte Cochins, surviving wife of L. W. Cochins
be made party plaintiff to this suit and that the cause proceed
in her name as surviving wife.

3664 L. W. Cochins vs John Tibbat. And now on this day comes Charlotte
Cochins widow of L. W. Cochins by attorney and suggests to the Court
the death of said L. W. Cochins. And thereupon on motion It is ordered
that said Charlotte Cochins, surviving wife of L. W. Cochins, be made
party plaintiff to this suit and that the cause proceed in her name
as surviving wife.

October 7th 1873.

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

October 7th 1873.

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

√ √ 1958 Susan S. Ward. v. Thos Wm Ward. And now come the parties
+ to this cause by their attorneys, and thereupon on motion It is ordered that this cause be dismissed from the Docket, and that the defendant recover of said Susan S. Ward, and the security on her cost bond, N. G. Shelley, are the cost of this suit, for which execution may issue.

√ √ 2595. Amos Morrill v. Houston & Cook. Continued.

√ √ 2596 Amos Morrill v. McGinn & Cook. Continued.

√ √ 2598 Amos Morrill v. Moore & Cook. Continued

√ √ 2599 Amos Morrill v. Wood & Cook. Continued

√ √ 2641 S. M. Swenson v. J. Nicholson et al Continued for service.

√ √ 2644 S. M. Swenson v. J. H. Herndon et al. Continued for service

√ √ 2780 F. W Chandler Admr. v. Fred. Jourdan. Comes now the plaintiff
X and on motion It is ordred, that this cause be dismissed in accordance with the opinion of the Supreme Court. And thereupon It is ordered that this cause be dismissed, and that the Defendant pay all the cost of this suit for which execution
√ may issue.

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

√ √ 2848 Elliott & Deats. v. Smith & Mayfield. And now come the parties
X and upon motion It is ordred that this cause be dismissed from the Docket in accordance with the opinion of the Supreme Court. and that the said William Elliott, George S Deats, and their security, S. B. Brush, pay all the cost of this suit. for which execution may issue

√ √ 2931 Thos. F. McKinney v. A. M. Cox. Come now the parties and on motion Ord suggestion of the death of the plaintiff in this cause It is ordred that the cause be continued

√ √ 2955. Abby Thompson Admr et.al. v. Barnes & Merrell. Cause continued

√ √ 2956 Abby Thompson Admr. et. al. v. R. W. Riley et. al. Continued.

√ √ 2957 Abby Thompson Admr et.al. v. R. A. Rutherford. And now comes the counsel for the plaintiff and suggests the marriage of the Defendant Kate Chambers. Whereupon It is ordred that the cause be continued for service upon the husband of said deft. who is named. Frederick K. Sturgis.

√ √ 2958 Abby Thompson Admr et.al. v. Geo. Saunders. Continued

√ √ 2959. Abby Thompson Admr et. al. v. Charles Barnes. And now come the
+ parties, and upon motion It is ordred that this cause be dismissed from the Docket, and that the cost of said suit be adjudged as a just claim against the Estate of Thomas J. Chambers deceased, to be paid in due course of administration.

√ √ 2960 Abby Thompson Admr et.al. v. H. L. Raven. Continued.

√ 2973 S. B. Brush v. E. Raven. Continued.

October 7th 1873.

✓ ✓ 3107. A. G. Mitchell v. Rich'n & Hall. Ordered, upon motion, that this cause be continued in order to make parties.

✓ ✓ 3117 J. M. Litten v. J. R. Worrall. Ordered, upon motion that this Cause be continued to make parties.

✓ ✓ 3241. Schmidt & Berkson v. Rome & Dawson. Continued by consent.

✓ ✓ 3306 F. W. Chandler v. T. J. Pitt. Continued.

✓ ✓ 3360 The State of Texas v. W. H. Morris et al. Comes now the plaintiffs by attorney and on motion It is ordered that said Plaintiffs have leave to amend the petition.

✓ 3724. Daniel Alexander vs. Crafts & Mussett

✓ 3733 Wm F. Orr et al vs Wm Klinge

✓ 3734 Wm F. Orr et al vs Mary O'Brien

✓ 3735 Wm F. Orr et al vs Wm H. Cushney

✓ 3741 M. Eirich vs Nitschke & Randall

✓ 3746 Amelia Bonnet vs A. T. Logan

✓ 3747 Mary Gilmore vs Goodall & Blunt

✓ 3750 Thomas Carter vs Marinda Carter

✓ 3751 Susan Thompson vs Lewis Thompson

✓ 3759 Virginia A. Webb vs Haeland Webb

✓ 3762 Henry Sukaty vs W. T. Wells

✓ 3763 Susan A. Howell vs Henry A. Howell

✓ 3768 Frank Fischman vs A. Bierhalter

✓ 3775 William Walsh vs John W. Glenn

✓ 3787 H. J. Richarz vs Raymond & Whitis

✓ 3788 Ignatius Keller vs Buaas & Bessmer

✓ 3792 Diana C. Curtis vs R. S. Curtis

✓ 3802 T. D. Warlow vs C. M. Warlow

✓ 3807 Mary Ruggles vs Geo. Ruggles

✓ 3808 Wes. Douglas vs J. H. Coleman

✓ 3810 Barbary Biles v. T. C. Cater et al

✓ 3811 D. Wehn v. C. Pecht

✓ 3813 Hoyt Busick & Co. v. John A. Webb & Bro.

✓ 3825 W. W. Cochran v. M. J. Matteson

✓ 3827 C. Warlow v. T. B. Burdett et al

✓ 3828 M. J. Matteson v. W. W. Cochran

And now on this day comes the clerk, and upon motion duly made. It is ordered that the plaintiffs in the last preceding twenty-six cases be severally required to enter into bond and security for the cost of said suits on or before the next term of this Court, otherwise the same will be dismissed, the attorneys for the said several parties having notice of said motion.

✓ ✓ 3165 John and Ann Eliza Haeland v. John H. Conner. And now on this day came the parties to this cause by their respective attorneys and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of W. N. Harderman and eleven others, who being duly tried, elected, empannelled and sworn and having heard the pleadings, evidence, argument of counsel and

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Motion to dismiss with costs
Brien E. M. Evans —
this judgment is cancelled

October 8th 1873

the charge of the Court, retired for deliberation. And thereupon said jury returned into Court the following verdict, to wit.

We the Jury find in favor the Plaintiffs $4932.35

W. N. Hardeman, foreman."

Whereupon It is ordered by the Court that said John Holland and Ann Eliza Holland do have and recover of the Defendant John H. Conner said Sum of four thousand, Nine Hundred, thirty-two + 35/100 Dollars, so found to be due by the jury aforesaid, and all the cost of this suit, for which execution may issue.

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

October 8th 1873. Court met at 9 o'clock A. M. pursuant to adjournment. Present Hon. J. P. Richardson Judge 27th Judicial District presiding. Whereupon the following proceedings were had by said Court, to wit.

✓ ✓ 3165 John and Ann Eliza Holland vs. John H. Conner. And now on this day come the plaintiffs by their attorneys and enters a Remittitur in this case amounting to the Sum of two hundred Eighteen + 45/100 Dollars. Wherefore It is ordered that said Judgment rendered in this cause be reduced that Sum, and the same is, upon motion, a credit on the judgment rendered as aforesaid.

✓ ✓ 3259 Wm Neese vs. Risher & Hall. Continued

✓ ✓ 3425 Duval Beall vs. Lediard Townsend. Comes the plaintiff by attorney and on motion It is ordered that said Plaintiff have leave to amend.

✓ ✓ 3529 J. H. Coleman vs. Alfred Smith. Comes the plaintiff by attorney and on motion It is ordered that said Plaintiff have leave to amend.

✓ ✓ 3569 D. V. Spring v. Jacob Coggins. Come the parties and on motion It is ordered that the cause be dismissed the cost being paid.

✓ ✓ 3646 Houston & Texas Central R. R. v. Jonathan Rogers. Comes the Defendant and on motion It is ordered that said Defendant have leave to amend the answer.

✓ ✓ 3674 Harvey Mitchell v. J. A. McMillan et al. Comes the Defendant and on motion It is ordered that said Defendant have leave to amend.

✓ ✓ 3716 Amelia Miller v. Jacob Miller. Comes the clerk and on motion It is ordered that the Plaintiff be required to enter into bond and security for the cost of this suit, plaintiff's attorneys being notified

✓ ✓ 3833 William Adams Ex Parte. And now on this day came on to be heard the application of William Adams a minor over seventeen years years of age, praying to have his disabilities of non age removed- which said application being supported by the affidavit of F. H. Sanders and being duly considered by the Court It is ordered that the Disabilities of non age of said William Adams be and the same are removed and that he be considered and held competent and responsible in all business transactions as fully as if he were twenty-one years of age, except the right to vote.

October 8th, 1873

Wm Bielsz

Declaration of intention to become a citizen

State of Texas } William Bielsz being duly sworn according to
County of Travis } law in the District Court of said County doth
declare that he was born in the year A D 1847 in the Kingdom of
Saxony whence he emgrated in the year 1872 to the United States
of America and has selected the State of Texas as the place of his
intended settlement & he further declares that it is bona fida
his intention to become a citizen of the United States & of the
said State of Texas and renounces forever all allegiance & fidelity
to every foreign Prince, Potentate, State or Sovereignty whatsoever
& particularly to the Kingdom of Saxony of whom he is a
subject

Wm Bielsz.

Sworn to & subscribed before me this 6th day of October 1873
A R. Morris clerk by F Brown deputy

John Bruckner

State of Texas } John Bruckner being duly sworn according to
County of Travis } law in the District Court of said County doth
declare that he was born in the year A.D 1842 in the Kingdom
of Prussia whence he emgrated in the year 1868 to the United State
of America & has selected the State of Texas as the place of his
intended settlement & he further declares that it is bona fide
his intention to become a citizen of the United States & of the said
State of Texas and renounces forever all allegiance & fidelity to
every Foreign Prince. Potentate. State or Sovereignty whatsoever
& particularly to the Kingdom of Prussia of whom he is a
subject

John Bruckner

Sworn to & subscribed before me this 6th day of October 1873
A R. Morris clerk by F Brown Deputy

Florenz Silvia

State of Texas } Florenz Silvia being duly sworn according to law
County of Travis } in the District Court of said County doth declare
that he was born in the year A.D 1844. in the Kingdom of Italy
whence he emgrated in the year 1869 to the United States of
America & has selected the State of Texas as the place of his
intended settlement & he further declares that it is bona
fide his intention to become a citizen of the United States &
of the said State of Texas & renounces forever all allegiance & fidelity
to every foreign Prince. Potentate State or Sovereignty whatsoever & par-
ticularly to the Kingdom of Italy of whom he is a subject

Florenz. Silva

Sworn to & Subscribed before me this 6th day of October 1873
A R. Morris clerk by F. Brown deputy

Andreas Frougott

State of Texas } Andreas Frougott being duly sworn according to law
County of Travis } in the District Court of said County doth declare that
he was born in the year A.D 1844 in the Kingdom of Wurtemburg
whence he emgrated in the year 1872 to the United States of America
& has selected the State of Texas as the place of his intended settle-
ment & he further declares that it is bona fide his intention
to become a citizen of the United States & of the said State of

October 9th 1873

Texas & renounces forever all allegiance & fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever & par-
ticularly to the Kingdom of Wurtemberg of whom he is a subject

Andreas Frougott.

Sworn to & subscribed before me in open Court this 6th day of October 1873
A R Morris Clerk by J Brown Deputy

Leonard Henkels

State of Texas } Leonard Henkels being duly sworn accord-
County of Travis } ing to law in the District Court of said County, doth declare that he was born in the year A. D 1843 in the Kingdom of Prussia whence he emigrated in the year 1867 to the United States of America & has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince Potentate, State or Sovereignty whatsoever & particularly to the Kingdom of Prussia of whom he is a subject

Leonard Henkels

Sworn to & subscribed before me this 6th day of October 1873
A R Morris clerk by J Brown Deputy

Julius Schefer

State of Texas } Julius Schefer being duly sworn according
County of Travis } to law in the District Court of said County doth declare that he was born in the year A. D. 1840. in the Kingdom of Austria whence he emigrated in the year 1872 to the United States of America & has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to Every Foreign Prince Potentate, State or Sovereignty whatsoever & particularly to the Kingdom of Austria of whom he is a subject

Julius Schefer

Sworn to & subscribed before me this 6th day of October 1873
A R Morris clerk. by J Brown Deputy

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

October 9th 1873

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

3237 Mary P. Watson vs. Julius Schultze. And now on this day appears the parties to this cause by their respective attorneys and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of J. N. Walker and eleven others, who being tried, elected, empannelled and sworn according to law, heard the pleadings, the evidence, argument of counsel and the charge of the Court, and retired for deliberation. Whereupon said

October 9th 1873

Jury returned into Court the following verdict, to wit:
"We the Jury find for Plaintiff $1050. J. H. Walker, foreman."
Whereupon It is ordered that said Mary P. Watson do recover of the Defendant Julius Schutze said sum of One thousand and fifty dollars and the cost of this suit for which execution may issue

3303 A.B. Palm v. G.B. Zimpelman Sheff et. als The judgment rendered in this cause having been affirmed by the Supreme Court upon appeal, It is ordered that the cause be dismissed.

3330 J. W. Manning v. N. Hanson. Continued by agreement.

3387 America Johnson vs. E. A. Johnson. Comes the Plaintiff and on motion in open Court It is ordered that this cause be dismissed

3401 John H. Conner v. C. Hanke et als. Come the parties and upon motion It is ordered that this cause be dismissed and that said John H. Conner pay the cost of this suit, for which execution may issue.

3420 Nat Moore v. Perry Jr. Continued

3705 T. W. English v. R. M. Russell Continued by Consent.

3808 Ned. Douglass v. Jas H. Coleman. Comes the plaintiff and upon motion It is ordered that said Plaintiff have leave to amend.

3373 Raymond & Whitis vs. A.S. Roberts. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of W. N. Hardeman and seven others, who being duly tried, elected, empannelled and sworn, heard the pleadings, evidence, argument of counsel and the charge of the Court, and retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit:

"We the Jury find for the Defendant W. N. Hardeman foreman".

Whereupon It is ordered that the plaintiffs take nothing in this behalf. that the Defendant go hence, and recover of said James H. Raymond and G. W. Whitis all the cost of this suit, for which execution may issue.

3524 J. H. Coleman v. Alfred Smith. On motion of Defendant by atty It is ordered that said Defendant have leave to amend the answer.

August Fuhrmann

Declaration of intention to become a citizen

State of Texas } August Fuhrmann being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year A.D. 1846 in the Kingdom of Brunswick whence he emigrated in the year 1871 to the United States of America & has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever & particularly to the Kingdom of Brunswick of whom he is a subject.

August Fuhrmann

October 9th 1873.

Sworn to & subscribed before me this 6th day of October 1873
A R Morris clerk by J Brown Deputy

Henry Werchan

Declaration of intention to become a citizen

State of Texas } Henry Werchan being duly sworn according to law
County of Travis } in the District Court of said County doth declare
that he was born in the year A.D. 1848 in the Kingdom of Prussia
whence he emigrated in the year 1872 to the United States of
America & has selected the State of Texas as the place of his
intended settlement & he further declares that it is bona
fide his intention to become a citizen of the United States
& of the said State of Texas & renounces forever all allegiance
& fidelity to every Foreign Prince Potentate State or Sov-
ereignty whatsoever & particularly to the Kingdom of
Prussia of whom he is a subject

Heinrich Werchan

Sworn to & subscribed before me this 6th Day of October 1873
A R Morris Clerk. By J Brown Deputy

Joseph Traugott

Declaration of intention to become a citizen.

State of Texas } Joseph Traugott being duly sworn according
County of Travis } to law in the District Court of said County
doth declare that he was born in the year A.D 1805 in the
Kingdom of Wurtemberg whence he emigrated in the year
1872 to the United States of America & has selected the
State of Texas as the place of his intended settlement
& he further declares that it is bona fide his intention to
become a citizen of the United States & of the said State of
Texas & renounces forever all allegiance & fidelity to every
foreign Prince, Potentate, State or Sovereignty whatsoever
& particularly to the King of Wurtemberg of whom he
is a subject

Joseph Traugott

Sworn to & subscribed before me this 7th day of October 1873
A R Morris Clerk by Frank Brown Deputy

Walter Jacoby

Declaration of intention to become a citizen

State of Texas } Walter Jacoby being duly sworn according to
County of Travis } law in the District Court of said County
doth declare that he was born in the year A.D 1835 in the
Kingdom of Prussia whence he emigrated in the year
1873 to the United States of America & has selected the
State of Texas as the place of his intended settlement
& he further declares that it is bona fide his intention to
become a citizen of the United States & of the said
State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever & particularly to the King of Prussia of whom he is a subject W. Jacoby

Sworn to & subscribed before me this 7th day of October 1873.
A R Morris Clerk by J Brown Deputy

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Anton Taessler

October 9th 1873.

Declaration of intention to become a citizen

State of Texas } Anton Taessler being duly sworn according to law
County of Travis } in the District Court of said County doth declare
that he was born in the year A.D 1842 in the Republic of
Switzerland whence he emigrated in the year 1866 to the United
States of America & has selected the State of Texas as the Place
of his intended settlement & he further declares that it is bona
fide his intention to become a citizen of the United States &
the said State of Texas & renounces forever all allegiance &
fidelity to every Foreign Prince. Potentate State or Sovereignty
whatsoever & particularly to the Republic of Switzerland of whom
he is a subject

Anton Taessler

Sworn to & subscribed before me this 7th day of October 1873. in open Court
A. R. Morris Clerk. by. J. Brown Deputy

Leopold Jacoby.

Declaration of intention to become a citizen.

State of Texas } Leopold Jacoby being duly sworn according
County of Travis } to law in the District Court of said County
doth declare that he was born in the year A. D 1841 in the
Kingdom of Prussia whence he emigrated in the year 1873. to the
United States of America & has selected the State of Texas as
the place of his intended settlement & he further declares that
it is bona fide his intention to become a citizen of the United
States and of the said State of Texas & renounces forever
all allegiance & fidelity to every Foreign Prince. Potentate
State or Sovereignty whatsoever & particularly to the
King of Prussia of whom he is a subject

L. Jacoby.

Sworn to & subscribed before me this 7th day of October 1873 in
open Court. A. R. Morris Clerk. by. J. Brown Deputy

Franz Schaefer.

Declaration of intention to become a citizen

State of Texas } Franz Schaefer being duly sworn according
County of Travis } to law in the District Court of said County
doth declare that he was born in the year 1848 in the
Kingdom of Austria whence he emigrated in the year 18 to
the United States of America & has selected the State of
Texas as the place of his intended settlement & it is bona
fide his intention to become a citizen of the United States
& of the said State of Texas & renounces forever all allegiance
& fidelity to every Foreign Prince, Potentate State or
Sovereignty whatsoever & particularly to the Emperor
of Austria of whom he is a subject

Franz. Schaefer

Sworn to & subscribed before me this 9th day of October 1873 in open
Court. A. R. Morris Clerk by J. Brown Deputy

October 9th 1873.

√ / 3423 C. R. Johns & Co. v D. Waters et al. And now come the Plaintiffs and on motion It is ordered that W. J. Montgomery Esq be appointed Guardian ad litem to represent the minor Defendant Fanny Smith.

√ / 3626 A. S. Roberts v. G. W. Whitis. Comes now J. H. Raymond, Esq. and upon motion in open Court It is ordered that said Raymond have leave to intervene in this cause.

/ / 3829 Cora B. Slaughter et al. v. Anna P. Lamy et al. On motion of the plaintiffs by their counsel It is ordered that John B Costa Esq. be appointed Auditor to state the account between the parties to this suit

√ / 3425 Duval Beall v. Lediard & Townsend. And now on this day appeared the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of J. H. Walker — and eleven others who being duly tried, elected, empannelled and sworn, heard the pleadings, the evidence, argument of counsel, and the charge of the Court and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury find for the Plaintiff the sum of $752 44/100 J. H. Walker, foreman." And thereupon It is ordered that Duval Beall do have and recover of the Defendants Charles Lediard and William E. Townsend the sum of Seven Hundred fifty-two & 44/100 Dollars, so found to be due by the jury aforesaid, and all the cost of this suit, for which execution may issue

√ C. O. Thimber

Declaration of intention to become a citizen

The State of Texas } C. O. Thimber being duly sworn according to
County of Travis } law in the District Court of said County doth declare that he was born in the year A.D. 1845 in the Kingdom of Sweden whence he emigrated in the year 1870 to the United States of America & has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever & particularly to the King of Sweden of whom he is a subject

C. O. Thimber

Sworn to & subscribed before me this 9th day of October 1873 in open Court. A. R. Morris Clerk. by J. P. Barton deputy

√ E. W. Wellmer

Declaration of intention to become a citizen

State of Texas } Edward William Wellmer being duly sworn
County of Travis } according to law in the District Court of said County doth declare that he was born in the year 1843 in the Kingdom of Denmark whence he emigrated in the year 1864 to the United States of America & has

José Mazzia

Octaber 9th 1873

elected the State of Texas as the place of his intended settlement — & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every foreign Prince Potentate State or Sovereignty whatsoever & particularly to the King of Denmark of whom he is a subject —

William Wellmer

Sworn to & subscribed before me this 9th day of Octber 1873 in open Court —
A R. Morris Clerk. by F Brown Deputy

John Zanola

Declaration of intention to become a citizen

State of Texas } José Mazzia being duly sworn according to law in the
County of Travis } District Court of said County doth declare that he was born in the year a. D 1848 in the Kingdom of Italy whence he emigrated in the year 1873 to the United States of America & has elected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever & particularly to the King of Italy of whom he is a subject

Mazzia José

Sworn & & subscribed before me this 9th day of October 1873 in open Court
A R. Morris Clerk. by F Brown Deputy

F. D. Delfs

Declaration of intention to become a citizen

State of Texas } John Zanola being duly sworn according to law in
County of Travis } the District Court of said County doth declare that he was born in the year a. D 1845 in the Kingdom of Italy whence he emigrated in the year 18 to the United States of America & has elected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever & particularly to the King of Italy of whom he is a subject

John Zanola

Sworn to & subscribed before me this 9th day of October 1873 in open Court. A R. Morris Clerk. by F Brown Deputy

State of Texas } Fredrik Detlef Delfs being duly sworn accord-
County of Travis } ing to law in the District Court of said County doth declare that he was born in the year a. D. 1842 in the Empire of Germany whence he emigrated in the year 18 to the United States of America and has selected the State of Texas as the place of his intended settlement and he further states that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every foreign Prince, Potentate State or Sovereignty whatsoever & particularly to the Emperor of Germany of whom he is a subject —

Fredrich Detlef Delfs

October 9th 1873

Sworn to & subscribed before me this 8th day of October 1873 in open Court — A R. Morris Clerk by J Brown Deputy

Pietro Balangero

State of Texas & Pietro Balangero being duly sworn according to
County of Travis & law in the District Court of said County doth declare
that he was born in the year a.D 1833 in the Kingdom of Italy
whence he emigrated in the year 1873 to the United States of America
& has selected the State of Texas as the place of his intended settle-
ment & he further declares that it is bona fide his intention to
become a citizen of the United States & of the said State of
Texas & renounces forever all allegiance & fidelity to every
foreign Prince, Potentate, State or Sovereignty whatsoever
& particularly to the King of Italy of whom he is a subject

Balangero Pietro

Sworn to & subscribed before me this 8th of October 1873 in open court-
A R Morris Clerk by J Brown deputy

Marcais Caffasse

State of Texas & Marcais Caffasse being duly sworn according to law in the
County of Travis & District Court of said County doth declare that he was born in
the year a.D 1822 in the Kingdom of Tuscany, Italy whence he emigrated in the year
1869 to the United States of America & has selected the State of Texas as the place of his
intended settlement & he further declares that it is bona fide his intention to become a
citizen of the United States & of the said State of Texas & renounces forever all allegiance
& fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever & par-
ticularly to the King of Tuscany of whom he is a subject

Marcais Caiffassis

Sworn to & subscribed before me this 8th day of October 1873
A R. Morris Clerk by J Brown Deputy

J Robiola

State of Texas & Francoi Robiola being duly sworn according to law in the District
County of Travis & Court of said County doth declare that he was born in the year a.D 1832
in the Kingdom of Italy whence he emigrated in the year 1873 to the United States of
America & has elected the State of Texas as the place of his intended settlement &
he further declares that it is bona fide his intention to become a citizen of the United
States & of the said State of Texas & renounces forever all allegiance & fidelity to
every foreign Prince, Potentate, State or Sovereignty whatsoever & particularly
to the King of Italy of whom he is a subject

Robiola Francoi

Sworn to & subscribed before me this 8th day of October 1873 in open Court
A R. Morris Clerk by J Brown Deputy

Frank Reinboldt

State of Texas & Frank Reinboldt being duly sworn according to law in the Dist-
County of Travis & rict Court of said County doth declare that he was born in the
year a.D 1846 in the Empire of Germany whence he emigrated in the year 1868 to the
United States of America & has selected the State of Texas as the place of his intend-
ded settlement & he further declares that it is bona fide his intention to be-
come a citizen of the United States & of the said State of Texas and renounces
forever all allegiance & fidelity to every Foreign Prince, Potentate, State
or Sovereignty whatsoever & particularly to the Duke of Baden of
whom he is a subject

Frank Reinboldt

October 10th 1873

C. J. Soderstrom

Sworn to & subscribed before me this ninth day of October. 1873 in open Court
A. R. Morris Clerk by J. Brown Deputy

The State of Texas } C. J. Soderstrom being duly sworn according to law
County of Travis } the District Court of said County doth declare that he
was born in the year A.D 1844 in the Kingdom of Sweden whence he
emigrated in the year 1870 to the United States of America. That he
selected the State of Texas as the place of his intended settlement
and he further declares that it is bona fide his intention to
become a citizen of the United States & of the said State
of Texas and renounces forever all allegiance & fidelity to
every Foreign Prince, Potentate, State or Sovereignty
whatsoever & particularly to the King of Sweden of whom
he is a subject

C. J. Soderstrom

Sworn to & subscribed before me this 9th day of October 1873 in open Court
A R Morris By: J Brown Deputy:

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

October 10th 1873

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

3581 Ben Wacker vs. N. B. Mitchell And now comes the plaintiff by attorney and claims a judgment by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and wholly made default, It is ordered that the plaintiff recover of said N. B. Mitchell according to the prayer of his petition, and that a writ of inquiry be awarded.

3591 Mary Middlebrooks v. Houston & T. C. R. R. Comes now the plaintiff and upon motion It is ordered that said Plaintiff have leave to amend.

3626 A. S. Roberts v. C. W. Whitis. Comes now the Defendant by attorney and upon motion in open Court It is ordered that said Defendant have leave to amend.

3631 Mary E. Dowse v. Geo. Dowse. Comes now the plaintiff, and on motion It is ordered that said Plaintiff have leave to amend

3656 Wm K. Hamblin v. G. F. Weisenberg. Comes now the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service, and has failed to answer within the time prescribed by law, It is ordered that the plaintiff recover of the Defendant according to the prayer of his petition, and that a writ of inquiry be awarded.

3664 S. W. Eakins vs. John Eichert. Continued for service.

3719 Wm Kluge v. Crescent City Circus. And now comes the plaintiff and on motion It is ordered that this cause be dismissed

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and that said plaintiff be adjudged to pay the cost of this suit, for which execution may issue.

✓ ✓ 3723. James Brown et al. v. L. Brown et al. Continued for service.

✓ ✓ 3738. J. B. Morris et al. v. E. T. Eggleston et al. Come now the parties and upon motion It is ordered that F. W. Chandler, Esq., be appointed Guardian ad litem to represent the minor defendants in this cause.

✓ ✓ 3740 E. Saunders v. N. Meyer. Comes the Clerk, and upon motion It is ordered that the Plaintiff be required to enter into bond and security for the cost of this suit, plaintiff's attorney being notified

✓ ✓ 3746 Amelia Bonnet v. A. T. Logan Comes the plaintiff and on motion It is ordered that said Plaintiff have leave to amend.

✓ ✓ 3760 Nalle & Co. v. Davidson et al. Continued for service.

✓ ✓ 3761 Loomis & Christian v. J. Davidson et al. Continued for service.

✓ ✓ 3778 Sampson & Hemicks v. T. G. McGehee et al. Comes the plaintiffs by attorney and upon motion It is ordered that this cause be dismissed, the plaintiffs to pay the cost.

X

✓ ✓ 3788 Ignatius Keller v. Braas & Besserer Comes now the plaintiff and claims a Judgment by default. And because the defendants have been cited by personal service and have failed to answer within the time prescribed by law and wholly made default, It is ordered that said plaintiff recover of the defendants according to the prayer of their petition and that a writ of inquiry be awarded.

✓ ✓ 3794. Geo. Hancock v. J. H. Brickley. Continued

✓ ✓ 3806 Wm Thaxton v. J. W. & Lloud et al. continued for service

✓ ✓ 3814 John A. Burdett et al. v. Wm. C. Burdett et al. Continued for service.

✓ ✓ 3815. Jael A. Burdett et al. v. John A. Green et al. Continued for service.

✓ ✓ 3537 Nancy E. Moore v. Carl Zimmerman Deft. and Austin Turn Verein

X Garnishee. And now on this day appeared the plaintiff by attorney and claims a judgment final by default against the Austin Turn Verein, who have failed to answer to the writ of garnishment served upon its President and Secretary: and said Defendants having wholly failed to appear and having made default It is ordered adjudged and decreed that said Nancy E. Moore do recover of the Austin Turn Verein the sum of Two Hundred, Ten, and $\frac{85}{100}$ Dollars, that being the amount of the judgment rendered in this cause, on the 8th February, 1873 with 5 per centum per annum interest thereon from said 8th February, 1873, and the further sum of Sixteen & $\frac{75}{100}$ Dollars, being the cost of said suit, together with ace the cost of this proceeding in garnishment, for all which execution may issue. And upon payment of said sums by the said Austin Turn Verein, to said plaintiff, or her attorneys, then said Zimmerman shall have credit against said Turn Verein for the sums that may be so paid.

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3473 Moore & Shelley vs. J. T. Ake, et. als. Comes now the plaintiffs by attorney and claim a judgment final by default. And because the several defendants in this cause have been only cited by personal service and have wholly failed to answer within the time prescribed by law, and made default, It is ordered that Geo. F. Moore and N. G. Shelley under their firm name of Moore & Shelley, do have and recover of the Defendants J. T. Ake, S. J. Ake and Solomon Barnes the sum of Five Hundred, thirty-three and 28/100 Dollars in specie that being the principal debt and interest due upon the note sued on to this date, together with ten per centum per annum interest thereon from this date until paid, and all the cost of this suit, for which execution may issue.

3453 David Sheeks v. Kerr et als. And now on this day came the plaintiff by attorney and claims a judgment by default. And because it appears that said Defendants in this Cause have been cited by publication in the manner required by law, and wholly failed to answer and made default, It is ordered that said D. Sheeks do have and recover of the Defendants in this cause according to the prayer of his petition and that a writ of inquiry be awarded.

3453 David Sheeks v. Kerr et als. And now comes again the plaintiff in this cause by attorney and upon motion duly made, It is ordered that the Sheriff have leave to amend the return upon the citation by publication issued in this cause.

3458 E. Marquize & Co. v. C. Asher. Continued.

3459 John J. Adams & Co v C. Asher. Continued.

3467 C. Kichn for use &c v. John H. Conner. Continued by the Defendant.

3472 J. W. Lawrence v. A. McKenzie et. als. Continued to perfect service.

3489 Sampson & Heinrichs v. James Davidson. Come the plaintiffs by attorney and upon motion It is ordered that this cause be dismissed, and that said plaintiffs pay the cost of the suit, for which execution may issue.

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

3509 Harris Wadley & Co v. H. Klenert. Continued

3528 Raymond & Whitis v. A. B. Palm et. al. Come now the plaintiffs by their attorneys and suggest the Bankruptcy of the Defendant A. B. Palm. Whereupon It is ordered that the cause be continued.

3506 M. A. Taylor v. John Stringer. And now on this day came the plaintiff by attorney and announces ready for trial, the cause being regularly called for trial. And the Defendant came not. Whereupon came a jury of twelve good and lawful men of Travis county, consisting of J. H. Walker and eleven others, who being tried, elected, empannelled and sworn according to law, heard the pleadings, evidence, and the charge of the Court and retired for deliberation. Whereupon said jury returned into

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Court the following verdict, to wit: "We the jury find for the Plaintiff principal and interest, three hundred & eighty-nine Dollars and three cents. J. H. Walker, foreman." Whereupon It is ordered that M. A. Taylor do have and recover of the Defendant John Stringer said sum of three hundred eighty-nine & 03/100 Dollars and the cost of the suit for which execution may issue.

✓ ✓ 3590. John R. Conner et al. v. Ella R. Carter et al. Continued by plaintiff

✓ ✓ 3672 Annie E. Hall v. M. B. McRae. Comes now the Plaintiff and on motion It is ordered that said Plaintiff have leave to amend.

✓ ✓ 3718 Wm Constans Jr. v. Walter Tipps. Comes now the Plaintiff by attorney and upon motion It is ordered that said Plaintiff have leave to amend.

X 3812 Raymond & Whitis v. W. W. Mills et al. And now on this day come the Plaintiffs and claim a judgment final by default. And because the Defendants have been duly served with process and have failed to answer within the time prescribed by law and wholly made default. It is ordered that James N Raymond and C. W. Whitis under their firm name of Raymond and Whitis, do recover of the Defendants W W Mills and R. N. Lane the sum of four hundred, Seventy Seven & 59/100 Dollars in gold, principal and interest due upon the note sued on to this date, together with 2½ per centum interest per month from this date, on said sum, until paid, and the cost of this suit, for which execution may issue.

X ✓ 3491 Jno. B. Banks vs Willis Bacon. And now on this day came the plaintiff by his attorney and claims a judgment final by default. And because said Difendant has been cited by personal service and has failed to answer within the time prescribed by law and wholly made default, It is ordered that said John B. Banks do recover of the Defendant Willis Bacon the sum of One hundred and eight dollars in coin, together with interest thereon at the rate of ten per centum per annum from Date till paid, that being the rate of interest specified in the note sued on, together with all the cost of this suit, for which execution may issue. And it appearing that the note sued on was given for the purchase of Lot No. 3 in Block No 30 in the town of Webberville in Travis county, Texas and the same is a lien thereon to secure the payment thereof. It is ordered that plaintiffs lien upon said lot of ground be foreclosed, and that the Clerk of this Court do ifsue an order of sale directed to the Sheriff of Travis county, commanding him to sell the same, with any improvements that may be thereon, as under execution, to satisfy the judgment in this case, and if there be any excess the same shall be paid over to the Defendant.

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3431 A. W. Mansand v. Thomas McCormick. And now on this day came the partres to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of W. H. Hardeman and eleven others, who being tried, elected, empannelled and sworn according to law, heard the pleadings, evidence, and argument of counsel, and the charge of the Court, and retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the plaintiff damages in the sum of three hundred (300^{00}) Dollars. W. H. Hardeman foreman." "We the Jury find that the property sequestered is worth four hundred & fifty (400^{00}) Dollars. W. H. Hardeman, foreman." Whereupon It is ordered that said A. W. Mansand do recover of the Defendant Thomas McCormick said sum of three hundred dollars and the cost of this suit, for which execution may ifsue.

And it appearing to the Court that on the 28th November 1872, the Defendant executed his delivery bond, with S. A. Mahon and M. W. Townsend as securities, in the sum of nine hundred Dollars, payable to the plaintiff, conditioned that said Defendant would have 1800 Rail Road ties, sequestrated by the Plaintiff, forthcoming to abide the decision of the Court, or that he will pay the value thereof in case the suit should be decided against him. It is ordered that said Defendant do return said 1800 Rail Road ties to the Sheriff of Travis county within ten days from the adjournment of this Court, & defaurt thereof, It is ordered that said A. W. Mansand do recover of said Thomas McCormick and the securities on his delivery bond, S. A. Mahon and M. W. Townsend the said sum of three hundred dollars, and the cost of this suit, for which execution may ifsue. But this judgment may be discharged as to said securities, upon the return of said 1800 Rail Road ties to the Sheriff of Travis county as aforesaid.

3774. J. J. Sneed vs. M. B. Nuckols et al. And now comes the plaintiff and claims a judgment final by default as against the Defendants M. B. Nuckols Sr., M. B. Nuckols Jr. & Sam. Nuckols. And because said Defendants have been cited by personal service and have failed to answer within the time prescribed by law and made default, It is ordered that J. J. Sneed do have and recover of said M. B. Nuckols Sr. M. B. Nuckols, Jr. and Samuel Nuckols the sum of One thousand, Seventy-One + $\frac{50}{100}$ dollars in gold, with 12 per centum per annum interest thereon from this date till paid, and all the cost of this suit, for which execution may ifsue.

And thereupon again appeared the plaintiff and the Defendant W. H. D. Carrington by their attorneys, and announced ready for trial, and waiving a jury submit the case to the Court. And it appearing that said Carrington is security

upon the note sued on in this case, and not a principal debtor, It is ordered that John J. Sneed do recover of the said W. H. D Carrington said sum of one thousand, Seventy-One + 30/100 gold dollars, with 12 per centum per annum interest thereon from this date till paid, and all the cost of this suit; and that in the event said Carrington shall be compelled to pay the amount of the judgment rendred in this case, or any portion thereof, It is ordered that said Carrington do recover, and it is hereby ordered that said Carrington shall recover over against said M. C. Nuckols, Sr, M. C. Nuckols, Jr, and Sam Nuckols the full amount of this judgment, of he shall be compelled to pay the same, and that he shall have execution against said principal Defendants for the same or any portion thereof that he may be compelled to pay.

✓ / 3784 John H. Conner vs Wm G. Hamilton. And now on this day comes the Plaintiff and claims a Judgment final by default. And because the Defendant has been cited by personal service, and has wholly failed to answer within the time prescribed by law and wholly made default. And plaintiffs cause of action being liquidated, It is ordered that said John H. Conner recover of said Wm G. Hamilton the sum of two hundred, eighty + 67/100 Dollars in coin, principal debt and interest due upon the note sued on to this date, with ten per centum per annum interest thereon from this date until paid, and all the cost of this suit, for which execution may issue.

And it appearing that the note sued on in this Case was given in consideration of the purchase of Lot No 16 in Block No 4 in Conner's addition to the City of Austin, according to the subdivision of Out Lot No 1 in Division "A" of the Government tract of said city, and that plaintiff reserved a vendor's lien on said lot to secure the payment of said note, and the interest thereon that might accrue, It is ordered that plaintiff's lien upon said lot of ground and the improvements thereon be foreclosed, and that the clerk of this Court issue an order of sale, directed to the Sheriff of Travis county, directing him to sell, as under execution, the above described Real Estate, and the proceeds thereof he shall apply to the satisfaction of the aforesaid judgment, the interest to grow due thereon, and the cost of this suit: and the overplus, if any, he shall pay over to the Defendant.

✓ / 3837 Texas E. Goodrich Ex Parte. And now comes on to be heard the application of Texas E. Goodrich praying to have her Disabilities of non-age to be removed, supported by the affidavit of her mother Mary Goodrich. And said application being deemed sufficient, and that the relief sought for ought to be granted, It is ordered that the Disabilities of non-age of said Texas E. Goodrich be and the same are removed, and

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and that the said Texas E. Goodrich is hereby declared to be competent to do and transact all business the same as if she were twenty-one years of age, and shall be held responsible as such in all respects.

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

October 11th 1873.

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

3533 Louisa Robinson v. Geo. E. Robinson. And now on this day this cause being called for trial, came the plaintiff by attorney and announced ready. And the Defendant came not, though cited according to law, and wholly makes default. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of Neill McCashin and eleven others, who being duly tried elected, empannelled and sworn, heard the pleadings evidence and the charge of the Court, and returned the following verdict, to wit: "3533. Louisa Robinson v. Geo. E. Robinson District Court Travis County 13 Oct. 1873. Verdict. We the Jury find the allegations in the Petition to be true. Neill McCashin, Foreman." Whereupon It is ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore celebrated and existing between the plaintiff and Defendant be and the same are dissolved and set at naught, and that said plaintiff pay the cost of the suit. but she shall have her execution against the Defendant for the same.

3789 John A. Webb v. Victor De Leon. And now comes the plaintiff and claims a judgment final by default. And because said Defendant has been duly cited, and has failed to answer within the time prescribed by law, and wholly made default. And plaintiffs cause of action being liquidated. It is ordered that said John A. Webb have and recover of the Defendant Victor de Leon the sum of three hundred, forty five & $\frac{56}{100}$ Dollars, debt and interest due upon the notes sued on to date, and all the cost of this suit for which execution may issue.

3529 G. H. Coleman v. Alfred Smith. And now on this day came the parties to this cause by their attorneys and announced ready for trial. And then came a Jury of twelve good and lawful men of Travis county who having heard the pleadings evidence, argument of counsel, and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court and said that they were unable to agree upon a verdict. And thereupon It is ordered that said Jury be discharged from a further consideration of the case, that a mistrial be awarded, and that the cause stand continued

3571 G. H. Moore & Co. v. M. W. Torrence. Continued

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And Court adjourned till Monday morning at 9 o'clock

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

✓ ✓ 3576. Reuben a Bell Wood et. al. v. G. R. Freeman et al. Continued to perfect service.

✓ ✓ 3578. M. A. Taylor v. H. C. Withers. Continued.

✓ ✓ 3629 D. A James v. S. N. Speer. Come the parties by their attorneys and upon motion It is ordered that the award of the Arbitrators be here entered, which is as follows:

X "We the undersigned Arbitrators selected by the parties to the within agreement to whom was submitted the matters in dispute between them find that said Daniel A. James is entitled to the thirty-three dollars and forty-four cents in coin now in the hands of said S. N. Speer, being the amount still unpaid on the painting done on the house on the corner of Pine and Congress Avenue streets in the City of Austin, and that he have judgment against said S. N. Speer for said sum. We further find that inasmuch as said Spear is not in default to said James that the said Daniel A. James pay all the costs of this Arbitration, and that the same be retained by the Clerk of the District Court out of said fund in his hands. This the 4th day of April, A.D. 1873. Osceola Archer
Jno. W. Robertson } Arbitrators

And thereupon It is ordered that said award be in all things made the judgment of this Court- that said D. A. James recover of said S. N. Speer the sum of thirty-three + 44/100 Dollars so found to be due by the said Arbitrators and that said James be adjudged to pay the cost of this suit.

✓ 3780 Julia A. Smith v. S. E. Edwards And now on this day came the plaintiff and claims a judgment final by default. And the Defendant having been cited according to law and failed to file an answer within the time prescribed by law and wholly made default- and plaintiffs cause of action being liquidated It is ordered that said Julia A. Smith do have and recover of the Defendant S. E. Edwards the sum of One thousand forty-Seven + 63/100 Dollars in gold principal and interest due upon the note sued on to this date, with interest thereon at the rate of fifteen per cent. per annum from date until paid, and all the cost of this suit, for which execution may issue. And it appearing that the note sued on in this case was given for the purchase of Lot No 4 in Block No 174 in the City of Austin, and the same is a lien upon said lot of ground It is ordered that plaintiffs lien be foreclosed upon the same, and that the Clerk of this Court issue an order of sale directed to the Sheriff of Travis county, commanding

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him to sell, as under execution, the said lot of ground and the improvements thereon, and the proceeds thereof he shall apply to the satisfaction of the judgment in this case, the interest to grow due thereon and the cost of the suit, and the overplus if any he shall pay over to the Defendant.

3635. Donaldson, Northcroft & Donaldson vs. E. R. Stiff, et als. And now on this day came the parties to this cause by their attorneys and announced ready for trial, and then came a jury of twelve good and lawful men of Travis county, consisting of Neill McLashin and eleven others, who being tried, elected, empannelled and sworn according to law, heard the pleadings, evidence, and the charge of the Court, and retired for deliberation. Whereupon said jury returned into Court the following verdict, to wit: "We the Jury find a verdict for the pltfs and assess their damages at the sum of $359.00 against the Defendants Stiff and Hedgecoxe, for one-half of which amt to wit. the sum of $179.50 the Defdt Hamilton is liable to the plaintiffs as guarantor on the note sued on. Neill McLashin, foreman." It is therefore ordered, adjudged and decreed by the Court, that the plaintiffs have and recover from the Defendants E. R. Stiff and J. O. Hedgecoxe the sum of three hundred and fifty nine dollars in coin together with their costs in this behalf laid out and expended, for which they shall have their execution, and that said plaintiffs have and recover of the defendant G. F. Hamilton the sum of one hundred and seventy-nine & 50/100 Dollars in coin as guaranto.

It is further ordered that execution issue first against the said Defendants Stiff and Hedgecoxe, and if said judgment or any part thereof shall remain uncollected, on the return of said execution then the plaintiffs shall have their execution against said G. F. Hamilton for the sum of one hundred, Seventy-Nine & 50/100 Coin Dollars, or so much of said sum as may be necessary to satisfy said judgment, not to exceed said sum of $179.00

3724. Daniel Alexander v. W. A. Crafts & E. T. Mulpett. And now comes the plaintiff by attorney and claims a judgment final by default. And because the Defendants have been cited by personal service and have failed to answer within the time prescribed by law, and plaintiffs cause of action being liquidated. It is ordered that Daniel Alexander recover of said W. A. Crafts and E. T. Mulpett the sum of Two Hundred, Twenty Seven & 40/100 Dollars in Coin, as shown to be due on the note sued on, together with the cost of this suit, for which execution may issue.

3637. C. F. Millett v. John T. Miller. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of J. C. Rector and eleven others, duly tried, elected, empannelled and sworn, who having heard the pleadings, evidence, argument of counsel and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Defendant in the sums of ten Hundred and Sixty one & 22/100

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dollars J. E. Rector foreman." Whereupon It is ordered that the defendant John F. Millen do have and recover of the Deft. plaintiff C. F. Millett the said sums of Two Hundred and Sixty One + 22/100 Dollars and all the cost in this behalf laid out and expended for which execution may issue.

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

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

✓ ✓ 3650 E A Hicks v. J. G. Wacker. And now comes the plaintiff, the cause being regularly called for trial, and announced ready. and the Defendant came not, though duly cited. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of W. N. Hardeman and eleven others duly tried elected, empannelled and sworn who having heard the pleadings evidence and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit. "We the Jury find for Plaintiff principal and interest eight hundred and fifty dollars currency. W. N. Hardeman, Foreman" Whereupon It is ordered that said E. A. Hicks do have and recover of said J. G. Wacker the said sum of eight hundred and Fifty Dollars in currency with Ten per centum per annum interest thereon from date till paid and the Cost of the suit for which execution may issue.

✓ ✓ 3638 J. L. Baker vs James E. Mercy. Continued for service.

✓ ✓ 3642 Bayley & Pond vs L. N. Speer. Continued for service.

✓ ✓ 3643 A. Dahn vs A. B. Newman et. al. And now comes O. C. Baker by attorney and upon motion duly made, It is ordered that said O. C. Baker have leave to intervene in the above entitled cause.

✓ ✓ 3643 A. Dahn vs A. B. Newman et. al. Continued

✓ ✓ 3653 The State of Texas vs Et J. Cecil Continued

✓ ✓ 3655 Jones Bros vs J. A. Cato. Continued by the Defendant.

✓ ✓ 3657 D. S. Matthews vs J. M. Young et. al. Continued

✓ ✓ 3659 Jas. A. Baker vs John A. Conner. And now on this day came the parties to this cause by their attorneys. Whereupon the Defendant withdraws his answer filed and says nothing in defence. And the parties waiving a Jury submit the case to the Court. Whereupon It is ordered that said Jas. A. Baker recover of the Defendant John A. Conner the sum of One Hundred Sixteen 66/100 Dollars, debt and interest due upon the note sued on to date and the cost of the suit for which execution may issue.

✓ ✓ 3660 C. Beard vs John A. Conner. And now on this day come the parties by their attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County, consisting of J. E. Rector and eleven others duly tried elected empannelled and sworn, who having heard the pleadings evidence and charge of the Court returned the following verdict, to wit. "We the Jury return verdict

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pro forma for Plaintiff in the sum of One Hundred Currency Dollars J. E. Rector, Foreman." Wherefore It is ordered that Dr. C. Beard do have and recover of said Jno. H. Conner the said sum of One Hundred Dollars and the cost of this suit, for which execution may issue.

3661 S. E. Lack & Bro. v. John H. Conner. And now on this day came the parties to this cause by their attorneys and the Defendant withdraws his answer heretofore filed and says nothing by way of defence. And the parties submit the case to the Court. And thereupon It is ordered that said Plaintiffs S. E. Lack, under the firm name of S. E. Lack & Co. recover of said John H. Conner the sum of Two Hundred and Seventy One Dollars in gold, with interest thereon at the rate of 10 per centum per annum from date till paid and all the cost of this suit for which execution may issue.

3668 G. W. Stancel v. L. E. Edwards. And now on this day came the parties to this cause by their attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County Consisting of J. E. Rector and eleven others, duly tried, elected, empannelled and sworn, who having heard the pleadings, evidence, and the Charge of the Court, after retirement returned the following verdict, to wit: "3668. We the Jury find for Plaintiff the sum of two hundred and Sixteen & 82/100 Dollars in Gold. J. E. Rector, Foreman." Wherefore It is ordered that G. W. Stancel recover of said L. E. Edwards the sum of Two Hundred Sixteen & 82/100 Dollars in Gold and the cost of this suit, for which execution may issue.

3678 M. A. Taylor v. W. L. Glasscock. And now comes the plaintiff and claims a judgment final by default. And because said Defendant has been cited by personal service and has failed to answer within the time prescribed by law and wholly made Default. Wherefore It is ordered that M. A. Taylor do have and recover of the Defendant W. L. Glasscock the sum of One Hundred Sixty Four & 86/100 Dollars in gold, with interest thereon from date at the rate of two per cent. per month, until paid, and all the Cost of the suit, for which execution may issue.

3810 Barbary Biles et al. vs. Thomas E. Cater et al. And now come the pffs. by attorney and claim a Judgment final by default. And because the Defendants have been cited according to law and have wholly failed to answer within the time prescribed by law, and Plaintiffs cause of action being liquidated. It is ordered that Barbary Biles and Biles recover of the Defendants T. E. Cater, Dan. Weir and J. A. Littlepage the sum of Twelve Hundred Dollars in gold, debt and interest due upon the note sued on to this date, with interest thereon at the rate of twelve per centum per annum from date until paid and all the cost of this suit, for which execution may issue.

For value rec'd, I, William Biles assign my husband's one undivided half interest in the within Biles judgment, also my one undivided half interest in the within judgment against Cater, Weir & Littlepage this 5th day of Nov. 1873.
William Biles
Mrs. R. O. Biles

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3674 Harvey Mitchell vs McMillan & Chalmers. And now comes the plaintiff by his attorney and asks leave to take a non-suit in said cause. Whereupon It is ordered that said motion be granted, and that said cause be non-suited: that the cause be dismissed, and that the Defendants go hence and recover of said Plaintiff Harvey Mitchell all the Cost of this suit for which execution may issue.

3689 Walter Custard vs John J. Musgrove. Comes now the Defendant and upon motion in open Court It is ordered that said Defendant have leave to amend.

3718 Wm Custard v. Walter Tippe. Comes now the Defendant and upon motion It is ordered that said Defendant have leave to amend.

3740 E. Saunders vs Nathan Meyer. Continued by Plaintiff

3771 A B Burleson vs A M Collins et als Continued by Plaintiff

3672 Annie E Hall et al vs M. B. McRae. And now on this day this cause being called for trial, came the parties and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of W. N. Hardeman and eleven others, duly tried, elected, empannelled and sworn, who having heard the pleadings evidence, and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff the sum of Seven thousand three hundred and eighty Six Dollars and Sixty Five Cents ($7386.65) principal and interest of the note sued on, and we also find that the Land described in Plaintiffs petition is liable for the payment of the above amount. Oct. 14, 1873. W N Hardeman, Foreman."

Wherefore It is ordered that Sarah J. Hall, P. W. Hall, Annie E. Hall and F. M. Hall do have and recover of the Defendant M. B. McRae the sum of Seven Thousand Three Hundred Eighty Six and 65/100 Dollars so found to be due by the Jury, together with interest thereon at the rate of Ten per centum per Annum from this date until Paid and all the Cost of this suit for which execution may issue.

And it appearing that the note sued on in this case was given in Consideration of the purchase of the following described tracts of land, to wit: In the County of Travis, the same being parts and parcels of a league of land granted to James Gilleland as a headright. The first tract beginning on the East bank of the Colorado River at a stake from which a hackberry bears S. 13° W. 8 varas distant and an elder bears South 84° East 3 varas distant. Thence North 30° East 3110 varas to a stake and bearing trees: Thence North 60° West 100 vs intersecting the South East corner of T. A. Moore's Survey. Thence North 30° East 1380 varas to Gillelands creek and across said creek. thence up said creek with its meanders to the crossing of the Austin road. Thence up said creek North 30° West 180 varas to a stake and bearings a stone mound. Thence North 30° East 547 varas

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to a stake and mound and bearing s. Thence South 60° East 850 varas intersecting James Gillelands East boundary line at a stake and stone mound. Thence South 30° West 5520 varas to the Colorado River at James Gillelands South East corner being his lower corner on the River. Thence up said River with its meanders to the place of beginning containing Eleven hundred and forty-three acres more or less, except two hundred acres sold G. J. Glascock and four hundred acres sold T. A. Moore.

The second tract beginning at the N. E. corner of H. Jones' tract on the East line of the Gillelands league. Thence N. 30° E. 3157 varas to the North East corner of said league. Thence N. 60° W. with the North line of said league 433 6/10 vs. to a stake from which a Mulberry 9 ins. in dia. brs. N. 82° West 300 varas and a Post Oak 12 ins. brs. S. 22° E. 4 vs. Thence South 30° W. 3157 varas to a stake from which an Elm 9 in. dia. bears North 20½° E. 9 varas and ditto 7 in. dia. brs. S. 60° 30 vs. Thence S. 30° W. with North line of H. Jones 433 6/10 to the place of beginning, containing two hundred and forty-three acres.

The third tract beginning on the South West corner of James Rices known on the record as Number One. Thence N. 30° E. with the West line of the same 3157 varas to the North line of Gillelaud's league and South West corner of James Rice's at a stake from which a Mulberry bears S. 82° W. 30 varas and a Post Oak bears 22° E. 4 vs. Thence North 60° W. 433 6/10 vs. to a stake from which a Post Oak 8 ins. in dia. bears S. 73° W. 10 vs. and a P. O. 19 in. dia. brs. North 60° W. 9 vs. Thence South 30° W. 3157 varas to a stone mound the back line of H. Jones tract from which a P. O. 12 in. dia. brs. S. 80½ E. 40 vs. and a P. O. 12 ins. dia. bears N. 10° W. 8 vs. Thence South 60° E. 433 6/10 vs. to the place of beginning containing two hundred and forty three acres more or less.

It is ordered that the plaintiffs lien upon the above described tracts of land be foreclosed, and that the clerk of this Court do issue an order of sale directed to the Sheriff of Travis county directing him to sell, as under execution, the above described tracts of land, and the improvements thereon, and apply the proceeds of said sale to the satisfaction of the judgment in this case, the interest to grow due thereon and the cost of this Suit, and the overplus, if any, he shall pay over to the Defendant.

3689 Walter Custard v. John J. Musgrove. And now on this day came the parties to this cause by their attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of J. R. Walker and eleven others duly tried, elected, empannelled and sworn who having heard the pleadings, evidence, and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Defendant. Whereupon It is ordered that the Defend Plaintiff

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take nothing in this behalf, that the cause be dismissed, that the Defendant go hence and recover of the Plaintiff Walter Eustard and the Security on his cost bond William Eustard all the cost of this suit, for which execution may issue.

✓ ✓ 3709 William Drake vs M. R. Jones And now on this day this cause
X being regularly reached and called for trial, came the plaintiff and announced ready for trial when came a Jury of twelve good and lawful men of Travis County consisting of W. N. Hardeman and eleven others, duly tried, elected, empannelled and sworn who having heard the evidence and the charge of the Court returned the following verdict to wit: "We the Jury find for Wm Drake fifty dollars W. N. Hardeman Foreman." Whereupon It is ordered that said Wm Drake do recover of the Defendant M R Jones the sum of Fifty Dollars and the cost of the suit in this Court and the Court below for which execution may issue.

✓ ✓ 3718 Wm Eustard Jr. v. W. Tipps Continued

✓ ✓ 3720 Emily Ford vs E. R Clark. And now come the parties and an-
X nounce ready for trial, and then came a Jury of twelve good and lawful men of Travis County consisting of W. N. Hardeman and eleven others duly tried, elected empannelled and sworn who having heard the pleadings evidence and the charge of the Court, returned the following verdict, to wit. "We the Jury find for the Defendant Clark W. N. Hardeman Foreman." Wherenpon It is ordered that the plaintiff take nothing by this suit that the Defendant go hence and recover of said Emily Ford all the cost of this suit for which execution may issue.

✓ ✓ 3707 Saml M. Walton Exr. v Archer & Meyer. And now on this day
X came the parties to this cause by their attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of J. C. Rector and eleven others duly tried, elected empannelled and sworn, and having heard the evidence and the charge of the Court retired for deliberation whereupon said Jury returned into Court the following verdict, to wit. "No. 3707. We the Jury find verdict for Defendant. J. C. Rector, foreman." Whereupon It is Ordered that said Plaintiffs take nothing by their suit. that the Defendants go hence and recover of the Plaintiffs and the security on their cost bond F. Everett all the cost of this suit in this Court and the Court below for which execution may issue.

✓ ✓ 3712 G. M. Brass. Executor vs. S. B. Brush Admr. And now come the
X parties and upon motion It is ordered that this cause be dismissed and that the plaintiff pay all the cost of this suit, for which execution may issue, against said G. M. Brass.

✓ ✓ 3732 T. L. Wren vs J. B Morrow et al. Continued for suit

✓ ✓ 3733 Wm F. Arr et al vs Wm Kluge. Continued

✓ ✓ 3734 Wm F. Arr et al vs Mary O'Brien Continued

✓ ✓ 3735 Wm F. Arr et al vs M McCluney Continued

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✓ 1 3736 J. T. J. Walker vs B. T. Walker. Comes the plaintiff and upon
X motion It is ordered that this Cause be dismissed and that said
plaintiff pay the cost of this suit for which execution may issue.

✓ 1 3450 David Sheeks vs Andrew Kerr Sr and Andrew Kerr Jr.
X And now comes the plaintiff in this cause by attorney and announces
ready for trial and the defendants came not but made default
though duly and legally cited to answer the plaintiffs petition by
publication as required by law. Whereupon came a jury to wit: W. A.
Hardeman and eleven others, twelve good and lawful men of Travis
County who being legally impannelled and sworn after hearing the
evidence retired under charge of the Court to consider of their ver-
dict and returned into Court the following verdict, to wit. "We the Jury
find for the Plaintiff the sum of One Thousand and Twenty Two 7/100
Dollars principal and interest on the note owed on and that the Garnishee
William S. Carothers is indebted to Defendant Andrew Kerr Sr for
that amount. W. A. Hardeman Foreman."

It is therefore ordered adjudged and decreed by
the Court that Plaintiff David Sheeks do have and recover the
sum of One Thousand and Twenty Two and 7/100 Dollars from the
Defendant Andrew Kerr Sr. and Andrew Kerr Jr the amounts so
found to be due by the Jury together with all the costs of this suit
for which execution shall issue

And it appearing to the Court from the verdict of
the Jury that William S. Carothers, the Garnishee in this cause
who having been only served with Garnishment herein but who
having failed to make answer herein, is indebted to Andrew
Kerr Sr. in as much as said sum of One Thousand and Twenty
Two and 7/100 Dollars, It is therefore ordered and adjudged by the
Court that said Plaintiff David Sheeks do recover from said
William S. Carothers as Garnishee said sum of One Thousand
and Twenty Two and 7/100 Dollars and all costs of this suit for
which execution shall issue

✓ 1 3742. Amos & M. A. Morrill vs Simon Mufsma. And now on this day
X this cause being called for trial, came the plaintiffs by attorney
and announced ready. When came a jury of twelve good and
lawful men of Travis County, consisting of J. E. Rector & Coleman
others who being tried elected empannelled and sworn and
having heard the pleadings, evidence and the charge of the Court
returned the following verdict to wit: "We the Jury find for the
Plaintiffs nine thousand eight hundred & Ninety Seven & 77/100
Dollars in gold coin. And we further find the land described
in the petition to be responsible for the payment thereof. J. E.
Rector, Foreman." Whereupon It is ordered that said Amos
Morrill and M. A. Morrill do have and recover of said
Simon Mufsma the sum of Nine Thousand eight hundred &
Ninety Seven and 77/100 Dollars in gold coin with interest thereon
at the rate of 12 per centum per annum from date until

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paid and the cost of this suit for which execution may issue
And it appearing that plaintiff has a lien upon the following described
Real Estate, to secure the payment of the Judgment rendered in this
case, to wit: Part of the tract of 5[illegible] acres of land granted to David
Thomas on the 28th day of Feb 1848 all of which land except 31 7/10
acres heretofore conveyed to J. A. Billingsley and one acre conveyed to
Sally Rives, having 19 2/10 acres, bounded as follows: Beginning at the
N. E. Corner of said Thomas tract and at the beginning corner of the
same, 200 feet from the Western boundary of a ten acre lot formerly
owned by Orr & King, and 200 feet from the lot known as the Arsenal;
thence N. 71° W. on a parallel line with Austin City Tract 200 varas
to the second S. W. corner of the Thomas tract; thence S. 41° W. to the
Slough 256 vs. 340 vs. to the Bank of the River, the third corner of the
Thomas tract grant. thence S. 26 W. 70 vs to the land sold to Billingsley
as aforesaid. Thence with Billingsley's line S. 71° E. 825 vs. to the
Eastern boundary of the Thomas tract & the N.E. corner of the tract
sold to Billingsley. thence with Thomas Eastern line N. 19° E 216 vs.
the S. E. corner of the acre donated to Mrs. Rives. thence N. 71° W.
79 vs Mrs Rives S. W. corner: thence N. 19° E. 68 1/2 vs to Mrs.
Rives N. W. corner. thence S. 71° E. 79 vs Mrs. Rives N. E. Corner:
thence N. 19° E 129 1/2 varas to the beginning

Also with the exception of one half acre thereof
all of that tract of land granted to Geage Catheal on the 30 day
of April, 1841 situate west of and adjoining the forgoing described
tract Beginning at a point S. 41° W. 21 vs. from the second corner of the
foregoing tract: thence N. 71° W. 25 5/10 Poles thence with the meanders of
Waller creek S. 24° 30' E 4 8/10 Poles S 4 3° W. 14 4/10 Poles thence S 38° W.
12 6/10 Poles - 5 2/10 Poles to the Slough or Ravine thence with the Ravine
S. 62° E. 8 6/10 Poles to the Thomas line thence with the Thomas line to the
beginning, containing 4 acres, less 68 rods

It is therefore ordered that plaintiffs lien
upon the above described Real Estate and the improvements
thereon, be foreclosed and that the Clerk of this Court do issue
an order of sale directed to the Sheriff of Travis County, com-
manding him to sell as under execution the above described
tracts of land and improvements thereon, and the proceeds thereof
he shall apply to the payment of said sum of $9.897 77/100 Dollars
in gold, with the interest to grow due thereon and the costs
of the suit and the residue if any he shall pay to Defendant. X

✓ ✓ 3747 Mary Gilmore v. Goodall & Blount. Continued under Rule for Cost.
✓ ✓ 3751 Susan Thompson v. Lewis Thompson. Continued under Rule for cost
✓ ✓ 3752 Sarah F. Gildart et al. v. A. M. Rae et al. Cpias for Service.
✓ ✓ 3753 N. Moore et al. v. P. G. Jas. Continued by Defendant.
✓ ✓ 3754 Locke & Marshall vs James Davidson. Continued to perfect Service.
✓ ✓ 3763 Susan A. Howell vs Mary A. Howell. And now on this day
X came the plaintiff and announced ready for trial and then
came a Jury of twelve good and lawful men of Travis

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County consisting of John T. Miller and eleven others duly tried, empannelled and sworn who having heard the pleading evidence and the charge of the Court returned the following verdict, to wit: "3763 Susan A. Howell vs Henry A. Howell. District Court Travis County 14 Oct. 1873 (Verdict) We the Jury find the allegations in the Defts petition to be true. John T. Miller Foreman." Whereupon It is ordered and decreed that the Bonds of Matrimony heretofore celebrated and existing between the parties to this Suit be and the same are dissolved, vacated and held for naught, and that the Plaintiff pay the cost of this Suit for which execution may issue.

Stephens

Declaration of intention to become a citizen

Jacob Rudolph Muller

State of Texas } Jacob Rudolph Muller being duly sworn according to
County of Travis } law in the District Court of said County doth declare that he was born in the year A.D 1842 in the Republic of Switzerland whence he emigrated in the year 1871 to the United States of America and has selected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the President of Switzerland of whom he is a subject.

Jacob Rudolph Mueller

Sworn to and subscribed before me this 11th day of October 1873 in open Court. A. R. Morris Clerk by T. Brown Deputy

W. Kas

J. Ochsner

Declaration of intention to become a citizen

State of Texas } Zarachias Ochsner being duly sworn according to
County of Travis } law in the District Court of said County doth declare that he was born in the year a.D 1833 in the Republic of Switzerland whence he emigrated in the year 1867 to the United States of America and has selected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the Government of Switzerland of whom he is a subject.

Grau

Zachariias Ochsner.

Sworn to and subscribed before me this 13th day of October. 1873 in open Court A. R. Morris Clerk by T. Brown Deputy

Henry Burkhardt

Declaration of intention to become a citizen

State of Texas } Heinrich Burkhardt being duly sworn according
County of Travis } to law in the District Courts of said County doth declare that he was born in the year A.D 1843 in the Kingdom of Prussia whence he emigrated to the United States of America in the year 1867. and has selected the State of Texas as the place of his intended settlement; and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance

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& fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever & particularly to the King of Prussia of whom he is a subject

H Burkhardt

Sworn to & subscribed before me this 13th day of October 1873 in open Court-
A R Morris Clerk by J Brown deputy

Stephen Schaefer

Declaration of intention to become a citizen

State of Texas } Stephen Schafer being duly sworn according to law in
County of Travis } the District Court of said County doth declare that he was born in the year A.D. 1818. in the King dom of Austria whence he emigrated in the year 1867 to the United States of America & has selected the State of Texas as the place of his intended Settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince Potentate State or Sovereignty whatsoever & particularly to the Emperor of Austria

Stephen Schafer

Sworn to & subscribed before me this 11th day of October 1873 in open court A. R. Morris Clerk by J. Brown Deputy -

W Kasch

Declaration of intention to become a citizen.

State of Texas } Willhelm Kasch being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year A.D 1834 in the Kingdom of Prussia whence he emigrated in the year 1871 to the United States of America & has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever & particularly to the King of Prussia of whom he is a subject

Wilhelm Kasch

Sworn & subscribed before me this 16th day of October 1873 in open Court A R Morris Clk by J Brown deputy

Grand Jury. And now on this day came into Court the Grand jury of Travis County, duly tried elected, empannelled and sworn, and through their foreman John T Haynes, presented to the Court the following bills of Indictment to wit.

3000 an Indictment vs John Kingtonia. For theft of a Gelding
3001 an Indictment vs Jo Jones for theft of a Mare
3002 An Indictment vs Bettie (a Colorded Woman. Theft from a house
3003 an Indictment vs Jose Jemerrez. Theft of a Henry rifle & pistols
3004 an Indictment vs Phil Davis for Theft of a Gelding
3005 an Indictment vs L Hornberger. For Murder
3006 an Indictment vs R B Faulkner " Theft of a Mare.
3007 an Indictment vs Wm Fretwell " Theft of a gelding
3008 an Indictment vs. D McEzell, J R Ivey & S J. Cox. Theft of a Steer
3009 An Indictment, vs, D McEzell, S J Cox & J R Ivey. Theft of Steers
3010 an Indictment vs Wm Whittington For. Theft of a yoke

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3011	an Indictment	vs	William Whittington	Theft of neat Cattle.
3012	an Indictment	vs	William Whittington	Theft of oxen
3013	an Indictment	vs	William Whittington	Theft of oxen
3014	an Indictment	vs	Mooney	For playing Cards &c
3015	an Indictment	vs	Jim Ralls	" playing Cards &c
3016	an Indictment	vs	Joe Hallem	" permitting Monte &c
3017	an Indictment	vs	Joe Hallem	" permitting Monte &c
3018	an Indictment	vs	Joe Hallam	" permitting Monte &c
3019	an Indictment	vs	Billy Rogers	" playing Cards &c
3020	an Indictment	vs	Aaron Robinson	" Exhibiting Monte
3021	an Indictment	vs	Wilde Harry (Col)	" Betting at Monte
3022	an Indictment	vs	Elick Dickinson	" Betting at Monte
3023	an Indictment	vs	William Wilson	" playing Cards &c
3024	an Indictment	vs	Squire Johnson	" Betting at Monte
3025	an Indictment	vs	Matt Woodley	" playing Cards &c
3026	an Indictment	vs	Billy Thompson	" playing Cards &c
3027	an Indictment	vs	Bill Tong	" playing Cards &c
3028	an Indictment	vs	John Baughn	" playing Cards &c
3024	an Indictment	vs	John Ryan	" Betting at Monte
3030	an Indictment	vs	Tom Bowles	" playing Cards &c
3031	an Indictment	vs	Buck Warren	" playing Cards &c
3032	an Indictment	vs	Monroe Williams	
3033	an Indictment	vs	Walter Custard	
3034	an Indictment	vs	Bob Roberts.	
3035	an Indictment	vs	Wash White	
3036	an Indictment	vs	L McKinzie	
3037	an Indictment	vs	R W Hunter	" Betting at ten pin Alley
3038	an Indictment	vs	R W Hunter	" Keeping a ten pin Alley
3039	an Indictment	vs	Toney (Col)	" Exhibiting Monte
3040	an Indictment	vs	Toney "	" Betting at Monte
3041	an Indictment	vs	Tom Hill	" Betting at ten pins
3042	an Indictment	vs	James Moore	" Playing Cards &c
3043	an Indictment	vs	Billy Brennan	" Playing Cards &c

And said Grand Jury suggesting that there is still now business pending before them they were ordered to retire upon a discharge of the same. And Court adjourned till to-morrow at 9 A.M.

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

3529 J. W. Coleman vs Alfred Smith. Comes now the Plaintiff and upon motion It is ordered that said Plaintiff have leave to amend.

3755 The City of Austin vs A. G. Rudington. Comes now the Defendant by attorney and upon motion It is ordered that said Defendant have leave to amend.

3756 City of Austin vs J. Luckinger et al. Comes now the Defendant and upon motion It is ordered that said Defendant have leave to amend.

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3772. L. Pasey et al. vs R. A. Rutherford. Comes now the Defendant by atty and upon motion It is ordered that said Defendant have leave to Amend.

3781. Thomas J. Pitt vs E. W. Haller. Comes now the Defendant by atty and upon motion It is ordered that said Defendant have leave to amend.

3783. James Phillips et al. vs W. N. Hardeman et al. Comes now the Defendants by atty and upon motion It is ordered that said Defendants have leave to amend.

3799 Antonio Paggi v. M. Paggi. And now comes the Plaintiff by atty and upon motion It is ordered that T. Davis be apponted Guardian ad litem for the minor Plaintiff in this case.

3705 The City of Austin vs A. G. Bridington. And now on this day came the parties to this cause by there attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county consisting of Chas N. Deffenbaugh and eleven others who being tried, elected, empannelled and Sworn according to law, heard the pleadings evidence argument of counsel and the charge of the Court returned the following verdict to wit: "We the Jury find for the Plaintiff the sum of One Hundred Twenty Two & 70/100 Dollars. Chas N. Deffenbaugh Foreman." Whereupon It is ordered that the City of Austin do recover of said A. G. Bridington the sum of One Hundred Twenty Two and 70/100 Dollars and the cost of this Suit, for which execution may issue.

3759 Virginia A. Webb vs Holland Webb. Continued

Julius Schutze. Comes now Julius Schutze Esq and presents his application for license to practice law And it is apponted ordered that the following Committee be appointed to examine the said applicant in open Court to wit: Messrs Shepherd, Wheeler and Phillips, and that said examination be held on next Saturday 18th inst.

3433 D. Sheeks v A. Kerr Sr. et al. It is ordered that the Statement of Facts filed in this case be here recorded as follows to wit:

" No. 3433. David Sheeks vs Andrew Kerr Sr. & Andrew Kerr Jr. & S. Ba. rothers Garnishee. Be it Remembered that the following facts were proved on the trial of said cause upon which the verdict of the Jury and the Judgment of the Court in said cause are based and founded to wit:

1st. The plaintiff first introduced and read in evidence the contract Signed by Andrew Kerr Sr by Anderson Kerr Jr his attorney in fact, hereto attached marked Exhibit "A" and made a part of this Statement

"A" Know all Men by these Presents that I, Andrew Kerr of Carlisle in the State of Pennsylvania, by Andrew Kerr Jr my attorney in fact, have this day employed David Sheeks as an attorney to institute and prosecute proceedings to probate a will of Peter Kerr Deceased dated Oct. 10th 1838 and to institute and prosecute such suit as may be necessary to set aside a pretended will of said Peter Kerr dated Nov. 18th 1861 and put me in possession of said estate and

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for a sett the Same to final determination For which I am to pay the said Sheeks the Sum of Seven Hundred (700) Dollars as per a promisory note of this date, and a further payment to said Sheeks obligate myself to pay said Sheeks fifteen per centum of all moneys received from said estate and assigns to him fifteen per centum of the value of all property not personal & mixed received by me from said estate, whether by compromise or otherwise, except that if the Same is secured by Compromise then instead of fifteen per centum thereof said Sheeks is to have his per centum of the Sum or of the value thereof. It is further understood that I am to furnish money to pay reasonable travelling expenses for said Sheeks in attending to said business, and if any money or property is realized by me from said estate the amount paid by me as travelling expenses for said Sheeks is to be deducted from the per centum above promised to said Sheeks. And if I realize nothing the said travelling expenses are to be borne by me Andrew Kerr

Austin Texas By Andrew Kerr Jr Atty in Fact

April 9th 1868.

2nd. The Plaintiff then introduced and read in evidence the original note for $711 signed by Andrew Kerr Sr by Andrew Kerr Jr. his attorney in fact and by Andrew Kerr Jr which note is hereto attached and marked Exhibit "D" and made a part of this Statement of Facts

"D" $711. One day after date we or either of us promise to pay David Sheeks Seven Hundred and Eleven Dollars for value received with Ten per cent. interest from date, payable in the City of Austin Travis County Texas this March 4th 1869. Andrew Kerr Sr.

By Andrew Kerr Jr. his Attorney in Fact

Andrew Kerr

3rd. David Sheeks the Plaintiff was then sworn and testified as follows. In complaining with the contract in the case I made one trip to Burnett in this State, and spent a great deal of time in ascertaining the facts and the law in the case and instituted a suit in accordance with the contract in the Burnett District Court to set aside one will and made probate of and establish the one under which Andrew Kerr Sr. claimed. It was a difficult case and involved a great many facts but we relied for the Plaintiffs on showing that Peter Kerr Deceased was not of sound mind when he made the will, which we sustained. The present note was given in renewal of one that was given at the time the Contract was made and for eleven Dollars that I had paid out for travelling expenses. I was informed but cannot swear that the case was compromised: that some of the Defendants went to Pennsylvania and compromised with Andrew Kerr Sr at from $3500 or $4000 and was shown papers purporting to have been executed by Andrew Kerr Sr. to that effect. I know nothing more about the compromise. I can only say that after

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that I could never get my client to write me, nor Could I hear from him except through other parties And because I could not hear from him & of any information which I deemed reliable the case was dismissed. I do not ask for jugment in this case for any thing but $700 with interest from the date of the note for I consider that the eleven dollars ought to go with the Calance that I owned claim if I could prove the compromise which I cannot now do. I will further state that the Garnishee W. S. Caruthers, on the day that he was served as Garnishee told me that he and Scaright his partner were indebted to Andrew Kerr Sr nine hundred dollars or more, as he thought he said he knew it was near nine hundred dollars and that it might be more. There were all the facts proved in the Case and they are hereby incorporated in and with the Records of the said Cause after print being only certified to as near correct and full. Witness my hand this the 15th Day of October 1873.

J. P. Richardson, Judge.

Grand Jury. And now on this day Came into Court the Grand Jury of Travis County, duly elected, tried empannelled and Sworn and through their foreman John T Haynes, Presented the following Bills of indictment, to wit.

3044	an Indictment	vs L E Edwards	for Playing Cards &c
3045	an Indictment	vs Joe Walker	" Playing Cards &c
3046	an Indictment	vs Wash Hill	" Playing Cards &c
3047	an Indictment	vs Toney Murphy	" Exhibiting Monte
3048	an Indictment	vs Jerron	" Playing Cards &c
3049	an Indictment	vs Joe Lee	" Playing Cards &c
3050	an Indictment	vs A R Morris	" Playing Cards &c
3051	an Indictment	vs Fred Moore	" Playing Cards &c
3052	an Indictment	vs Judge Shaut	" Playing Cards &c
3053	an Indictment	vs Billy Patterson	" Playing Cards &c
3054	an Indictment	vs Ike Bell	" Exhibiting Monte
3055	an Indictment	vs Jacob Smith	" Betting at Monte
3056	an Indictment	vs Wash White	" Betting at Monte
3057	an Indictment	vs Don Craig	" Betting at Monte
3458	an Indictment	vs Sam Fowler	" Betting at ~~XXXXXX~~ ten pins "
3059	an Indictment	vs Joe Fowler	" Betting at ten pins
3060	an Indictment	vs Wiley Craft	" Betting at ten pins
3061	an Indictment	vs Wes Alexander	" Betting at Monte
3062	an Indictment	vs Dutch Dock	" Exhibiting Monte
2063	an Indictment	vs Ed Wilkerson	" Betting at Monte
2064	an Indictment	vs Ed Wilkerson	" Playing Cards &c
3065	an Indictment	vs Peter Bratton	" Betting at Monte
3066	an Indictment	vs Bob Ridley	" Betting at Monte
3067	an Indictment	vs Paul Lewis	" Exhibiting Monte
3068	an Indictment	vs Toney Christian	" Exhibiting Monte
3069	an Indictment	vs Green Little	" Betting at Monte
3070	an Indictment	vs Ellick Lewis	" Betting at Monte

VJ

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3071	an Indictment	vs	Perry Tinnin	for Betting at Monte
3072	an Indictment	vs	Bill Johnson	" Betting at Monte
3073	an Indictment	vs	Lewis allen	" Betting at ten pins
3074	an Indictment	vs	Jas Wilson	" playing Cards &c
3075	an Indictment	vs	Shack Ware	" Betting at ten pins
3076	an Indictment	vs	Jerry Johnson	" Betting at ten pins
3077	an Indictment	vs	Aly Morris	" Betting at Monte
3078	an Indictment	vs	R B Smith	" Betting at ten pins
3079	an Indictment	vs	Sam Meiller	" Betting at Monte
3080	an Indictment	vs	John Hartson	" Betting at Monte
3081	an Indictment	vs	Jim Robinson	" Betting at Monte
3082	an Indictment	vs	Fairchild	" Betting at Monte
3083	an Indictment	vs	Marshal	" Betting at ten pins
3084	an Indictment	vs	Lee Chalmers	" Playing Cards &c
3085	an Indictment	vs	John Boyd	" Betting at Monte
3086	an Indictment	vs	Aaron Robinson	" Betting at Monte
3087	an Indictment	vs	Houston	" Betting at Monte
3088	an Indictment	vs	Joe Hallem	" Exhibiting Monte
3089	an Indictment	vs	Swin Peoples	" Betting at Monte
3090	an Indictment	vs	Bob Roberts	" Betting at ten pins
3091	an Indictment	vs	Monroe Williams	" Betting at ten pins
3092	an Indictment	vs	Walter Custard	" Betting at ten pins
3093	an Indictment	vs	Wiley Craft	" Betting at ten pins
3094	an Indictment	vs	Jim Ralston	" Betting at Monte
3095	an Indictment	vs	L McKinzie	" Betting at ten pins
3096	an Indictment	vs	William Moore	" Betting at ten pins
3097	an Indictment	vs	Wash White	" Betting at ten pins
3098	an Indictment	vs	John Ryan	" Betting at ten pins
3099	an Indictment	vs	Bob Ridley	" Betting at ten pins
3100	an Indictment	vs	Scotty	" Betting ten pins
3101	an Indictment	vs	T H Doren	" playing Cards &c
3102	an Indictment	vs	John Ryan	" Betting at Monte
3103	an Indictment	vs	Dan Givens	" Betting at Monte
3104	an Indictment	vs	Bill Tony	" Betting at Monte
3105	an Indictment	vs	Johnny Stokes	" Betting at Monte
3106	an Indictment	vs	Major Chambers	" Theft from a house
3107	an Indictment	vs	R B Faulkner	" Theft of a heifer
3108	an Indictment	vs	H D Mather	" Assault & Battery
3109	an Indictment	vs	William H Hawkins	" Theft of a Saddle
3110	an Indictment	vs	Jeff Houston	" Aggd assault
3111	an Indictment	vs	Eugene Roberson	" Swindling
3112	an Indictment	vs	P Jones	" Swindling
3113	an Indictment	vs	P Jones	" Forgery
3114	an Indictment	vs	Joe Jones	" Theft of a Gelding
3115	an Indictment	vs	Joe Gill	" Carrying Weapons
3116	an Indictment	vs	Jim Clements	" Malicious Mischief
3117	an Indictment	vs	Bill Smithson & Sauer	" False imprisonment

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3118 an Indictment vs Toney Wallace for playing Cards &c
3119 an Indictment vs Henry Smith " playing Cards &c
3120 an Indictment vs John Scott " Agg Assault
3121 an Indictment vs James Clements " Malicious Mischief
3122 an Indictment vs Nelson Jeffries " Theft of Cows
3123 an Indictment vs B H Little " Theft from a House

And said Grand Jury suggesting that there is still no further business pending before them they were discharged from further attendance

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

✓ C. C. Pasley And now comes C. C. Pasley and presenting his License as a Practicing Attorney in the Supreme Court of the District Court of Columbia, It is ordered that said C. C. Pasley be and he is hereby admitted to practice as an Attorney and Counsellor at Law in the General District and Inferior Courts of the State of Texas.

✓ ✓ 3099 The State of Texas vs Frank Dicks et al. Comes now the Defendant by attorney and upon motion It is ordered that said Defendant have leave to Amend.

✓ ✓ 3589 Chas. L. Tennell vs Thos. Breedlove et al. Continued for service on Geo. Tennell.

✓ ✓ 3795 B. D. Basford v. A. Scott et al. Comes now the Defendant by attorney and upon motion It is ordered that Defendant have leave to amend.

✓ ✓ 3801 J. D. McGary v. John Stringer. Comes now the Defendant by atty and upon motion It is ordered that said Defendant have leave to amend.

✓ ✓ 3805 C. O. Sorelle et al. v. J. T. Brown Come now the Plaintiffs by atty and upon motion It is ordered that said Plaintiffs have leave to amend

✓ ✓ 3808 Ned. Douglass v. J. H. Calcraw. Comes now the Defendant by atty and upon motion It is ordered that said Defendant have leave to amend.

✓ ✓ 3762 Henry Seckatz v. W. F. Wells. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county Consisting of Nat Moore and eleven others who being tried elected empaneled and sworn according to law, heard the pleadings evidence, argument of Counsel and the charge of the Court, and retired for deliberation. Whereupon said Jury returned into Court and reported that they are unable to agree upon a verdict. Whereupon It is ordered that said Jury be discharged, that a mistrial be awarded, and that said cause be continued till the next Term of this Court

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3756 The City of Austin vs J. Lucksinger et al. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good & lawful men of Travis County duly tried elected empannelled and sworn who having heard the pleadings evidence and the charge of the Court returned the following verdict, to wit: "We the Jury find for the Plff One hundred twenty Two and 20/100 Dollars. J. H. Wacker foreman." Whereupon It is ordered that the City of Austin do recover of the Defendants Joseph Lucksinger and W. M. Townsend the sum of One hundred Twenty Two and 20/100 Dollars and the cost of this Suit for which execution may issue.

3766 The City of Austin vs Jos. Lucksinger et al. And now on this day came the plaintiff by Counsel and the Defendants Lucksinger and Townsend by attorneys and announced ready for trial. And the Plaintiff dismissed the Suit as to the Defendant Wm. Kluge who has not been served with process. And then came a Jury of twelve good and lawful men of Travis County consisting of J. H. Wacker and eleven others duly tried elected empannelled and sworn who having heard the pleadings evidence and the charge of the Court and returned the following verdict to wit: "We the Jury find for the Plff. One Hundred Nineteen and 42/100 Dollars. J. H. Wacker Foreman." Whereupon It is ordered that the City of Austin do recover of the Defendants Jos. Lucksinger and M. M. Townsend the sum of One Hundred Nineteen and 42/100 Dollars and the cost of the Suit for which execution may issue.

3764 R. Grooms vs Louis P. Cook et. al. Continued to perfect Service.

3767 The City of Austin vs A. G. Budington. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of J. H. Wacker and eleven others duly tried, elected, empannelled and sworn, who having heard the evidence, argument of Counsel and the charge of the Court, returned the following verdict to wit: "We the Jury find for the Plff. One Hundred Nineteen and 42/100 Dollars. J. H. Wacker Foreman." Whereupon It is ordered that the City of Austin recover of the said A. G. Budington the sum of One Hundred Nineteen & 42/100 Dollars and the cost of this suit for which execution may issue.

3768 Frank Faselman vs A. Bickhaler. Come now the parties and upon motion It is ordered that this Cause be dismissed and that said Plaintiff pay the cost of this Suit for which execution may issue.

3769 P. McDannell & Co. v. T. H. Doran & Co. And now on this day came the plffs by their attorneys and the Defendant W. Upson and announced ready for trial. And the Defendant Doran being cited failed to appear and plead to the petition. And then came a Jury of twelve good and lawful men of Travis County, Consisting of J. H. Wacker and eleven others duly

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tried, elected, empannelled and sworn, who having heard the pleadings, evidence, argument of Counsel and the charge of the Court returned the following verdict, to wit. "3769. McDannell & Co. vs T. H. Doran & Co. District Court Travis County 16 Oct. 1873. We the Jury find the Defts. P.W. Wynne to be a co-partner in the firm of T. H. Doran & Co. J. H. Walker Foreman. We the Jury find for the Pffs. against both Defts. One Hundred & Fifty Dollars and 92/100 Cents J. H. Walker Foreman." And thereupon It is ordered that Page McDannell and Martin McCarty under their firm name of McDannell & Co. recover of the Defendants T. H. Doran and P. W. Wynne the sum of One Hundred, Fifty and 92/100 Dollars in coin and all the cost of this suit for which execution may issue.

3835 Strasburger Pfeiffer & Co v. Buaas & Bejarer. And now come the Pffs by atty and claim a Judgment final by default. And the Defts having accepted service of plaintiffs petition and failing to appear and answer the same within the time prescribed by law and wholly made default. And the Cause of action being liquidated It is ordered that Oscar Strasburger, George F. Pfeiffer and George Borgfeldt under their firm name of Strasburger Pfeiffer & Co. do recover of the Defendants Jno L. Buaas and William Bejarer the sum of Three Hundred Ninety Seven 50/100 Dollars principal and interest due upon the note sued on to date with seven per centum per annum interest thereon from date till paid, and all the cost of this suit, for which execution may issue.

3836 Lewis & Dilworth v. P. Thompson & Co. Comes now the Pffs by atty and ask a Judgment by default. And because the Defendants have accepted Service of Pffs Petition and have failed to answer the same within the time prescribed by law and made default It is Ordered that plaintiffs recover of the Defendants according to the prayer of their petition and that a Writ of Inquiry be awarded.

Joseph Schaffer

Declaration of intention to become a citizen

State of Texas } Joseph Schaeffer being duly sworn according to law
County of Travis } in the District Court of said County. doth declare that he was born in the year A.D 1850 in the Kingdom of Austria whence he emigrated in the year 1867 to the United States of America & has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince Potentate State or Sovereignty whatsoever & particularly to the Emperor of Austria of whom he is a subject. Joseph Schaeffer
Sworn to & subscribed before me this 11th day of October 1873. in Open Court. A R Morris Clerk. by J. Brown Deputy

John Asch

Declaration of Intention to become a citizen

State of Texas } John Asch being duly sworn according to
County of Travis } law in the District Court of Travis County

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doth declare that he was born in the year A.D 1823 in the Kingdom of Great Britain. whence he emigrated in the year 1869 to the United States of America. & has selected the State of Texas as the place of his intended settlement. & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas. & renounces forever all allegiance & fidelity to every Foreign Prince Potentate. State or Sovereignty whatsoever. & particularly to the Queen of Great Britain. of whom he is a subject.

John Asch.

Sworn to & subscribed before me this. 11th of October in open Court
A R. Morris Clerk. by. D. P Brown Deputy.

J Nossek.

Declaration of intention to become a citizen

State of Texas } J Nossek. being duly sworn according to law. in the
County of Travis } District Court of said County. doth declare that he was born in the year A.D 1825 in the Kingdom of Prussia whence he emigrated in the year 1870 to the United States of America & has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince. Potentate State or Sovereignty whatsoever & particularly to King Wilhelm of Prussia of whom he is a subject.

J Nossek.

Sworn to & subscribed before me this 15th day of Oct 873 in open Court
AR Morris Clerk by D P Brown deputy

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

October 17th 1873.

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

3770 Wm Walsh vs John W. Glenn. And now on this day this cause being called for trial, came the Plaintiff by Attorney and announced ready for trial. And the Defendant came not, though duly cited. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of J E Rector and seven others, duly tried, elected empannelled & sworn, who having heard the pleadings, evidence and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict to wit. "We the Jury find for Plaintiff the sum of Two Hundred and Sixteen & 75/100 Dollars. J. E. Rector Foreman." Whereupon It is ordered that William Walsh recover of the Defendant, John W. Glenn & J. E. Rector the sum of Two Hundred Sixteen & 75/100 Dollars, and all the cost of this suit for which execution may issue.

2728 R. A. Smith Agt vs R. C. McLaren Deft and John Murdoch Garnishee. And now comes the Plaintiff and claims a Judgment final by Default against the Garnishee in this case. And it

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appearing that said Garnishee has been duly cited to appear which he has wholly failed to do and makes default, and says nothing It is ordered that the Plaintiff recover of said John Meredith the sum of Two Hundred Seventy Three 36/100 Dollars, that being the amount of debt and interest, and cost due upon the Judgment rendered in this case at a former term of this Court, and that upon paying the same to Plaintiff said Meredith shall be discharged from all liability to the Defendant McLaren for the same.

✓ 3776 Sampson & Hewricks vs M C. Summerow. Comes now the Plffs. by atty and claim a Judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law It is ordered that the Plaintiffs recover of the Defendant according to the prayer of the petition and that a Writ of Inquiry be awarded.

✓ 3781 Thomas J. Pitt v. O. W. Haller. Continued

✓ 3788 Ignatius Keller vs Isaac & Peterer. And now on this day this cause being called for trial came the Plaintiff and announced ready for trial. And the Defendants came not. When came a Jury of twelve good and lawful men of Travis County, consisting of M. J. Mattison and eleven others, duly tried, empannelled and sworn who having heard the pleadings evidence and the charge of the Court, after retirement returned the following verdict, to wit: "We the Jury find for the Complainant two hundred and Five and 26/100 Dollars. M. J. Mattison Foreman." Whereupon It is ordered that said Ignatius Keller recover of said John L. Isaacs and Wm Peterer the sum of Two Hundred Five and 26/100 Dollars and the Costs of this Suit for which execution may issue.

✓ 3791 R. S. Rust et. al. v. Ned. Douglass et. al. And now on this day this cause being called for trial came the Plaintiffs and announced ready. And then came a Jury of twelve good & lawful men of Travis County consisting of W. N. Hardeman & seven others who being duly tried, empannelled and sworn heard the pleadings, evidence, argument of Counsel and the charge of the Court and retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find verdict for Plaintiff the sum of Four Hundred and Thirty Five & 74/100 ey Dollars. W. N. Hardeman Foreman." Whereupon It is ordered that R. S. Rust, Fred. W. Moore and Edwin Rust under the firm name of Rust & Moore, do recover of Ned Douglass and Alexander McCutchin, the said sum of Four Hundred, Thirty-Five and 74/100 Dollars and the cost of this suit for which execution may issue.

✓ 3795 B. D. Bassford vs A. Scott et. al. Continued by Plaintiff

✓ 3796 C. Brenond v. W. C. Lewis et. al. Continued for Suit

✓ 3801 J. D. McGary v. John Stinger. Comes now the Plaintiff by atty and upon motion It is Ordered that said Plaintiff have leave to demur to Defendants answer.

October 17th

3811. D. Weber vs C. Pecht. Comes now the Defendant by attorney and upon motion It is ordered that said Defendant have leave to amend.

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

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

3603 The State of Texas v. John Hartson. It appearing that at the February term 1873 of this Court the Defendant John Hartson was fined thirty Dollars as a Defaulting Juror: and said Hartson having been cited to appear and shew cause why said Judgment ni si should not be made final which he has wholly failed to do. It is ordered that said Judgment and Fine be made final, and that the State of Texas recover of said John Hartson said sum of Thirty Dollars and the cost of this proceeding and that a Commitment issue to collect the same.

3605 The State of Texas v. R. Moore. Continued for Service.

3607 The State of Texas v. J. C. Camp. Continued for Service

3609. The State of Texas v. Wm Jackson. Continued for Service

3612 The State of Texas v. C. Daly. Dismissed

3614 The State of Texas v. J. C. Tully. Dismissed

3618 The State of Texas v. Sam Scott. Dismissed

3726 The State of Texas v. W. H. Morris et als. It appearing that on the 24th June 1873 Judgment ni si was entered against the Defendant W. H. Morris for the sum of One Hundred Dollars and against his sureties L. M. Shaffer and James C. Shelton for the sum of Fifty Dollars each, on a forfeited appearance bond and said securities having been cited to appear and shew cause why said Judgment ni si should not be made final which they have wholly failed to do and made default, It is ordered that said judgment ni si be made final, and that the State of Texas recover of said W. H. Morris the sum of One Hundred Dollars and the cost of this proceeding and that the State of Texas recover of said L. M. Shaffer the sum of Fifty Dollars and the cost of the proceeding and that the State of Texas recover of said James C. Shelton the sum of Fifty Dollars and the cost of the proceeding for all which execution may issue.

3727 The State of Texas vs. John Robinson et al. It appearing that on the 24th June, 1873 Judgment ni si was entered against the Defendant John Robinson as principal and J. H. Robinson as security, in the sum of One Hundred Dollars, on a forfeited appearance bond, and said J. H. Robinson having been cited to appear and shew cause why said Judgment should not be made final which he and his said principal have wholly failed to do and made default. It is ordered that said judgment ni si be made final and that the State of Texas recover of said John Robinson and J. H. Robinson the said sum of One Hundred Dollars and all the cost of this suit, for all which execution may issue.

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3728. The State of Texas v. Julius Quast. It is ordered that the fine entered against the Defendant in this case as a Defaulting Juror be set aside, and that said Defendant be and heis adjudged to pay all the cost of this proceeding for which execution may issue.

3730 The State of Texas v. O.B. Caldwell. It is ordered that the fine entered against the Defendant in this case as a Defaulting Juror be set aside and that the cost be and the same is adjudged against said O.B. Caldwell, for which execution may issue

3729 The State of Texas v. H. A. Haralson It appearing that at the last term of this Court the said H. A. Haralson was fined Twenty Dollars as a Defaulting Juror and judgment nisi entered for said sum and the Defendant having been cited to appear and shew cause why said Judgment should not be made final: and the District Attorney appearing for the State and the Defendants answer being heard and considered, and being insufficient It is ordered that said judgment nisi be made final and that the State of Texas recover of said H. A. Haralson said sum of Twenty Dollars and the cost of the proceeding: and said Haralson being in Contempt It is ordered that a Commitment issue to collect said fine and Costs.

3593. The State of Texas v. O. J. Baker et. als. It appearing that on the 4th March 1873 judgment nisi was entered against the Defendant Owen Baker alias O. J. Baker as principal, and H. N. Baker and Bill Smithson as securities on a forfeited appearance bond for the sum of Four Hundred Dollars, to answer the charge of Theft of a Steer, and said Defendant H. N. Baker, security, having been served with Scire facias to appear and shew cause why said Judgment should not be made final / the Defts. Bill Smithson, security, not being served the Case is dismissed as to him/ which he and this said Prin appeared the District Attorney on behalf of the State, and came the Defendant H. N. Baker by his attorneys and the Defendant O. J. Baker came not, but made default. And thereupon said Defendant H. N. Baker withdraws his general denial. And said answer being held insufficient, and O. J. Baker having made default, It is ordered that said judgment nisi be made final, as against the said O. J. Baker, alias Owen Baker, as principal, and that the State of Texas recover of said O. J. Baker alias Owen Baker and said H. N. Baker and H. N. Baker as security the sum of Four Hundred Dollars, The amount of said Judgment nisi, together with the cost of this proceeding, for which execution may issue, to which the said H. N. Baker by attorney excepts.

3797 S. W. Pierce Admr of J. C. Pierce vs. W. L. Glascock Andrew on this day came the parties to this cause by their attorneys and announced ready for trial and waiving a Jury agreed to submit the Case to the Court. And the Court having heard the pleadings evidence and argument of counsel and after deliberation, do find for the Defendant. And it is ordered that said Plaintiff take nothing in this behalf: that the Defendant go hence and that the cost of this suit be adjudged against the Estate of J. C. Pierce dec'd to be paid in due course of administration.

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3799. Antonio Poggi vs. M. Poggi. Come now the parties and announce ready for trial. And upon motion the Defendant is allowed to amend. Whereupon came a Jury of twelve good and lawful men of Travis County who being tried, elected, empannelled and sworn, and having heard the pleadings evidence, and charge of the Court, retired for deliberation. And said Jury appearing in open Court and reporting that they are unable to agree upon a verdict. It is ordered that said Jury be discharged from a further consideration of said cause, and a mistrial be awarded and cause continued.

3237 M. P. Watson vs. J. Schutze. And now come the parties by attorneys and thereupon the Defendant submitted his motion for a new trial in said cause, which being heard and argued by counsel and duly considered by the Court. It is ordered that said motion be overruled, to which ruling the Defendant excepts and gives notice in open Court of an appeal to the Supreme Court.

3651 Gould Bros vs. Cyrus Prickett. And now come the parties when the motion to dismiss the cause, filed on the 11th Oct. 1873, coming on to be heard and the same being duly considered It is ordered that said motion be overruled

3689. W. Custard v. J. Musgrove. And now come the parties by their attorneys and thereupon the Plaintiff submitted his motion for a new trial, which being heard and duly considered, It is ordered that said motion be overruled, to which ruling pltff excepts and gives notice in open Court of an appeal to the Supreme Court.

3707. Walton & Co. v. Archer & Meyer. And now comes on to be heard the motion for a new trial heretofore filed by the Plaintiffs in this cause which being heard and duly considered by the Court, It is ordered that said motion be overruled.

3775. Wm. Walsh v. J. W. Glenn. And now on this day came the parties by their attorneys and the Defendant submitted his motion for a new trial in this Cause, which being heard and Considered It is ordered that said motion be granted. that a new trial be granted in this cause and the same is continued.

3755. City of Austin vs. A. G. Pudington. And now come the parties to this Cause by their attorneys and the Defendant submitted his motion for a new trial which being heard and duly considered by the Court, It is ordered that said motion be overruled. And thereupon the Defendant, by attorney, gives notice in open Court of an appeal to the Supreme Court.

3756 City of Austin vs. Jo. Luckenger et. al. And now come the parties to this Cause by their attorneys and the Defendants submitted the motion for a new trial which being heard and duly considered by the Court, It is ordered that said motion be overruled. And thereupon the Defendants, by attorney, give notice in open Court, of an appeal to the Supreme Court.

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3766 City of Austin vs Jo Lucksinger et al. And now come the parties by their attorneys and the Defendants submitted the motion for a new trial, which being heard and considered by the Court, It is ordered that said motion be overruled. And thereupon the said Defendants give notice in open Court of an appeal to the Supreme Court.

3767 City of Austin vs A. G. Rudmitor. And now come the parties by their attorneys and the Defendants submitted the motion for a new trial which being heard and considered by the Court It is ordered that said motion be overruled. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3769. McDannell &Co v. Doran &Co. And now on this day came the parties to this Cause by their attorneys and the Defendants submitted their motion for a new trial, which being heard and duly considered by the Court It is ordered that said motion be granted, that a new trial be granted, and that the cause be continued

3723 James T. Brown et al. vs Lucretia Rentfro et al. And now on this day came on to be heard the application of James T. Brown and A.W. Orr, parties to this suit, praying for the appointment of a Receiver to receive and disburse the Rents arising from the property and buildings situated on Lots Nos 6 & 5 in Block No 73 in the City of Austin during the pendency of this suit, And upon a consideration of the application It is ordered that A.W. Orr, upon executing a bond in the sum of Five Hundred Dollars payable to the Clerk of the District Court of Travis County, conditioned that he will faithfully account for the funds coming into his hand as Receiver in this case under the Orders of this Court, be authorized and empowered to rent the Buildings on Lots No 6 & 5 in Block No 73 in the City of Austin during the pendency of this suit, and to collect the rents due thereon and apply the proceeds to the education, support and maintenance of the minor James and Willis H. S. Brown, and that the said Orr be required to make a return quarterly to this Court showing how he has disposed of said rent money.

3765 J. A. Black Ex Parte. And now comes on to be heard the application of J. A. Black, a minor over the age of fourteen years, supported by affidavit, praying for a Removal of his Disabilities of non. age. And it appearing that said application is sufficient and that the Relief sought for ought to be granted It is ordered that the Disabilities of non. age of said applicant J. A. Black be and the Same are removed, and that he be held competent to perform all business transactions and be held responsible for the Same as fully as if he were twenty one years of age, except the right to vote.

Prudentia Navarro

Declaration of intention to become a citizen

State of Texas }
County of Travis }

Prudentia Navarro being duly sworn according to law in the District Court of said County doth declare that he was born in the year A.D. 1820 in the Republic of Mexico whence he emigrated in the year 1848 to the

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United States of America & has selected the State of Texas as the place of his intended settlement. & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever & particularly to the Republic of Mexico of whom he is a subject

Sworn to & subscribed before me this 11th day of October 1873 in open Court
A R Morris Clerk. by J Brown deputy

Edward Mueller

State of Texas } Edward Mueller being duly sworn according to
County of Travis } law in the District Court of Travis County doth
declare that he was born in the year a.D. 1852 in the Kingdom of
Saxony whence he emgrated in the year 1868 to the United States
of America & has selected the State of Texas as the place of his
intended settlement & he further declares that it is bona fide
his intention to become a citizen of the United States & of the
said State of Texas & renounces forever all allegiance & fidelity to
every Foreign Prince, Potentate, State or Sovereignty whatsoever
& particularly to the Emperor of Ger
many of whom he is a subject.

Edward Mueller.

Sworn to & subscribed before me this 11th day of October 1873
A R. Morris Clerk by J. Brown Deputy

J. G. H. Schubert

State of Texas } Johan George Hubert Schubert being duly sworn according
County of Travis } to law in the District Court of said County doth declare
that he was born in the year a.D 1843 in the Kingdom of Prussia whence he
emgrated in the year 1868 to the United State of America & has selected
the State of Texas as the place of his intended settlement & he further
declares that it is bona fide his intention to become a citizen of the United State
& of the said State of Texas & renounces forever all allegiance & fidelity to every
Foreign Prince, Potentate State or Sovereignty whatsoever & particularly to
the King of Prussia of whom he is a subject.

Johann George Hubert Schubert

Sworn to & subscribed before me this 11th day of October in open Court
A R. Morris Clerk by J Brown deputy

W. H. Maytum

State of Texas } W H Maytum being duly sworn according to law
County of Travis } in the District Court of said County doth declare that
he was born in the year A.D 1838 in England whence he emgrated in
the year 1858 to the United States of America & has selected the State
of Texas as the intended place of settlement & he further declares that
it is bona fide his intention to become a citizen of the United States of the
said State of Texas & renounces forever all allegiance & fidelity to every Foreign
Prince Potentate, State or Sovereignty whatsoever & particularly to the
Queen of Great Britain of whom he is a subject

W H Maytum

Sworn to & subscribed before me this 13th day of October 1873. in open
court. A R Morris Clerk by J Brown deputy

October 18th 1873

Joseph Nadler

State of Texas } Joseph Nadler being duly sworn according to law on the Detroit
County of Travis } Court of said County doth declare that he was born on the
year a.D 1842 in the Kingdom of Baden where he emgrated in the
year 1869 to the United States of America & has selected the State of
Texas as the place of his intended settlement — & he further
declares that it is bona fide his intention to become a
citizen of the United States & of the said State of Texas and
renounces forever all allegiance & fidelity to every foreign
Prince, Potentate, State or Sovereignty whatsoever & particular
ly to the Grand Duke of Baden of whom he is a subject

Joseph Nadler

Sworn to & subscribed before me this 14th day of October 1873 in
open Court A R. Morris Clerk. J Brown Deputy

J. Canova

State of Texas } Giovanni Domine Canova being duly sworn acc—
County of Travis } ording to law doth declare that he was born on
the year a.D 1828 in the Kingdom of Italy whence he emgrated
in the year 1872 to the United States of America & has
selected the state of Texas as the place of his intended settlement.
& he further declares that it is bona fide his intention to become
a citizen of the United States & of the said State of Texas
& renounces forever all allegiance & fidelity to every foreign
Prince, Potentate State or Sovereignty whatsoever & particular
ly to the King of Italy of whom he is a subject

Giovanni Canova

Sworn to & subscribed before me this 15th day of October 1873
A R. Morris Clerk by J Brown Deputy

N. Mclasky

State of Texas } N Mclasky being duly sworn according to law in
County of Travis } the District Court of said County doth declare
that he was born in the year a.D 1842 in the Kingdom of
Russia Poland whence he emgrated in the year 1869 to
the United States of America & has selected the State of Texas
as the place of his intended settlement & he further declares
that it is bona fide his intention to become a citizen of
the United States & of the said State of Texas & renounces for—
ever all allegiance & fidelity to every foreign Prince, Potentate
State or Sovereignty whatsoever & particularly to the Emperor of
Rusia of whom he is a subject N Mclasky

Sworn to & subscribed before me this 15th day of October 1873
A R. Morris Clerk by J Brown Deputy

L Bierhalter

State of Texas } Leopold Bierhalter being duly sworn according to
County of Travis } law in the District Court of said County doth declare
that he was born in the year a.D 1832 in the Empire of Germany
whence he emgrated in the year 1869 to the United State of America
& has selected the State of Texas as the place of his intended settlement
& he further declares that it is bona fide his intention to become a citizen
of the United States & of the said State of Texas & renounces forever
all allegiance & fidelity to every foreign Prince Potentate State or

October 18th 1873.

Sovereignty whatsoever & particularly to the Duke of Baden of whom he is a subject Leopold Burkhalter

Sworn to & subscribed before me this 18th October 1873. in Open Court-
A. R. Morris Clerk by J. Brown deputy

W Schenlle

State of Texas } Wandel Schenlle being duly sworn according to
County of Travis } law in the District Court of said County doth declare
that he was born in the year 1824 in the Empire of Germany whence he
emigrated in the year 1870 to the United States of America and
has selected the State of Texas as the place of his intended settlement
& he further declares that it is bona fide his intention to become a
citizen of the United States & of the said State of Texas & renounce
forever all allegiance & fidelity to every Foreign Prince Potentate
State or Sovereignty whatsoever & particularly to the Duke
of Baden of whom he is a subject Wandel Schenlle

Sworn to & subscribed before me this 18th day of October 1873
J. R. Morris Clerk by J. Brown Deputy

A G French

State of Texas } A G French being duly sworn according to law
County of Travis } in the District Court of said County doth declare
that he was born in the year A. D 1846 in the Kingdom of England that
he emigrated in the year 1872 to the United States of America & has
selected the State of Texas as the place of his intended settlement
& he further declares that it is bona fide his intention to become a
citizen of the United States & of the said State of Texas and renounces
forever all allegiance & fidelity to every foreign Prince Potentate State
or Sovereignty whatsoever & particularly to the Queen of Great
Britain of whom he is a subject A G French

Sworn to & subscribed before me this 16th day of Oct 1873 in Open Court
A. R. Morris Clerk by J. Brown Deputy

Wm Esser.

State of Texas } W. Esser being duly sworn according to law
County of Travis } in the District Court of said County doth
declare that he was born in the year 1840 in the Kingdom
of Prussia whence he emigrated in the year 1867 to the United State
of America & has selected the State of Texas as the place of his intended
settlement, and he further declares that it is bona fide his
intention to become a citizen of the United States & of the said
State of Texas. & renounces forever all allegiance & fidelity
to every foreign Prince Potentate State or Sovereignty whatsoever & particularly to the Emperor of Germany of whom
he is a subject. W Esser

Sworn to & subscribed before me this 17th day of Oct 1873 in
Open Court. A R Morris Clerk. by J Brown deputy

C Blanchard

Declaration of intention to become a citizen

Christoph Blanchard being duly sworn according to law in the
District Court of said County doth declare that he was born
in the year A.D 1830 in the Empire of Germany whence he emigrated in the year 1871 to the United States of America & has selected
the State of Texas as the place of his intended settlement

October 20th 1873

& he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas. and renounces forever all allegiance & fidelity to every foreign Prince, Potentate State or Sovereignty whatsoever. & particularly to the Emperor of Germany of whom he is a subject Blanchard Christophe

Sworn to & subscribed before me this 18th day of Oct 1873 in open Court. A R Morris Clerk. by. J P Brown Deputy

And Court adjourned till Monday at 9 A.M.

Monday October 20th 1873

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

29 89 Jesse Scott v. Geo. W. Malone. It appearing that the Judgment on appeal in this case has been affirmed by the Supreme Court, It is ordered that the Cause be dismissed from the Docket, and that said Plaintiff and his securities on the appeal bond pay the amount of the Judgment rendered in this Cause

J. Schutze. The Committee appointed to examine Julius Schutze in open Court touching his qualifications to practice as an Attorney and Counsellor at Law having reported that they have discharged that duty: that said applicant is qualified: and having recommended that the applicant is qualified and that a License issue: It is ordered that said Julius Schutze be admitted to practice as an Attorney and Counsellor at Law in the several District and Inferior Courts of the State of Texas and that a License issue accordingly

1317 State of Texas v. J. H. Esmond Continued for service

1352 State of Texas v. C. H. Edwards et al. Continued for service

1382 State of Texas v. A. Chamberlain Continued for service

1468 State of Texas v. John Martin. Continued for service

1691 State of Texas v. Aurora Alexander. Continued for service

1929 State of Texas v. Oscar. Continued for service

1931 State of Texas v. Carpenter et al. Continued for service

1938 State of Texas v. C. Sublett. Continued for service

1939 State of Texas v. C. Sublett. Continued for service

1941 State of Texas v. C. W. Bryant. Continued for service

1942 State of Texas v. Gachin et al. Continued for service

1944 State of Texas v. Jno Hamilton Continued for service

2008 State of Texas v. J. M. Neal. Continued for service

2090 State of Texas v. Charley Moore Continued for service

2095 State of Texas v. Geo Cravens Continued for service

2104 State of Texas v. David Law. Continued for service

2120 State of Texas v. Wm Lafon. Continued for service

2126 State of Texas v. Geo. W. Allen Continued for service

2134 State of Texas v. Thomas Barnes Continued for service

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2139. State of Texas vs. Miller. Continued for Service
2142. State of Texas vs. Peter Kemmer. Continued for Service
2160. State of Texas vs. Wade Harrison. Continued for Service
2153 State of Texas vs. E. Winberley. Continued for service
2187 State of Texas vs. Pale Carmich. Continued for service
2211 State of Texas v. Geo Slaughter. Continued for Service
2252 State of Texas v. Andrew Davis Continued for Service
2259 State of Texas v. Geo. H. Slaughter. Continued by consent.
2265 State of Texas v. W. W. Leggett. Continued for service
2366 State of Texas v. R. A. Brown. Continued for service
2367. State of Texas v. Ed Harn. Dismissed and Defendant discharged.
2374 State of Texas v. R. A. Brown. Continued for Service
2375 State of Texas v. R. A. Brown Continued for Service
2380 State of Texas v. Will Slaughter. Continued for service
2385 State of Texas v. Wright. Cause Dismissed and Deft. Discharged.
2394. State of Texas v. A. Tobler. Continued for service
2429 State of Texas v. Jno. Meeks et.al. Contd for service
2430 State of Texas v. John Meeks et al. Continued for service
2432 State of Texas v. James Kellow Continued for service
2444. State of Texas v. J. P. Maloney. Dismissed and Deft Discharged.
2447 State of Texas v. Wm Clark. Contd for service
2448 State of Texas v. Wm Schubard Contd for service
2458 State of Texas v. S. D. Barefoot. Contd for service
2461 State of Texas v. F. Bennett. Contd for service
2465 State of Texas v. Wm Glapcock. Contd for service
2466. State of Texas v. Wm Glapcock. Contd for service
2467 State of Texas v. Bill Pitzer Contd for service
2546 State of Texas v. Chas Rade. Contd for service
2553 State of Texas v. C. Chiger. Contd for service
2554 State of Texas v. Mays et.al. Contd for service
2555 State of Texas v. Thos Blair. Contd for service
2561 State of Texas v. Wm H. Morris. Continued for service.
2568 State of Texas v. James Kirk Continued for Service
2570 State of Texas v. Saml. Harris Continued for service
2577 State of Texas v. Wm Catton. Continued for service
2590 State of Texas v. Wm Davidson. Contd for service
2602 State of Texas v. J. Tochner. Contd for service
2609 State of Texas v. Dick Armstrong. Contd for service
2620 State of Texas v. Jack Mahoney Contd for service.
2625 State of Texas v. Tom Lewis Contd for Service
2658 State of Texas v. Charley Black. Contd for service
2668 State of Texas v. F. Bennett. Contd for service.
2679 State of Texas v. M. Alsted Dismissed and Deft discharged.
2682 State of Texas v. R. Murphy. Continued for Service.
2689 State of Texas v Geo W. Honey Dismissed and Deft. Discharged
2690 State of Texas v. Geo W. Honey. Dismissed and Deft. Discharged
2691 State of Texas v. Geo W. Honey. Dismissed and Deft. Discharged.

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✓	2692	State of Texas v. Geo W. Coney. Cause Dismissed
	2695	State of Texas v. O. J. Baker Continued by the State and attachment ordered to issue for the Defendant witness M Farland
	2700	State of Texas v. Ben. Butler. Contd for Service
	2701	State of Texas v. Ben. Byelu Contd for Service.
	2707	State of Texas v Billy Cannon. Contd for Service
	2711	State of Texas v. Billy Cotton. Contd for Service
	2712	State of Texas v. Billy Cotton. Contd for Service
	2715	State of Texas v Jack Conner. Contd for Service
	2716	State of Texas v. Jack Conner. Contd for Service
✓	2717	State of Texas v Louis Dry fuss. Dismissed and Defts discharged.
	2729	State of Texas v. Charles Smith Continued for Service.
✓ X	2731	State of Texas v. Ben Thompson Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of said Ben. Thompson the Sum of Ten Dollars and the cost of the prosecution and that a Capias issue to Collect the Same.
	2744	State of Texas v Green, a cold man. Contd for Service
	2754	State of Texas v Sam Evans Contd for Service
	2769	State of Texas v Wm Benton. Contd for Service.
✓	2771	State of Texas v. James Simmons. Cause Dismissed and Defts discharged.
✓ X	2774	State of Texas v. L. C. Lock. Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of said Defendant L. C. Lock the Sum of Ten Dollars and the cost of the prosecution and that a Capias issue to Collect the Same.
✓ X	2778	State of Texas v Squire Johnson. Come now the parties and announce ready for trial and waiving a Jury Submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of said Squire Johnson the Sum of Ten Dollars and the Cost of the prosecution and that a Capias issue to Collect the Same.
✓	2782	State of Texas v. L C Lock. Dismissed
	2790	State of Texas v. Pennos. Contd for Service.
	2792	State of Texas v C. Eagle. Contd for service.
✓	2802.	State of Texas v M. Spinosa Dismissed
	2804	State of Texas v. Wm Dixon Contd for service
	2819	State of Texas v. Gen. Davidson. Contd for Service.
	2820	State of Texas v. Gen. Davidson Contd for service
	2821	State of Texas v. Gen. Davidson Contd for service
	2822	State of Texas v. Gen. Davidson Contd for service
	2823.	State of Texas v. Gen. Davidson Contd for service
✓	2824	State of Texas v. J. M. Swisher Dismissed
✓ X	2825.	State of Texas v. Perry Timmin Come the parties and announce ready for trial and waiving a Jury submit the case to the

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Court. And Defendant pleading guilty It is ordered that the State of Texas recover of said Perry Timin the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2826 State of Texas v. Brown Moses alias Cornelius Brown. And now on this day came the parties and announce ready for trial When came a Jury of twelve good and lawful men of Travis County consisting of B. F. Wroe and eleven others duly tried elected empannelled and sworn who having heard the Indictment, evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment at ten Dollars B. F. Wroe Foreman." Whereupon It is ordered that the State of Texas recover of said Defendant the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2827 State of Texas v. Henry Cook. Continued for service.

2829 State of Texas v. John Story. Come now the parties and announce ready for trial and waiving a Jury submit the Case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of said John Story the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2833 State of Texas v. Jo. Blum. Contd for service

2834 State of Texas v. Jack Levington. Contd for service

2835. State of Texas v. Jerry Warren. Contd for service.

2836 State of Texas v. Dick Blum. Contd for service

2840 State of Texas v. Seven Up Jack. Come now the parties and announce ready for trial and waiving a Jury submit the Case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of said Seven Up Jack the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2844 State of Texas v. Alex Mack. Continued for service

2851 State of Texas v. Andy Johns. Continued for service

2866 State of Texas v. McGehee et al. Continued by the Defendant.

2868 State of Texas v. R. Hamilton et al. Continued for service

2869 State of Texas v. R. Hamilton Continued for service

2870 State of Texas v. John Bryan. Come the parties and announce ready for trial. When came a Jury of 12 good and lawful men of Travis County consisting of A. C. Sughnor and eleven others duly tried, empannelled and sworn who having heard the Indictment, evidence and the Charge of the Court returned the following verdict, to wit: "We the Jury find the Defendant not guilty. A. C. Sughnor. foreman." Whereupon It is ordered that the Defendant go hence acquitted and discharged.

2871 State of Texas v. Alex Pipes. Dismissed

2872 State of Texas v. T. McCormick. Dismissed

2873 State of Texas v. T. McCormick. Dismissed

2877 State of Texa v. J. Moss. Contd for service

2879 State of Texa v. C. T. Rand. Contd by State

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2880 The State of Texas v. Toney. Come now the parties and waiving a Jury submit the Case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant Toney the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

2881 The State of Texas v. Bab Roberts. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of the Defendant Bab. Roberts the Sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the Same.

2887 State of Texas v. Henry Woodcock. Continued by the State.

2889 State of Texas v. Bill Tony. Dismissed and Defd. Discharged

2890 State of Texas v. Booker Griffith Continued by the State.

2891 State of Texas v. Green Littleton. Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of said Green Littleton the sum of Twenty-Five Dollars and the cost of the prosecution and that a Capias issue to collect same.

2892 State of Texas v. Chico Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of the said Chico the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect same.

2893 State of Texas v. Sid Jones Continued for Service

2899 State of Texas v. Jake Smith Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of said Jake Smith the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the Same.

2902 State of Texas v. Orange Battle. Continued by the State.

2903 State of Texas v. Shack Ware. Continued for Service

2907 State of Texas v. Squire Johnson. Come the parties and announce ready for trial and waiving a Jury submit the Case to the Court. And Defd. pleading guilty It is ordered that the State of Texas recover of said ~~Shack Ware~~ Squire Johnson the sum of Ten Dollars and the cost of the prosecution and that Capias issue to collect same.

2910. State of Texas v. Charles Boatman. Continued for Service

2914. State of Texas v. Mack Hawes. Continued for Service.

2922. State of Texas v. Giles Burditt Jr. Come the parties & announce ready for trial and waiving a Jury submit the case to the Court And Defd. pleading guilty It is ordered that the State of Texas recover of said Giles Burditt Jr. the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect same.

2924 State of Texas v. Neill Cain. Contd for service

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2925. State of Texas v. Frank Cotton Continued for service

2926 State of Texas v. Bill Tony Dismissed

2928 State of Texas v. Col. Pearce Dismissed

2932 State of Texas v. Toney. Dismissed

2933 State of Texas v. Nat. Granbles Costs for service

2935 State of Texas v. Jo. Foster. Costs for service

2937 State of Texas v. Jeff. Taylor. Costs for service

2940 State of Texas v. Gray Franks Costs for service.

2943 State of Texas v. Bob. Ridley Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of said Bob. Ridley the sum of Ten Dollars and the cost of the prosecution and that Capias issue to collect same.

2944 State of Texas v. Bud Cotton. Continued by the State

2945 State of Texas v. C. Boatman. Continued for Service

2947 State of Texas v. Sam Evans. Continued for Service

2951 State of Texas v. Thomas Burdett. Dismissed

2953 State of Texas v. Neill Cain. Costs for Service

2954 State of Texas v. R. Smith Dismissed

2955 State of Texas v. Billy Brennan. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court And Defts pleading guilty It is ordered that the State of Texas recover of said Billy Brennan the sum of Ten Dollars and the cost of the prosecution and that Capias issue to collect same.

2956 State of Texas v. O. H. Maroney Come the parties and announce ready for trial and waiving a Jury submit the case to the Court And Defendant pleading guilty It is ordered that the State of Texas recover of said O.H. Maroney the sum of Ten Dollars and the cost of the prosecution and that Capias issue to collect the same

2959 State of Texas v. Jeff Jenkins Ordered that the Service and Bond in this case be quashed and that alias Capias issue for the Defts

2960 State of Texas v. Bill Tony. Dismissed

2961 State of Texas v. Wm E. Horne. Continued for service.

2964 State of Texas v. Charles Rabb. Continued for service

2966 State of Texas v. John Robinson. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defts pleading guilty It is ordered that the State of Texas recover of said John Robinson the sum of Ten Dollars and the cost of the prosecution and that alias Capias issue to collect the same.

2969 State of Texas v. Wesley Baker. Continued for service

2970 State of Texas v. Neill Cain Continued for service

2971 State of Texas v. R. Martin Continued for service

2973 State of Texas v. John Lewis Continued by State

3014 State of Texas v. O. H. Maroney Dismissed

3015 State of Texas v. Jim Ralls. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defts pleading guilty It is ordered that the State of Texas recover

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of said Jim Ralls the sum of Ten Dollars and the cost of the pros-
ecution and that a Capias issue to collect the same

3022 State of Texas v. Wm Wilson Come the parties and announce ready
for trial and waiving a Jury submit the case to the Court. And
Deft. pleading guilty It is ordered that the State of Texas recover
of said Wm Wilson the sum of Ten Dollars and the cost of the
prosecution and that Capias issue to collect the same.

3027 State of Texas v Bill Tony. Come the parties and announce ready
for trial and waiving a Jury submit the case to the Court. And
Defe. pleading guilty It is ordered that the State of Texas recover
of said Bill Tony the sum of Ten Dollars and the cost of the
prosecution and that a Capias issue to collect the same.

3029 State of Texas v. John Ryan. Come the parties and announce ready
for trial and waiving a Jury submit the case to the Court. And
Defe pleading guilty It is ordered that the State of Texas recover
of said John Ryan the sum of Ten Dollars and the cost of
the prosecution and that a Capias issue to collect the same.

3034. State of Texas v. Bob. Roberts. Dismissed

3036 State of Texas v. L. McKenzie. Come the parties and announce
ready for trial and waiving a Jury submit the case to the Court.
And Defe. pleading guilty It is ordered that the State of Texas
recover of said L. McKenzie the sum of Ten Dollars and the
cost of the prosecution and that a Capias issue to collect same

3037 State of Texas v. R. W. Hunter Come the parties and announce ready
for trial and waiving a Jury submit the case to the Court. And
Defe. pleading guilty It is ordered that the State of Texas recover of
said R. W. Hunter the sum of Ten Dollars and the cost of the
prosecution and that a Capias issue to collect same.

3038 State of Texas v R. W. Hunter Dismissed

3039 State of Texas v. Tony Dismissed

3040 State of Texas v. Tony Dismissed

3043. State of Texas v. Billy Brennan Dismissed

3048. State of Texas v. Juron Come now the parties and announce ready
for trial and waiving a Jury submit the case to the Court. And
Defe. pleading guilty It is ordered that the State of Texas recover of
said Juron the sum of Ten Dollars and the cost of the prosecution
and that a Capias issue to collect same

3050 State of Texas v A. R. Morris. Come the parties and announce
ready for trial and waiving a Jury submit the case to the Court.
And Defe. pleading guilty It is ordered that the State of Texas recover
of said A. R. Morris the sum of Ten Dollars and the cost of the
prosecution and that a Capias issue to collect the Same.

3167 State of Texas v. Paul Lewis. Come the parties and announce ready for
trial and waiving a Jury submit the case to the Court And Defe
pleading guilty It is ordered that the State of Texas recover of said
Paul Lewis the sum of Ten Dollars and the cost of the prosecution
and that a Capias issue to collect the Same.

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3070 State of Texas v. Chick Lewis Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defd. pleading guilty It is ordered that the State of Texas recover of said Chick Lewis the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3087 State of Texas v. Houston Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defd. pleading guilty It is ordered that the State of Texas recover of said Defd. Houston the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same

3088 State of Texas v. Jo. Hallum. Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court And Defd. pleading guilty It is ordered that the State of Texas recover of said Jo Hallum the sum of Twenty Five Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3090 State of Texas v. Bob Roberts Dismissed

3092 State of Texas v. Walter Custard. Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defd. pleading guilty It is ordered that the State of Texas recover of said Walter Custard the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3098 State of Texas v. John Ryan. Dismissed

3102 State of Texas v. John Ryan. Dismissed

3104 State of Texas v. Bill Tong. Continued

2898 State of Texas v. William Blair. And now on this day comes the Defendant in open Court And it appearing that said William Blair has been found guilty by the Jury who tried his case of the offence of Manslaughter, who assessed the penalty at confinement in the Penitentiary for five years. And said Defendant being asked if he had anything to say why Judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and of being no sufficient reason. It is ordered adjudged and decreed that the Defendant William Blair is guilty of Felony, as charged, and that he be confined in the State Penitentiary at hard labor for the said term of Five years, and that said Defendant Wm Blair be taken by the Sheriff of Travis County and safely conveyed to the Superintendant of said Penitentiary, there to be confined at hard labor for the term of five years. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

And thereupon Court adjourned till 9 o'clock tomorrow morning at 9 o'clock.

October 21st 1873

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

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2928 State of Texas v. Wm Thompson. Come now the parties and announce ready for trial and waiving a Jury agree to submit the case to the Court. And thereupon the Plaintiff dismisses the charge as to intent to murder. And the Defendant pleads guilty as to an aggravated assault. Whereupon It is ordered that the State of Texas recover of said Wm Thompson the sum of One Hundred Dollars fine imposed by the Court and all the cost of this prosecution for which ~~execution~~ Capias may issue.

2974. State of Texas v. C. Culmore. Come now the parties and the exceptions of Defendant to the Indictment coming on to be heard and being considered the Same is overruled. And the cause is continued by the State.

2979 The State of Texas v. Thos Reese Continued for Service

2981 State of Texas v. Theodore Gibbs Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Deft pleading guilty It is ordered that said Theodore Gibbs be fined Ten Dollars and that the State of Texas recover said sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the Same.

2982 State of Texas v. Geo Hicks Continued for Service

2983 State of Texas v. C. Culmore. Cont'd by the State.

2984. State of Texas v. S. Pounds Cont'd for Service

2986 State of Texas v. Thos Jones et al. Cont'd for service

2987 State of Texas v. Squire Babbit et al. Dismissed

2988 State of Texas v. M Kew Dismissed

2989 State of Texas v. M. Stone et al. Cont'd for service

2990 State of Texas v. Tom Jones et al. Cont'd for service on Jones

3016 State of Texas v. Joe Hallum. Dismissed

3017 State of Texas v. Joe Hallum Dismissed

3018 State of Texas v. Joe Hallum Dismissed

3019 State of Texas v. Billy Rogers. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Deft pleading guilty It is ordered that the State of Texas recover of said Billy Rogers the Sum of Ten Dollars and the Cost of the prosecution and that a Capias issue to collect same.

3020 State of Texas v. Aaron Robinson. Cont'd for Service

3021 State of Texas v. Wild Harry. Cont'd for Service

3022 State of Texas v. Click Dickenson. Dismissed

3024 State of Texas v. Squire Johnson. Dismissed

3026 State of Texas v. Billy Thompson. Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Deft. pleading guilty It is ordered that the State of Texas recover of said Billy Thompson the Sum of Ten Dollars and the Cost of the prosecution and that a Capias issue to collect the Same.

3028 State of Texas v. John Baughn. Cont'd by Deft.

3030 State of Texas v. Tom Bowles. Dismissed.

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3031 State of Texas v. Buck Warren. Come the parties & announce ready for trial and waiving a Jury submit the case to the Court. And Defd. pleading guilty It is ordered that the State of Texas recover of said Buck Warren the Sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same

3033. State of Texas v. Walter Custard. Cause Dismissed

3041 State of Texas v. Tom Hill. Come the parties and the Defd. submitted his exceptions to the Indictment which being heard and duly considered the same are overruled. And thereupon the Defendant excepts to the ruling of the Court.

3042. State of Texas v. James Moore. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleading guilty It is ordered that the State of Texas recover of said James Moore the Sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3044 State of Texas v. L. E. Edwards. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court And Defd pleading guilty It is ordered that the State of Texas recover of said L. E. Edwards the Sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3045. State of Texas v. Jo. Walker. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defd. pleading guilty It is ordered that the State of Texas recover of said Jo. Walker the Sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3046 State of Texas v. Wash. Hill. Continued

3047 State of Texas v. Toney Murphy. Cause Dismissed

3049 State of Texas v. Jo. Lee. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defd. pleading guilty It is ordered that the State of Texas recover of said Jo. Lee the Sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same

3051 State of Texas v. Fred Moore. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defd. pleading guilty It is ordered that the State of Texas recover of said Fred. Moore the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3052 The State of Texas v. Judge Phant. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And defd. pleading guilty It is ordered that the State of Texas recover of Judge Phant the Sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3053 State of Texas v. Billy Patterson. Dismissed

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✓ 3055. State of Texas v. Jacob Smith. Dismissed

3058 State of Texas v. Sam Fowler. Come the parties and announce
X ready for trial and waiving a Jury submit the case to the Court.
And Deft. pleading guilty It is ordered that the State of Texas
recover of said Sam Fowler the sum of Ten Dollars and the cost
of the prosecution and that a Capias issue to collect the same.

✓ 3060 State of Texas v. Wiley Craft. Come the parties and announce
X ready for trial and waiving a Jury submit the case to the Court.
And Deft pleading guilty It is ordered that the State of Texas
recover of said Wiley Craft the sum of Ten Dollars and the
cost of the prosecution and that a Capias issue to collect same.

✓ 3063 State of Texas v. Ed. Wilkerson. Come the parties and announce
X ready for trial. When came a Jury of twelve good & lawful
men of Travis County, consisting of H. C. Singhurst and eleven
others, duly tried, elected, empannelled & sworn, who having
heard the Indictment, plea of not guilty, evidence, argument
of Counsel & the charge of the Court, retired for deliberation.
Whereupon said Jury returned the following verdict, to wit:
" Case 3063. We the Jury find the Defendant guilty and assess the
fine at Ten Dollars H. C. Singhurst, foreman." Whereupon It is
ordered that the State of Texas recover of said Ed. Wilkerson
the sum of Ten Dollars and the cost of the prosecution and
that a Capias issue to collect the same.

✓ 3064 State of Texas v. Ed. Wilkerson. Come the parties & announce
X ready for trial. When came a Jury of twelve good & lawful men
of Travis County, consisting of B. F. Wroe and eleven others,
duly tried, elected, empannelled and sworn, who having heard
the Indictment, plea of not guilty evidence, argument of Counsel
and the Charge of the Court, retired for deliberation. Whereupon
said Jury returned into Court the following verdict to wit: "We
the Jury find the Defendant guilty and assess the fine at ten
dollars B. F. Wroe foreman." Whereupon It is ordered that the
State of Texas recover of said Ed. Wilkerson the sum of
Ten Dollars and the cost of the prosecution and that a
Capias issue to collect the same.

✓ 3093. State of Texas v. Wiley Craft. Dismissed

✓ 2992 State of Texas v. J. McArthur. Come the parties and announce
ready for trial when came a Jury of twelve good and lawful
men of Travis County consisting of A. Hartsman and eleven
others duly tried empannelled & sworn who having heard
the Indictment plea of not guilty & the charge of the Court
returned the following verdict to wit: " We the Jury find the
Defendant not guilty. Alfred Hartsman Foreman." Where-
upon It is ordered that the said Defendant go hence ac-
quitted and discharged.

✓ 3076 State of Texas v. Jerry Johnson. And now come the parties
X and announce ready for trial. When came a Jury of

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twelve good and lawful men of Travis County comin to-
J. H. Wacker and eleven others, duly tried, elected, em-
pannelled and sworn, who having heard the Indictment,
evidence, and the charge of the Court after retirement re-
turned the following verdict, to wit: "We the Jury find the Defendant
guilty and ofess the fine at Ten Dallars. J. H Wacker, Foreman."
Whereupon It is ordered that the State of Texas recover of said
Jerry Johnson the said sum of Ten Dallars and the cost of
the prosecution and that a Capias issue to enforce the col-
lection of the same.

3062 State of Texas v. Dutch Dock. Come the parties and announce ready
for trial and waiving a Jury submit the case to the Court
And Deft. pleading guilty It is ordered that the State of Texas
recover of said Dutch Dock the Sum of Twenty Five Dallars
and the cost of the prosecution and that a Capias issue to
collect the Same.

3066 The State of Texas v. Bob. Ridley. Come the parties and an-
nounce ready for trial and waiving a Jury submit the
case to the Court. And Defendant pleading guilty It is or-
dered that the State of Texas recover of Bob. Ridley the
sum of Ten Dallars and the cost of the prosecution and
that a Capias issue to collect the Same

3068 State of Texas v. Toney Christian. Continued

3071 State of Texas v. Perry Irvin. Continued

3073 State of Texas v. Lewis Allen. Come the parties and announce
ready for trial & waiving a jury submit the case to the Court.
And Defd. pleading guilty It is ordered that the State of
Texas recover of said Lewis Allen the Sum of Ten Dallars
and the cost of the prosecution and that a Capias issue
to collect the same.

Error 3076 The State of Texas v. Jerry Johnson.

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

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

3839 Charlotte Peterson et. al. vs. Justof Peterson et. al. It appearing to
the Court in the above entitled case that Albert Peterson and
Edward Peterson two of the Plaintiffs in said case are minors
without any general guardian, and that their natural guardian
is a party in said suit and interested therein adverse to that of
said minors It is therefore ordered by the Court that J. M. Denton
of Travis County be and he is hereby appointed a Special Guardian
to represent said minors Albert and Edward Peterson in said
partition suit, and that said Guardian give bond in the Sum of
One thousand dollars payable to and conditioned as the law directs
and the oath as prescribed by law within five days from this date

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3839. Carlotta Peterson et.al. v. Gust of Peterson et.al. On this day came on to be heard the above styles and numbered cause and the plaintiff Carlotta Peterson Robering now here by attorney and the minor Plaintiffs Albert Peterson and Edward Peterson being now here by their special guardian J. M. Denton and the minor Plaintiffs William Peterson and Henry Peterson being now here by August Weilbacher their legal guardian and the Defendants Gust of Peterson, Christine Peterson and Johanna Juhlin and her husband Charles A. Juhlin being now here by atty the following Decree is hereby rendered by consent of all of said Parties to wit:

It is ordered adjudged and decreed by the Court that Radcliff Platt, W. M. Wilson and J. M. Mansfield house holders and citizens of Travis county be and the same are hereby appointed Commissioners to partition and divide Lot 8 in Block 58 in the City of Austin, Texas, with all the improvements thereon situated among the parties to this suit in the following proportion to wit: to set apart to the Plaintiff Carlotta Peterson one sixth part of said lot as her life interest in the same as surviving wife of John Peterson decd to set apart to the parties Gust of Peterson, Christine Peterson, William Peterson, Henry Peterson and Johanna Juhlin children of the said deceased Jno. Peterson and his deceased wife Mary collectively 3/6 of said lot, or to each one one tenth part of said lot and to set apart to the parties Albert Peterson, Edward Peterson, Gust of Peterson, Christine Peterson, William Peterson, Henry Peterson and Johanna Juhlin 2/6 of said lot, or to each one of said persons one twenty first part of said lot. The said Commissioners are hereby required to divide among the parties to this suit the East half of the South East quarter of Block No 41 in Division E of the City of Austin with all the improvements thereon situated in the following proportions to wit: to set apart to Carlotta surviving wife of the deceased John Peterson one half of said land: to set apart to Albert Peterson, Edward Peterson, Gust of Peterson, Christine Peterson, William Peterson, Henry Peterson and Johanna Juhlin one half of said land being to each of said parties one fourteenth part of said land. It is further ordered that said Commissioners be required to report to the present term of this Court how they have discharged the duties herein imposed upon them, and if they find that said lots cannot be divided as herein directed without greatly diminishing the value of said lots said Commissioners will report such to be the case, to this Court at its present term.

3078 State of Texas v. R. B. Smith. Cause Dismissed

3095 State of Texas v. L. McLaggie Cause Dismissed.

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3094 State of Texas v. Jim Ralston. And now on this day came the parties by their attorneys and announced ready for trial and then came a Jury of twelve good and lawful men of Travis County consisting of J. H. Wacker and eleven others duly tried elected empannelled and sworn, who having heard the Indictment plea of not guilty, the evidence and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict to wit: "No. 3094 We the Jury find the Defendant guilty and assess the fine at Ten Dollars. J. H. Wacker, foreman." And thereupon It is ordered that the State of Texas recover of said Jim Ralston the said sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3099 The State of Texas v. Bob. Ridley Cause Dismissed

3100 The State of Texas v. Scudy And now come the parties & announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of said Scudy the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3101 The State of Texas v. T. H. Doran. Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court And Defendant pleading guilty It is ordered that the State of Texas recover of said T. H. Doran the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

3103 The State of Texas v. Dan Givens. Come now the parties & announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of said Dan Givens the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect same.

3108 State of Texas v. M. D. Mather. Continued.

3111 State of Texas v. E. Roberson. Cont'd for service

3112 State of Texas v. P. Jones Cont'd for service

3113 State of Texas v. P. Jones Cont'd for service

3115 State of Texas v. Joe Gill. Cont'd for service

3116 State of Texas v. Jim Clements. Continued

3117 State of Texas v. Bill Smithson et al. Continued for service

3118 State of Texas v. Toney Wallace Dismissed

3121 State of Texas v. James Clements. Continued

2875 State of Texas v. A. H. Tucker. Come the parties and announce ready for trial and then came a Jury of twelve good and lawful men of Travis County consisting of J. M. Mansfield and eleven others duly tried elected empannelled and sworn who having heard the Indictment evidence & the charge of the Court returned the following verdict to wit. "We the Jury find the Defendant not guilty. J. M. Mansfield foreman." Whereupon It is ordered that said Defendant go hence fully acquitted & discharged.

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

October 23rd 1873

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

2572 State of Texas v R C McLaren. Continued by Defendant.

2910 State of Texas v C Boatman Dismissed

2931 State of Texas v Newell Burditt And now come the parties by their attorneys and the Defendant submitted to the Court his exceptions to the Indictment, which being heard and considered the same are overuled, to which ruling the Defendant excepts. And thereupon the parties waive a Jury and submit the case to the Court. And the Defendant enters the plea of guilty. And the Court here fixing the fine at Ten Dollars It is ordered that the State of Texas recover of said Newell Burditt the sum of Ten Dollars and the cost of the prosecution and that a Commitment issue to collect the same. And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

2945 State of Texas v Charley Boatmans Dismissed

3002 State of Texas v Bettie Continued

3041 State of Texas v Tom Hill Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty to the charge in the Indictment It is ordered that the State of Texas recover of said Tom Hill the sum of Ten Dollars fine and the cost of the prosecution and that a Capias issue to collect the same.

3065 State of Texas v Peter Dralton Dismissed

2446 State of Texas v Wash. Hill. Continued by consent.

2576 State of Texas v R. C. McLaren. Continued

2976 State of Texas v B. Parker et al. Continued by the State.

2977 State of Texas v B. Parker et al. Continued by the State.

3109 State of Texas v Wm H. Hawkins. And now on this day came the District Attorney and the Defendant in person and by attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County Consisting of B F Wroe and eleven others, who being tried, elected, empannelled and sworn, who having heard the Indictment, plea of not guilty, the evidence, argument of Counsel and the Charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict to wit: "We the Jury find the Defendant guilty and affix the punishment one day in the County jail and a fine of Five Dollars B. F. Wroe, Foreman." Whereupon It is ordered that the State of Texas recover of said Wm H. Hawkins the sum of Five Dollars and that a Commitment issue to enforce the same And further ordered that said Defendant be committed to the County jail for one day.

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2675 The State of Texas v. J. H. Peter
2676 The State of Texas v. J. H. Peter
2999 The State of Texas v. J. H. Peter
In these three causes coming on to be heard the motion of the Defendant to quash the Indictments which being considered It is ordered that the said Indictments be quashed, that the Defendant go hence discharged and the cases dismissed

2818 State of Texas v. John Johnson Continued by the Defendant.

2864 State of Texas v. W. J. Matteson And now comes David Ezell, Mrs. Kemneker, Mrs. Nitschke and J. A. Nitschke and each of them acknowledges himself and herself to owe the State of Texas one hundred Dollars to be levied upon their goods and Chattels lands tenements and estate, But to be void upon condition that each of said persons make his and her personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February 1874 then and there to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas v. W. J. Matteson and that they there remain from day to day and from term to term thereafter and until discharged by the Court and that they do not depart the Court without leave. And the cause is continued by Deft.

2883 State of Texas v. Ed. Wickerson Continued
2884 State of Texas v. Ed. Wickerson Continued
2885 State of Texas v. Virgil Conner. Continued
2895 State of Texas v. Simon Alexander. And now on this day comes Simon Alexander as principal and M. M. Long and A. H. Cox as securities and acknowledged themselves jointly and severally to owe the State of Texas three hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate But to be void upon Condition that the said Simon Alexander make his personal appearance at the next Term of the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February 1874, and there remain from day to day and from term to term thereafter, to answer the Indictment preferred against said Simon Alexander by the Grand Jury of Travis County at the June Term 1873 for theft of a Gelding, and that he do not depart the Court without leave

2938 State of Texas v. Johnny Hand. Continued for Service.
3000 State of Texas v. John Kingtonia Cont'd by the Deft.
3001 State of Texas v. Jo. Jones Cont'd by the Deft.
And now comes into Court Jo. Jones as principal and J. W. Craft and Samuel Williams as securities and acknowledge themselves jointly and severally justly to owe the State of Texas One thousand Dollars to be levied upon their goods and chattels lands tenements and estate But to be void upon condition that said Jo. Jones make his personal

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appearance before the District Court of Travis County to be holden at the Courthouse thereof in Austin on the first Monday in February 1874, and there remain from day to day and from term to term thereafter to answer the Indictment preferred against the said J. Jones by the Grand Jurors of Travis county at the October term 1873 of the District Court of Travis county for the theft of a Mare, and that he do not depart the Court without leave.

3007 State of Texas v. Wm Fretwell. Continued by the State.

3008 State of Texas v. D. M. Ezell. And now comes D.M. Ezell as principal and M. D. Mather and W. F. Wells as securities and acknowledged themselves jointly and severally to owe the State of Texas the sum of Four Hundred Dollars to be levied upon their Goods and Chattels lands tenements and Estate But to be void upon Condition that said D. M. Ezell make his personal appearance before the District Court as Travis County now in Sesion and there remain from day to day and from term to term thereafter, to answer the Indictment preferred against said D. M. Ezell by the Grand Jury of Travis County at the ~~June~~ October Term 1873 for theft of a Steer and that he do not depart the Court without leave.

3008. State of Texas v. John Drey. And now comes John Drey as principal, and D. M. Ezell, John Ezell, W. W. Cathorn and Charles W. Dieson as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Four Hundred Dollars to be levied upon their Goods and Chattels, lands, tenements and estate But to be void upon Condition that said John Drey make his personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February 1874 then and there to answer the Indictment preferred against the said John Drey by the Grand Jury of Travis county at the October term 1873 for theft of a Steer and that he there remain from day to day and from term to term thereafter to answer said charge and that he do not depart the Court without leave. And cause is Continued

3009 State of Texas v. D. M. Ezell. Comes now D. M. Ezell as principal and M. D. Mather and W. F. Wells as securities and acknowledged themselves justly to owe and be indebted unto the State of Texas in the sum of four hundred Dollars to be levied upon their goods and Chattels lands Tenements and Estate But to be void upon Condition that said D. M. Ezell make his personal appearance before the District Court of Travis County to be holden at the Courthouse thereof in Austin on the first Monday in February 1874, there to remain from day to day and from term to term thereafter, to answer the Indictment preferred against said D. M. Ezell by the Grand Jury of

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Travis County at the October term 1873. for theft of Steers and that he do not depart the Court without leave And the Cause is continued by the State

3010 State of Texas v. W. Whittington Continued by the Defts
3011 State of Texas v W. Whittington Continued by the Defts
3012 State of Texas v. W. Whittington Continued by the Defts
3013 State of Texas v. W. Whittington Continued by the Defts.
3025 State of Texas v Wall. Woodlief Continued for Senice
3035 State of Texas v. Wash. White Continued pr Senice
3054 State of Texas v. Ike Bell Continued for Senice
3056 State of Texas v Wash. White Continued for Senice
3057 State of Texas v. Dow Craig Continued for Senice
3059 State of Texas v. Joe Fowler. Continued for Senice
3061 State of Texas v. Wm. Alexander Continued for Senice
3069 State of Texas v. Green Little. Continued for Senice
3072 State of Texas v. Bill Johnsons Continued for Senice
3075 State of Texas v Shack Ware Continued for senice
3077 State of Texas v. Alf. Morris. Continued for Senice
3074 State of Texas v Jno. Wilson Continued for Senice

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

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

3003 State of Texas v. Jose Jemenez. Continued

3005. State of Texas v. C. Hornberger. Come now John F. Darricott, Jacob Henninger & Benj. Marshall and they acknowledged themselves to owe the State of Texas the sum of One Hundred Dollars each to be levied upon their Goods and Chattels lands tenements & estate, But to be void upon condition that each of said witnesses make his personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February, 1874, then and there to give evidence on behalf of the plaintiff in the said cause of the State of Texas against C. Hornberger and that they there remain from day to day & from term to term thereafter for said purpose and that they do not depart the Court without leave.

And now also come Henninger, Henry Nau and Mollie Thomas and they acknowledged themselves to owe the State of Texas the sum of One Hundred Dollars each, to be levied upon their goods and Chattels, lands, tenements and estate But to be void upon condition that each of said witnesses make his and her personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February 1874 then to remain from day to day and from term to term thereafter to give evidence on behalf of the Defendant in the above entitled cause of the State of Texas v. C. Hornberger, and that the said witnesses

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do not depart the Court without leave. And cause continued by State.

3032. State of Texas v. Monroe Williams. Cont'd for Service

3079 State of Texas v. Sam Miller Cont'd for Service

3080 State of Texas v. John Hanson. Cont'd for Service

3081 State of Texas v. Jim Robinson Cont'd for Service

3082 State of Texas v. Fairchild Cont'd for Service

3083 State of Texas v. Marshal Cont'd for Service

3084 State of Texas v. Lee Chalmers. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of said Lee Chalmers the sum of Four Dollars and the cost of the prosecution and that a Capias issue to collect same.

3085 State of Texas v. John Boyd. Cont'd for Service.

3086 State of Texas v. Aaron Robinson. Continued for Service

3089 State of Texas v. Irvin Peoples. Continued for Service

3091 State of Texas v. Monroe Williams Cont'd for Service

3096 State of Texas v. Wm. Moon Continued for Service

3097 State of Texas v. Wash White. Continued for Service

3105 State of Texas v. Johnny Stokes Continued for Service

3106 State of Texas v. Major Chambers. Continued by the Defendant.

3110 State of Texas v. Jeff Houston. Continued for Service

3114 State of Texas v. Jac Jones. And now comes Jac Jones as principal and J. M. Mayo and A. F. Boyce as securities and acknowledged themselves jointly and severally justly to one and the indebted unto the State of Texas in the Sum of Eight Hundred Dollars to be levied upon their goods and Chattels lands tenements and Estate, But to be void upon Condition that the said Jac. Jones make his personal appearance before the District Court of Travis county now in session and there remain from day to day and from term to term there after to answer the Indictment preferred against the said Jac Jones by the Grand Jury of Travis county at the October Term 1873 of the District Court of Travis County for the theft of a gelding and that he do not depart the Court without leave.

3119 State of Texas v. Henry Smith. Continued for Service

3120 State of Texas v. John Scott. Continued for Service

3122 State of Texas v. Nelson Jeffries. Continued for Service

3123 State of Texas v. B. M. Little. Cont'd for Service

3125 State of Texas v. Caesar Hunter. Cont'd for Service

3124 State of Texas v. Thos. McCormick. Continued by the Defendant. And now comes Ed. Finnin and I. M. Blackwell and each of them acknowledged himself to owe the State of Texas the sum of One Hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate But to be void upon condition that said Ed. Finnin and I. M. Blackwell make their personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in Oct. February 1874, then and there to give evidence on behalf of the plaintiff in the

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above entitled Cause, and that they there remain from day to day and from term to term thereof and do not depart the Court without leave.

3126 State of Texas v. Caesar Hunter. Cont'd for service

3127 State of Texas v. Caesar Hunter Cont'd for Service

2054 State of Texas v. James Clanton and James Mays. And now come the parties by their attys and announced ready for trial. Whereupon a Jury of twelve good and lawful men of Travis County Consisting of R. Barr and eleven others duly tried and sworn who having heard the plea of not guilty and the Charge of the Court returned the following verdict to wit. "We the Jury find the Defendants not guilty R. Barr foreman." Whereupon It is ordered that said Defendants be hence acquitted and discharged.

2071 State of Texas v. James Clanton and James Mays. And now come the parties and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County Consisting of R. Barr and eleven others, duly Tried and sworn who having heard the plea of not guilty and the Charge of the Court returned the following verdict, to wit. "We the Jury find the Defendants not guilty. R. Barr foreman." Whereupon It is ordered that the Defendants be hence acquitted and discharged.

2905. State of Texas v. Maria Simpson. Continued by consent.

2967 State of Texas v. John Hatson. Cont'd for service

2985 State of Texas v. Jake Phillips alias Dick Brodie. And now comes Delphia Owens and acknowledges herself to owe the State of Texas the sum of Fifty Dollars To be levied upon her goods & Chattels, lands, Tenements and Estate But to be levied upon condition that said Delphia Owens make her appearance before the District Court of Travis County to be held at the Court House thereof in Austin on the 1st Monday in February 1874 and there remain from day to day and from term to term thereafter to give evidence in behalf of the State of Texas in the above entitled Cause of the State of Texas v. Jake Phillips alias Dick Brodie, and that he do not depart the Court without Leave.

3001 State of Texas v. R. B. Faulkner. Come the parties and announce ready for trial and waiving a Jury submit the Case to the Court. And then came a Jury of twelve good and lawful men of Travis County Consisting of John Harrell and eleven others duly tried elected and sworn who having heard the evidence and the charge of the Court returned the following verdict to wit. "We the Jury find the Defendant not guilty. John Harrell foreman." Whereupon It is ordered that the Defendant be hence fully acquitted and discharged.

3008 The State of Texas v. D. M. Ezell et al. Comes G. B. Adams and acknowledges himself to owe the State of Texas one hundred dollars To be levied upon their goods and Chattels Lands Tenements and estate But to be void upon condition that the said G. B. Adams

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make his personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February 1874 then and there to give evidence on behalf of the plaintiff in the above entitled Cause of the State of Texas vs D. M. Ezell et als. and there remain from day to day and from term to term thereafter until discharged and that he do not depart the Court without leave

3009 The State of Texas v D. M. Ezell et. al. Now comes G.B. Adams and acknowledges himself to owe the State of Texas one hundred dollars to be levied upon his goods and Chattels lands tenements and estate But to be void upon condition that said G.B. Adams make his personal appearance before the District Court Of Travis County to be held at the Courthouse in Austin on the first Monday in February 1874 and there remain from day to day and from term to term thereafter to answer the Indictment preferred against the said R.B. Faulkner by the Grand Jury of Travis County at the October term 1873 of the District Court of said County for theft of a heifer and that he do not depart the Court without leave. And the cause is continued on Defendant.

3107 State of Texas v. R.B. Faulkner. Comes now R. B. Faulkner as principal, and Sam. Williams and John A. Washington as securities and acknowledged themselves jointly and severally justly to owe the State of Texas the sum of two hundred dollars to be levied upon their goods and Chattels lands tenements and estate But to be void upon condition that the said R. B. Faulkner make his personal appearance before the District Court of Travis County to be held at the Courthouse in Austin on the first Monday in February 1874 and there remain from day to day and from term to term thereafter to answer the Indictment preferred against the said R B Faulkner by the Grand Jury of Travis County at the October term 1873 of the District Court of said County for theft of a heifer and that he do not depart the Court without leave. And the cause is continued on Defendant.

3107 State of Texas v. R.B. Faulkner. Comes Billy Patterson, and Edmond Billingsley and each of them acknowledged himself to owe and be indebted unto the State of Texas in the sum of one hundred dollars to be levied upon their goods & Chattels, lands tenements and estate But to be void upon condition that said Billy Patterson and Edmond Billingsley make their personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the 1st Monday in February 1874 and there remain from day to day and from term to term thereafter to give evidence on behalf of the plaintiff in the above entitled cause and that they do not depart the Court without leave.

3423 C.R. Johns & Co. v. D Waters et. al. Come now the plaintiffs by atty and upon motion It is ordered that the Sheriff have leave to amend his return upon the citation issued and returned in this case and that the Piffs have leave to amend.

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/ 3727 State of Texas v. John Robinson et.al. Ordered that the Judgment entered in this Case be set aside and cause dismissed

Declaration of intention to become a Citizen

I Malevinski State of Texas } I Malevinski being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year A.D 1814 in the Empire of Russia whence he emigrated in the year 1867 to the United States of America and has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas & renounces forever all allegiance & fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever & particularly to the Emperor of Russia of whom he is a subject I. Malevinsky

Sworn to & subscribed before me this 21st of October 1873 in open Court A. R. Morris Clerk by J. Brown deputy.

G Lusse State of Texas } Gustav Lusse being duly sworn accord
County of Travis } ing to law in the District Court of said County doth declare that he was born in the year A.D 1847 in the Republic of Switzerland whence he emigrated in the year 1867 to the United States of America & has selected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas and renounces forever all allegiance & fidelity to every foreign Prince Potentate, State or Sovereignty whatsoever & particularly to the Republic of Switzerland of whom he is a subject Gustave Lusse

Sworn to & subscribed before me this 22nd October 1873 in open Court A. R. Morris Clerk by J. Brown Deputy

Jas Brady State of Texas } James Brady being duly sworn according to law
County of Travis } in the District Courts of said County doth deday that he was born in the year A.D 1842 whence he emigrated in the Year 1848 to the United States of America and has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas and renounces forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever & particularly to the Queen of Great Britain of whom he is a subject James Brady

Sworn to & subscribed before me this 23rd day of October 1873 in open Court A. R. Morris Clerk by J. Brown deputy.

T Patton State of Texas } Thomas Patton being duly sworn according
County of Travis } to law in the District Courts of said County doth declare that he was born in the year A.D 1846 in the

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Kingdom of England whence he emigrated in the year 1867 to the United States of America and has selected the State of Texas as the place of his intended settlement, and he further declares that it is bona fide his intention to become a citizen of the United States and renounces forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the Queen of England of whom he is a subject

Thomas Patton

Sworn to & subscribed before me this 23rd of Oct 1873 in open Court A.R. Morris Clerk by J Brown Deputy

B Gonzales

State of Texas } Benenda Gonzales being duly sworn according to
County of Travis } law in the District Court of said County doth declare that he was born in the year A.D 1837 in the Republic of Mexico whence he emigrated in the year 1867 to the United States of America & has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince, Potentate State or Sovereignty whatsoever & particularly to the President of the Republic of Mexico of whom he is a subject

Benenda his X mark Gonzales

Sworn to & subscribed before me this 24th day of October 1873
A R Morris clerk by J Brown deputy.

A Juan

State of Texas } Aballos Juan being duly sworn according to
County of Travis } law in the District Court of said County doth declare that he was born in the year A.D 1838 in the Republic of Mexico whence he emigrated in the year 1868 to the United States of America and has selected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas & renounces forever all allegiance & fidelity to every Foreign Prince, Potentate State & Sovereignty whatsoever & particularly to the President of the Republic of Mexico of whom he is a subject

Aballos his X mark Juan

Sworn to & subscribed before me this 24th day of October 1873.
A R Morris Clerk by Frank Brown Deputy

J Scholow

State of Texas } John Scholow being duly sworn accord-
County of Travis } ing to law in the District Courts of said County doth declare that he was born in the year A.D 1840 in the Kingdom of Italy whence he emigrated in the year 1869 to the United States of America and has selected the State of Texas as the place of his intended settlement

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and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance & fidelity to every foreign Prince Potentate State & Sovereignty whatsoever & Particularly to the King of Italy of whom he is a subject. John B Scholze

Sworn to and subscribed before me this 24th day of October 1873 in Open Court A R. Morris Clerk. by Frank Brown Deputy

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

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

3785 L. J. & W. H. Page vs S. & G. H. Bennett. And now come the Plaintiffs by their Attorneys & upon motion It is ordered that John B. Costa Esq be appointed Special Guardian to represent the minor Defendants in this Case.

3425 Duval Beall v. Lebard & Townsend Now come the parties by their Attorneys & Defendants submitted to the Court their motion for a new trial which being heard & Considered. It is ordered that said motion be overruled. Whereupon the said Defendants give notice in open Court of an appeal to the Supreme Court.

3635 Donaldson et. al. vs C. R. Stiff et. als. Come now the parties by their Attorneys & the Defendants submitted their motion for a new trial, which being heard & duly considered It is ordered that said motion be overruled. Whereupon said defendants give notice in open Court of an appeal to the Supreme Court.

3797 Geo. Pearce vs W. L. Glapcock. Now come the parties by their Attorneys & the Plaintiff submitted his motion for a new trial which being heard and duly considered It is ordered that said motion be overruled And thereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

3537 Nancy E. Moore vs. Carl Timmerman Garnishee. Now come the parties & the Garnishee, the Austin Turn Verein, and the Garnishee submitted the motion to set aside the judgment by default entered herein at a former day of this term which being heard and considered It is ordered that said judgment by default be set aside & that the garnishee be allowed to answer & file the same

3666 A. R. Valls et. al. vs C. A. Minter et. als. Comes on to be heard the Report of John W. Patton Commissioner duly appointed at the last Term of this Court to sell the lands and land certificates belonging to the estate and heirs at law of Edward Kinn deceased said Report being filed on the 24th day of October 1873, And it appearing from said Report that the Commissioner

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had sold the interest of said estate and heirs of Edward Linn dec'd in and to the following Land Certificates to wit No 13/127 issued to F. A. Sherman by S. Crosby, Commissioner of the General Land Office on 28th March 1862 for about 34 acres of land. Also 1/2 interest undivided of Bounty Warrant No. 13/117 for 1280 acres of land issued to said F. A. Sherman. Also unlocated balance donation Warrant No 12/136 issued to Harvey Martin (said Warrants being fully described in said Report) at which Sale J. C. Minter became the purchaser of each. And it further appearing to the Court that the Sale was fairly made and in conformity to law, it is considered, adjudged and decreed that said Sale be in all things confirmed and that the Commissioner make to the purchaser a deed to said land certificates.

J. C. Collins No. 3840 James C. Collins Ex Parte. And now on this day came on to be heard the application of James C. Collins, supported by affidavit, praying for the Removal of his Disabilities of non age. And the petition being heard and considered by the Court and the causes set out being deemed sufficient It is ordered that the Disabilities of Non age of the said James C. Collins be and the same are hereby removed; that the said James C. Collins be and he is declared competent to do and perform all manner of transactions the same as if he were twenty one years of age and he shall be deemed and held for all legal purposes of full age, and shall be held responsible and shall have all the privileges and advantages as if he were of full age, saving the right to vote.

3405 X State of Texas vs The Estate of R S M. A. De la Tulle Et James Caldwell, & A. A Hughes. Et John C. Mowinckle Intervenor Now on this day comes on to be heard the above entitled cause, and it appearing to the Court that the defendant James Caldwell has not been served with process this cause is dismissed as to him, on motion of Counsel of the State. And it further appearing to the Court that the heirs of R S M A. De La Tulle though duly summoned, as the law directs, failed to appear but made default. And it appearing to the Court that the State has made out her case from the evidence adduced by her counsel on the trial: to wit: That R. S. M. A de la Tulle has not been known to be in the State of Texas for twenty two or twenty three years, that it had been rumored that he had been dead for many years. That there has never been any administration upon the estate of said de la Tulle in Travis County Texas that no heirs have ever appeared to take charge of this property in said County, that he had located upon two tracts of

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land, one of in Travis County of acres & the other in Llano County of acres and that the one in Travis County had been patented to him, that the Tract of land in Travis County was surveyed on the day of 18. and the one in Llano County was surveyed on the day of 18

It is therefore ordered & adjudged by the Court that the State of Texas recover of said heirs possession of the tract of land in Travis County Texas granted to the said R S M a de la Tulle (hereinafter described) & that the title of the same be divested out of said heirs & vested in the State of Texas & that said tract of land be & the same is hereby escheated to the State, except the One hundred and nine acres or so much thereof as conflicts with said de la Tulle tract claimed by the Intervenor John E Mowmckle on the survey in the name of Francis Bruchta assignee of Hugh Kelly hereinafter described And it is further ordered & adjudged by the Court that an order of sale issue to the Sheriff of Travis County commanding him to advertise said tract of land hereby escheated and sell the same as under execution for cash and turn the proceeds thereof over to the District Attorney, who shall turn over the same to the Comptroller of Public Accounts.

And thereupon the plaintiff by her attorney & the defendant A A Hughes announced themselves ready for trial, and waiving a jury, submitted the matters in controversy to the Court, who after hearing the demurrers of said defendant Hughes, overruled the same & the Court after hearing the evidence doth order adjudge & decree that the State of Texas recover of the Defendant A. A Hughes the following described tract of land situated in Travis County Texas granted to R S. M a de la Tulle being survey No 68, to wit — "Beginning at a stone mound the S W corner of survey No 34 & the N W corner of this survey Thence South 60° E 1298 varas a stone mound, Thence South 30° West 2790 varas a creek 2782 varas a stone mound from which a cedar bears S 40° W. 10 varas a red Oak bears S 50° E. 5 varas. Thence North 60° West 1298 varas a stone mound from which a Live Oak bears S 50° E 15 varas Thence North 30° East 2782 varas the place of beginning." All except One hundred & nine acres of land on the survey in the name of Francis Bruchta assignee of Hugh Kelly, claimed by John E. Mowmckle. Intervenor in this suit or so much of said 109 acres as conflicts with the above described tract Said tract of land in the name of Francis Bruchta is described as follows. to wit. "Beginning at the S. E corner of Survey No 67 in the name of W D Holton a

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Stake from which Cedar 13 inc in dia brs. S 12½ W. 8 varas. a Red Oak 11 in dia. brs. S 30¾ W. 4 varas. Thence North 60 West with the North line of No 67, 290 varas. a branch or Slaughter Creek three times, at 1298 vrs a Stake from which a live oak. 5 in dia brs S 44½ E. 25 varas. another 6 in dia. brs S 8° E. 34 varas. Thence N 28 E. 475 vrs. a stake. Thence S 62° E. 1298 varas. a stake. Thence S 30° W. 475 varas to the place of beginning.

And it is further ordered & adjudged by the court that all right title & interest lien and to the tract of land first described therein be and the same is hereby divested out of said defendant Hughes and the title thereof be fully vested in the State of Texas and that a Writ of possession issue commanding the Sheriff of Travis County to dispossess said defendant Hughes and place the purchaser or purchasers at the sale herein before mentioned in full and complete possession of the same.

And it is further ordered & adjudged by the court that the tract of land described in plaintiffs petition as being in Llano County Texas be not escheated to the State because it appears to the court that the same have never been patented to said R. S. M. A. de la Tulle for whom it was located & surveyed.

And it is further ordered & adjudged by the court that the plaintiff the State of Texas recover all the costs in this behalf expended for which execution may issue, & thereupon the plaintiff & the Defendants a. q. Hughes respectively give notice in open Court of an appeal to the Supreme Court.

✓ 34,23 L. L. Johns. Flo. Everett. Wm Von Rosenberg. vs David Waters Elizabeth A. Waters, Fannie Smith & Wm Smith. And now on this day. Oct 24th 1873, come the parties plaintiffs by attys & viz. W. J. Montgomery Esq. Special guardian of the minor Fannie Smith and the plaintiffs ask judgement by default against the defendants. David Waters & Elizabeth A. Waters & Wm Smith & it appearing to the court that said defts have been duly served with process the court doth order, adjudge & decree that as to the defendants. David & Elizabeth A Waters & Wm Smith the petition be taken for confessed & judgement by default adjudged.

And thereupon upon further hearing upon the pleadings & evidence (there being no jury demanded) the court ascertaining by testimony adduced that the allegal-

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ions in the petition are true doth order, adjudge & decree that the said plaintiffs recover of the defendants one third of the said lands described in the petition, and that partition be adjudged & that they the said plaintiffs do have in partition the one third of the said lands which lands are as follows

1 (1) 17,333.333 sq. varas of land in the Counties of Houston & Walker about 24 ms. S 11° W. of Crockett patented by virtue of Certificate No 3/94 in name of Jas Bryan, August 31st 1830. Beginning at Wm Windhams N.E. corner on the S.E. boundary of J. Badillas survey a Pine brs N. 70° E 3½ vrs. & a post Oak brs S 23° E 1½ varas Thence N. 35 E with Badillas line at 2020 vrs corner. a Pine brs N. 13° E 7 vrs dist. Thence S 45° E. at 393 vrs the West corner of K. B Smiths survey at 1230 varas croking County line at 1290 vrs the South corner of K. B Smiths survey Thence N 45° E 1800 vrs East corner of Smiths survey Thence with Smiths line N 45° W 165 vrs County line at 1097 vrs Smiths N.E. corner. stake. Thence S 45° W. 1097 vrs Smiths N. W. corner Thence N 45° W at 393 vrs J Badillas line Thence N 35° E 1800 vrs J. Badillas S E corner Thence N. 35° W. 1385 vrs S W corner of Wm Dillards survey stake. Thence N 35° E with Dillards S line 1940 vrs to his S E corner. Thence N. 45° W at 875 varas, a Mulenbranch S.W. corner. Thence N 45° E 840 vrs Thence S 45° E 1825 vrs on the N line of T Dillard. Thence S 45° W. 1922 varas T Dillards S W corner stake. Thence S 45° E 1300 vrs T Dillards S W corner. Thence N 45° E with T Dillards line 420 vrs corner a Pine brs N 52° W 6 varas. Thence S 45° E 900 varas corner Thence S 53° W 3241 vrs stake Thence West 920 vrs stake the N E corner of John Bethea survey at 1853 varas Bethea N W corner Thence South with Betheas W boundary line at 2000 vrs. his S W corner. Thence East with Betheas S boundary at 903 varas his S.E. corner on T D. Thomkins W line Thence South with Thomkins W bound 571 vrs. corner on Josè Ortega line a Pine bears N 82° W 8 vrs. Thence S 55 W. with Ortegas line 3073 vrs.. John Coughrams' corner Thence North with Coughrams survey 760 varas. a P.O brs N 82° W 10 vrs & another P.O brs N 65½ vrs Thence N. 45° W 800 vrs cor on J Betheas 2nd survey. a P.O brs N 84° E 18½ vrs: do: S 29° E 12 vrs Thence with Betheas line N 45° E 1160 vrs. a Pine brs N 48° E 9 vrs Thence N 45° W. 1108 vrs, corner on Wm Windhams line, Thence N 45° E with Windhams line 1720 vrs. to his S E corner Thence N. 45° E with Windhams survey 408 vrs. to the place of Beginning

2 (2) 960 acres of land in Trinity County being about 21 miles S 36° W from the Town of Sumpter. patented June 12th 1868 by virtue of Bounty warrant No 4/9 issued to Jas Bryan on Sept 11th 1838. Beginning at the S corner of Josè Ortega's lower two leagues on the East bank of the Trinity River. a stake from which a Willow 9 in dia brs N 10° W 7 varas. also another 7 in dia brs S 31° E 26 varas Thence North 54° East with Ortegas line 2370 varas the W corner of James P Turners Preemption survey of 160 acres a stake from which a pine 17 in dia brs S 89° W. 8 varas another pine 10 in dia brs N 53° E 20 varas Thence S 36° E with Turners line 950 varas a stake from which a pine 13 in dia brs S 52° E 40 vrs. a post Oak 20 in dia. brs N. 70° E 50 vrs. Thence North 54° East 950 varas. Turners

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E, Corner a Stake from which a pine 12in dia brs. North 48° vrs another Pine 15 in dia brs S50°E 16 vrs Thence North 36°W 950 varas Turners N° corner a stake from which a pine 9in dia brs N8 varas another 15 in dia brs S35°W. 14vrs Thence East 1111 vrs a stake in mound Thence South 2827 vrs a stake in mound for corner Thence West 679 varas a stake the SE corner of G G Alfords labor a Black Jack 10in dia brs S5 vrs. a Post Oak brs S68°W 11vrs Thence North with the E boundary of said labor to the NE corner 500 varas a Stake in mound for corner. Thence West with the N B line of said labor 1979 varas to its NW corner on the East bank of the Trinity River. Thence up said River N 71° 45' W 1200 varas to the place of Beginning

3 (3) 320 acres of land in Fannin County on the waters of Bois d'arc creek about 18 miles N53°E from Bonham patented on Jan 4th 1869 by virtue of donation warrant No 413 issued on 3rd of Dec 1838 to Jno Bryan, Beginning at a stake from which a post oak Mkd "W.D." brs S37°W 1 vara & another marked R.J. brs N39°W 9 varas the NE corner of a survey of 640 acres in the name of W Davis. Thence West 1344.4 varas to a stake from which a Post Oak Mkd R.J. N71°E 5 varas. Thence North 1344.4 varas to a Post Oak Mkd R.J. Thence East 1344.4 varas to a stake from which a Post Oak brs — marked RJ — South 43° West 20 varas distant Thence South 1344.4 varas with the West boundary line of a survey of 640 acres in the name of Nancy Chenoweth, to the Place of Beginning"

4 (4) 320 acres of land in Fannin County on Bois de arc creek about 16 miles N52°E from Bonham patented (No 316 vol 3) by virtue of donation warrant No 413 issued on 3rd Dec 1838 to John Bryan, Beginning at a stake from which a Post Oak brs S70°E. 8 varas marked W.b. thence East 1344 varas. passing the NW corner of a 320 acre survey in the name of Benjamin Pettit. to a Stake from which a Post Oak marked W.B.d brs N 15 varas & an elm marked X brs S 89°E 10 varas Thence North 1344 varas to a black Jack for corner marked W.b thence West 1344 varas to a Bois d'arc marked W.b. from which a Spanish Oak marked X brs S 50°E 9 varas Thence South 1344 vrs to the place of beginning

5 (5) 57 acres unlocated balance of certificate,

And it appearing to the Court that the remaining two-thirds of said lands belong to Elizabeth A Waters, widow, David Waters son & the heirs of Rebecca Smith daughter of E D Waters dec'd and that the said Fannie Smith & her father Wm Smith are entitled to the shares of Rebecca Smith dec'd. And that Elizabeth A Waters is entitled to one half of said 2/3 & that David Waters is entitled to 1/4 of said 2/3 & that Fannie Smith & her father Wm Smith are entitled to 1/4 of 2/3 of said lands

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And the Court doth order & decree that a writ of partition do issue of said lands & that in said partition the plffs take one third Elizabeth A Waters one third & David Waters one sixth & that Fannie Smith take one sixth (Encumbered by a life interest in her father Wm Smith in one third thereof)

And it is further ordered that C W Pressler & B McGill & John H Walker be & they are hereby appointed Commissioners to make partition of said lands & that they be required to ascertain by such satisfactory means as they can to ascertain the respective values of the several tracts of land & that after ascertaining such value that they set apart to the plffs the one third of the number of acres of average value & that the share of plffs they charge the unlocated balance of certificate of 57 acres & also the tract of 320 in Fannin Co (patent No 316 vol 3).

And that they set apart to the minor Fannie Smith the one sixth of said lands subject to her father Wm Smiths life interest in 1/3 thereof in quantity & value

And it is ordered that said commissioners if they can do return their report under oath to this term of Court showing their action for the further action of this Court

John Monteleu

Declaration of intention to become a citizen

State of Texas } Jno Monteleu being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year A.D 1845 in the Kingdom of Sweden whence he emigrated in the year 1872 to the United States of America & has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance & fidelity to every foreign Prince Potentate State or Sovereignty whatsoever & particularly to the King of Sweden of whom he is a subject

Jno Monteleu

Sworn to & subscribed before me this 25th day of Oct 1873 in open Court A R Morris Clerk by W Brown deputy

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

Monday October 27th 1873.

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

3687 Goldfrank Frankoles vs. D. E. Cater. And now come the parties to this cause by their attorneys and agree in open Court that judgment may be entered for the sum of $644 & against the Defendants and in favor of the plaintiffs. And thereupon

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It is ordered and adjudged that Goldfrank, Frank, Lowenberg and Lowenberg, under their firm name of Goldfrank Frank & Co do have and recover of the Defts Thomas C. Cater the sum of Six Hundred Forty Four and 66/100 Dollars, that being the amount agreed upon, together with all the costs of this suit for which execution may issue

✓ ✓ 3716 Amelia Miller vs Jacob Miller Comes now the Plaintiff and upon motion It is ordered that the said Plaintiff have leave to amend the petition.

✓ 3399 The State of Texas v. Frank Dirks et als Comes now the Pltff by Attorney and upon motion in open Court it is ordered that said Plaintiff have leave to amend the petition

✓ 2905 State of Texas vs Jake Phillips alias Dick Brodie And now comes the plaintiff by Attorney and the Defendant in person and by attorney and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of J. H. Pape and eleven others who being tried, elected, empannelled and sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict to wit "We the Jury find the Defendant guilty and assess the penalty to two years imprisonment in the State Penitentiary. J. H. Pape, foreman". Whereupon It is ordered that the Defendant stand Committed to the County Jail to await Judgment and Sentence.

✓ ✓ 3805 X C. O. Soelle et al vs James T. Brown. And now on this day came the parties to this cause by their attorneys when the plaintiff submitted to the Court his demurrer to the answer of Defendant which being heard and considered, It is ordered that the same be sustained. And thereupon the plaintiff asks for Judgment by default for want of an answer And the Defendant being duly cited and the cause of action being liquidated, It is ordered that C. O. Soelle do have and recover of James T. Brown the sum of Two Hundred Eighty Six and 66/100 Dollars in gold, debt and interest due upon the note sued on to this date, together with all the cost of this suit for which execution may issue.

✓ 3079 State of Texas v. Sam Miller Come now the parties and announce ready for trial and waiving a Jury submit the Case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of Sam Miller the sum of Ten Dollars and the cost of the prosecution and that a Capias issue to collect the same.

✓ ✓ 3706 X J. B. Wilkin v. J. W. Oneal And now came the parties and announced ready for trial. When came a Jury of twelve

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good and lawful men of Travis county, consisting of J. H. Walker and eleven others duly tried elected and sworn who having heard the evidence and the charge of the Court returned the following verdict, to wit: "No 3706. We the Jury find for the Defendant J. H. Walker Foreman." Whereupon It is ordered that the Pltff take nothing in this behalf: that the Defendant go hence and recover of said J. D. Wilkins and his securities R. C. Stuart, A. S. Mair, W. W. Peckett and Chas. J. Evans all the cost in this Court and the Court below expended for which execution may issue.

3808. Ned Douglas vs. J. H. Coleman. Continued.

3809 M. A. Taylor vs. A. H. Cook. And now on this day came the parties and announced ready for trial. And then came on to be heard the Demurrer of Defendant to the petition of the Plaintiff which being heard and duly considered It is ordered that the same be overruled. to which the said Defendant excepts. Whereupon came a Jury of twelve good and lawful men of Travis County Consisting of J. H. Pope and eleven others, duly tried, elected, empannelled and sworn who having heard the pleadings, evidence and the charge of the Court, after retirement returned the following verdict, to wit: "We the Jury find verdict in favor of plaintiff in the Sum of ($729 33/100) Seven Hundred twenty nine and 33/100 gold dollars. J. H. Pope Foreman." Whereupon It is ordered that M. A. Taylor recover of said A. H. Cook the Sum of Seven Hundred Twenty-Nine and 33/100 Gold Dollars, with interest thereon at the rate of twelve per centum per annum from this date until paid and all the cost of this suit for which execution may issue.

3811. D. Weber vs. C. Peckett Continued under rule for Cost.

3816 W. G. Hamilton vs. Sheehan and Fields. And now on this day came the parties to this Cause by their Attorneys & announced ready for trial and waiving a Jury submit the case to the Court. And the Court having heard the evidence and duly considered the Same, doth order and it is ordered and decreed that W. G. Hamilton do have and recover of the said Jeremiah Sheehan, D. A. Fields, and their securities James McKey and C. H. Darter the Sum of Fifty Eight 30/100 Dollars and all the Cost of this suit in this Court and the Court below for all which execution may issue.

3082. State of Texas vs. Fairchild. Come now the parties and announce ready for trial and waiving a Jury submit the case to the Court. And Defendant pleading guilty It is ordered that the State of Texas recover of said Fairchild the Sum of Ten Dollars and the Cost of the prosecution and that a Capias issue to collect the Same.

3818 B. Radkey v. T. C. Cater. And now on this day came the parties to this Cause by their Attorneys and announced

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ready for trial. When came a Jury of twelve good & lawful men of Travis County Consisting of J. H. Pope and eleven others only tried empanelled & sworn who having heard the evidence and the charge of the Court retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury find verdict in favor of Plaintiff in the sum of ($11 50) Eleven 50/100 Coin Dollars J. H. Pope Foreman." Whereupon It is ordered and decreed that P. Radkey recover of said T. E. Cater and the Security on his appeal bond, D. M. Wilson Eleven 50/100 Dollars in Coin and One 1/100 Dollars Damages and the Cost of this suit in this Court and the Court below expended for all which execution may issue.

3716 Amelia Miller v. Jacob Miller. And now on this day this cause being called came the plaintiff and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County, Consisting of J. H. Pope and eleven others, duly tried empanelled and sworn, who having heard the pleadings evidence and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "3716. Amelia Miller vs. Jacob Miller. District Court Travis County 27 Oct. 1873. Verdict. We the Jury find the allegations in the pffs petition to be true. J. H. Pope Foreman." Whereupon It is ordered and decreed that the Bonds of Matrimony heretofore celebrated and existing between the said Amelia Miller and Jacob Miller be and the same are dissolved and held for naught. It is further ordered that the pffs and the securities on her cost bond W. Keye and A. Fahrmann pay all the cost of this suit for which execution may issue, being incurred by said plaintiff and that she shall have her execution against the defendant for the same and that the recover of said Jacob Miller the costs of this suit.

3769 McDannell & Co. vs. T. H. Doran & Co. And now on this day came the parties to this cause by their attorneys and announced ready for trial and waiving a Jury submit the case to the Court. And upon a hearing of the pleadings evidence and a due consideration of the same and it appearing that there is due the pffs from the Defendants the sum of $153 58. It is ordered and decreed that Pat McDannell and Martin McCarty under their firm name of McDannell & Co do have and recover of T. H. Doran and P. W. Wynne the sum of One Hundred Fifty Two and 58/100 Dollars upon one or the account sued on together with all their cost in this behalf laid out and expended for which execution may issue.

3832 D. F. Moore vs. McDannell & Co. And now on this day came the parties to this cause by their attorneys and

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announced ready for trial and waiving a Jury submit the Case to the Court. And the Court having heard the evidence and argument and duly considered the same and it appearing that the two mules levied upon by writ of attachment in Case No 3769 of McDaniel & Co v. Doran & Co, are the property of the said plaintiff D. F. Moore It is ordered that said D. F. Moore do recover the possession and custody of said Mules and that the Sheriff turn over the same to the said Moore, and that said McDaniels & Co be restrained from setting up any claim to the same by virtue of the attachment levied upon the same. And it is ordered that said D. F. Moore recover of Pope McDaniel and Martin McCarty all her cost in this behalf for which execution may issue.

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

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

1733 C. A. Hopkins et al. vs Aaron Morrill. Cont'd by Defendant.

2739 Lucy Ann Johnson vs J. H. Wacker et al. Continued

2802 Wm Drake vs R. McLaren. Continued by Defendant.

3408 H. Hirschfeld v J. H. and Margaret Peter. And now come the parties to this cause by their Attorneys and upon motion It is ordered that this cause be dismissed from the Docket and that the plaintiff recover of said J. H. Peter and Margaret Peter all the cost of this suit for which execution may issue.

3739. G. R. Freeman vs Joshua Fine et al. And now comes the plaintiff and upon motion It is ordered that the Sheriff be allowed to amend the Return upon the citation issued and returned herein.

3748 John A. Green et al. vs L. Raymond et al. Now come the Pffs by Attorney and upon motion It is ordered that the Plaintiffs in this Cause have leave to amend.

3748 John A. Green et al. vs Lucinda Raymond et al. Now come the Defendants by Attorneys and upon motion It is ordered that the Defendants have leave to amend.

3591 Mary Middlebrooks v. The Houston and Texas Central Rail Road Company. And now on this day came the parties to this Cause by their Attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County Consisting of J. H. Wacker and eleven others who were tried, elected, empannelled and sworn according to law, And the Jury having heard the Pleadings, evidence, argument of Counsel and the charge of the Court retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "No 3591. We the Jury find for the Plaintiff and assess the damages at Ten Thousand Dollars. J. H. Wacker, Foreman." Whereupon It is

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ordered, adjudged and decreed that said Plaintiff Mary Middlebrooks have and recover of the said Houston and Texas Central Rail Road Company the sum of Ten Thousand Dollars, damages assessed by the Jury as aforesaid and that said Company be adjudged to pay the cost of this suit for which execution may issue.

2976 Geo. H. Gray vs. M. J. Dunbar. Cause continued

2981 W. L. Philips vs. A. A. Scroggins et al. Continued

3150 W. A. Shaw et al. vs. John Norwood et al. Continued by Defendant.

3157 Charles Shepherd vs. J. J. Sneed et al. Continued

3238 J. C. & S. R. Smith & Co vs. O. N. Mitchell et al. And now come the parties and upon motion It is ordered that this cause be dismissed from the docket and that the said Defendants O. N. Mitchell and S. R. Smith pay all the cost of this suit for which execution may issue

3359 M. J. Carleton et al vs. C. A. Turney Admr. Now come the parties by their attorneys and upon motion It is ordered that this Cause be dismissed and that the said M. J. Carleton and R. a. a. Carleton pay all the cost of this suit for which execution may issue.

3374 B. M. Odom vs. P. & C. Gaedon. Continued

3383 Geo. W. Honey vs. O. A Quick et al. Continued by consent.

3412 E. Brenond vs. J. N. Good et al. Now comes the Plaintiff by Attorney and upon motion It is ordered that the Cause be dismissed and that said E. Brenond pay the cost of this suit for which execution may issue

3447 A. Dronichet vs. J. Knechler et als. Continued

3449 Simmerson & Bro vs. L. S. Williams et al. Continued

3454 The State of Texas vs. J. Davidson et al. Cont. for service

3486 Paul Lewis vs. H. & T. C. R. R. Continued

3498 State of Texas vs. John A. Purnell et al. Cont. for service.

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

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

3839 Carlotta Peterson et al. vs. Jno. P. Peterson et al. On this day came on to be heard the Report of Radcliff Platt, W. M. Wilson and J. M. Mansfield Commissioners appointed by this Court at its present term, Oct. 23, 1873, To partition among the parties to this suit in said decree mentioned in the proportion therein directed Lot No 8 in Block No 58 and the East half of the South East quarter of Block No 41 in Division E each in the City of Austin Texas and said Commissioners having reported under oath in the manner and form prescribed by law; that no just division in the manner directed in said decree can be made, and that such division would greatly diminish the value of said town lots. And it appearing to the Court that said Report ought to be con-

pinned. It is therefore ordered, adjudged and decreed by the Court that said Report of said Commissioners be and the same is hereby in all things confirmed: and the Defts. Carlotta Peterson being now here by attorney and the minor Plaintiffs Achen Peterson and Edward Peterson being now here by their Special guardian J. M. Denton: and the minor Defts William Peterson and Henry Peterson being now here by their legal guardian August Weichacher. And the Defendants Gustof Peterson, Christian Peterson and Johanna Juhlin and her husband Charles A. Juhlin being now here by attorney at the request of and with the consent of all of said parties it is hereby ordered adjudged and decreed by the Court that August Weichacher be and he is hereby appointed Special Commissioner with full power and authority to sell at either private or public sale for cash in coin, as to him may seem best, said Lot 8 in Block No. 58 in Austin, Texas with all the improvements thereon situated, and also the said East half of the South East quarter of Block No 41 in Division E of the City of Austin, with all the improvements thereon situated and report to the next Term of this Court how he has acted and what he has done by virtue of the authority herein conferred upon him, in order that said action may be ratified or rejected by the Court as may be deemed best and proper, to which Term this Case stand continued.

✓ C. N. Rutherford
✓ Geo. W. Glascock
✓ W. P. Gaines

And now on this day came the Committee appointed to examine the applicants for Law License, Messrs C. N. Rutherford, Geo. W. Glascock and William P. Gaines and made their Report that they had examined them in open Court and found them duly qualified and the Court being satisfied with said Report. It is ordered that said C. N. Rutherford, Geo. W. Glascock and William P. Gaines be and they are hereby admitted to practice as Attorneys and Counsellors at Law in the several District and Inferior Courts of the State of Texas and that the Clerk issue to them Licenses accordingly.

✓ 3801 J. D. McGary vs John Stringer. Comes now the Defendant by attorney and upon motion in open Court It is ordered that said Defendant have leave to amend.

✓ 3289 Phineas Burchard vs Potter et al. Continued

3399 State of Texas v Frank Dills et al. And now come the Defendants and upon motion It is ordered that said Defendants have leave to amend their answers.

✓ 3360 The State of Texas vs W. H. Morris et al. And now on this day came the plaintiff by her attorneys and dismisses this suit as to the Defendants C. R. Johns, F. Everett and W. von Rosenberg under their firm name of C. R. Johns & Co and the Defendant L. J. Hoffman. And came also the other defendants by their attorneys: and thereupon the said Plaintiff and the said other Defendants announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County consisting of J. H. Pope and eleven others

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duly tried, elected, empannelled and sworn, who having heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit. "No 3360. We the Jury find for the Plaintiff Five Thousand Four Hundred & Fifty Dollars & Sixty Seven Cents ($5.450.67) J. K. Pope, Foreman." Whereupon It is ordered and decreed that the State of Texas do have and recover of the Defendants W. H. Morris, T. A. Johnson, S. A. Owens and Jas H. Forbes the sum of Five Thousand Four Hundred, Fifty and 67/100 Dollars amount found to be due by the Jury as aforesaid together with the further sum of Five Hundred, Forty Five & 06/100 Dollars damages on said sum of $5.450.67, and all the Cost of this suit, for which execution may issue.

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

October 30th, 1873.

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

✓✓ 3526 Sampson & Kenrick's vs. G. M. Brass. Continued

✓✓ 3527 H & T. C. R. R. vs. B. M. Odom. Continued

✓✓ 3530 Henry Eddie et al vs. Thompson et al Continued

✓✓ 3535 C. Spalding vs. A. Hill et als. Continued

✓✓ 3536 Miller & Dowell vs. A. H. Longley et al. Continued

✓✓ 3538 H & T C R R vs. Thos. Carleton. Continued

✓✓ 3542 H. W. Johns vs. H. W. Townsend. Continued under Rule for Costs.

✓✓ 3554 P. J. Willis & Bro. vs. T. E. Cater. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County Consisting of J. K. Pope and eleven others duly tried, elected empannelled and Sworn who having heard the pleadings, evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict to wit: "No 3554. We the Jury find for the Defendant. J. K. Pope, Foreman." Whereupon It is ordered and decreed that the plaintiffs take nothing in this behalf: that the Defendant go hence and recover of P. J. Willis and R. S. Willis all the Cost of this suit for which execution may issue.

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

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

✓ 3039 Thomas Leniston v. L. G. Britton. And now on this day came the parties to this cause by their attorneys and announced ready for trial. And thereupon the Defendant presented to

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the Court his motion for a continuance of said cause which being heard and considered the same is overruled to which ruling the Defendant excepts. And thereupon the parties announced ready for trial. When came a Jury of twelve good and lawful men of Travis County, duly tried, elected, empannelled and sworn, who having heard the pleadings, evidence and argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit. "No 3539 We the Jury find for the Plaintiff two Thousand One Hundred & Twenty three 52/100 ($2123. 52/100) Gold Dollars. J. H. Pope, Foreman." Whereupon It is ordered and decreed that said Thomas Lewiston do have and recover of said L. G. Britton the sum of Two Thousand One Hundred and Twenty Three and 52/100 Dollars in gold and all the Cost of this suit, for which execution may issue.

✓ 3667 James P. Neal vs Columbus Boatman et al J. M. McClain

And now on this day came the parties to this cause by their attorneys and agree in open Court that Judgment may be entered in this cause for the amount of the note sued on and a foreclosure of lien as per agreement on file. And thereupon It is ordered and decreed that James P. Neal do have and recover of Columbus Boatman et al J. M. McClain the sum of Eight Hundred, Ninety Five and 9/100 Dollars in coin, with interest thereon at the rate of ten per centum per Annum from this date until paid and all the cost of this suit for which execution may issue.

And it appearing that Plaintiff has a lien upon the following described Real Estate, to wit. Secure the payment of the Judgment rendered herein, to wit. 46¼ acres, more or less, on the S. side of Walnut creek in Travis County about 8 miles from Austin City beginning at the N. W. corner of a tract of 60 acres heretofore sold to Mose McLain near the house of Mr. Bird thence S. 60° E. with the N. line of said 60 acres to said Mose McLain's E. corner. thence S. 30° W. with the E. line of said 60 acres Survey to the S. E. corner of the original S. line of this Survey. thence S. 60° E. with the original line 896 vrs to the S. E. corner of J. P. Neal's tract. thence N. 30° E. to Big Walnut Creek at the mouth of a ravine. thence up the centre of the creek with its meanders to the boundary line of the Sd J. C Brooks Survey. thence S. 30° W. along the Brooks & Bar. Canal division line to the beginning"

It is ordered that said lien be foreclosed and that the Clerk issue an order of sale directed to the Sheriff of Travis County requiring him to sell, as under execution, the above described Real Estate, and the proceeds of said sale he shall apply to the satisfaction of the Judgment, principal interest and cost due, with the interest to accrue thereon, and the overplus, if any, he shall pay over to the Defendants.

And it is ordered that if said Defendants

One half of this judgment collected by Sheriff
Walker Attorneys for Pltff
Issued to Sam E. Beezley and said Sheriff
Paid to Sam E. Beezley and Attorneys for Pltff
$1½ hereby taxed in full the costs
Fri January 23rd 1874 by June D. Buckley

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shall pay one half of the Judgment on or before the 1st Janry, 1874. and all the costs of suit, then execution or order of sale for the remainder shall not be issued until twelve months after the date of this Decree.

3671 Mary A. Payne vs. Ed Wickerson. Comes now the Defendant by attorney and upon motion It is ordered that said Defendant have leave to amend the answer

3772 L. Pasey et al. vs R. A. Rutherford Comes now the Plaintiff by attorney and upon motion It is ordered that said Plaintiff have leave to amend

3803 R. M. Rufsell vs H. C. Eanes et al Contained by plaintiff

3399 The State of Texas vs. Frank Dirks et al. And now on this day came the parties to this cause by their respective attorneys and announced ready for trial. And thereupon the said plaintiff dismisses this suit as to the Defendant John Hampshire, F. Waltman and B. Baylan. And then came on to be heard the Defendants several pleas in abatement, which being considered by the Court the same are overruled, to which rulings the Defendants except. And thereupon on motion, It is ordered that the plaintiff and Defendants respectively have leave to amend their pleadings And then came a jury of twelve good and lawful men of Travis county, duly tried, elected, empannelled and sworn, who having heard the pleadings, evidence and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Plaintiff the sum of $21.964.$^{89}/_{100}$ B. F. Wroe, Foreman"

Whereupon It is ordered adjudged and decreed that the State of Texas do have and recover of the Defendants, Frank Dirks principal and John Kruger, James P. Sherwood, N. Murphy, A. Haltman, William Wichelm Bleicke, G. E. Clement, Henry Beissner, G. C. Koenig, John H. Westerlage, H. Klemeeke, C. Jordan, S. Heidenheimer, Harry Brandes, William Bleike, C. S. Pickler, Michael Kinsley, Gustave Young, Robert K. Smith and John S. Jones, sureties, the sum of Twenty One Thousand, Nine Hundred Sixty four and $^{81}/_{100}$ Dollars, so found to be due by the Jury aforesaid, together with the costs of suit, for which execution may issue.

And it is further ordered and decreed that the State of Texas do have and recover of the said Defendants hereinbefore named, the further sum of Two Thousand One Hundred Ninety-Six and $^{48}/_{100}$ Dollars, Damages at the rate of ten per cent upon the said sum of $21.964.^{89} for which execution may issue

3509 Thomas Lewis ton v. D. G. Britton. It is ordered by the Court that the Judgment rendered in this cause on this day be amended as follows. "And it appearing to the Court that on the 29th Janry 1870 a writ of attachment was sued out

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against the property of the Defendant L. G. Britton, which was
levied upon the following described Real Estate, to wit: Being a part
of Out Lot No. 72 in Division D of the Out Lots adjoining the City
of Austin beginning at the S. W. corner of said lot at a stake-
thence N. 30° E. with the Original West line of said lot 171 varas
to a stake in the said line: thence S 60° E. 330 vs to a stake: thence
S. 30° W. 171 vs to a stake in the S line of said lot: thence N. 60° W.
with said line 33 varas to the beginning." And it appearing that
said Real Estate has not been replevied by the Plaintiff or the
Defendant to this suit: that the same is in the possession and
Control of the Sheriff of Travis County and liable to be sold in
Satisfaction of the Judgment rendered herein. It is ordered that
the attachment lien be foreclosed upon said Real Estate and that
an Order of Sale issue directed to the Sheriff of Travis County re-
quiring him to sell the same as under execution, and the proceeds
of said Sale he shall apply 1st to the payment of the costs of
this suit 2nd to the payment of the Judgment and interest to
grow one thereon and 3rd the remainder if any pay over to the De-
fendant,

And further ordered that the Cause Stand Continued as
to the garnishee Mrs. Billingsly

Wm Hoeflich

Declaration of Intention to become a Citizen
State of Texas } William Hoeflich being duly sworn according
County of Travis } to law in the District Court of said County
doth declare that he was born in the year A.D 1852 in the
Kingdom of Bavaria whence he emigrated in the Year 1871 to the
United States of America & has selected the State of Texas as the
place of his intended settlement and he further declares that it is
bona fide his intention to become a citizen of the United
States and of the said State of Texas and renounces forever all allegiance
and fidelity to every foreign Prince Potentate State or Sovereignty
whatsoever and particularly to the King Lewis II of Bavaria of
whom he is a subject.

William Hoeflich

Sworn to and subscribed before me this 27th day of October 1873
in Open Court. A. R. Morris Clerk by J. Brown deputy

Victor Schmidt

State of Texas } Victor Schmidt being duly sworn according to law in
County of Travis } the District Court of said County doth declare that
he was born in the year A.D 1835 in the Empire of Germany and
he emigrated in the year 1865 to the United States of America and
has selected the State of Texas as the place of his intended settle-
ment and he further states that it is bona fide his intention
to become a citizen of the United States and of the said State of
Texas and renounces forever all allegiance & fidelity to every
foreign Prince Potentate State or Sovereignty & particularly to the
Duke of Brunswick of whom he is a subject

Victor Schmidt

Sworn to and subscribed before me this 27th day of Oct 1873 in open
Court A. R. Morris Clerk by J. Brown deputy

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3772 L. Pasey et al. vs R. A. Rutherford. And now come the parties and announce ready for trial and then came a Jury of twelve good and lawful men of Travis County consisting of Wm Goode and eleven others duly tried elected and sworn who having heard the pleadings, evidence, and the charge of the Court returned the following verdict, to wit: "We the Jury find for the Defendant and assess the damage 4 80 four Dollars eighty cents $4.80 Wm Goode, Foreman." Whereupon It is ordered that the defendant R A Rutherford recover of said Plaintiffs Larkin Pasey and Clarissa Pasey the sum of Four & 80/100 Dollars and his cost in this behalf laid out and expended for which execution may issue.

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

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

3785 L. J. & W. H. Page vs Sarah & G. A. Bennett et al. This cause coming on to be heard and it appearing to the Court that all the Defts had been legally served the Pltff appeared by their atty and the minors by their special guardian J. B. Cobb heretofore appointed by the Court and Sarah and G. A. Bennett came not, but wholly made default. And it appearing to the Court that there is belonging to the said parties the following described property subject to partition, to wit: A tract of land lying in Travis County five miles East of the City of Austin being a part of the headright of J. C. Tannehill league Survey No. 29 beginning at a stake in the prairie on the back line of said league thence S. 60° E. 632½ vars to a stake in the prairie, which also serves for a corner of a tract sold to Nathaniel Townsend also a part of said league; thence S. 30° W. with the West line and boundary of said Townsend tract 2200 vars to a branch of Walnut Creek 2600 vars to a stake and mound from which a Mesquit 10 inches marked with three chops bears N. 30° E. 6 vars. Thence N. 60° W. 632½ vars to a stake in a grove Thence N. 30 E 2600 vars crossing a branch of Walnut creek to place of beginning Containing two hundred and Ninety Acres. And it appearing to the Court that plaintiff is entitled to one fifth of said tract of land, and that each one of the following named Children of the said F. R. Tannehill dec'd (all being minors) to wit Bettie Jefferson, Mallie and Franklin, is each entitled to one fifth of said tract of land, subject to one undivided one third interest therein of each & share of Sarah Bennett the mother of Plaintiff L. J. Page and other heirs, herein named Bettie Jefferson, Mallie and Franklin. It is therefore Ordered adjudged and decreed by the Court that said tract of land be partitioned between the Plaintiffs and Defendants in the proportion of one fifth thereof to plaintiffs and one fifth to each one of the other heirs herein named, Bettie Jefferson, Mallie and Franklin Tannehill, the mother of said heirs, Sarah Bennett retaining a

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one third interest in said tract & in each & every share of the said tract of land as a life estate in said parcels of land.

And it is ordered and adjudged by the Court that James Jackson, A. R. Morris and James Hamilton be and are hereby appointed Commissioners to partition said land between the Plaintiffs and Defts. as aforesaid having reference in said partition to the quality of said land. And it is further ordered by the Court that said Commissioners report their action at this term of the Court.

3841 Andrew J. Houston Ex Parte And now comes on to be heard the application of Andrew J. Houston, a minor over the age of Seventeen years, and residing in Travis County, praying for the removal of his Disabilities of Non-Age. And the same being heard and considered and it appearing that the relief applied for should be granted, It is ordered by the Court that the Disabilities of Non age of the said Andrew J. Houston be removed, and that said applicant shall be deemed and held for all legal purposes of full age and shall be held responsible and shall have all the privileges and advantages as if he were of full age. Saving only that he shall not vote until he arrives at the age of Twenty one years.

3776 Sampson & Henricks vs M. E. Summerow. And now on this day this cause being called for trial, came the Plaintiffs & announced ready for trial. When came a Jury of twelve good and lawful men of Travis County, consisting of J. H. Pope and eleven others duly tried and sworn, who having heard the pleadings, evidence and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Pff the sum of ($218.49) Two Hundred & Eighteen and forty nine cents. J. H. Pope, Foreman." Whereupon. It is ordered that Geo. W. Sampson and Ben. F. Henricks under their firm name of Sampson & Henricks, do have and recover of the Defendant M. E. Summerow the sum of Two Hundred, Eighteen and 49/100 Dollars in gold, and all the cost of this suit, for which execution may issue.

3165 John and Ann Eliza Holland vs John A. Conner. And now come the parties by their attorneys and the Defendant submitted to the Court his motion for a new trial, which being heard and considered It is ordered that said motion be overruled. And thereupon ~~It is ordered~~ the Defendant, by attorney, gives notice in open Court of an appeal to the Supreme Court.

3873 Raymond & White vs A. S. Roberts And now on this day came the parties by their attorneys and the plaintiffs submitted to the Court their motion for a new trial, which being heard and Considered, It is ordered that said motion be overruled. Whereupon said Plaintiffs give notice in open Court of an appeal to the Supreme Court.

3809 M. A. Taylor vs A. A. Cook. And now on this day came the parties by their attorneys. when the Defendant submitted his motion for a new trial, which being heard and considered, It is

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ordered that the same be overruled. Whereupon the Defendant by his attorneys gives notice in open Court of an appeal to the Supreme Court.

3591 Mary Middlebrooks v. H. & T. C. Railway. Comes on to be heard the motion of the Defendant for a new trial, which being heard and duly Considered by the Court, It is ordered that the same be sustained; that a new trial be granted.

3706 J. B. Wilkins vs J. W. O'Neal. Come now the parties by their attys and the plaintiff submitted his motion for a new trial which being heard and argued by counsel and duly considered It is ordered that the same be overruled.

3554 P. J. Willis & Bro. vs T. E. Cater. And now come the parties by their attorneys whereupon the plaintiffs submitted their motion for a new trial which being heard and argued by Counsel and duly Considered, It is ordered that the said motion be overruled. Whereupon the plaintiffs give notice in open Court of an appeal to the Supreme Court.

3360 State of Texas v. W. A. Morris et al. And now come the parties by their attys when the Defendants submitted their motion for a new trial which being heard and duly Considered It is ordered that the same be overruled. Whereupon said Defendants give notice in open Court of an appeal to the Supreme Court.

3360 State of Texas vs W. A. Morris et al. And now come the parties by their attys when the Defendants submitted their motion in arrest of the judgment in this case which being heard and duly Considered, It is ordered that the same be overruled. Whereupon the Defendants give notice in open Court of an appeal to the Supreme Court.

3539 Thomas Lewiston vs L. G. Britton. And now come the parties by their attorneys when came on to be heard the motion for a new trial presented by the Defendant, which being heard and duly Considered It is ordered that the same be overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

2966 The State of Texas v. John Robinson. Ordered, upon motion, that a new trial be granted in this cause and the cause stand continued.

3423 Clement R Johns, Flav Everett, Wm Von Rosenberg vs David Waters, Elizabeth A Waters, Wm Smith and his minor daughter Fannie

Judgement rendered at Oct term of Travis District Court.

Be it remembered that on the trial of the above numbered & styled cause the following testimony was adduced & facts proven

Plaintiff read the contract alleged in the petition of date May 7th 1866 & signed by E. D. Waters Dept Intestate & C. R Johns & Co which is as follows

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State of Texas } Ephraim D Waters of Decatur County, State of
Travis County } Georgia. has this day the 7th of May 1866 delivered
to L. R. Johns Esq of Austin City, Texas. three land certificates
& warrants described as follows to wit- one augmentation head
right certificate for two thirds of a league & labor No 3/4 dated
Dec 3rd 1838 One No 4/3 dated Dec 3rd 1838 & one bounty warr
for nine hundred & sixty acres No 4/9 dated Sept 11th 1838 for
location. & hereby for himself & representatives binds himself
to make good & sufficient deeds of conveyance to L D Johns
& Co for one third of the whole number of acres of land
embraced in the above described certificates & warrants in consi-
deration & in full for their services & expenses in locating &
procuring. patents on the same which they hereby agree to
locate in the timbered portion of Texas taking their interest
of one third out of either of said claims - the above land cer-
tificates & warrants were issued by Edward Clark Comr of
claims for the State of Texas. to heirs of John Bryan In
Witness whereof we hereto sign our names & affix seals for
seals. the date above written E.D Waters [L.S.] L R Johns [L.S.]
State of Texas } Before me the undersigned authority personally
County of Travis } appeared E D Waters of Decatur Co Ga to
me made known who acknowledged that he executed the
foregoing instrument of writing. dated the 7th day of
May 1866 and delivered the same as his binding act-
& deed for the purposes & considerations therein expressed
& at-length set-forth. Given under my hand & official
seal at Austin this the 7th day of May 1866. L R Johns
(Seal) Jr. N P Travis County

2nd Plaintiff read Patent for 17,333.333 sq varas of land lying
in Counties of Houston & Walker patented August 31st 1870 by
virtue of Certificate No. 3/94 in name of John Bryan & as follows
No 225 Vol 18 In the Name of the State of Texas. To all to whom
these presents shall come know ye. J. Edmund Davis Governor of
the State aforesaid by virtue of the power vested in me by law & in
accordance with the laws of said State in such case made & provided
do by these presents grant to Heirs of John Bryan deceased their heirs
or assigns forever Seventeen millions, three hundred thirty-three thousand
three hundred thirty-three sq vrs. of Land situated & described as follows. In Houston & Walker Counties about 24 miles S 11° W from Crockett being
part of the land they are entitled to by virtue of certificate No 3/94
issued to the Heirs of John Bryan dec'd for 2/3 of a league & one Lab. by
Edward Clark Commissioner of Claims dated December 3rd 1838
Beginning. at- Wm Windhams NE corner on the S E boundary of S
Badillos survey a Pine brs N 70° E 3½ vrs & a post Oak brs S 23° E 7/10 vrs
Thence N 55° E with Badillos line at 3030 vrs corner a Pine brs N 13° E 7
vrs dist Thence S 45° E at 393 vrs the West corner of W B Smiths survey at
1230 vrs crossing County line at 1190 vrs the South corner of W B Smiths

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survey Thence N 45° E 1097 vrs. East corner of Smiths survey. Thence with Smiths line N 45° W. 165 vrs County line at 1097 vrs Smiths N E corner Stake. Thence S 45° W 1097 vrs Smiths N W corner. Thence W 45° W at 393 vrs J. Badillas line Thence N 45° E 1800 vrs J. Badillas S E corner Thence N 45° W at 875 vrs A Mullenbrouch S W corner. Thence N 45° E 840 vrs Thence S 45° E 1835 vrs on the N line of T Dillard Thence S 45° W 1922 vrs T Dillards N W corner Stake, Thence S 45° E 300 vrs T Dillards S W corner Thence N 45° E with T Dillards line 4250 vrs, corner a Pine brs N 52° W 6 vrs. Thence S 45° E 900 vrs corner Thence S 53° W 3241 vrs stake Thence West - 950 vrs stake the N E corner of John Bethea survey at 1853 vrs Bethea N W corner Thence South with Betheas N bound'y line at 2000 vrs his S W corner Thence East with Bethea's S bound'y at 903 vrs his S E corner on T D Thumkins W line Thence South with Thumkins W bound'y 371 vrs corner on Jose Ortegas line a Pine brs N 82° W 8 varas Thence S 53° W with Ortegas line 3043 vrs. John Coughrams corner. Thence North with Coughrams survey 761 vrs a P. O brs N 82° W 10 vrs & another P. O brs N 6 5/10 vrs Thence N 45° W 800 vrs corner on J Betheas 2nd survey a P. O brs N 84° E 18 6/10 vrs do S 19° E 13 vrs Thence with Betheas line N 45° E 1160 vrs a Pine brs N 48° E 9 vrs Thence N 45° W 1108 vrs corner on Wm Windhams line Thence N 45° E with Windhams line 1720 vrs to his S E corner Thence N 45° E with Windhams survey 408 vrs to the place of beginning. Hereby relinquishing to them the said Heirs of John Bryan Dec'd and their heirs or assigns forever all the right & title in & to said land heretofore held & occupied by the said State & I do hereby issue this Letters Patent for the same. In testimony whereof I have caused the seal of the State to be affixed as well as the Seal of the General Land Office, Done at the City of Austin on the thirty first Day of August In the Year of Our Lord One Thousand Eight hundred & ninety. Jacob Kuechler Commissioner of the G. L. Office. Edm J Davis Governor. (Seal of State) (Seal of G. L. O.)

(3) Alfs read patent for 960 acres of Land in Trinity County patented by virtue of Bounty Warrant No 4/9 in name of John Bryan of Date 12th June 1868 as follows — No 363 vol 13. In the Name of the State of Texas. To all to whom these presents shall come know ye. E. M Pease Governor of the State aforesaid by virtue of the power vested in me by law & in accordance with the laws of said State in such case made & provided do by these presents Grant to the Heirs of John Bryan Dec'd their heirs or assigns forever nine hundred & sixty acres of Land situated & described as follows. In Trinity County about 21 miles S 76° W from the Town of Sumpter by virtue of Bounty Warrant No 4/9 issued by the Commissioner of Claims on the 11th Day of September 1858 Beginning at the S corner of Sur.

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Ortegas lower two leagues on the East bank of the Trinity River a stake from which a willow 9in dia brs N 10° W 7 varas also another 7 in dia brs S 71° E 26 varas Thence N 34° E with Ortegas line 2370 varas the W corner of James P Turners pre-Emption Survey of 160 acres a stake from which a pine 17 in dia brs S 89° W. 3 varas another Pine 10 in dia brs N 53° E 20 vrs Thence S 36° E with Turners line 950 varas a stake from which a Pine 13 in Dia brs S 52° E 40 vrs a P.O 20 in dia brs N 70° E 50 vrs. Thence W 54° E 950 vrs Turners E corner a stake from which a Pine 12 in dia brs N 48 vrs. another Pine 15 in dia brs S 50° E 16 vrs Thence W 36° W 950 vrs Turners North corner a Stake from which a Pine 9in dia brs N 8 vrs another 15 in dia brs S 35° W 14 vrs Thence E 1111 vrs a stake in mound Thence South 2827 vrs a stake in mound for corner Thence West 679 vrs a stake the S E corner of J J Alford Labor a Black Jack 10 in dia brs S 5 vrs a Post Oak brs S 68° W 11 vrs Thence North with the E boundary of said labor to the N E corner 500 varas a stake in mound for corner Thence West with the N B line of said labor 1979 varas to it NW corner on the East bank of the Trinity River, Thence up said river N 71° 45' West 1300 varas to the place of beginning. Hereby relinquishing to them the said heirs of John Bryan Deceased & their heirs or assigns forever all the right & title in & to said land heretofore held & hopeful by the said State & I do hereby issue this Letter Patent for the same. In testimony whereof I have caused the seal of the State, as well as the seal of the General Land Office, Done at the City of Austin on the twelfth day of June. In the year of Our Lord One thousand Eight hundred & eighty Eight. Joseph Spence Commissioner of the Gl Ld Office E M Pease Governor.

Seal of State Seal of General Ld Office

(4) Aff read in evidence patent for 320 acres of Land in Fannin County of date January 4th 1869 & patented by virtue of donation warrant No 4/13 in name of John Bryan which patent is as follows —

No 315 - Vol 3. The State of Texas. To all to whom these presents shall come Know ye. I. E M Pease Governor of the State aforesaid by virtue of the power vested in me by law. & in accordance with the laws of said State in such case made & provided. do by these presents grant to the Heirs of John Bryan Deceased their heirs or assigns forever, Three hundred & twenty acres of Land situated & described as follows in Fannin County on the Waters of Bois de arc Creek about 18 miles N 53° E from Bonham by virtue of Donation warrant No 4/13 issued by the Commissioner of Claims Dec 3 1838

Beginning at a stake from which a Post Oak Mkd WD brs S 34 W 1 vara and another marked R.J. brs N 39° W 9 varas the N E Corner of a survey of 640 acres in the name of Wm Davis Thence West 1344.4 varas to a Stake from which a Post Oak Mkd R J brs N 71° E 5 varas. Thence North 1344.4 varas. to a Post Oak Mkd R. J. Thence

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East 1344.4 varas to a Stake from which a post Oak brs Marked R D S 43° W 20 varas distant, Thence South 1344.4 varas with the West boundary line of a survey of 640 acres in the name of Nancy Chendorth, to the place of Beginning. Hereby relinquishing to them the said Heirs of John Bryan Dec'd and their heirs or assigns forever all the right & title in & to said land heretofore held & possessed by the said State & I do Hereby Issue this Letter Patent for the same. In testimony whereof I have caused the Seal of the State to be affixed as well as the seal of the General Land Office. Done at the City of Austin on the Fourth day of January In the year of Our Lord, One thousand Eight hundred & Sixty-nine Joseph Spence Commissioner of the Gl Ld Office, E M Pease Governor

Seal of State Seal of Gl Ld Office

5) Plffs read in evidence certified copy of patent (No 316 vol 3) for 320 acres of Land in Fannin County of date 4th January 1869 by virtue of Donation Warrant No 7/13 in name of John Bryan as follows No 316 vol 3. In the Name of the State of Texas To all to whom these presents shall come Know Ye, I. E M Pease Govenor of the State aforesaid by virtue of the power vested in me by law & in accordance with the laws of said State in such case made & provided do by these presents grant to the Heirs of John Bryan Dec'd their heirs & assigns forever, three hundred & twenty acres of land (situated & described) as follows In Fannin County on Bois d'arc creek about 16 miles N 32° E from Bonham by virtue of Donation Warrant No 4/13 issued by Edward Clark Commissioner of Claims December 3rd 1858 Beginning at a stake from which a post oak bears S 70° E 8 varas, marked W.C. Thence East 1344 varas passing the N W corner of a 320 acre survey in the name of Benjamin Pettit. To a stake from which a Post Oak marked W. B. A. Brs N 15 vrs & an elm marked X brs S 89° E 10 vrs Thence North 1344 varas to a black Jack for corner marked W.C Thence West 1344 varas to a Bois d'arc marked W.C from which a Spanish Oak marked X brs S 50° E 9 varas. Thence South 1344 varas to the place of beginning. hereby relinquishing to them the said Heirs of John Bryan dec'd & their heirs or assigns forever all the right & title in & to said land heretofore held & possessed by the said State & I do hereby Issue this Letter Patent for the same.
In testimony whereof I have caused the seal of the State to be affixed as well as the Seal of the General Land Office.
Done at the City of Austin on the Fourth day of January in the year of Our Lord One thousand Eight Hundred & sixty-nine. Joseph Spence Commissioner of the General Land Office, E M Pease Governor

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General Land Office Austin Texas October 9th 1872. I, Jacob Kuechler commissioner of the General Land Office of the State of Texas. Hereby certify that the foregoing is a true and correct copy from the record Kept in this office In testimony whereof I have hereunto set my hand and affix the impress of the Seal of said office the Date last above written. Jacob Kuechler Commissioner General Land Office

Plffs then admitted that 57 acres of the warrant placed in their hands remained unlocated & offered that in the partition they should be charged with the same or so many acres of land of average value.

Plffs then introduced Wm Von Rosenberg who testified that the survey described as patent No 16 vol 3 in Fannin County on Bois de arc Creek about 16 miles N 52° E from Bonham had by plffs been located upon a forfeited survey the tract was called the Costley tract, after the location had been made Plffs ascertained that two persons had been living on the tract for a long time. that to avoid litigation & believing under their contract that they had the right to do so plffs sold this entire tract getting therefor one dollar per acre ½ paid the remainder is unpaid & plaintiffs and obtained patents for said land & complied with their contract

It is agreed that the above & foregoing is a full statement of all the facts proven in said case Terrell & Walker Attys for Plffs W J Montgomery special Guardian of the minor Fannie Smith there being no attys representing the defts. David & Elizabeth A Walker & Wm Smith & as to them there being no agreed statement of facts

I certify the foregoing to be a full statement of the facts proven on the trial of said cause which is made part of the record & further, ordered to be recorded. — J P Richardson Judge

Declaration of Intention to become a Citizen

State of Texas } Jacob Gaume being duly sworn according to
County of Grayson } law in the District Court of said County doth declare that he was born in the year A.D 1828 in the Kingdom of Italy whence he emigrated in the year 1872 to the United States of America and has selected the State of Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States & of the said State of Texas & renounces forever all allegiance to every Foreign Prince Potentate State or Sovereignty whatsoever & particularly to the King of Italy of whom he is a subject —

Jacob Gaume

Sworn to and subscribed before me this 1st Day of Nov 1873 pm Open Court A R Morris Clerk by P Brown deputy

G Gaume

K

Laure

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J B Canova

State of Texas } J B Canova being duly sworn according to law in the
County of Travis } District Court of said County doth declare that he
was born in the year A.D 1837 in the Kingdom of Italy whence he emi-
grated in the year 1872 to the United States of America and has
selected the State of Texas as the place of his intended settle-
ment & he further declares that it is bona fide his intention to
become a citizen of the United States & of the said State of
Texas & renounces forever all allegiance & fidelity to every foreign
Prince, Potentate State or Sovereignty whatsoever & particularly
to the King of Italy of whom he is a subject J B Canova
Sworn to and subscribed before me this 1st day of Nov 1873. in open Court
A R. Morris Clerk By J Brown Deputy.

Laurence Silva

State of Texas } Laurence Silva being duly sworn according to
County of Travis } law in the District Court of said County doth declare
that he was born in the year A.D 1846 in the Kingdom of Italy whence he
emigrated in the year 1870 to the United States of America and has
selected the State of Texas as the place of his intended settlement
& he further declares that it is bona fide his intention to become a
citizen of the United States & of the said State of Texas & renounces
forever all allegiance & fidelity to every Foreign Prince, Potentate
State or Sovereignty whatsoever & particularly to the King
of Italy of whom he is a subject Laurence Silva
Sworn to and subscribed before me this 1st day of Nov 1873 in
Open Court A R. Morris Clerk by J Brown Deputy

And Court adjourned till ~~to Monday~~ to-morrow at 9 A M

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

3836 Lewis & Dilworth vs P. Thompson & Co. This cause being called
came the plaintiffs and announced ready. And the Defendants
came not. Whereupon came a jury of twelve good and lawful
men of Travis County consisting of Joseph Barnhart & eleven
others, duly tried and sworn, who having heard the pleadings,
evidence and the charge of the Court, returned the following verdict
to wit. "We the Jury find for the Plaintiffs $ 351 99 Gold. Joseph
Barnhart Foreman." Whereupon It is ordered and decreed that
the said Hugh Lewis and J. B. Dilworth, under their firm name
of Lewis & Dilworth have and recover of P. Thompson and W B.
Walker the said sum of Three Hundred Fifty One and 99/100 Gold
Dollars and all the cost of this Suit for which execution may issue.

3662 E. Morgan vs Geo Tyler. And now on this day this cause being
called came the plaintiff by attorney and announced ready. When
came a Jury of twelve good and lawful men of Travis county con-
sisting of Joseph Barnhart and eleven others duly tried empannelled
and sworn, who having heard the petition and the evidence returned
the following verdict, to wit. "We the Jury find for Plaintiff $ 134 05

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Com Joseph Barnhart Foreman" Whereupon It is adjudged and decreed that said D. Morgan do have and recover of Geo Tyler the sum of One Hundred Thirty-Four and 50/100 Coin Dollars and the cost for all which execution may issue.

3654 John A Webb & Bro. v. B. J. Swanson. And now come the parties by their Attorneys and announced ready for trial and waiving a Jury submit the Case to the Court. And it appearing that the Defendant is indebted to the Pffs. on the notes sued on in the sum of $247.20 goes It is adjudged and decreed that John A. Webb and Joseph Webb partners under their firm name of John A. Webb & Bro. recover of B. J. Swanson the sum of Two Hundred Forty Seven and 20/100 Goes Dollars, debt and interest due upon the notes sued on to this date, with interest thereon at the rate of 2½ per cent. per month from date, and all the cost of this suit, for which execution may issue

3555 Raymond & White vs J Davidson & L E Edwards. Continued for Dunce

3562 M. J. Carleton et.al. vs. J. and F. Lancaster. And now come the parties by their att'ys and upon motion It is ordered that the cause be dismissed and that said M. J. Carleton and R. A. A. Carleton pay all the cost of this suit for which execution may issue.

3570 John G Rost & Co. v. H. F. Matthews and John R. Conner. Continued

3581 Ben. Wacker vs. A. B. Mitchell. Continued

3586 Hancock & White vs Thos & Celia McCormick. Continued

3621 E. C. Hunton et.al. vs. C. D. Nichols et.al. Continued by Plaintiff

3622 E. C. Hunton et.al. vs. Mary Bowers et.al. Continued by Plaintiff

3623 E. C. Hunton et.al v. R. K. Cook et.al. Continued to make parties.

3624 E. C. Hunton et.al. v. G. H. & R. E. Ry Co. Continued by Plaintiff

3625 E. C. Hunton et.al. v. Wm. Oliphant. Continued by Plaintiff

3627 L. P. Cook et.al. v. J. Lee et.al. Comes now the Counsel for the pffs and suggests the death of Cora K. Rice. And It is therefore ordered that the cause be continued

3628 L. P. Cook et.al. vs. C. Krohn. Comes now the Counsel for the pffs and suggests the death of Cora K. Rice And It is ordered that the Cause be continued

3646 Houston & Texas Central R. R. vs. J. Rogers. Continued

3647 Houston & Texas Central R. R. vs. J. B. Barron. Continued

3648 Houston & Texas Central R. R. vs. A. R. Morris. Continued

3656 Wm. K. Hamblin v. G. F. Weiselberg. Continued

3679 Tim McClary v. Geo. Dye. Continued

3682 D. A. James v. O. Archer. Comes now the Plaintiff by attorney and upon motion It is ordered that said Plaintiff have leave to amend.

3684 Miller & Dowell vs. M. J. Matthews. And now on this day came the parties by their attorneys and upon motion It is ordered that the cause be dismissed and that said W. A. & Miller and John Dowell pay the cost of this suit for which execution may issue

3821 J. J. and W. A. Tobin v. H & T C R R. Continued

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3641 Julia A. Smith vs J. Cicero Jenkins and L. E. Edwards

And now on this day came the parties to this cause by their attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of H C Singhurst and eleven others duly tried empannelled and elected who having heard the pleadings, evidence and the charge of the Court returned the following verdict, to wit: "We the Jury find for the Plff the sum of Six hundred thirty one & 58/100 Coin Dollars against both Defendants and we further find that the said note was given for the purchase money of Lot 4 in Blk 174 City of Austin & for 1/4 part of the David Cole 177 acres & 1/4 part of Chas Griffin 640 acres & that all of said property is liable for said note and we also find that said Edwards is endorser. H C Singhurst, Foreman."

Whereupon It is ordered and decreed that the said Julia A. Smith have and recover of J Cicero Jenkins and L. E. Edwards the sum of Six Hundred, Thirty One and 58/100 Coin Dollars with interest thereon at the rate of ten per centum per annum from date until paid and the cost of this suit for which execution may issue.

And it appearing that the Plaintiff has a lien upon the following described Real Estate to secure the payment of the judgment rendered herein, to wit. Austin City Lot No 4 in Block No 174, and the one fourth part of the David Cole 177 acres and the one fourth part of the Chas Griffin 640 acres of land, described as follows: In Coryell county on Cow House Creek about 11 miles S. 40 W. from Gatesville Beginning at the S E corner of a 1280 acres Survey made for James Riley in the N. line of the James Canning Survey thence S. 71 E. 1000 vs to a Rock mound in the prairie thence N. 19 E. 1000 vs to rock mound in the prairie. thence N. 71 W. 1000 vs to a Rock mound in J. Riley's E. line, whence an Elm mkd + brs N. 61 1/2 E. 4 1/2 vs a Spanish Oak brs. N. 40 E. 16 vs thence S. 19 W. 1000 vs to the beginning

In Coryell County, on the waters of Bachouse creek about 20 miles S. 69 W. from Gatesville Beginning at the S. W. cr. of a 640 acre Survey in the name of Chas Griffin

It is therefore ordered that said lien be foreclosed and that an order of Sale be issued directing and commanding the Sale of the above described Real Estate and the improvements thereon, as under execution and the proceeds thereof the Sheriff shall apply to the Satisfaction of the Judgment and interest to grow one in this case and the costs of the suit and the surplus if any he shall pay to the Defendant

And it appearing that the Defendant L. E. Edwards is endorser on the note sued on and not a prin-

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cipal debtor, It is ordered that said L. E. Edwards recover of said J. Cicero Jenkins said sum of Six Hundred thirty & 58/100 Coin Dollars, with ten percentum interest thereon from date till paid and in the event said Edwards shall be compelled to pay this Judgment or any part thereof he shall have execution against said Jenkins for the same or any portion thereof he may be compelled to pay.

3829 Cora B Slaughter & others vs Anna P Lurry & W. C Lurry.
And now on this day came the parties by their attorneys & represent to the Court that it is necessary for the payment of debts against the estate of A. B. Slaughter Dec'd as shown by the report of the Auditor filed in this case that a portion of the land belonging to said estate shall be sold, and ask that Commissioners be appointed to make partition of said Estate and report the same to this Court for its action. It is therefore ordered by the Court that J. E. Campbell, R. L. King and Julius B Casta be and they are hereby appointed Commissioners to make partition of said Slaughters Wilson Slaughter. Separate estate. That said Commissioners shall first set apart to and causes to be surveyed in forty acre tracts, so much of the unimproved land of said estate as in their judgment will be necessary to be sold to raise the sum of Twelve hundred Dollars in Cash.

2d The Commissioners will then ascertain the quantity and value of the residue of said estate and make Report thereof.

3 Set apart to Mrs. Anna P Lurry one third part thereof including the homestead

4 The Commissioners will ascertain and report to the Court the value of the life estate of Mrs Lurry in said 1/3 part.

5 They will report with their recommendation whether the value of said life estate may be discharged and satisfied by giving to Mrs Lurry in absolute title any portion of said estate, and if so what portion thereof

6. The Commissioners will make a Survey of the land and with their Report return a Plat showing the situation of the lands and improvements - the number of acres in each tract and value &c and they will if practicable make their Report to the present term of this Court

3744 C. A. Meeks et. al. vs C. Tompkins et al. Cause continued

3744 C. A. Meeks et al. v. C. Tompkins et al. Comes now the Plaintiffs by Attorney and upon motion duly made It is ordered that said Plaintiffs have leave to amend.

3671 Mary A. Payne & Ed. Wilkerson. And now on this day came the parties by their Attorneys and announced ready for trial. Whereupon a Jury of twelve good and lawful men of Travis County Consisting of W. J. Matheson and eleven others duly tried empaneled and sworn who having heard the pleadings evidence and the charge of the Court returned the following verdict to wit. "We the Jury in above numbered case find for the Plaintiff One Hundred Coin Dollars without interest. W. J. Matheson Foreman."

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Whereupon It is ordered that Mary A. Payne have and recover of said Ed. Wilkerson the sum of One Hundred Coin Dollars and the Cost of the suit for which execution may issue

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

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

2878 The State of Texas v. J. G. Tracy. This cause being called for trial the Defendant J. G. Tracy failing to appear and answer to the Indictment in this case he and his securities R. Van Patten and John Clemon being distinctly called at the door of the Court House of Travis County and the Defendant after a reasonable length of time still failed to appear. And it appearing to the Court that the Defendant J. G. Tracy with the said R. Van Patten and John Clemon as his securities did execute the Bail Bond on file in this Case substantially as follows. Dated 22d day of August, 1873, payable unto The State of Texas in the sum of Two Hundred Dollars, conditioned that the said Defendant J. G. Tracy make his personal appearance at the District Court of said County of Travis on the first Monday in October, 1873, to answer the Indictment preferred against the Defendant J. G. Tracy by the Grand Jurors of Travis County at the June Term A.D. 1873 for Carrying Deadly Weapons and then remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said J. G. Tracy and his securities R. Van Patten and John Clemon the said sum of ~~Dollars~~ Two Hundred Dollars, and that this Judgment will be made final unless good cause be shown at thenext Term of this Court why the said Defendant J. G. Tracy did not appear. And further ordered that citations do issue to the said securities.

A.B. Townsend
W.T. Patterson
B.O Staudey
B.A. Rishes

It is ordered that A.B. Townsend be allowed one day's service as juror at previous term not heretofore allowed. W.T. Patterson 1 day not heretofore allowed. B.O Staudey five days not heretofore allowed: and B.A. Rishes 5 days at June term 1873

3224 Louisa B. Gaspin et al. vs. Amelia Richter et als. And now Come the parties to this cause by their attorneys: and thereupon the parties announced ready for trial. And the Defendants submitted to the Court their demurrer to the petition of plaintiffs, which being argued by Counsel and duly considered. It is ordered that said Demurrer be sustained: that plaintiffs take nothing by their suit: that Defendants go hence and recover of the plaintiffs Louisa B. Gaspin, Sarah Mathers, Harriet Hales, Thomas D. Hales, Elizabeth Roberts and the securities on their cost bond, W.L. Robards and W.A. Blackburn, all the cost of this suit, for which execution may issue.

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3682 Daniel A James v. Osceola Archer. And now on this day came the parties to this cause by their respective attorneys and announced ready for trial and thereupon came a Jury of twelve good and lawful men of Travis county duly tried, elected, empannelled and Sworn, who having heard the pleadings, evidence, argument of Counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following Verdict, to wit. "We the Jury find for the Pff $550.00 Coin for labor and materials on the premises described in the Pff's petition. Joseph Barnhart, Foreman." Whereupon It is ordered that Daniel A. James do have and recover of said Osceola Archer the Sum of Five Hundred and Fifty Coin Dollars and all the cost of this suit, for which execution may issue.

And it appearing that the plaintiff has a mechanic's lien upon the following described Real Estate and the improvements thereon, to secure the payment of the judgment rendered in this case, to wit: Lots Nos 9 & 10 in Block No 1 on Subdivision of Raymond's Plateau in City of Austin, fronting on Darwin and Bowie Streets It is ordered that said lien be foreclosed and that the clerk do issue an order of sale requiring the Sheriff of Travis county to sell the above described Real Estate and the improvements thereon as under execution, and the proceeds thereof he shall apply to the satisfaction of the principal of this judgment, the interest to accrue thereon, and the cost of this suit, and the surplus, if any, he shall pay over to the Defendant.

And thereupon Court adjourned till to-morrow at 9 am

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

3683 Nalle & Co v. D. A. James & O. Archer. And now come the parties by their attorneys and on motion It is ordered that this cause be dismissed and that the plaintiffs Thomas Nalle and Joseph Nalle pay all the cost of this suit, for which execution may issue.

3685 Henry Schleicher vs Rebecca Schleicher Continued

3688 Wm H. Day vs Wm J Cloud et al Continued

3690 John Kinch v. Raymond & Whitis Continued

3691 J Lamon v. Raymond & Whitis Continued

3692 Frank Swisher v. Jody Swisher. Continued

3693 Geo W. Toney v. B. Graham Continued

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

3701 D. Bailey v. a. Bailey Continued

3703 J. L. Dyer v. A. H. Cook. Continued

3709 G. R. Freeman v. J. Fine et al Continued

3741 M. Finch v. Wilshire et al. Continued

as 3682 — Re: Judgment & Oth. Pff's Sheriff Travis Co. Tex. 1874

Issued [illegible] to Pff's Atty's for Pff

Returned & executed

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3743 J. J. Erwin v. T. E. Cater. And now on this day came the parties to this cause by their attorneys: and the motion to dismiss the certiorari coming on to be heard, and the same being duly considered, It is ordered that the certiorari be dismissed. that said J. J. Erwin do have and recover of said T. E. Cater and the securities on the appeal Bond, W. S. Wilson and Abner Weir the sum of Twenty Six and 64/100 Coin Dollars, the amount of the Judgment rendered in the Justices Court, together with Two & 66/100 Dollars in coin, by way of damages on said sum of $26.64 and all the cost in this Court and the Court below, for which execution may issue.

3746 Amelia Bonnat v. A. T. Logan. Come now the parties by their attys and upon motion It is ordered that this cause be dismissed and that said Amelia Bonnat pay all the cost of this suit for which execution may issue.

3758 J. Davis v. N. P. Larsen. And now come the parties by their attorneys, and upon motion It is ordered that the parties respectively have leave to amend

3757 A. N. Lane v. R. B. Swann. Continued

3770 Archer & Meyer v. H & T C R R. Continued

3775 Wm Walsh v. John W. Glenn. Comes now the Defendant by attorney and upon motion It is ordered that said Defendant have leave to amend

3777 D. C. Freeman v. John M. Griffin. Continued

3779 J. M. Litten v. J. C Minter et al. Comes now the Defendant by atty and upon motion in open Court It is ordered that said Defendant have leave to amend.

3758 Jenkins Davis v. N P Larsen. And now on this day came the parties to this cause by their respective attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of J. H. Walker and eleven others, duly tried, elected, empanelled and sworn, who having heard the pleadings, evidence and the charge of the Court retired for deliberation. Whereupon the following proceedings were had by said Court, to wit: Jury returned into Court the following verdict, to wit. "No 3758. We the Jury find for the Plaintiff One thousand Seven Hundred & Eighteen 71/100 ($1.718.71) Gold Dollars, with a lien upon the land specified in the petition. J. H. Walker, Foreman." Whereupon It is ordered and decreed that Jenkins Davis do have and recover of said N. P. Larsen the sum of One thousand Seven Hundred, Eighteen and 71/100 Dollars in Gold with ten per centum per annum interest thereon from date until paid and all the cost of this suit for which execution may issue.

And it appearing that plaintiff has a lien upon the following described Real Estate to secure the payment of the judgment rendered herein, to wit. Austin City Out Lots adjoining

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the City of Austin and designated and numbered and known on the map or plat of said City now on file in the General Land Office as Lots Nos. Thirteen, twenty nine, and all of the interest of said Larsen in Lot No. Sixty Five of Division "O". It is ordered that said lien be foreclosed and that an order of Sale issue directing the Sheriff of Travis County to sell, as under execution, the above described Real Estate and the improvements thereon, and the proceeds thereof he shall apply to the satisfaction of the principal of the judgment herein, the interest to accrue thereon and the cost of the suit, and the over plus, if any, he shall apply pay over to the Defendant.

3775. Wm Walsh v. J. W. Henn. Continued by the Defendant.

3786 Crawford & Stewart v. Thos. E Cater. And now on this day this cause being called came the plaintiffs by attorney and announced ready. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of Joseph Barnhart and eleven others, duly tried, empannelled and sworn who having heard the pleadings, evidence and the charge of the Court, returned the following verdict, to wit. "We the Jury find for Plaintiff the sum to amount to One Hundred Fifty on Dall. 75¢ Currency. Joseph Barnhart, Foreman." Whereupon It is ordered that J. D. Crawford and J. W. Stewart under their firm name of Crawford & Stewart, do have and recover of said Thos. E. Cater the sum of One Hundred, Fifty one & 75/100 Dollars and the cost of the suit, for which execution may issue.

3782 R. H. Smith v. B. M. Clopton et al. Cont'd for cause

3783 J. Phillips et al. v. W. N. Hardeman et al. Continued

3787 H. J. Richarz v. Raymond & Whitis. Continued by Defendant.

3790 J. T. Jackson v. J. Zell et al. Continued

3792 D. E. Curtis v. R. S. Curtis. Continued

3793 Wm J. Montgomery v. A. H. Cook. And now on this day came the parties and announced ready for trial and waiving a jury submit the cause to the Court. And it appearing that the Defendant is indebted to the Pff in the sum of $268 25/100 gold, as appears from the note sued on. It is ordered that Wm J. Montgomery do have and recover of the Defendant A. H. Cook the sum of Two Hundred, Sixty-eight and 25/100 Gold Dollars with interest thereon at the rate of two per cent per month from this date until paid and all the cost of this suit for which execution may issue.

3798 I. Lockwood &c. v. G. H. & T. C. R. R. Cause continued.

3800 G. M. Brazo Exr v. Ned Cleveland et al & Charly Pickett. And now on this day this cause being called came the plaintiff and defendants and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of J. H. Walker and eleven others, duly tried, elected and sworn, who having heard the pleadings, evidence and the charge of the Court returned the following verdict to wit. "No. 3800 We the Jury find for the Plaintiff Four Hundred & Sixty three & 60/100 Dollars ($463 60/100) Coin Dollars. J. H. Walker,

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Foreman. Whereupon It is ordered that G. M. Brass. Executor of Pauline Brass do have and recover of the Defendants Ned. Cleveland and Charly Pickett the sum of Four Hundred Sixty Three & 60/100 Dollars and all the cost of this suit, for which execution may issue.

And it appearing that the Defendant Pickett is security for the Defendant Ned. Cleveland upon the debt sued on in this case. It is ordered that in the event said Pickett shall be compelled to pay this judgment, or any portion thereof, the judgment shall not thereby become discharged, but as to said Cleveland, but said Pickett shall have his execution against said Cleveland for the same or any portion thereof he may be compelled to pay.

✓ ✓ 3801. J. D. McGary v. John Stringer. And now on this day came the parties to this cause by their attorneys and the Defendant submitted to the Court his motion for a new trial demurrer to the petition, which being heard and considered, the same is overruled. And thereupon the Plaintiffs exceptions to the amended answer coming on to be heard the same are sustained.

✓ ✓ 3801 J. D. McGary v. John Stringer. Comes now the Plaintiff and upon motion it is ordered that said Plaintiff have leave to amend. And thereupon the cause is continued.

✓ ✓ 3802 T. D. Wardlow v. C. H. Wardlow. Continued.

✓ ✓ 3804 F. Dohme v. J. W. Whipple. Continued

Error 3807 Mary Ruggles v. Geo. Ruggles. And now on this day this cause being called for trial, came the plaintiff and announced ready, and the Defendant came not though duly cited. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of and eleven others, who being tried, elected, empanelled and sworn according to law, heard the pleadings, evidence and the charge of the Court, retired for deliberation. Whereupon said jury returned into

✓ 3779 X James M. Litten v. J. C. Minter, et al. And now on this day came the Parties to this cause by attorneys and announce ready for trial. a Jury being waived the cause was submitted to the Court; and the exceptions of Defendants to the plaintiffs petition being submitted and fully understood by the Court It is ordered that said exceptions be sustained so far as they relate to that part of plaintiffs petition which seeks to pursue the separate estate of Edward Linn, dec'd for the payment of the note sued for, and that said exceptions be overruled in all other respects: and the Court after hearing the evidence in the cause and argument, being of opinion that on the merits the law in the case made is with the plaintiff; It is therefore ordered, adjudged and decreed by the Court that the Plaintiff James M. Litten do have and recover of and from the Defendant Evaline A. Minter (formerly Evaline A. Linn) the sum of Three Hundred and Thirty Seven dollars and sixty five Cents in gold and silver Coin on the note sued on in this cause with interest on said sum from the date hereof at the rate of ten per cent. per annum

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until paid, together with all the costs of this suit. And it appearing to the Court that said note was given by said Evaline A. Minter as the surviving widow of her late husband Edward Linn, now deceased, in the settlement of a Community debt owing to said Plaintiff from the said Evaline A. Minter and her late husband Edward Linn, Dec'd in his lifetime, and that said Evaline A. Minter as the surviving widow of said Edward Linn, Dec'd before the execution and delivery of said note, had filed in this Court an Inventory of the Community estate owned by herself and the said Edward Linn Dec'd at the date of his death, and that she has given bond and qualified according to law so as to entitle her to the management and control of the Community estate of herself and the said Edward, It is therefore further ordered, adjudged and decreed by the Court that the amount herein adjudged to Plaintiff on said note is a charge upon said Community estate and that said Plaintiff is entitled to have this judgment fully satisfied out of said Community estate. And it further appearing to the Court that there is now pending in this Court a suit or proceeding for the partition and distribution of the Community estate owned by the said Edward Linn and Evaline A. Minter at the date of the death of said Edward among the heirs and distributees thereof said suit being numbered 3666 and entitled A. R. Valls et al. v. J. B. Minter et al. And it further appearing that Defendant John W. Patton has been appointed by order of this Court made in said suit, sale Commissioner to make sale of all the Community estate owned by said Edward Linn and Evaline A. Minter on certain terms specified in said order, for the purpose of partition and distribution of said Community estate among the said Evaline A. Minter as surviving widow and the several children of the said Edward Linn: and it appearing further to the Court that said Plaintiff is entitled to be paid the amount herein adjudged to him before any partition or distribution shall be made of the proceeds of the sale of said Community estate among said widow and children: It is therefore further ordered, adjudged and decreed by the Court that said Defendant John W. Patton shall pay off and fully satisfy the amount herein adjudged to said Plaintiff and the costs of this suit out of the first money which shall come into his hands as such Commissioner from the sale of said Community property, which amount when so paid shall be allowed him as a credit on the money received by him from the sale of said Community property: and it is further ordered and decreed that said Defendant John W. Patton be enjoined and restrained from paying over to said Evaline A. Minter or to any one of the children of the said Edward Linn any part of the money arising from the sale of said Community estate until this Decree is complied with. And in case the proceeds of the sale of said Community property shall not be sufficient to satisfy this judgment then plaintiff shall have his execution against Evaline Minter for any balance remaining unpaid. And thereupon the said Evaline Minter gives notice in open

3817 Court of an Appeal to the Supreme Court.
James Andrews v. B. A. Risher. Now come the parties by their attys and the motion to dismiss the appeal coming on to be heard and

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the same being duly considered, It is ordered that the appeal be dismissed: that the Defendant go hence and recover of said James Andrews and his security A. M. Jackson big all the cost of this suit and the cost in this Court and the Court below, for all which execution may issue.

✓ ✓ 3820 P. A. Jordan v Mrs F. Clark. And now come the parties and the motion to dismiss the appeal coming on to be heard, and being duly considered, It is ordered that the appeal be dismissed and that said P. A. Jordan and Jno. W Taylor be adjudged to pay all the cost of this suit in this Court and the Court below, for which execution may issue.

✓ ✓ 3750. Thomas Carter v. M. Carter. Continued

✓ ✓ 3807 Mary Ruggles v. Geo. Ruggles. And now on this day this cause being called for trial came the Plaintiff and announced ready for trial And the Defendant came not, though duly cited. When came a Jury of twelve good and lawful men of Travis County, consisting of Joseph Barnhart and eleven others, duly tried, elected, empannelled and sworn, who having heard the pleadings, evidence and the charge of the Court, returned the following verdict, to wit. "3807. Mary Ruggles v. George Ruggles. District Court Travis County 5 Nov. 1873. Verdict. We the Jury find the allegations in the Defts Petition to be true. Joseph Barnhart, Foreman." Whereupon It is ordered and decreed that the Bonds of Matrimony heretofore celebrated and existing between said Mary Ruggles and Geo Ruggles be and the same are hereby dissolved and held for naught and that she recover the plaintiff recover her costs of the Defendant for which execution may issue.

✓ ✓ 3823 W. W. Calhoun v. M. J. Matteson. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of J. K. Wacker and eleven others, duly tried, elected, empannelled and sworn, who having heard the evidence and the charge of the Court returned the following verdict, to wit. "We the Jury find for the Plaintiff. J.K. Wacker Foreman." Whereupon It is ordered and decreed that W. W. Calhoun recover the possession of the premises sued for, to wit. Lot No 5 in Block No. 166 in the City of Austin, Travis County, Texas, together with the improvements thereon, from the Defendant M. J. Matteson, and that a Writ of Restitution issue requiring the Sheriff of Travis County to dispossess said Matteson and place said Calhoun in possession of said premises And it is further ordered that said Calhoun recover of said Matteson and the securities on his appeal bond, John A. Webb and Webb all the cost of this suit in this Court and the Court below, for which execution may issue.

✓ ✓ 3824. W. W. Calhoun v. M. J. Matteson. Continued

✓ ✓ 3825. W. W. Calhoun v. M. J. Matteson. Continued

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3826 W. W. Cachorn vs M. J. Matteson Continued
3827 C. Warslow v. T. P. Pindle et al. Continued under rule for Cost.
3828 M. J. Matteson v. W. W. Cachorn Continued

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

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

Louis Breschiann

Declaration of Intention to become a citizen

State of Texas } Louis Breschiann being duly sworn according to law
County of Travis } on the District Court of said County doth declare that he was born in the year A.D 1830 in the Kingdom of Italy & Prince. He emigrated in the year 1868 to the United States of America and has selected the State of Texas as the place of his intended settlement. And he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas: and renounces forever all allegiance to every foreign Prince. Potentate, State & Sovereignty whatsoever. And particularly to the King of Italy of whom he is a subject.

Louis Breschiann

Sworn to and subscribed before me this 5th day of November 1873.
in open Court A. R. Morris Clerk by P. Brown deputy

3540 R. M. Odom vs H. & T. C. R. R. Come now the parties to this cause by their attorneys and upon motion It is ordered that the Plaintiff and Defendant respectively have leave to amend.

3545 Wm Simpson v. H. & T. C. R. R. Come now the parties by their attorneys and upon motion in open Court It is ordered that the parties respectively have leave to amend.

2865 State of Texas vs. Smith Parr. And now on this day came the parties to this cause by their attorneys and on motion It is ordered that the cause be reinstated. And thereupon the parties waive a Jury and submit the case to the Court. And the Defendant pleads guilty to a simple assault. Whereupon It is ordered that the State of Texas recover of said Smith Parr the sum of Five Dollars and the cost of the proceeding in this Court and the Court below, for all which Capias execution may issue.

3540 R. M. Odom v. H. & T. C. R. R. Come now the parties by their attorneys and upon motion It is ordered that the plaintiff and Defendant respectively have leave to amend

3545 Wm Simpson vs H. & T. C. R. R. Come now the parties by their attorneys and upon motion It is ordered that the Plaintiff and Defendant respectively have leave to amend.

3546 J. W. Hannig v. H. & T. C. R. R. Come now the parties by their attorneys and upon motion in open Court It is ordered that the Plaintiff and Defendant respectively have leave to amend.

3547 John O. Johnson v. H. & T. C. R. R. Come now the parties by their attorneys and upon motion in open Court It is ordered that the Plaintiff and Defendant respectively have leave to amend.

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3548. Rhoads Fisher v. H&T.C.R.R. Come now the parties by their attorneys and upon motion It is ordered that the parties respectively have leave to amend.

3549. J.B. Barron v. H&T.C.R.R. Come now the parties by their attys. and upon motion It is ordered that the parties respectively have leave to amend.

3741 M. Eirich v. Nitschke and Randall And now comes the Plaintiff by attorney and upon motion It is ordered that the contumacy entered herein at a former day of this Term be set aside. And thereupon, on further motion It is ordered that the attachments levied in this Case be released. And the plaintiff asks for a Judgment by default. And because the Defendants have been duly cited and have failed to answer within the time prescribed by law and made default, It is adjudged that said M. Eirich do have and recover of the Defendants A.G. Randall and C.L. Nitschke the sum of Nine Hundred Dollars and thirty three Cents principal and interest due upon the instruments sued on to this date and all the cost of this suit, for which execution may issue.

3749 James P. McKinney v. W.L. Glasscock. And now on this day Came the parties and announced plaintiff and announced and the Defendant, though only served with process, came not, but made default. ready for trial, the Cause being called for trial, When came a Jury of twelve good and lawful men of Travis County, consisting of James Lensing and eleven others, duly tried, empannelled and Sworn, who having heard the pleadings, evidence and the charge of the Court, retired for deliberation. And thereupon the Jury returned into Court the following verdict, to wit: "We the Jury find for Plaintiff the amount of Three Hundred Dollars. Austin, Nov. 6th 1873 James Lensing Foreman." Whereupon It is ordered that James P. McKinney have and recover of said W.L. Glasscock the sum of Three Hundred Dollars and the cost of the suit, for which execution may issue.

3813 Hoyt, Rusick & Co. v. J.A. Webb & Bro. Comes now the Defendant and upon motion in open Court It is ordered that the Defendant have leave to amend.

3830. R. Ennis v. J. Cunningham et al. Continued

3831 R. Halcrom v. Kate Halcrom. Continued

3834. Chandler, Carleton & Robertson v. Paul Lewis. Cont'd to perfect Service.

3626 A.S. Roberts Plaintiff vs. C.W. Whitis Defendant and J.K. Raymond, Intervenor. And now at this day Came the parties by their attorneys to the above suit: and the Plaintiff, the Defendant, and the Intervenor having announced themselves ready for trial Thereupon Came on to be heard the demurrer of the Defendant to the pleadings of the Plaintiff and the same being heard was by the Court overruled: and the Special exceptions of the Intervenor to the pleadings of the Plaintiff Coming on to be heard the same were by the Court sustained And thereupon came a Jury of twelve

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good and lawful men, to wit: Joseph Barnhart and eleven others who were duly empannelled and sworn, and having heard the pleadings read, the evidence, the argument of Counsel, and the charge of the Court, retired to consider of their verdict and thereupon returned into Court the following as their verdict, "No 3626. We the Jury find for the Defendant and we further find for the Intervenor as against the Plaintiff Joseph Barnhart, Foreman." And thereupon it is considered, ordered, adjudged and decreed by the Court, that the said Plaintiff do take nothing by his said suit, and that the said Defendant and Intervenor do recover of him all the Costs of this suit incurred by each. It is further ordered that all title to the land described in the petition and the judgment in favor of Hammond vs. Swisher, acquired by the said Plaintiff be divested out of him and hereby vested in the Intervenor Raymond, he having held the same in trust for said Raymond; and the said Intervenor Raymond having admitted that he was bound by his warranty to convey the said land described in plaintiffs petition to Defendant. It is ordered that all the title to said land described in plaintiffs petition being vested by this Decree in the Intervenor, be declared to enure to the benefit of the said Defendant as between the said Defendant and the said Intervenor, and the right to said judgment remain in said Intervenor and that the parties go hence, &c

✓ ✓ 2536 W. S. Harney v. J. M. Blackwell. And now on this day came the parties to this cause by their respective attorneys and announced ready for trial and waiving a Jury submit the Case to the Court. And the Court having heard the pleadings and considered the evidence, and it appearing that Judgment was rendered in the District Court of Travis county against J. M. Blackwell & E. Raney, on 9th August, 1858, upon which execution issued and came into the hands of J. M. Blackwell, then Sheriff of Travis County, the cause being numbered 1639 and entitled W. S. Harney v. E. Raney, upon which execution was issued and went into the hands of J. M. Blackwell, Sheriff, &c who collected thereon the sum of Two Hundred Dollars, as appears from the endorsement of said Sheriff upon said execution, dated Nov. 1. 1858. It is therefore ordered and decreed that W. S. Harney have and recover of said J. M. Blackwell and his securities on his official Bond as Sheriff, the W. Simpson and Amos Morrill, the sum of Four Hundred and Forty Dollars being said sum of Two Hundred Dollars and interest on said sum from the collection thereof to the present date, together with all the costs of this suit, for which execution may issue.

✓ ✓ 3176 L. Blum et.als. v. Parks and Ricks This cause having been dismissed on appeal, It is ordered that the cause be dismissed and that said John T. Ricks recover of Leon Blum, Hyman Blum & Sylvian Blum, and their securities A. B. Palm and W. R. Thompson all the cost by him incurred for which execution may issue.

✓ ✓ 3343 B. Graham v. Geo. W. Haney. Come the parties by their attorneys and upon motion- It is ordered that this cause be dismissed and that

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the Defendant recover of said B. Graham, and his securities C. R. Johns and Edwd J. Davis all the costs of this suit, for which execution may issue

✓ ✓ 3383 X Geo. W. Honey v. E. H. Quick et al. Come now the parties by their attorneys and upon motion It is ordered that the cause be dismissed and that the Defendants recover of said Geo. W. Honey, and the securities on his Cost bond, R. C. Stuart and Ed. Fennin, all the cost of this suit, for which execution may issue.

✓ ✓ 3407 X E. J. Davis, Governor v. Geo. W. Honey et al. Come now the parties by their attorneys and upon motion it is ordered that this cause be dismissed at the cost of the State of Texas as per agreement on file and that the Defendant pay all the cost of this suit by him incurred, for which execution may issue. and further ordered that said Geo. W. Honey recover of the State of Texas his cost by him expended as per agreement on file

✓ ✓ 3431 C. W. Hill v. J. Lancaster. Continued by the Defendant.

✓ ✓ 3693 X Geo. W. Honey vs B. Graham. Come now the parties by their attorneys and upon motion It is ordered that this Cause be dismissed and that the Defendant recover of the said Geo. W. Honey all the cost herof, for which execution may issue.

✓ ✓ 3737 X Thomas Greenwood vs Houston and Texas Central Railway Company. And now on this day Came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and Lawful men of Travis county, consisting of J. H. Walker and eleven others duly tried, elected, empannelled and Sworn, who having heard the pleadings read, the evidence, argument of Counsel, and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff (Two Hundred & Seven Dollars & Seventy Five cts. in Coin) $207.75 J. H. Walker, Foreman." Whereupon It is ordered that Thomas Greenwood do have and recover of the Houston and Texas Central Railway Company the Sum of Two Hundred, Seven and 75/100 Dollars in Coin, and that said Railway Company be adjudged to pay the cost of this suit, for which execution may issue.

✓ 2950 The State of Texas v. Walter Hipp. This Cause being called for trial the Defendant Walter Hipp failing to appear and answer to the Indictment in this case he and his securities E. Hipp and Samuel A. Clark being distinctly called at the door of the Courthouse of Travis County and the Defendant after a reasonable length of time, still failed to appear. And it appearing to the Court that the Defendant Walter Hipp, with the said E. Hipp and Samuel A. Clark as his securities, did execute the Bail Bond on file in this case substantially as follows. Dated 16th day of June 1873, payable unto the State of Texas in the sum of One hundred Dollars, conditioned that the said Defendant Walter Hipp make his personal appearance at the District Court of said County of Travis on the then in session at the Courthouse thereof in Austin, to answer the indictment preferred against the said Defendant Walter Hipp by the Grand Jurors of Travis county at the June term 1873 for Betting at a gaming Bank called Monte, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, which said Bond is forfeited. And it is considered by the Court that the State of Texas do have and recover of the said Walter Hipp E. Hipp and Samuel A. Clark the said sum of One Hundred

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Dallas, and that this Judgment will be made final unless good cause be shown at the next Term of this Court why the said Defendant Walter Hipps did not appear. And further ordered that Citations do issue to the said securities

James B. Morris et al vs E T Eggleston et al. On this day came on to be heard the above styled & numbered cause & the Plaintiffs James B Morris & his wife Julia A Morris being now hereby attorney & of the minor plaintiffs Pattie E Downes & Allen R Downes being now here by their next friend James B Morris & the Defendants E T Eggleston Fred Carleton his wife F M Carleton & Alfred E Downes being now here by Attorney & the minor defendants N Cobb Downes & Everard T Downes having been duly cited and being now here by their special Guardian F W Chandler Esq the following decree by the consent of all of said parties is hereby rendered to wit. It is ordered adjudged & decreed by the Court that all the land the same being situated in Travis County Texas, now held in Trust by the defendant E T Eggleston for the benefit of the parties to this suit the children of R J Downes Decd as is conveyed to E T Eggleston in trust for their benefit by deed signed by said R J Downes now deceased dated Sept 19th 1865 & of which is now of record in Book "Q" pages 307 & 308 of the Records of Travis County Texas. & which land is more particularly described in the following deeds to which reference is here made for such more particular description to wit. Deed from Francis Kelley to Downes & Mabin dated Oct 10th 1833 recorded Book "H" page 511 of the Travis County records. Deed to Downes & Mabin from T J Chambers dated January 23rd 1836. & recorded in Book "E" Page 139 & 140 of the records of Travis County. Deed of partition between R J Downes & W R Mabin dated Sept 10th 1863 recorded in Book "Q" page 116 of the records of Travis County Texas, Deed from Samuels & Mopson & E Mopson to R J Downes dated Aug 11th 1860 & recorded in book "V" page 289 of the records of Travis County. & deed from Samuels & Mopson to R J Downes for 190 acres of land more or less dated 2 day of October 1863 & filed for record in clks office of Travis County Texas on October 13th 1873. Less 200 acres to come out of the land deeded by R J Downes by Samuels & Mopson & E Mopson which was decreed to be sold by this Court on day of 18 at the suit of J J Thorp et al vs E & West Ex. of R J Downes and the parties to this decree that all of said land except the Homestead Residence of the said R J Downes & family & twenty acres of land adjacent to & surrounding said homestead residence be divided equally share & share alike as to quantity & quality between the parties Julia T Morris Polly J Carleton Alfred E Downes Pattie E Downes Allen R Downes, N Cobb Downes & Everard T Downes children of said R J Downes decd & beneficiaries mentioned in said deed of Trust that the land on the east side of the Colorado River mentioned in said deed of trust except the twenty acres above referred to be thus divided between said parties share & share alike and that the land on the West side of the Colorado River referred to in said deed of trust to wit 238 acres out of the Wilkerson Sparks ½ league be thus divided equally share & share

alike between said parties thus giving to each of said parties each an equal share in the land on either side of said Colorado River and that all title to said land be divested from the said Defendants E T Eggleston Esq that said title be vested in said parties children as aforesaid of said R J Townes Decd Esq that John W Brown, Dennis Corwin Esq George L Robertson be Esq they are hereby appointed Commissioners to survey off Esq Partition said land among said parties as aforesaid. It is further ordered that said Commissioners be Esq the same are hereby authorized and required to survey off twenty acres of land adjacent to and surrounding the Townes family residence on said land known as "Edgmont" and including said residence, said twenty acres to be surveyed in such shape as to said Commissioners shall deem most advisable Esq said Commissioners shall report their action by virtue of this decree accompanied with plots or maps explaining the same to the next term of this Court. It is further ordered Esq decreed that P De Cordova Esq of Austin Texas be Esq he is hereby fully authorized Esq empowered to sell at private sale in United States Currency for cash or for part cash Esq a credit of not more than twelve months and retain vendors lien on property sold and taking good personal security to secure payment of purchase money the twenty acres of land above directed to be ~~sold~~ surveyed off by the Commissioners, Corwin, Roberson & Brown including all the improvements thereon situated including the said Townes Residence Esq it is further ordered that all cattle to said fifty (twenty) acres of ground Esq improvements be divested from the defendants E T Eggleston Esq the said children of R. J. Townes and that the said title be vested in the said P De Cordova to be conveyed by him to the purchaser or purchasers of the same as contemplated by this decree Esq that the said de Cordova report his action under and by virtue of this decree whenever he may have sold said land Esq improvements in order that the proceeds of said sale may be divided equally share Esq share alike between the above mentioned children of said R J Townes decd. It is further ordered that the said De Cordova be Esq he is hereby authorized Esq empowered to take possession of all articles of furniture or personal property whatever that may be in said Townes' Residence except an old iron safe and a book case and books in the same and also to take possession of all cattle, cows calves and steers branded F and belonging to said children of R. J Townes Decd and including two cows Esq calves now in the possession of the plaintiffs. J B Morris Esq Mrs Morris and one cow & calf now in the possession of the defendants C T Carleton & Fred Carleton and sell all of said personal property at public or private sale & after paying out of the proceeds of said sale all costs of this proceeding to pay over the balance in equal pro-

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to the parties authorized to receive it for the benefit of the minors Pattie E Townes Allen R. Townes & Cobbs Townes and Everard T Townes. the amounts thus paid for the benefit of said minors to be charged to them and to be deducted from their share of the proceeds equally from the sale of the land and house above provided for It is further ordered that the defendant Fred Carleton be authorized & empowered to take poseession of the old iron safe, book case & books now in poseession in the Townes house & hold the same for the benefit of the defendant Alfred Townes. It is further ordered that the Commissioner P De Cordova be authorized & empowered to collect and receipt for all rents or other demand now due and owing the said children of R J Townes decd & that the said De Cordova report his action by authority hereof in regard to said personal property to the next term of this Court. It is further ordered & decreed that each & every one of the parties hereto be & he or she is hereby enjoined & restrained from interfering or meddling in any manner whatever with the said Commissioners De Cordova Robertson Brown & Cozwin in the discharge of the duties herein conferred upon them & from meddling or in any way interfering with any part or portion of the property real & personal described in this decree, that the testamentary guardian & trustee the said defendant E T Eggleston be & he is hereby honorably discharged with a full acquittance from each & every the duty & responsibility resting upon him as said testamentary guardian & trustee for the children of said R J Townes decd and that the Commissioner P De Cordova pay all costs of these proceedings up to this date out of the proceeds of sale of said property herein provided for & that all the Commissioners herein appointed be allowed fair compensation for their services the amount whereof is to be determined when they make their report to this Court

3464 R N Lane & Mary W Lane vs Eliza Schalmers Green, Henry L Bentley Alice Marcia Bunbury. James Green Thomas Green, Lamar Duval Green & John A Green: And now at this term came the parties by their attorneys and thereupon came on to be heard the report of the Commissioners appointed at the last term of this court to partition & divide between the heirs of Thomas & Mary W Green the property belonging to said heirs or the estate of said Thomas & Mary & fast as the same was situated in the County of Travis in the State of Texas the said property being Lots One, two, three & four in Block 90 of the City of Austin Texas the whole of Block 63 in the City aforesaid & ten acre lots number. five & twenty-one & twenty-two of Division (A) of the Out Lots adjoining said City. as shown by the plan of said City & Out Lots adjoining the same also Block number twenty-eight with improvements situated in the Town of Wellborville on the County of Travis in the State of Texas which said reports is as follows —

Court —

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Exhibit A

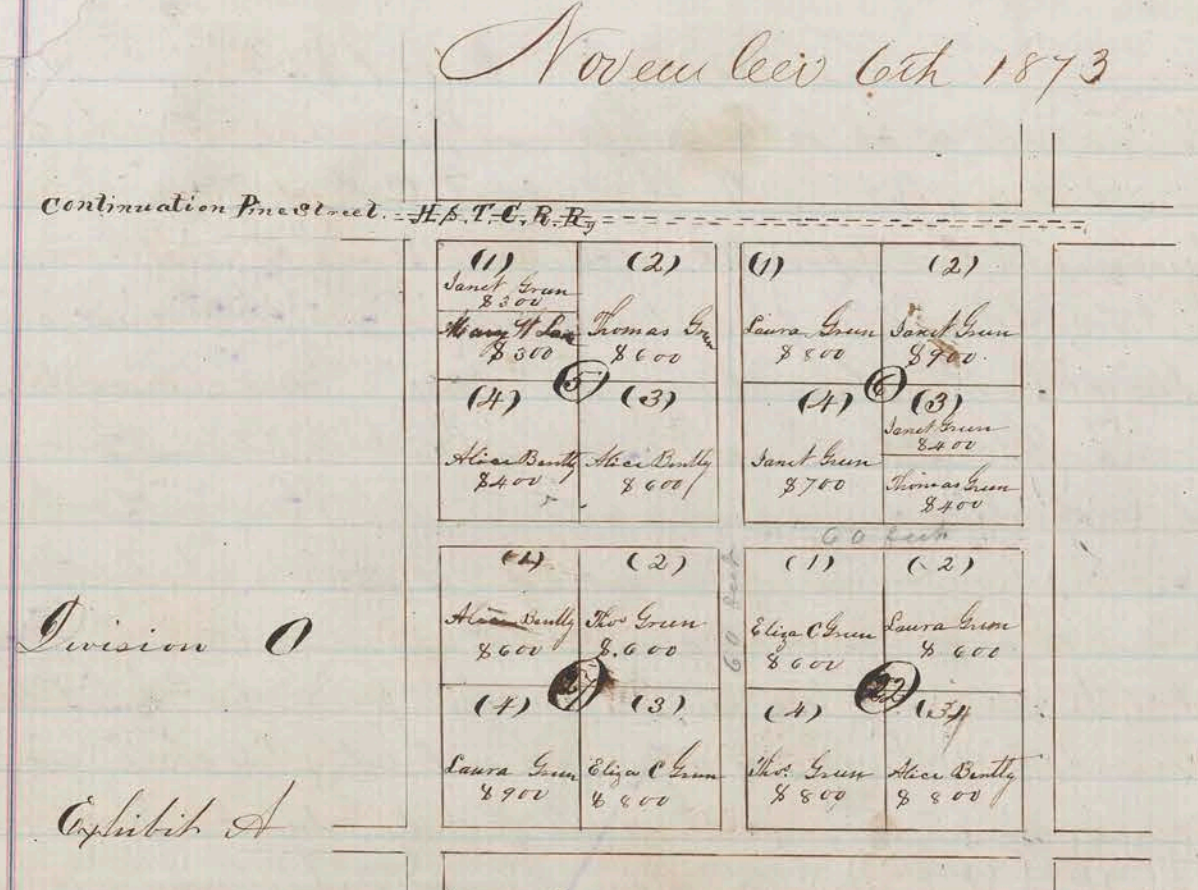
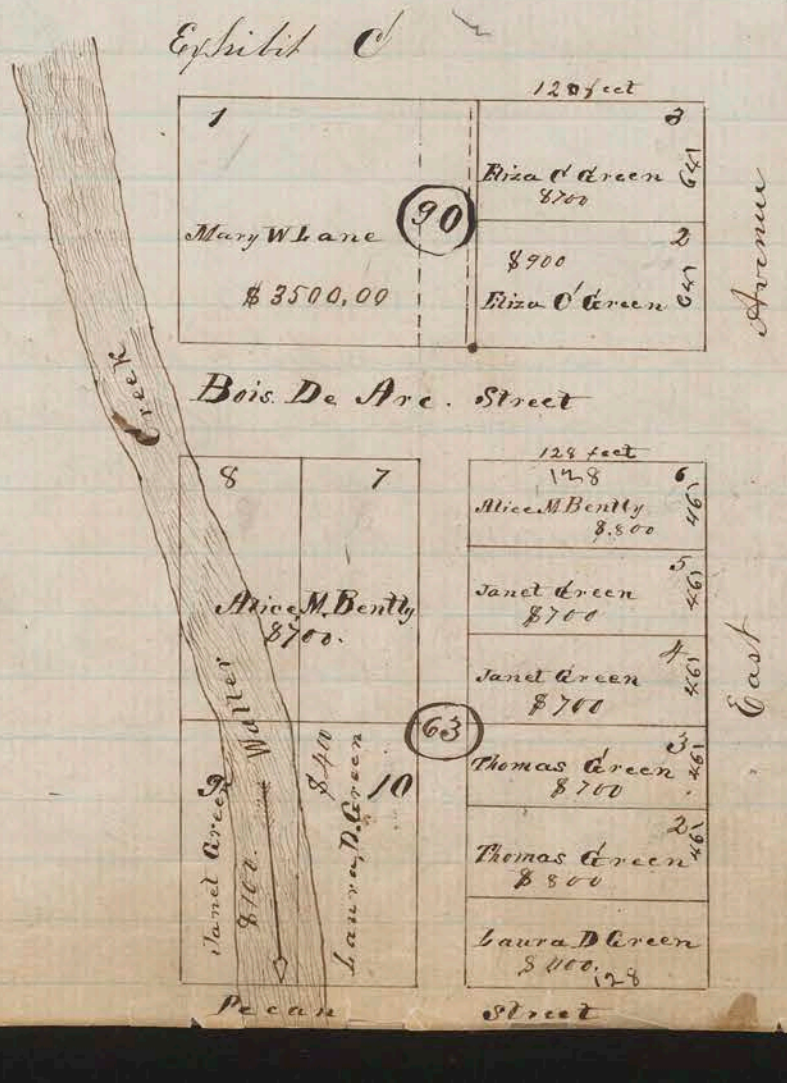


Exhibit B

An ordinance — to change the alley in Block (63) sixty-three of the City of Austin — Be it ordained by the City Council of the City of Austin That the City of Austin Relinquishes the present alley in Block sixty-three in the City of Austin to the heirs of Thomas and Mary W Green — provided they will lay off and cause to be dedicated to the public an alley of equal width to begin One hundred and twenty-eight feet from the West line of East Avenue running through said Block from Bois d'Arc to Pecan street and to be twenty feet wide. Recorders Office Austin Texas. I Fred Sterzing Recorder of the City of Austin hereby certify that the foregoing ordinance is a true copy of the original ordinance passed by the City Council of the City of Austin on the 28th day of October A.D. 1873 and approved by T B Wheeler Mayor of said City of Austin on the 29th day of October A.D. 1873. Witness my hand and official seal at office in the City of Austin this 29th day of October A.D. 1873 Fred Sterzing Recorder of the City of Austin. (Seal)

Exhibit C



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et N Lane & Wife & al vs Eliza Chalmers Green et al For partition of Estate of Thomas & Mary W Green — To the District Court of Travis County — Your Commissioners who were appointed at the last term of your honorable Court to partition & divide the property mentioned in the decree belonging to the estates of Thomas Green & his wife Mary W Green among the heirs of Thomas and Mary beg leave to report — That they have proceeded to partition said properly named among said heirs but in order that they might make the division thereof more equal — as authorized by the said decree, they pass through the forty acre Block adjoining the City of Austin on the East, (the same being Ten acre lots numbers five & six and twenty one & twenty two in Division "O" of the outlots adjoining said City) two streets sixty feet wide the same running through the centre of said forty-acre Block from its Northern & Southern & Eastern & Western sides at right angles with the lines of said survey or lots & that through the centre of each of these subdivisions made by the said streets they run lines from the Northern & Southern & Eastern & Western sides of the same at right angles with the outer lines of said subdivisions. Thus making in each of said subdivisions four smaller subdivisions which they numbered in each as one, two, three & four & containing each near two & one half acres all of which is shown by the plot thereof & of the surrounding streets marked (A) & attached hereto & made a part hereof (5) They also report that they found it impossible to subdivide with shares bearing any equality to each other the Block 63 in the City of Austin and on the Eastern part of lots 1.2.3 & 4. in Block 90 in said City by running lines through them corresponding with the original lines of said lots Whereupon it being made known to said heirs they petitioned the Corporation of the City of Austin for a relinquishment to them of the alley running through Block 63 aforesaid from East to West upon condition that they would cause to be laid off in said Block an Alley of equal width running from North to South at a distance of One hundred & twenty-eight feet from the West line of East Avenue which said petition was granted by the City Council as is shown by the ordinance hereto attached & made a part hereof marked (B) and in accordance with the said ordinance your commissioners at the request of said heirs and their representatives have proceeded to lay off an alley in said Block running from Bois d'Arc to Pecan street twenty feet wide the said alley taking off ten feet each from lots two & three & five & six in said Block and they have also proceeded to divide the Eastern part of Block 63 east of said Alley into six lots of forty-six feet each all fronting on East Avenue & running back to said Alley One hundred & twenty eight feet & they have also proceeded to subdivide Lot number 4 & fifty one feet of Lot No 3 in Block 90 being One hundred & twenty feet off the Eastern end of the South half of said Block into two equal parts having a front on said East Avenue of sixty-two feet each by a line running back One hundred & twenty feet & they have numbered the subdivisions of Block 63 as 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10 & the subdivisions of lots 1, 2, 3 & 4 in Block 90 as in the plan of the City as subdivisions 1, 2 & 3 all of which will be fully shown by the plat of said property in Blocks

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63 & 90 hereto attached (marked b) and made a part thereof.
Your Commissioners report that the subdividing of all of the said property as presented by them is of great advantage to the estate and has enabled them the better to equalize the distribution or allotment thereof to the said heirs. And after subdividing the said property your commissioners proceeded to value the same and fixed thereon the following as the true valuation thereof as nearly as possible. Subdivision No 1 in Block 90. 3500,00 Subdivision No 2 Block 90. 900,00 Subdivision 3 Block 90 700.00
Subdivision No 1 Block 63, 1100 00. Subdivision 2, Block 63 800.00
— — 3 — 63 700 00 — 4 — 63 700 00
— — 5 — 63 700.00 — 6 — 63 800.00
— — 7&8 together 63 700 00 — 9 — 63 100 00
— — 10 — 63 400.00 Subdivision No 1 of Lot 5
Division (O) out-lots adjoining City of Austin 600.00
Subdivision No 2. of Lot 5 Div (O) " " " 600.00
" " 3 " " 5 " (O) " " " 600 00
" " 4 " " 5 " (O) 400.00
Subdivision Number 1 of lot-6 Div (O) out lots adjoining City of Austin 800.00
" " 2 " " 6 " (O) — do — 900.00
" " 3 " " 6 " (O) — do — 800.00
" " 4 " " 6 " (O) — do — 700 00
Subdivision No 1 of Lot-21 Div (O) — do — 600.00
" " 2 " " 21 Div (O) — do — 600 00
" " 3 " " 21 Div O — do — 800.00
" " 4 " " 21 Div O — do — 900.00
" " 1 " " 22 " O — do — 600 00
" " 2 " " 22 " O — do — 800 00
" " 3 " " 22 " O — do — 800 00
" " 4 " " 22 " O — do — 800 00 $23000.00

(6) And your Commissioners have proceeded to partition & divide the said property among the said heirs of Thomas & Mary W Green as follows To Mary W Lane wife of R W Lane the plaintiffs in this suit the following Lots one (1) & (2) two in Block 90 City of Austin & eighteen (18) feet off the West side of Lot No 3 in same block including the improvements thereon & valued at 3500.00 & the South half of subdivision No 1 in ten acre lot No five (5) in Division (O) of the Out lots of the City of Austin 300 00 = 3800.00
To Laura D Green the following Subdivision No 1 in Block 63 being parts of Lots 3 & 4 in said block — 1100.00 Subdivision in block 63 No 10 the same being the Western fifty-nine feet of Lot No 3 in said Block including the half of the old alley in rear 400.00 Also Subdivision No (4) four in ten acre lot No 21 in Division (O) aforesaid 900.00 Subdivision No 1 in Block No 6 Division (O). 800 00 Subdivision No 2 in Block 22 Division "O" 600.00. 3800.00
To Thomas Green (formerly) (John Memphill Green) we have assigned the

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following property. Subdivision No 2 in Block 63. 800.00 Subdivision No 3. Block 63. 700.00 also subdivision No 4 in lot 22. Division O 800.00 Subdivision No 2. Lot 21 Division "O" 600.00 Subdivision No 2 Lot 5 Division "O" 600.00 and the South half of subdivision No 3 of Lot 6 Division "O" 400.00 = 3900.00

(7) To Alice M Bentley wife of Henry L Bentley we have assigned the following property - Subdivision No 6 in Block 63 City of Austin being part of original lots five and six 800.00 Subdivision seven and eight in Block 63 including half of old alley City of Austin being original lots (7 & 8) in same block lip ten feet for new alley off of West side of lot No 6. 700.00. Subdivision No 3 of Lot No 22 in Division "O" Austin City Out Lots 800.00. Subdivision No 1 of lot 21 Division O 600.00. Subdivision No 3 of lot 5 in Division "O" 600.00. Subdivision No 4 of lot 5 in Division "O" 400.00 = 3900.00

To Eliza Chalmers Green we have assigned the following property original lot No (4) four. and the eastern fifty one feet of Lot No 3 in Block No 90 Austin City which we have marked as subdivisions No 2 & 3 in said Block & valued respectively at $900 and $700 dollars = 1600,00. Subdivision No 3 of lot 21 Division O. 800. Subdivision No 1 of lot 22 Division "O" 600. Block No 28 in the town of Webberville Travis County with improvements 800.00 = 3800.00

To Janet Green we have assigned the following property -
Subdivision No 4 of Block 63 Austin City 700.00
Subdivision No 5 of Block 63 Austin City 700 00
Subdivision No 9 of Block 63 Austin City
the same being the whole of original lot No 1 — 100.00
in said Block.
Also Subdivision No 2 of Lot No 6 Division "O" 900 00
Subdivision No 4 of Lot 6 Division O 700.00
the Northern half of Subdivision No 3 of lot
No 6 in Division O Austin City Out Lots 400.00
& the North half of subdivision No 1 of
lot No (5) five. Division "O" 300 00 = 3800.00

(A) And your Commissioners having performed the duty assigned them submit this their report & pray to be discharged Wm M Wilson Joseph Spence Sworn to & subscribed before me Nov 6th 1873. N Brown Dep Clk and there being no objection to the said report it is adjudged that the same is in all things confirmed. And that the lines streets & alleys as laid off by the said commissioners in the various subdivisions of the said property be established in accordance with the plots marked Exhibits A & B attached to their said report which said plots are ordered to be spread upon the minutes as a part of this decree. And it appearing that said Hurs had procured the ordinance of the City Comal of the City of Austin as mentioned in the said report & it being made to appear that the division of Block 63 by an alley running from North to South as represented in the said

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plot- & report- was of material advantage to the said heirs on the Division of said Block it is ordered & adjudged that the said action of the said heirs and persons representing the minors be ratified & confirmed & that said alley be established as laid off as aforesaid.

It is further ordered that all other matters in the case not settled by this decree be continued till the next term of this Court- X

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

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

✓ 3813 Hoyt, Busick & Co. vs Jno. A. Webb & Bro. And now on this day came the parties to this cause by their respective attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County, consisting of Joseph Barnhart and eleven others, duly tried, elected and sworn, who having heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We the Jury find for the Plaintiff Two Hundred & Eighty Eight ($288. 67/100) Dollars. Joseph Barnhart Foreman." Whereupon It is ordered and adjudged that said William J Hoyt, Samuel A. Busick, Edward Lynch and J. Erastus Sheldon under their firm name of Hoyt, Busick & Co. do have and recover of John A. Webb and Joseph Webb the sum of Two Hundred Eighty Eight and 67/100 Dollars and the cost of suit, for which execution may issue.

✓ 3555. Raymond and Whitis vs James Davidson and L. E. Edwards. Comes now the Plaintiffs by attorney and upon motion duly made It is ordered that the Continuance entered in this cause at a former day of the term be set aside and held for naught.

✓ 3550 Raymond and Whitis vs J. Davidson, et al. Come now the plaintiffs by their attorneys and ask a judgment by default. And the said Davidson having been cited by publication, and failed to answer within the time prescribed by law and wholly made default, It is ordered that said Plaintiffs recover of the Defendant James Davidson according to the prayer of the petition, and that a Writ of Inquiry be awarded.

✓ 3555 Raymond and Whitis vs J Davidson and L. E. Edwards. And now on this day came the plaintiffs by their attorneys and ask that the Writ of Inquiry heretofore awarded against the Defendants in this Case be now here executed. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of H. C. Surghnor and eleven others, duly tried, empaneled and sworn, who having heard the pleadings read, the evidence and

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the charge of the Court, returned the following verdict, to wit." No. 3555. Raymond and Whitis vs James Davidson and L. E. Edwards. We the Jury find for the Plaintiff the sum of Six Hundred & Eighteen & 22/100 Dollars. We further find that the note sued on was given for part of the Purchase money of the land described in Plaintiffs petition. H. C. Sughnor, Foreman." Whereupon It is ordered and decreed that James A. Raymond and Chas W. Whitis, under their firm name of Raymond & Whitis, do have and recover of James Davidson and L. E. Edwards the sum of Six Hundred Eighteen and 22/100 Gold Dollars, with interest thereon at the rate of ten per cent. per annum from this date until paid and all their Costs for which execution may issue.

And It appearing that Plaintiffs have a lien upon the following described Real Estate to secure the payment of the judgment rendered herein, to wit: Two certain tracts of land of Six hundred and Forty acres each, situated in Fayette County, Texas on Buckner's creek, and described in the deed from L. E. Edwards to J. Davidson, as an undivided one half interest of Six hundred and forty acres of land in two tracts of Six hundred and forty acres known and described by metes and bounds in the patents therefor, viz: Patents Nos. Vol. To W. M. Walton, assignee of Samuel St. John. It is ordered that said lien be foreclosed, and that the Clerk issue an order of Sale to the Sheriff of Fayette County, directing him to sell, as under execution, the above described Real Estate, and the proceeds thereof he shall apply to the satisfaction of the judgment rendered in this cause, including the cost of this suit, and the interest to accrue thereon, and the remainder, if any, he shall pay to the Defendant.

3556 Raymond and Whitis vs J. Davidson, et als And now on this day came the plaintiffs by their attorneys and ask a judgment by default as to the Defendant J. Davidson. And because said Defendant has been cited by publication and has failed to answer within the time prescribed by law and is wholly made default, It is ordered that said Plaintiffs recover of said Davidson according to the prayer of their petition and that a Writ of Inquiry be awarded.

3556 Raymond and Whitis vs J. Davidson et. als And now come the pffs by their attorneys and ask that the Writ of Inquiry heretofore awarded against the Defendants in this cause be now here executed. When came a Jury of twelve good and lawful men of Travis County, Consisting of H. C. Sughnor and eleven others duly tried empannelled and sworn who having heard the pleadings, evidence and the charge of the Court, returned into Court the following verdict, to wit: "No 3556. Raymond & Whitis vs James Davidson, A. E. Davidson, Wm M. Walton and L. E. Edwards. We the Jury find for the plaintiff in the sum of Eight Hundred & Sixty-Eight 75/100 Dollars Gold. We further find that the note sued on was given for the purchase money of the land described in plaintiffs petition. H. C. Sughnor, Foreman."

November 7th, 1893

Whereupon It is ordered and decreed that James H. Raymond and C. W. Whitis, under their firm name of Raymond and Whitis, do have and recover of the Defendants James Davidson, A. E. Davidson, Wm. M. Walton and L. E. Edwards the sum of Eight Hundred, Sixty Eight and 75/100 Dollars in gold, with interest thereon at the rate of ten per Centum per annum from this date until paid and all the cost of this suit, for which execution may issue.

And it appearing that the Plaintiffs have a lien upon the following described Real Estate to secure the payment of the judgment rendered in this Case, to wit: Being two tracts of Six hundred and forty acres of land each, the first of said tracts described as Patent No. 411, Vol. 19, Scrip, in Fayette County, on the Waters of Buckner's creek, about ten and a half miles S. 64 W. of La Grange, and patented to said Walton and bounded and described thus: Beginning at a stake 314 varas S. from the N. W. corner of the Z and Wood Survey from which a Post Oak mkd X bears N. 7 W 3 varas. thence S. 1129 vs. with the W. boundary of said Woods Survey to a cedar stake mkd W, the S. corner of said Survey: thence E. with the S. boundary of said Survey 1443 vs. to a stake in the W. boundary line of the Thomas Green & Jesper or Poliper Survey, from which a Post Oak mkd T bears N. 27 E. 9 varas: thence S. 999 varas with the W. boundary of said Survey to its S. W. corner a bij stake. thence E. 645 varas with the S. boundary of the Green Survey from which a Black jack mkd H bears N. 9° 20" E. 7 varas. thence S. 768 varas with the W. boundary of the Vivian Survey to a Stake from which a Post Oak mkd X bears 17° W. 5 varas. another Post Oak bears S. 51 E. 4 varas. thence W. 2329 varas to a cedar stake from which a P. O. mkd = bears N. 12 varas. thence N. 2796 varas to a stake from which a P. O. mkd V bears S. 2° E. 24 varas. thence E. 291 varas to the beginning

The other tract situated in Fayette county and patented to Walton, being Patent No. 444, Vol. 19, beginning at a stake in the E. boundary of the P. Brown league from which a P. O. mkd L bears N. 21 W. 3½ varas, said stake is 314 varas S. of the S. W. corner of the E. Davis league thence E. 932 varas to a stake from which a P. O. mkd V bears S. 2° E. 24 varas. thence S. 2796 varas to the N. boundary of John Marshall Survey, a cedar stake for corner from which a P. O. mkd = bear N. 12 varas: thence W. 1880 varas to a cedar stake and a stone mkd X: thence N. 1066 varas intersecting the S. boundary of the P. Brown league a stake from which a P. O. mkd E bears 11° E. 4 varas: a ditto bears N. 82 W. 10 varas: thence E. 950 varas with the S. boundary of the P. Brown league to the S. E. corner of said league: a cedar stake from which a P. O. mkd E bears W 8 varas: a ditto mkd X bears S. 56 E 7 varas. thence N. 1736 varas with the boundary of said league to the place of beginning,

And thereupon It is ordered that said lien be foreclosed, and that an Order of Sale issue to the Sheriff of Fayette County, requiring him to sell, as under execution, the above described Real Estate, and the proceeds of the sale he shall

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apply to the payment of the Judgment rendered in this case, the interest to accrue thereon and the cost of the suit, and the overplus, if any, he shall pay over to the Defendants

2985 State of Texas v. Jake Phillips alias Dick Brodie

And now on this day comes the Defendant in open Court And it appearing that the said Defendant has been found guilty by the Jury of the Offence chaged in the Indictment who assess the penalty at Confinement in the Penitentiary, and the said Defendant being asked if he had anything to say why judgment should not be rendred and sentence pronounced against him in accordance with said verdict, and offering no sufficient reason, It is ordered that said Jake Phillips alias Dick Brodie is guilty of Felony, as chaged in the Indictment that he be confined in the Penitentiary at hard labor for the term of two years. and that said Defendant be taken by the Shriff of Travis county and safely conveyed to the Superintendant of said Penitentiary there to be confined at hard labor in said State Penitentiary for the years as aforesaid.

✓ 3637. C. F. Millett v. J. T. Miller. Come now the parties by their attorneys and came on to be heard the motion for a new trial filed by the Plaintiff, which being heard and duly considered It is ordered that the motion be sustained and that a new trial be awarded, and the Cause is continued for that purpose.

✓ 3791 R. S. Rust et. al. v. Douglass & McCutchan. Come now the parties by their attorneys and the Defendants submitted their motion for a new trial, which being heard and duly considered, It is ordered that said motion be overruled. Whereupon the Defendants give notice in open Court of an appeal to the Supreme Court.

✓ 3399 State of Texas v. Frank Dirkson. Come now the Defendants by their attorneys and then came on to be heard the motion for a new trial, which being heard and duly considered, It is ordered that said motion be overruled. Whereupon said Defendants give notice in open Court of an appeal to the Supreme Court.

✓ 3671 Mary Payne v. Ed. Wickerson. Comes now the Defendant by attorney and submits his motion for a new trial which being heard and duly Considered, It is ordered that said motion be overuled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

✓ 3682 D. A. James v. O. Archer. And now come the parties by their attorneys when Came on to be heard the motion for a new trial filed by the Defendant, which being heard and duly considered, It is ordered that said motion be overuled. Whereupon said Defendant gives notice in open Court of an appeal to the Supreme Court.

✓ Error 3817 Andrews v. Risher.

✓ 3749 J. P. McKinney v. W. L. Glascock Come now the parties by their attorneys, and the Defendant submitted his motion for a new trial, which being heard and duly Considered, It is ordered that the same be overruled.

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✓ ✓ 3737 Thomas Greenwood vs Houston & Texas Central Railway. Come now the parties by their attorneys when the Counsel for the Defendant submitted his motion for a new trial, which being heard and only considered, It is ordered that said motion be overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

✓ ✓ 3635 Donaldson, Northcraft and Donaldson v. E. R. Stiff et al. Come now the parties by their attorneys and the Defendants submitted to the Court their motion for a new trial, which being heard and only considered It is ordered that said motion be overruled.

✓ ✓ 3786 Crawford & Stewart v. T. E. Cater. And now come the parties by their attorneys when the Defendant submitted his motion for a new trial which being heard and only Considered, It is ordered that said motion be overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court.

✓ ✓ 3526 Sampson & Henricks vs. J. M. Prafs. And now on this day came the parties to this Cause by their attorneys and upon motion and by consent It is ordered that the Continuance entered in this cause at a former day of this term be set aside and vacated.

✓ ✓ 3526 X Sampson & Henricks v. J. M. Prafs. And now on this day came the parties to this Cause by their attorneys and announced ready for trial and waiving a Jury submit the case to the Court. And the Court having heard the pleadings read, the evidence and the argument of Counsel, and duly Considered the same, is of opinion, that it is hereby ordered and decreed, that the Plaintiffs take nothing by this suit. that the Cause be dismissed. that the Defendant so have and recover of said Jos. W. Sampson and H. & Ba. F. Henricks all his cost in this behalf laid out and expended, for which execution may issue. Whereupon the plaintiffs by their attorneys give notice in open Court of an appeal to the Supreme Court.

Defaulting Jurors. And thereupon It is ordered by the Court that the following named persons be fined in the Sum of

And thereupon it appearing to the Court that the following named persons have been legally Summoned by the Sheriff of Travis County to serve as Jurors at the present term of this Court, which they have wholly failed to do, It is ordered that they be fined in the Sum of Twenty Dollars each as Defaulting Jurors, and that writs of Scire facias issue to each of said persons returnable to the next Term of this Court Commanding them to appear and show cause, if any they can, why said fines should not be made final, said Defaulting Jurors being named as follows: Chas Bley, W. F. Meeks, Lem. Baker, Wm R. Davis, B. M. Longley, Aaron Robinson, Tilman Hannibal, H. G. Lee, A. H. Longley and Perry G. Jae.

2941 State of Texas v. Jack Wilson. Cont'd for service

2980 State of Texas v. Barnes Parker et al. Continued by the State

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Dowell / 3010

Ordered that the fine entered against John Dowell at the last term of this Court be set aside

State of Texas v. William Whittington And now comes William Whittington as principal and S. W. Harris and J. G. McDonald as securities and acknowledge themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Three Hundred Dollars to be levied upon their goods and Chattels, Lands, Tenements and Estate, But to be void upon condition that said William Whittington make his personal appearance before the District Court of Travis county to be held at the Courthouse in Austin on the first Monday in February 1874, and there remain from day to day and from term to term thereof, to answer the Indictment preferred against the said William Whittington by the Grand Jury of Travis County at the October term 1873 of the District Court of said County for Theft of Oxen and that he do not depart the Court without leave.

Declaration of intention to become a citizen

Michal Ryan

State of Texas } Michal Ryan being duly sworn according to law in County of Travis } the District Court of said County doth declare that he was born in the year A.D 1840 in the Kingdom of Great Britain whence he emigrated in the year 1869 to the United States of America and has selected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance and fidelity to every foreign Prince. Potentate State or Sovereignty whatsoever and particularly to the King of Great Britain of whom he is a subject. Michael Ryan

Sworn to and subscribed before me this 1st day of November 1873 in open Court. A R Morris Clerk by M S Dunn deputy

L. Hughes

State of Texas } Lawrenz Hughes being duly sworn according to law County of Travis } in the District Court of said County doth declare that he was born in the year A.D 1843 in the Kingdom of Great Britain whence he emigrated in the year 1869 to the United States of America and has selected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounce

Wm Keay

State of Texas } Williams Keay being duly sworn according to law ~~doth~~ County of Travis } in the District Court of said County doth declare that he was born in the year A.D 1833 in the Kingdom of Scotland whence he emigrated in the year A.D 1869 to the United States of America and has selected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renoun-

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ices forever all allegiance & fidelity to every foreign Prince. Potentate
State or Sovereignty whatsoever & particularly to the Queen of Great Britain
of whom he is a subject Wm Keay.
Sworn to & subscribed before me this 1st Day of November 1873
A R Morris Clerk by M S Dunn Deputy

Owen Modine

State of Texas } Owen Modine being duly sworn according to law on the
County of Travis } District Court of said County doth declare that he was
born on the year a.D 1846 on the Kingdom of Sweden whence he emigrated
in the year 1872 to the United States of America and has selected the
State of Texas as the place of his intended settlement & he
further declares that it is bona fide his intention to become a citizen
of the United States & of the said State of Texas & renounces forever
all allegiance & fidelity to every foreign Prince Potentate State or Soverei-
gnty whatsoever & of particularly to the King of Sweden of whom
he is a subject Owen X Modine
mark
Sworn to & subscribed before me this 1st day of November 1873 in
open Court A R Morris Clerk by D Brown Deputy

A Nyman

State of Texas } A Nyman being duly sworn according to law on the
County of Travis } District Court of said County doth declare that he was
born in the year 1846 in the Kingdom of Sweden whence he emigrated
in the year 1871 to the United States of America & has selected the
State of Texas as the place of his intended settlement & he further
declares that it is bona fide his intention to become a citizen of the
United States & of the said State of Texas & renounces forever all all
egiance & fidelity to every foreign Prince Potentate State or Soverei-
gnty whatsoever & of particularly to the King of Sweden of whom
he is a subject A Nyman
Sworn to & subscribed before me this 1st day of Nov 1873 in open
Court A R Morris Clerk by D Brown deputy

B Gonzales

State of Texas } Becunda Gonzales being duly sworn according
County of Travis } to law in the District Court of said County doth
declare that he was born on the year A.D. 841 in the Republic of Mexico
whence he emigrated in the year 1876 to the United States of Amer
ica and has selected the State of Texas as the place of his inten-
ded settlement & he further declares that it is bona fide his int-
ention to become a citizen of the United States & of the said
State of Texas and renounces forever all allegiance & fidelity
to every foreign Prince Potentate State or Sovereignty whatso
ever & particularly to the Republic of Mexico of whom he
is a subject Becunda X Gonzales
mark
Sworn to & subscribed before me this 1st Day of Nov 1873 in open
Court A R. Morris Clerk by D. Brown Deputy

A Juan

State of Texas } Abalos Juan being duly sworn according
County of Travis } to law in the District Courts of said County
doth declare that he was born on the year A.D 1842. in the Re-
public of Mexico whence he emigrated on the year 1861
to the United State of America & has selected the State of

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Texas as the place of his intended settlement & he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatsoever and particularly to the Republic of Mexico of whom he is a subject-Abalos X Juan
his mark
Sworn & subscribed before me this 1st day of November 1873 in open Court-
A R. Morris Clerk by J Brown Deputy-

C. Keiling

State of Texas } Charles Keiling being duly sworn according to law on the
County of Travis } District Court of said County doth declare that he was
born in the year A.D 1828 in the Kingdom of Germany whence he emi-
grated in the year 1870 to the United States of America and has elect-
ed the State of Texas as the place of his intended settlement. And he
further declares that it is bona fide his intention to become a citizen
of the United States and of the said State of Texas renounces forever
all allegiance and fidelity to every foreign Prince Potentate, State or Sov-
ereignty whatsoever and particularly to the King of Saxony of whom
he is a subject Carl Keiling
Sworn to and subscribed before me in open Court this 31st day of October 1873
A R. Morris Clerk. By J Brown deputy-

John Proltz

State of Texas } John Proltz being duly sworn according to law on the District-
County of Travis } Court of said County doth declare that he was born in the year A.D
1826 in the Kingdom of Saxony in Germany whence he emigrated in the year 1870
to the United States of America and has selected the State of Texas as
the place of his intended settlement and he further declares that it is bona
fide his intention to become a citizen of the United States of America
and of the said State of Texas and renounces forever all allegiance to every
foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the
King of Saxony in Germany. of whom he is a subject John Proltz
Sworn to and subscribed before me this 31st day of Oct 1873. in open Court-
A R. Morris Clerk by J Brown deputy

A Zieschank

State of Texas } August Zieschank being duly sworn according to law on
County of Travis } the District-Court of said County doth declare that he
was born in the year AD 1830 in the Kingdom of Saxony whence he emigrated
in the year 1870 to the United States of America & has selected the
State of Texas as the place of his intended settlement and he further dec-
lares that it is bona fide his intention to become a citizen of the United
States and of the said State of Texas & renounces forever all allegiance
and fidelity to every foreign Prince, Potentate State or Sovereignty whatso-
ever and particularly to the King of Saxony of whom he is a subject-
August Zieschank
Sworn to and subscribed before me in open Court this 31st day of October 1873
A R. Morris Clerk by J Brown deputy-

T Traigel

State of Texas } Theodora Traigel being duly sworn according to
County of Travis } law in the District Court of said County doth declare
that he was born in the year A.D 1843 in the Republic of Mexico
whence he emigrated in the year 1869 to the United States of America
and has selected the State of Texas as the place of his intended

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settlement. And he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the Republic of Mexico of whom he is a subject Thetora X Trayd
mark
Sworn to and subscribed before me this 31st day of October 1873 in open Court A R. Morris Clerk by P Brown deputy

Geo H Mabins

State of Texas } Geo H Mcobins being duly sworn according to law
County of Travis } on the District Court of said County doth declare that he was born in the year A.D 1852 in the Kingdom of Saxony whence he emigrated in the year 1871 to the United States of America and has selected the State of Texas as the place of his intended settlement And he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance and fidelity to every foreign Prince, Potentate State or Sovereignty whatsoever and particularly to the King of Saxony of whom he is a subject Geo H. Mcobins

Sworn to and subscribed before me this 27th day of October 1873 in open Court A R Morris Clerk by P Brown deputy

J. E Andrin

State of Texas } John Edward Andrew being duly sworn according to
County of Travis } law in the District Court of said County doth declare that he was born in the Year A.D 1857 in the Kingdom of Sweden whence he emigrated in the year 1870 to the United States and has selected the State of Texas as the place of his intended settlement And he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the King of Sweden of whom he is a subject J E Andrew

Sworn to and subscribed before me this 30th day of October 1873 in open Court A R Morris Clerk by P Brown deputy

Conrad Strohacker

State of Texas } Conrad Strohacker being duly sworn according
County of Travis } to law in the District Court of said County doth declare that he was born in the Year A.D 1849 in the Kingdom of Germany whence he emigrated in the year 1868 to the United States of America and has selected the State of Texas as the place of his intended settlement And he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the King of Germany of whom he is a subject

Conrad Strohacker

Sworn to and subscribed before me in open Court this 27th October 1873 A R. Morris Clerk by P Brown deputy

J H Carlson

State of Texas } J H Carlson being duly sworn according to
County of Travis } law in the District Court of said County doth declare that he was born in the Year A.D 1844 in the Kingdom of

November 7th 1873

Sweden whence he emigrated in the year 1871 to the United States of America
Ed has selected the State of Texas as the place of his intended settlement. Ed
he further declares that it is bona fide his intention to become a citizen
of the United States Ed of the said State of Texas and renounces forever
all allegiance Ed fidelity to every foreign Prince Potentate State or
Sovereignty whatsoever Ed particularly to the King of Sweden of
whom he is a subject

J H Carlson

Sworn to Ed subscribed before me this 1st day of Nov 1873 in open Court
A R. Morris Clerk by J Brown Deputy

6 Gustaf Palm

State of Texas } Gustaf Palm being duly sworn according to law in the Dis
County of Travis } trict Court of Travis County doth declare that he was born
in the year A D 1807 in the Kingdom of Sweden whence he emigrated in
the year 1848 to the United States of America Ed has selected the State of
Texas as the place of his intended settlement Ed he further declares that
it is bona fide his intention to become a citizen of the United States
of the said State of Texas and renounces forever all allegiance
fidelity to every foreign Prince Potentate State or Sovereignty
whatsoever Ed particularly to the King of Sweden of whom he is
a subject

Gustaf Palm

Sworn to Ed subscribed before me this 1st November 1873 in
open Court A R Morris Clerk by J Brown deputy

Jos A Hartmann

State of Texas } Adam Hartmann being duly sworn according
County of Travis } to law in the District Court of said County doth de-
clare that he was born in the Kingdom of Baden whence he emigrated
in the year 1834 to the United States of America Ed has selected the
State of Texas as the place of his intended settlement Ed he further
declares that it is bona fide his intention to become a citizen of the
United States Ed of the said State of Texas and renounces forever all
allegiance Ed fidelity to every foreign Prince, Potentate, State or Sover-
eignty whatsoever Ed particularly to the Grand Duke of Baden
of whom he is a subject

A Hartmann

Sworn to Ed subscribed before me in open Court this 1st Day of Nov 1873
A R. Morris Clerk by J Brown deputy

Geo A Fox

State of Texas } George A Fox being duly sworn according to law
County of Travis } in the District Court of said County doth declare that
he was born in the year A D 1848 in the Kingdom of Bavaria whence he
emigrated in the year 1872 to the United States of America Ed has selected
the State of Texas as the place of his intended settlement Ed he further
declares that it is bona fide his intention to become a citizen of the
United States Ed of the said State of Texas Ed renounces forever all
allegiance fidelity to every foreign Prince, Potentate, State or Sover-
eignty whatsoever Ed particularly to the King of Bavaria of whom he is
a subject

George A Fox

Sworn to Ed subscribed before me this 1st November 1873 in
open Court A R Morris Clerk by J Brown deputy

Reld Gnidd

State of Texas } Reld Gnidd being duly sworn according to law
County of Travis } in the District Court of said County doth
and has selected the

November 7th 1873

declare that he was born in the year A.D 1811 in the Republic of Mexico whence he emigrated in the year 1848 to the United States of America and has elected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance and fidelity to every Foreign Prince Potentate State or Sovereignty whatsoever and particularly to the President of Mexico of whom he is a subject-

Reld X Finds

Sworn to and subscribed before me this 3rd day of Nov 1873 in open Court-

A R Morris Clerk by D Brown Deputy-

H Herlet

State of Texas } H Herlet being duly sworn according to law in the
County of Travis } District Court of said County doth declare that he was born in the year A.D 1827 in the Kingdom of Germany whence he emigrated in the year 1850 to the United States of America and has elected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the Emperor of Germany of whom he is a subject- H Herlet

Sworn to and subscribed before me this 3rd day of Nov 1873 in open Court- A R Morris Clerk by D Brown deputy

A. D Preuss

State of Texas } Andrew D Preuss being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year A.D. 1845 in the Kingdom of Prussia whence he emigrated in the year 1868 to the United States of America and has elected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States of America and of the said State of Texas and renounces forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the Emperor of Germany of whom he is a subject- Andrew D Preuss

Sworn to and subscribed before me this 7th day of Nov 1873 in open Court- A R Morris Clerk by D Brown deputy

F Gorlitz

State of Texas } Friedrich Gorlitz being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year A.D 1848 in the Kingdom of Germany whence he emigrated in the year 1869 to the United States of America and has elected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounces forever all allegiance to every foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the Emperor of Germany of whom he is a subject

Friedrich Gorlitz

Sworn to and subscribed before me this 7th day of November 1873 in open Court A R Morris Clerk by D Brown deputy

Fritz Wieland

November 7th 1873.

Declaration of Intention to become a citizen

State of Texas } Fritz Wieland being duly sworn according to law in the
County of Travis } District Court of said County doth declare that he
was born in the year 1833 in the Kingdom of Germany whence he emigrated
in the year 1868 to the United States of America and has selected the State
of Texas as the place of his intended settlement and he further declares that
it is bona fide his intention to become a citizen of the United States and of the
said State of Texas and renounces forever all allegiance and fidelity to every
foreign Prince, Potentate State or Sovereignty whatsoever and particularly
to the Emperor of Germany of whom he is a subject.

Fredrich Wieland

Sworn to and subscribed before me this 7th day of November 1873 in
open Court. A R. Morris Clerk by P Brown deputy

A Wieland

State of Texas } Albert Wieland being duly sworn according
County of Travis } to law in the District Court of said County
doth declare that he was born in the year a.d 1840 in the Kingdom
of Germany whence he emigrated in the year 1869 to the United
States of America and has selected the State of Texas as the
place of his intended settlement and he further declares that it is
bona fide his intention to become a citizen of the United States
of the said State of Texas and renounces forever all allegiance and fi-
delity to every foreign Prince Potentate, State or Sovereignty what-
soever and particularly to the Emperor of Germany of whom he
is a subject.

Albert Wieland

Sworn to and subscribed before me this 7th day of November 1873 in open Court
A R Morris Clerk by P Brown deputy

J Prinz

State of Texas } Fredrich Prinz being duly sworn according to law
County of Travis } in the District Court of Travis County doth declare that
he was born in the year a.d. 1848 in the Kingdom of Germany whence he
emigrated in the year 1871 to the United States of America and has
selected the State of Texas as the place of his intended settlement
and he further declares that it is bona fide his intention to become
a citizen of the United States and of the said State of Texas and
renounces forever all allegiance and fidelity to every foreign Prince
Potentate State or Sovereignty whatsoever and particularly to the
Emperor of Germany of whom he is a subject. Fredrich Prinz

Sworn to and subscribed before me this 7th day of November 1873 in
open Court A R Morris Clerk by P Brown deputy

A McDonald

State of Texas } Alexander McDonald being duly sworn according
County of Travis } to law in the District Court of Travis County doth
declare that he was born in the year a.d 1841 in the Kingdom of
Great Britain whence he emigrated in the year 867 to the
United State of America and has selected the State of Texas as the place
of his intended settlement and he further declares that it is bona fide
his intention to become a citizen of the United States and of the said
State of Texas and renounces forever all allegiance & fidelity to every
foreign Prince, Potentate, State or Sovereignty whatsoever and par-

November 7th 1873

Ficentarly to the Queen of Great-Britain of whom he is a subject

Alexander McDonald

Sworn to and subscribed before me this 7th day of Nov 1873 in Open Court

A. R. Morris Clerk by J. Brown deputy.

A Morales

State of Texas } Alcario Morales being duly sworn according to
County of Travis } law in the District Court of said County doth
declare that he was born in the year A.D 1850 in the Republic of
Mexico whence he emigrated in the year 1865 to the United
States of America and has selected the State of Texas as the
place of his intended settlement and he further declares that
it is bona fide his intention to become a citizen of the
United States and of the said State of Texas and renounces
forever all allegiance and fidelity to every foreign Prince
Potentate, State or Sovereignty whatsoever and particularly
to the Presidents of Mexico of whom he is a subject

Alcario X Morales
his mark

Sworn to and subscribed before me this 3rd day of Nov 1873 in open
Court, A R. Morris Clerk, by J. Brown Deputy

Y Moreno

State of Texas } Ynes Moreno being duly sworn according
County of Travis } to law in the District Court of said County doth
declare that he was born in the Year A.D 1844 in the Republic of
Mexico whence he emigrated in the year 1865 to the United State
of America and has selected the State of Texas as the place
of his intended settlement and he further declares that it is
bona fide his intention to become a citizen of the United
States and of the said State of Texas and renounces forever all all
egiance and fidelity to every foreign Prince Potentate State or
Sovereignty whatsoever and particularly to the Presidents
of Mexico of whom he is a subject

Ynes X Moreno
his mark

Sworn to and subscribed before me this 3rd day of Nov 1873 in
open Court. A R. Morris Clerk by J. Brown deputy

J. A Valdez

State of Texas } J A Valdez being duly sworn according to law
County of Travis } doth declare that he was born in the year A.D.
1832 in the Republic of Mexico whence he emigrated about
the year 1853 to the United States of America and has selected
the State of Texas as the place of his intended settlement
and he further declares that it is bona fide his intention
to become a citizen of the United States and of the
said State of Texas and renounces forever all allegiance
and fidelity to every foreign Prince, Potentate State
or Sovereignty whatsoever and particularly to the
Republic of Mexico of whom he is a subject

J. A Valdez

Sworn to and subscribed before me this 8th day of Nov 1873
in open Court. A R Morris Clerk. By J Brown dep.

5 582

November 7th 1873

Declaration of Intention to become a citizen

E Garza

State of Texas } Edurdo Garza being duly sworn according to law a
County of Travis } the District Court of said County doth declare that he
was born in the year A.D 1844 in the Republic of Mexico whence he em
igrated in the year 1837 to the United States of America and has se
lected the State of Texas as the place of his intended settlement. And he
further declares that it is bona fide his intention to become a citizen
of the United States and of the said State of Texas and renounces for
ever all allegiance and fidelity to every foreign Prince Potentate
State or Sovereignty whatsoever and particularly to the Governme
of Mexico of whom he is a subject. Eduardo [illegible] Garza

Sworn to and subscribed before me this 3rd day of November 1873 in open
Court A R. Morris Clerk by J Brown deputy

J J Barrara

State of Texas } Jesus Barrara being duly sworn according to law
County of Travis } the District Court of said County doth declare
that he was born in the year A.D 1836 in the Republic of Mexico
whence he emigrated in the year 1863 to the United States of America
and has selected the State of Texas as the place of his intended
settlement. And he further declares that it is bona fide his intention
to become a citizen of the United States and of the said State of
Texas and renounces forever all allegiance and fidelity to every
foreign Prince Potentate State or Sovereignty whatsoever and par
ticularly to the Government of Mexico of whom he is a subject

Jesus Barrara

Sworn to and subscribed before me this 3rd day of November 1873 in
open Court A R. Morris Clerk by J Brown deputy

J J Castiys

State of Texas } Juan Castiys being duly sworn according to law in
County of Travis } the District Court of said County doth declare
that he was born in the year A.D 1845 in the Republic of Mexico
whence he emigrated in the year 1858 to the United States of
America. And has selected the State of Texas as the place of his
intended settlement. And he further declares that it is bona fide
his intention to become a citizen of the United States and of the
said State of Texas and renounces forever all allegiance and fidelity
to every Foreign Prince Potentate State or Sovereignty whatsoever
and particularly to the President of Mexico of whom he is a
subject

Juan Castiys

Sworn to and subscribed before me this 3rd day of Nov 1873 in open
Court A R. Morris Clerk by J Brown deputy

A J Johannes Johannson

State of Texas } Johannes Johanesen being duly sworn acc-
County of Travis } ording to law in the District Court of said
County doth declare that he was born in the year A.D 1825
in the Kingdom of Sweden whence he emigrated in the
year 1869 to the United States of America and has selected the
State of Texas as the place of his intended settlement and he
further declares that it is bona fide his intention to become a
citizen of the United States and of the said State of Texas and

November 7th 1873

renounces forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty, whatsoever and particularly to the King of Sweden of whom he is a subject-

Johannes Johaneson

Sworn to & subscribed before me this 5th day of Nov 1873 in open Court A R. Morris, Clerk. By J Brown Deputy

D. McKenzie

State of Texas } Donald McKenzie being duly sworn accord-
County of Travis } ing to law in the District Court of said County doth declare that he was born in the year A.D 1828 in the Kingdom of Great Britain where he emigrated in the year 1867 to the United States of America and has selected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas & renounces forever all allegiance & fidelity to every foreign Prince Potentate State or Sovereignty whatsoever & particularly to the Queen of Great Britain of whom he is a subject. Donald McKenzie

Sworn to & subscribed before me this 5th day of November 1873 in open Court A R Morris Clerk by J Brown deputy.

John Miller

State of Texas } John Miller being duly sworn according to law
County of Travis } in the District Court of said County doth declare that he was born in the year 1845 in the Kingdom of Great Britain whence he emigrated in the year 1866 to the United States of America & has selected the State of Texas as the place of his intended settlement and he further declares that it is bona fide his intention to become a citizen of the United States of America & the said State of Texas and renounces forever all allegiance & fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the Queen of Great Britain of whom he is a subject. John Miller

Sworn to & subscribed before me this 6th day of November 1873 in open Court A R Morris Clerk by J Brown deputy.

Jury Service

And thereupon it is ordered that certificates for Jury service issue to the following named persons for Jury service to wit

Grand Jury

John T Haynes	9 days	James Thompson	9 days	W C Jones	9 days
Wm Piper	9 days	Geo T La Rue	9 days	Jerry Parsons	9 days
E Williams	9 days	G H Burdett	9 days	Ed L Saunders	9 days
Geo Sutzmann	9 days	Milton Wallace	9 days	J J Hamilton	9 days
Jacob Swank	9 days	Ben VanZandt	9 days	Sol Freeman	9 days
L. J Britton	9 days				

Petit Jury

A B Townsend	1 day	W T Patterson	1 day	B O Staveley	5 days
James Wall	6 days	C Kennedy	3 days	James Gilbert	6 days
George Washington	6 "	John Slade	6 "	Levi Kinsey	6 "
L C. Lock	6 "	B F Marshall	6 "	W H [illegible]man	6 "
Wm Esser	4 "	J T McCall	6 "	Sam T Billingsley	6 "
A Blomeke	7 "	B F Wroe	3 "	R B Smith	7 "

November 7th 1873

Juries

John Holland	7 days	DeWitt Robinson	7 days	F Marshal	6 days
J. Hancock	7 "	Joseph Barnhart	7 "	Rodger Blunt	7 "
John Penn	7 "	Wm Robinson	7 "	W W Calhoun	7 "
John H. Walker	6 "	B. O Slavety	4 "	Clay Eanes	3 "
John Storey	3 "	Robert P Wright	6 "	L C. Lock	6 "
Chas Domschke	6 "	C H Deffenbaugh	6 "	Sam Robinson	6 "
B F Wroe	6 "	Neil McCashin	1 "	W N Vardeman	6 "
W W Calhoun	6 "	John Slade	6 "	Geo Dye	6 "
J W Johnson	5 "	F Marshal	6 "	John Fisher	6 "
John Penn	6 "	Clay Eanes	6 "	J.E. Rector	6 "
W D Shepherd	6 "	David Williams	6 "	Duke Mitchell	6 "
J H Walker	6 "	E D Walker	5 "	J W Johnson	6 "
James Hall	6 "	David Williams	5 "	Robt Barr	6 "
John T. Miller	6 "	R B Smith	5 "	De Witt Robinson	6 "
D F Waddell	1 "	Rodger Blunt	5 "	John Fisher	6 "
Nat Moore	5 "	John Ezell	1 "	Bew Marshall	6 "
A W Bradebrot	1 "	Henry Orsay	5 "	Joseph Barnhart	6 "
Wm Hamilton	3 "	Wm J Hamilton	5 "	R B Smith	6 "
P A Jordan	2 "	De Witt Robinson	5 "	B F Wroe	6 "
Sam Fowler	1 "	John Fisher	5 "	H C Dunham	6 "
H Shepherd	2 "	A Horsman	5 "	J H Walker	6 "
D W Miller	2 "	J H Walker	5 "	Wm J Hamilton	6 "
R S. Lee	3 "	Nat Moore	5 "	Cesar Kennedy	6 "
J Hancock	1 "	Duke Mitchell	5 "	P A Jordon	6 "
B R Townsend	1 "	H C Dunham	5 "	H E Randel	6 "
Wm Walsh	1 "	Lacy McKenzie	5 "	B F Fore	6 "
M J Matteson	1 "	Ruffin Grandstaff	5 "	Roger Blunt	6 "
Henry Orsay	1 "	Bill Patterson	5 "	James Hall	5 "
C Kennedy	2 "	Jacob Smith	1 "	Wm Good	5 "
Bew Smith	1 "	James Hall	1 "	G W Irving	3 "
B F Marshal	6 "	L K Miller	1 "	L G Bruton	3 "
John Harral	5 "	K K Rector	1 "	J W Hancock	2 "
J C Williams	5 "	Joe Matthews	6 "	W W Calhoun	2 "
J M Mansfield	5 "	B Brown	5 "	A G Luck	5 "
Bew Marshall	5 "	John H Pope	6 "	J C Lavey	3 "
John Penn	5 "	Tom Hancock	6 "	W T Cameron	5 "
C Kennedy	5 "	Chas Corey	6 "	Lavey Vance	5 "
B F Wroe	5 "	W N Vardeman	6 "	J H Walker	4 "
Robert Barr	5 "	E D Walker	6 "	M J Matteson	1 "
J Lensing	4 "	H C Dunham	5 "	Isaac Graham	5 "
Jerry Johnson	4 "	J W Johnson	5 "	N R Larson	4 "
Joseph Barnhart	5 "	E D Walker	4 "	T J Campbell	5 "
H E Randell	4 "	W N Vardeman	4 "	Cesar Kennedy	4 "
Bew Marshall	4 "	R B Smith	5 "	Bob Roberts	5 "
Robert Barr	4 "	Nat Moore	4 "	W D Shepherd	1 "
Dewitt Robinson	4 "	Nat Moore	1 "	Steve Scroggins	1 "
Roger Blunt	4 "	Wm Good	5 "	J J Musgrove	6 "

November 8th 1873.

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

November 8th 1873

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

3011 State of Texas vs. William Whittington. And now comes William Whittington as principal and S. W. Harris and J. G. McDonald as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Three Hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate, But to be void upon condition that the said William Whittington make his personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February 1874 then and there to remain from day to day and from term to term thereafter to answer the Indictment preferred against the said William Whittington by the Grand Jury of Travis County at the October Term 1873 of the District Court of said County for theft of Neat Cattle, and that he do not depart the Court without leave.

3012 The State of Texas v. William Whittington. And now on this day comes William Whittington as principal and S. W. Harris and J. G. McDonald as his securities and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of Three Hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate But to be void upon condition that said William Whittington make his personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February 1874 then and there to answer the Indictment preferred against the said William Whittington by the Grand Jury of Travis County at the October Term 1873 of the District Court of said County for Theft of Oxen and that he there remain from day to day and from term to term thereafter to answer said Indictment, and that he do not depart the Court without leave.

3013 State of Texas v. William Whittington. And now comes William Whittington as principal and S. W. Harris and J. G. McDonald as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Three Hundred Dollars to be levied upon their Goods and Chattels Lands Tenements and Estate But to be void upon condition that said William Whittington make his personal appearance before the District Court of Travis County to be held at the Courthouse thereof in Austin on the first Monday in February 1874 then and there to answer the Indictment preferred against the said William Whittington by the Grand Jury of Travis County at the October term 1873 of the District Court of said County for the theft of Oxen and that he there remain from day to day and from term to term to answer said charge and that he do not depart the Court without leave.

November 8th 1873

3829. Cora B. Slaughter et als vs Ann P. Lurry & W. C. Lurry. And now on this day this cause coming on to be tried the parties by their attorneys announced themselves ready for trial. And it appearing to the Court from the pleadings that the Plaintiffs Cora B. Slaughter, Frances A. Slaughter alias D. Slaughter, and Lucy A. Slaughter are the minor children of A. B. Slaughter Decd and that they are entitled to have set apart to them their interest in the Separate estate of their deceased father A. B. Slaughter. And it further appearing to the Court from the Auditors Report heretofore filed in this cause that there are debts still due and owing by said estate, and that there is no personal property of said estate with which to pay said debts: And that it is necessary that a portion of the land belonging to said estate should be sold to pay off the indebtedness of said estate and to defray the cost of this proceeding: And Commissioners having been appointed to set apart that portion of the land necessary and proper to be sold, and to make Partition of said Separate estate between the Plaintiffs on the one part, and Ann P. Lurry on the other part: and said Commissioners having made their Report as follows to wit:

Cora B. Slaughter et als vs. Ann P. Lurry et al. No. 3829. Partition of Land. District Court Travis County October Term A.D. 1873.

To the Honorable James P. Richardson Judge of said Court:

The undersigned J. E. Campbell, R. L. King and John B. Costa, Commissioners appointed by your Honorable Court at the present term, to make partition of all the land belonging to the Separate estate of A. B. Slaughter, deceased, between Ann P. Lurry formerly Ann P. Slaughter, surviving wife of the said A. B. Slaughter, deceased, on the one side, and Cora B. Frances A. alias D. and Lucy A. Slaughter, children of the said A. B. Slaughter and the said Ann P. Lurry, on the other side, Report to your Honorable Court their proceedings as follows to wit:

First. Your Commissioners find that there is, as near as can be ascertained, 2753 acres of land of the Separate estate of the said A. B. Slaughter deceased.

Second: Your Commissioners have come to the Conclusion that it will take 453 acres out of the said 2753 acres of the unimproved part of the same to pay the said sum of $1200.00 and have set apart the said 453 acres to be sold in 40 acres Surveys as shown on the Plat hereto attached marked Exhibit "A" and the same made a part of this Report. And the above 453 acres set apart for sale embraces the 140 acres contracted to be sold to Kline and Wendy and they have paid on said Contract the sum of $320.00 and they are to pay in addition an amt of $320

The above mentioned Bill Plat will show the part sold to them of said tract.

Third: Your Commissioners find that the balance of 2300 acres left to be partitioned between said Ann P. Lurry and said children, there is, improved and unimproved as follows to wit.

891 acres of the improved land, valued at $25.00 per acre $9775.00
200 acres of Pasture Land " " $15.00 " " 3.000.00

November 8th 1873

809 acres of " " " " 5^00 $4045.00

Total $22.820.00

The Surveyors Plat, hereto attached, marked "A" will show the situation of said land, the improvements on the same and the of land in the Slaughter tract and in the Wilson tract.

Fourth: Your Commissioners have ascertained the value of the life estate of the said Ann P. Lurry in the one third part of the said 2800 acres of land, to be worth the sum of $3770^00 and found that a portion of said land can be set apart, absolutely, to the said Ann P. Lurry equal in value to her said life estate, and which the said Ann P. Lurry, she is willing, and agreed to take, absolute title, in lieu thereof: Your Commissioners therefore set apart to her absolutely the following tracts or portions and of the said 2800 acres land, in lieu of said life estate, to wit:

40 acres of the said improved land valued at $25^00 per acre $1000.00

160 " " " " unimproved land " " 10^00 " " 1.600.00

514 " " " " Do " " " 5^00 " " 2.570.00

714 acres more or less of the last two tracts as may be necessary $5.170.00

The field notes of the land set apart to the said Ann P. Lurry are hereto attached marked Exhibit "B" and pray the same to be taken as part of this Report:

Your Commissioners have set apart the balance of the said 2800 acres of land to the said Cora B., Frances A., Alice D. and Lucy A. Slaughter jointly. Your Commissioners having discharged their duties assigned to them they respectfully submit this Report of their acts in the premises

R. L. King
John B. Costa
Jno. C. Campbell
Commissioners

November 8th 1873.

State of Texas } Be it Remembered that on this day came and per-
Travis County } sonally appeared before Clerk of the District Court of
said County of Travis the undersigned Commissioners of Partition, to me well
Known, who being by me duly Sworn, state that the Partition made by them
as set out in the above and foregoing Report, is just and fair, to the best of
their Knowledge and information, that they have no interest in said partition,
that they are not of Kin to any of the parties to the said Partition

Sworn to and Subscribed before me
November 8th 1873
J. Brown, Dep. Clk.

R. L. King
John B. Costa
Jno. Campbell
} Commissioners

And said Report having been examined by the Court and the same appearing to be correct, It is therefore ordered adjudged and decreed by the Court, that four hundred and fifty three acres as designated on the plat accompanying the Report of the Commissioners and numbered from One to Fifteen inclusive be sold to pay the indebtedness of said Estate and that Felix E. Smith be and he is hereby appointed Commissioner to make sale. And it is further ordered and decreed that the Commissioner may sell said land for cash, at public or at private sale as he may deem best for the interest of all the parties and shall make title to the purchaser or purchasers, upon the payment of the purchase money, and shall pay off the indebtedness of said Estate, and the residue of the money received on the sale of said land, if any, he shall report to this Court

It is further ordered that the sale made heretofore to Kline and Wende be and the same is hereby Confirmed, and the Commissioner herein appointed be and he is hereby directed to make title thereto upon the payment to him of the remainder of the purchase money.

And the said Anna P. Lurry and W. C. Lurry having agreed to take in absolute title, a portion of said land, in lieu of dower in discharge of the value of the life estate of the said Ann P. Lurry, and the Commissioners having recommended that said life estate be so discharged and set apart out of the Slaughter and Wilson tracts comprising said Separate estate a portion thereof for that purpose It is therefore ordered adjudged and decreed by the Court that the following described portions of the said Slaughter and Wilson Leagues, to wit: Beginning at a point in the North line of the Slaughter league, so far East from the North West corner of said league, as that a line running South at a right angle with said North line and extending Sixteen hundred varas, will include forty acres of the land heretofore cultivated, which forty acres is valued at $25.00 per acre, thence West Crossing the West line of the Slaughter league, parallel with the North line of the Slaughter and Wilson leagues, so far on to the Wilson league as that a line 1600 varas and parallel to first line, to said North line and thence to the place of beginning, will include land of the value of five thousand one hundred and Seventy Dollars, estimated as follows = the forty acres cultivated land at $25.00 per acre = the other

November 8th 1879.

land on the Slaughter league at $100 per acre and the land on the Wilson league at $5 per acre: be and the same are hereby set apart in absolute title to Mrs Anna P Lurry, her heirs and assigns forever. And it is ordered and decreed that the title to the above described tracts of land be and the same is hereby wholly divested out of the plaintiffs children and heirs of A. R Slaughter deceased and vested in the said Anna P Lurry.

It is further ordered adjudged and decreed by the Court that the title, use and enjoyment of the remainder of said lands be and the same is hereby vested in the said Plaintiffs free and unincumbered by any claim of the said Anna P. Lurry.

It is further ordered that the Auditor John B. Costa be allowed the sum of Fifty Dollars to be taxed in the Bill of Costs and the Commissioners be allowed the sum of Forty Dollars to be taxed in like manner.

It is further ordered that the costs of this proceeding be paid out of the proceeds of the land herein ordered to be sold.

✓ ✓ 3682 James vs Archer. And now come the parties in this cause and the Defendant abandons in open Court his right of appeal and to a writ of Error, and agrees that said Judgment may remain undisturbed and on agreement of parties It is ordered that no execution issue on said judgment until the first day of april A.D. 1879

Bailiffs And thereupon It is ordered by the Court that the following named persons be allowed the sums set opposite their names for services as Bailiffs during the present term of this Court, as fee to be paid upon the certificate of the Clerk, to wit out of the County Treasury of Travis County, to wit.

issued	A. E Moore Riding Bailiff to Grand Jury 9 days @ $3 per day	$27.00
issued	W. D. Hunter Riding Bailiff to Grand Jury 9 days @ $3 per day	27.00
issued	Alex Dickerson, Riding Bailiff to Grand Jury @ $3 per day	27.00
issued	D. Crozier, Bailiff to Grand Jury and Bailiff to Court 30 days @ $2	60.00
issued	A. Musgrove, Bailiff to Grand Jury and Bailiff to Court 30 days @ $2 per day	60.00
issued	Wm Thaxton, Bailiff to Grand Jury and Bailiff to Court 30 days @ 2 per day	60.00
	Making the sum of Two Hundred and Sixty One Dollars.	$261.00

issue Clerk & Shff And thereupon It is ordered that A R Morris and Geo B Zimpelman Shff Travis County be allowed each the sum of One hundred and Twenty Dollars for ex officio services at the present term of this Court payable out of the County Treasury of Travis County, upon the certificate of the clerk

And it is ordered, (The foregoing Minutes having been read in open Court and duly examined) that Court do now stand adjourned to the next regular Term.

J. P. Richardson
Judge.

Feleruary 2d. 1874.

The State of Texas } at a Term of the District Court begun and held at the
County of Travis } City of Austin, within & for the County and State aforesaid,
on Monday, the 2d day of Feleruary A.D. 1874. the same being the time
fixed by law for the meeting of said Court, Present Hon. J.P. Richardson Judge
of the Twenty Seventh Judicial District of the State of Texas presiding: Frank
Brown, clerk of the District Court of Travis county and Geo B. Zimpelman
Sheriff of Travis county. Whereupon the following proceedings were had by
said Court, To wit.

The venire heretofore issued by the clerk having been returned into
Court, and a sufficient number of those appearing upon said venire
not being in attendance, It is ordered that the Sheriff summon a sufficient
number of bystanders to complete the panel of Grand Jurymen.
And of the persons so summoned as aforesaid the following were empanelled and duly sworn as the Grand Jury of Travis county for and
during the present Term of this Court, to wit:

Grand Jury 1 R. M. Johnson. 2. Charles Parker, 3. W.B Smith. 4. E. Raven. 5.
James Dorsey 6 E. W. Hocker. 7 Nathan Douglass 8. J. J. Musgrave. 9 Jos. A.
Costa 10 H.M. Metz 11 Peter Bracton 12 Wade Henry 13 S. F. Fowler
14 J.E. Washington 15 W.R Storey 16 E.D. Waeker.

And thereupon the Court appointed R.M. Johnson foreman of
the Grand Jury. And the said Grand Jury being sworn and charged
according to law, were ordered to retire upon a discharge of the same.
And thereupon It is ordered that the Criminal Docket be set
for trial on the 3d Monday of the Term.

✓ R H Ward And now comes R. H. Ward, and presents to the Court his application for
license to practice law in the several District and Inferior Courts of the
State of Texas, accompanied by a certificate of good moral character
And thereupon It is ordered that David Sheeks Esq., G.T. Moore. Esq., Jordan A. Brown
and W. A. H. Miller Esq. be appointed a committee to examine the
applicant in open Court, and that said committee conduct said ex-
amination in open Court on to-morrow at 9 o'clock, A.M.

✓ 3703 John L. Dyer v. A.H. Cook.
✓ 3771 A.B. Burleson v. A.M. Collins et al
✓ 3785 L.J. and W.H. Page v. Sarah Bennett et al.
✓ 3814. John A. Burditt et al. v. M.C. Burditt. et al
✓ 3815 J. A. Burditt et al. v. John A. Green et al
✓ 3813 Wm Chambers v. A. Bledsoe.
✓ 3816 John D. Kerfoot et al. v. Heirs of Eislin
✓ 3848 E. Sedale v. Ann Eliza Sedale
✓ 3861 Laura J. Giffen v. Wm C. Giffin
✓ 3871 C.C. Cronkite et als. v. C.A. Denny et als.
✓ 3884 Bayly & Pond v. J.W. Gildart
✓ 3886 S.S. Munger v. Nagle & Burgess.
✓ 3889 M.M. Galloway v. R. Galloway
✓ 3893 H.A. Ricks et al. v. W.C. Cain
✓ 3894 S.J. Lanahan v. J.H. Robinson & Son
✓ 3900 C.H. Garden v. T.F. Mitchell et al.

February 2d 1874.

✓ 3912. John D. Kerfoot et als. v. C. Pflegin et als
✓ 3913 M D Miller v. W A East
✓ 3916 John Davis et al v. C W. Refsier.
✓ 3918 Alfred Scott v. J. J. Miller
✓ 3921 S H Cockrel v. R B Renick et als.
✓ 3922 B T. Garrison v. James Finley
✓ 3923 B T. Garrison v. James & Robert Finley
✓ 3924 H. Schultze v. B. Schultze
✓ 3925 L C Edwards v. C. J. R. Edwards.
✓ 3926 Wm Kechler v. Philip Meyer.
✓ 3929 Fischer v. Archer & Meyer.
✓ 3931 Peter Jones v. Mary Jones
3936 Bonnie Murphy & Co. v. N. B. Mitchell

And now on this day comes the Clerk and moves the Court to require the Plaintiffs in the last preceding twenty-nine causes to give bond and security for the cost of said several suits. And it is ordered that said several plaintiffs be required to give bond and security on or before the next Term of this Court, otherwise the same will be dismissed at the cost of said several plaintiffs, the attorneys for the parties being notified.

✓ 3621 Ellen C. Hunton et al. vs R B. Nichols et als
✓ 3622 Ellen C. Hunton et al. vs Mary M Bowers et als
✓ 3623 Ellen C Hunton et al. vs A Block et als
✓ 3624 Ellen C. Hunton et als vs Young Men's Real Estate and Building Ass'n

And now on this day came the Plaintiffs in the last ~~three~~ four preceding causes, by their Attorney and move that said several plaintiffs be allowed to amend their pleadings. And thereupon It is ordered that said several plaintiffs be allowed to amend their pleadings.

✓ 3625 Ellen C. Hunton et al. v. Wm Oliphant. Come now the plaintiffs by their attorney and upon motion It is ordered that said plaintiffs have leave to amend their pleadings.

✓ ✓ 3745 L. Redfern vs John N. Redfern. And now on this day came the plaintiff by her attorney and announced ready for trial And the Defendant came not. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of J. H. Washington and eleven others, duly tried and sworn who having heard the pleadings, the evidence and the Charge of the Court, returned the following verdict, to wit: "We the Jury find the allegations in the plaintiffs petition to be true. J.H. Washington, foreman." Whereupon It is ordered and decreed that the bonds of matrimony heretofore celebrated and existing between said L. Redfern and John N. Redfern be dissolved and held for naught and that the plaintiff recover of the Defendant all the Cost of this suit for which execution may issue.

✓ ✓ 3748 John A. Green et al. v. Lucinda Raymond et al. Come now the Defendants in open Court, and upon motion only made It is

Feberuary 3d 1874.

ordered that said Defendants have leave to amend their answer.

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

Tuesday, Feberuary 3d 1874

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

3801 J. D. McGary vs. John Strieger. And now come the parties by their attorneys, and on motion It is ordered that this cause be dismissed and that the Defendant pay all the cost of this suit, for which execution may issue.

2013 E. Berry v. A. M. Davidson. Continued

2641 S. M. Swenson v. J. Nicholson et al. Continued for service.

2644 S. M. Swenson v. J. H. Herndon et al. Continued for service.

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

2955 Abby Thompson et al. v. A. H. Barnes et al. Continued.

2956 Abby Thompson et al. v. R. W. Riley et. al. Continued

2957 Abby Thompson et al. v. R. A. Rutherford. Comes now the plaintiffs by attorneys and upon motion in open Court It is ordered that said Plaintiffs have leave to amend their pleadings.

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

2960 Abby Thompson et al. v. H. S. Raven. Continued

2973 S. B. Brush v. E. Raven. Continued.

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

2981 W. B. Philips v. A. A. Scroggins et al. Continued.

3107 Alf. Mitchell v. Risher & Hall. Continued

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

3151 Charles Shepherd v. John J. Sneed et al. And now comes the counsel for the Defendant J. J. Sneed, and suggests the death of said Sneed and the same is here ordered to be made of record.

3241 Scherck & Berkson v. Romer & Dawson. Come now the plaintiffs by their attorneys, and upon motion It is ordered that said plaintiffs have leave to amend their pleadings.

3306 F. W. Chandler v. Thomas J. Pitt. Continued.

3590 John M. Conner et al. v. Ella R. Carter et. al. Comes now the clerk and upon motion in open Court It is ordered that the plaintiffs in this cause enter into bond and security for the cost of this suit on or before the next term of this Court, plaintiffs attorney being notified.

3637 C. F. Millett v. Jno. T. Miller. Comes now the Plaintiffs and on motion in open Court. It is ordered that said Plaintiffs have leave to amend the petition

3633 Thos. G. McGehee v. H. & T. C. R. R. And now comes the clerk and on motion It is ordered that said Plaintiff be required to enter into bond and security for the cost of this suit, on or before the next term of this Court, the attorney for the Plaintiff being notified.

3589 Chas L. Tennell v. Thos. Breedlove et al. Comes now the plaintiff by atty and upon motion It is ordered that the said plaintiff have leave to amend the petition in this cause.

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✓✓ 2802. William Drake v. Diana Gilleland. And now on this day came the parties
& Doc 5. page 98. ✓ to this cause by their attorneys and announced ready for trial. When came a jury of twelve good and lawful men of Travis County consisting of E.V. Phillips and eleven others, duly tried, elected and sworn, who having heard the pleadings, the evidence, argument of counsel, and the charge of the Court, retired for deliberation Whereupon said Jury returned into Court the following verdict, to wit: "Austin, February 3, 1874. We the Jury find for the Plaintiff in the sum of Two Hundred and Seventy Five $275.00 Dollars E.V. Phillips, Foreman." Whereupon It is ordered and adjudged that said William Drake do have and recover of the Defendant Diana Gilleland the sum of Two Hundred and Seventy Five Dollars and the cost of this suit, for which execution may issue

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

February 4th 1874.

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

✓✓ 3451 Chas. W. Hill v. J. Lancaster. And now comes the counsel of the Defendant, and suggests the death of said Defendant. And thereupon come the representatives of said Defendant, and upon motion It is ordered that said representatives be made parties Defendant herein, to wit: Eva Lancaster, Frank Lancaster, Eva Parish and Parish.

✓✓ 3571 C.M. Moore & Co. v. M.W. Townsend. Comes now the Defendant by attorney and upon motion It is ordered that said Defendant have leave to amend the answer.

✓✓ 3643 A.B. Bahn v. A.B. Neuman. Now comes the Clerk and on motion It is ordered that the Intervenor in this cause be required to enter into bond and security for the cost of this suit on or before the next term, Intervenor's attorney notified.

✓✓ 3744 E.A. Meeks et. al. v. L. Tompkins et al. Come now the Defendants by attorney And upon motion It is ordered that said Defendants have leave to amend.

✓✓ 3783. James Phillips et al. v. M.N. Hardeman et al. Comes now the Plaintiffs when on motion duly made it is ordered that said Plaintiffs have leave to amend.

✓ Robert H. Ward The Committee appointed to examine Robert H. Ward in open Court as an applicant for Law License, having made their Report stating that such examination has been made and that the applicant is qualified, And the Court being fully satisfied in the premises It is ordered that said Robert H. Ward be and he is admitted to practice as an attorney and counsellor at Law in the several District and Inferior Courts of the State of Texas and that a License issue accordingly.

✓ 3451 Chas W. Hill v. J. Lancaster, et al. And now on this day came the parties to this cause by their attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County consisting of Nat Moore and eleven others, who being tried, elected and sworn according to law, heard the pleadings, evidence,

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argument of counsel and the charge of the Court, retired for deliberation Whereupon said Jury returned into Court the following verdict, to wit: " We the Jury find for the Plaintiff $ 300 Nat. Moore, Foreman." Whereupon It is ordered that said Charles W. Nill do have and recover of the Defendants, Eva Lancaster, Frank Lancaster, Mrs Eva Farish & Sha husband Farish, as heirs at law of J. Lancaster, the said Sum of three hundred dollars and all the cost of this suit, for which execution may issue

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

Februay 5th 1844

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

✓ / 3472 J. W. Laurence vs. A. McKenzie et al. Continued

✓ / 3486 Paul Lewis v. H.&T.C.R.R. Continued

✓ / 3498. The State of Texas v. Jno. A. Purnell et al. Continued

✓ / 3503 M. A. Taylor v. F. S. Roy. Continued for Service.

✓ / 3505 M. A. Taylor v. J.T. Brown. Continued

✓ / 3509 Harris Dudley & Co v. Henry Klevert Continued

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

✓ / 3530 Henry Eddie v. Lewis Thompson et al. Continued

✓ / 3535 C. Spaulding v. Anderson Hill et al. Come now the parties by their attorneys and upon motion It is ordered that this cause be dismissed and that the Defendants recover of said C. Spaulding all the cost of this suit for which execution may issue.

✓ / 3537 Nancy E. Moore v. Carl Zimmerman, Dekt. and Austin Turn Verein Garnishee. Come now the parties by their attorneys and upon motion It is ordered that the proceeding in garnishment in this case be dismissed, and that the said Nancy E. Moore and her security J.D. Lewis pay all the cost of the proceeding for which execution may issue

✓ / 3542 H.W. Johns vs. M. W. Townsend. And now come the parties by their attorneys and on motion It is ordered that the cause be dismissed and that the plaintiff recover of the Defendant all the cost of this suit, for which execution may issue

/ 3558 M. Thalmsperger v. A.B. Palm. Continued

✓ 3559 A.B. Palm v. Raymond & Whitis v. A.B. Palm. Continued

/ 3566. T. E. Cater v. W. A. Craft. And now on this day this cause being called for trial, the parties came not. And because the plaintiff does not appear to prosecute the same, It is ordered that said cause be dismissed for want of prosecution, and that the cost of this suit be adjudged against the said T. E. Cater, for which execution may issue

✓ 3573. Strait & Mair v. A.B. Palm. Continued.

✓ / 3574. Albert Darling v. A.B. Palm. A Rule for cost having been entered in this cause at a former term of this Court, and the cause now being called, and it appearing that said Rule has not been complied with, It is ordered that said cause be dismissed for want of compliance with said Rule, and that the cost be adjudged against the plaintiff, for which execution may issue

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3575 Mary Kempner & Co. v A.B. Palm. A rule for cost having been entered in this cause at a former term of this Court: and the cause now being called for trial and said Rule not being complied with, It is ordered that said cause be dismissed for want of compliance with said rule, and that said plaintiffs pay all the cost of this suit, for which execution may issue.

3578 M. A. Taylor v. H. C. Withers. And now come the parties by their attorneys and on motion It is ordered that Judgment be entered by consent of parties for the sum of $141 02/100 coin Dollars, affidavit being made by the Plaintiff to the justice of the claim. And thereupon It is ordered and adjudged that said M. A. Taylor do recover of the Defendant H. C. Withers the sum of One Hundred, Forty Two and 02/100 coin Dollars, so agreed to be due from the Defendant to the Plaintiff, together with all the cost of this suit for which execution may issue.

3580 National Bank of Texas v. A.B. Palm. Comes now the plaintiff and upon motion It is ordered that this cause be dismissed, and that the plaintiffs pay all the cost of this suit, for which execution may issue

3586 Hancock & Whitis v. Thomas McCormick et al. Continued

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

3621 E. C. Hunton et al. v. C.B. Nichols et al. Continued

3622 E. C. Hunton et al. v. Mary M. Bowers et al Continued

3623 E.C. Hunton et al. v. A.H. Cook et al. Continued

3624 E. C. Hunton et al v. T. M. K & T. Co. Continued

3625 E. C. Hunton et al v Wm Oliphant. Continued

3627 S. Brooke et al v. Joseph Lee et al Continued

3628 S. Brooke et al. v. C. Kuhn. Continued

3631 Mary E. Dowse v Geo. Dowse. Continued

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

3642 Bayley & Pond v. L. N. Speer Continued for service.

3643 A. Bahn v. A.B. Newman et al. Continued

3653 State of Texas v. Estate of Jas. Cecil. Continued by the State.

3654 John A. Webb & Bro. v. B J Swenson Dept. Repd Miller & Real et al. Garnishees. Ordered, upon motion that the proceeding in Garnishment in this case be dismissed, the cost being paid

3740 E. Saunders v. Nathan Meyer. Comes now the Defendant by attorney, and upon motion It is ordered that said Defendant have leave to amend.

3747 Mary Gilmore v. Goodall & Blount. Come now the Defendants by their attorneys and upon motion It is ordered that each of the Defendants have leave to amend their answers.

3781 Thomas J. Pitt v. E. W. Haller. Comes now the Defendant by atty when upon motion It is ordered that said Defendant have leave to amend the answer.

3872 The State of Texas v. J. E. Carlton et als

3873 The State of Texas v. Ehren Harper et als

3874 The State of Texas v. J.R. Raby et als

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✓ ✓ 3895 The State of Texas v. H. H. Devers et al.

✓ ✓ 3896 The State of Texas v. H. M. Crabb et al

✓ ✓ 3877 The State of Texas v. I. N. Baughman et al

Comes now the attorney for the Plaintiff in the last preceding six causes, and upon motion duly made It is ordered that the State of Texas, by her attorneys, do have leave to amend the petitions in the said six causes.

✓ ✓ 3895 The State of Texas v. I. N. Baker et als

✓ ✓ 3896 The State of Texas v. A. L. Kirk et. als.

✓ ✓ 3910 The State of Texas v. C. Fravez et als.

✓ ✓ 3911 The State of Texas v. E. B. Dwyer et als.

Comes now the attorney for the State of Texas in the last preceding four causes, and upon motion duly made It is ordered that the State of Texas, by her attorneys, do have leave to amend the petitions in the said four causes.

✓ ✓ 3937 Lonisa Robinson and Lonis Robinson Ex Parte. And now comes onto be heard the application of said parties praying for a change of their names. And the reasons set out in the petition being deemed sufficient It is ordered that the name of Lonisa Robinson be changes to Lonisa Horst, and that the name of Lonis Robinson be changed to Lonis Horst, and that said change of names shall not operate so as to release the parties from any responsibility or defeat or destroy any rights to property or action which said parties had or held in their original names:

✓ ✓ 3420 Nat. Moore v. Perry Jas. And now on this day came the parties by their attorneys and on motion It is ordered that this cause be dismissed and that the Defendant recover of the Plaintiff all the cost of this suit for which execution may issue

✓ 3633 Thomas G. McGehee v. Houston & Texas C. R. R. Continued by consent

✓ ✓ 3655 Gonet Bro. v. J. A. Bates. And now on this day came the Parties to this cause by their attorneys and announced ready for trial. When came a Jury of twelve good and lawful men of Travis County, Consisting of J.H. Washington and eleven others, who being tried, elected, and duly sworn, heard the evidence, argument of counsel and the charge of the Court, and after retirement, returned into Court the following verdict, to wit." We the Jury find for the Defendant J.H. Washington, Foreman." Whereupon It is decreed that the Plaintiffs take nothing in this behalf: that the Defendant go hence and recover of Edward Gonet and Katch Gonet all the cost of this suit, for which execution may issue.

✓ ✓ 3665 Duecksinger & Townsend v. Geo. B. Zimpelman Sheriff. And now comes on to be heard the petition of the plaintiff in this cause praying for an Injunction. And upon a consideration of the premises It is ordered and decreed that a certain judgment rendered by the District Court of Travis county, at the 3d March 1873, in favor of the State of Texas v. W.H. Brown as principal, and J. Duecksinger and W.W. Townsend for the sum of fifty dollars be and the same is enjoined from being

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collected, and Geo. B. Zimpelman Sheriff of Davis county, and his
successors are hereby enjoined and restrained from collecting said
Judgment and the costs of the suit, and that the parties go hence.

✓ ✓ 3688 Wm H. May v. Wm J. Leland et al. Continued for service.

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

✓ ✓ 3703 John D. Dyer v. A. B. Cook. Continued

✓ ✓ 3723 James Brown et al. v. Sucretia Brown et al. Cont'd for service.

✓ ✓ 3732 T. D. Wren v. J. C. Morrow et. als. Continued for service.

✓ ✓ 3770 Archer & Meyer v. H. & T. C. R. R. And now come the parties by their attys
X wherefrom on motion It is ordered that this cause be dismissed
from the docket and that the said Houston and Texas Central
Railway Company be adjudged to pay all the cost of this suit,
for which execution may issue.

✓ ✓ 3771 A. B. Burleson v. A. M. Collins et. al. Continued

✓ ✓ 3906 Geo. W. Glasscock v. C. Culmore et. al. Continued for service.

✓ ✓ 3916 John Davis et. als v. C. W. Pressler. Come now the Plaintiffs in open
Court, by their attorneys, and on motion It is ordered that
said plaintiffs have leave to amend.

Grand Jury

And Court adjourned now on this came into open
Court the Grand Jury of Davis County, duly tried, empannelled
and sworn, and through their foreman, R. M. Johnson, presented
to the Court the following Bills of Indictment, to wit.

3129 an Indictment against Joe Sims for theft of a dun Gelding.

3130 an Indictment against Jose Anteverres Theft of a Gelding.

3131 an Indictment against Rhodes Whitis. Theft of a Mare

3132 an Indictment against. Dave Ezelle, John Ivey & Bob Hagar. Theft of a Steer

3133 an Indictment against Dave Ezelle, John Ivey & Bob Hagar Theft of neat cattle

3134 an Indictment against Dave Ezelle, John Ivey & Bob Hagar Theft of neat cattle

3135 an Indictment against A. S. Donnan, Theft from a house.

3136 an Indictment against M. J. Mattison, Felonious fraudulent taking & interfering with personal property

3137 an Indictment against M. J. Mattison, For Malicious Mischief

3138 an Indictment against M. J. Mattison, Fraudulent acquisition of personal property

3139 an Indictment against M. J. Mattison For Robery.

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

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

February 6th, 1874.

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

✓ ✓ 3637 C. F. Millett v. Jno T. Miller. Now comes the Defendant, and upon motion
in open Court It is ordered that said Defendant have leave to amend
the answer.

✓ ✓ 3589 Chas. L. Tunnell v. Thomas Breedlove et als. It appearing that the Defendant
Geo. B. Bennett has been cited to appear and defend this suit, which
he has wholly failed to do within the time prescribed by law and

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wholly made default It is ordered that the Plaintiff recover of said Geo. B. Tennell for want of an answer.

3753 N. Moore and Uscha Moore vs. Perry G. Yoe And now on this day came the parties to this cause by their attorneys and by agreement it Is ordered that the plaintiffs have judgment for the land described and sued for in the petition. And it is ordered that said plaintiffs do have and recover of the said Perry G. Yoe the following described land, to wit: Being a part of the James Gilleland H.R. league and being a part of a tract of 214 acres designated in the partition and division as No. 3 in the Post Oaks set apart to T. & B. Beck and to his wife J. E. Beck in the partition and distribution of the estate of James Gilleland Dec'd among the heirs and distributees thereof, to wit: Beginning at the N.E. corner of a tract of 50 acres sold and conveyed off the E. end of said 214 acre tract No 3 by Nathaniel Moore and Uscha Moore to Elizabeth Williams by deed dated March 13th, 1867. thence N. 30° E. with the E. line of said tract 69 3½ varas to the S. E. corner of a tract sold to Lepus Puckett: thence N 60° W. with said Pucketts tract 407 varas to the W. line of said 214 acre tract No 3: thence S. 30° West 69 3½ varas to the N.W. corner of said Elizabeth Williams tract: thence E. 60° E. with the N. line of said Williams tract 407 varas to the place of beginning and containing 50 acres of land.

And it is further ordered that the plaintiffs recover of the Defendant all the cost of this suit, and that the Plaintiff have his writ of Possession.

3754. Locket Marshall v. James Davidson. Come now the plaintiffs by atty and because the Defendant has been only cited by publication and has wholly failed to answer within the time prescribed by law and made default, It is ordered that the plaintiffs do have and recover of the Defendant according to the prayer of their petition and that a writ of Inquiry be awarded.

3759 Virginia A. Webb v. Holland Webb. Comes now the Plaintiff in open Court, and upon motion It is ordered that said plaintiff to have leave to amend the petition

3804 F. Dohme v. J. W. Whipple. And now comes the plaintiffs and asks for a Judgment final by default. And because the defendant has been cited by publication and ha personal service and has wholly failed to answer within the time prescribed by law and made default, and plaintiffs cause of action being liquidated, It is ordered that F. Dohme do have and recover of the said J.W. Whipple the sum of Nineteen Hundred, Sixty one and 45/100 Dollars in gold, principal and interest due upon the note sued on to this date, with interest thereon at the rate of one per cent per month until paid and all the cost of this suit, for which execution may issue

3847 M. N. Rogers & Co. v. Church and Lease. Come now the plaintiffs by their attorneys when upon motion It is ordered that this cause be dismissed and that the plaintiffs pay the cost of this suit, for which execution may issue.

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3870 Browning & Fields vs. Geo Tyler. And now come the plaintiffs by their attorneys, and ask that a judgment by default be entered. And because the defendant has been cited by personal service and has failed to answer within the time prescribed by law and the cause of action being unliquidated, It is ordered that the plaintiffs recover of the Defendant according to the prayer of their petition and that a writ of Inquiry be awarded.

3878. Neill McCashin vs. Joseph Walker. And now comes the plaintiff and claims a judgment by default. And because the Defendant has been cited by personal service, and has failed to answer within the time prescribed by law and wholly made default and the cause of action being liquidated, It is ordered and decreed that Neill McCashin do have and recover of the Defendant Joseph Walker the sum of three hundred and fifty six dollars, principal debt and interest due upon the note sued on to this date, together with all the cost of this suit, for which execution may issue.

3884 Bayley & Pond v. J.W.B. Gildart. And now come the plaintiffs by their attorneys and ask for a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and wholly made default, and the cause of action being liquidated, It is ordered that the said George M. Bayley and Byron M. Pond, under their firm name of G M. Bayley & Pond do have and recover of the Defendant J.W.B. Gildart the sum of Seven Hundred and Ten Dollars, debt and interest due upon the note sued on to date, together with all their cost, for which execution may issue.

3893. Harriet A. Ricks et al. v. W. B. Cain. And now come the plaintiffs by their attorneys and announce claim a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered that Harriet A. Ricks and John T. Ricks do have and recover of and from the defendant W. B. Cain the sum of Three Hundred & twenty eight Four Dollars debt and interest due upon the note sued on to date, with interest thereon at the rate of fifteen per cent. per annum from date until paid and all the cost of this suit, for which execution may issue.

3899. C. H. Garden v. Mitchell & Smith. Now comes the plff by atty and claims a judgment final by default. And because the Defendants have been cited and have failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered that C. H. Garden do have and recover of the Defendants T. F. Mitchell and R. A. Smith the sum of Two Hundred Twenty Four & 85/100 Dollars debt and interest due upon the note sued on to date together with all the cost of this suit, for which execution may issue.

3900 C. H. Garden v. T. F. Mitchell and J. E. Mitchell. Comes now the Plaintiff and asks that judgment be entered against T. F. Mitchell by default

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And because said defendant has been cited and has failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered that said G. H. Garden do have and recover of the said T. F. Mitchell the sum of thirteen hundred fifty-one + 20/100 Dollars debt and interest due upon the note sued on to date, with interest thereon at the rate of Six per centum per annum from this date until paid, together with all his costs, for which execution may issue.

And it is ordered that the cause be continued for service as to the Defendant J. E. Mitchell.

3901 J. Harrell v. W. T. Davis. And now comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and the cause of action being liquidated It is ordered that J. Harrell do have and recover of the Defendant W. T. Davis the sum of Two Hundred Six and 0/100 Dollars debt and interest due upon the note sued on, together with Ten per centum per annum interest thereon from this date until paid and all the cost of this suit, for which execution may issue.

The judgment in this case big. No 3901 J. Harrell vs W. T. Davis, satisfied in full this 30th day of March 1887. J. Harrell

3905 M. D. Miller v. John W. Evans and D. M. Wilson. And now comes the Plaintiff and claims a judgment final by default And because the Defendants have been cited by personal service and have failed to answer within the time prescribed by law and the cause of action being liquidated, It is ordered that M. D. Miller do have and recover of the said John W. Evans and D. M. Wilson the sum of four hundred and Seventy Six Dollars, debt and interest due upon the note sued on to this date, with interest thereon at the rate of three per cent. per month from date until paid and all the cost of this suit, for which execution may issue.

3912 John D. Kenfoot et als vs C. Pflegel et als. Come on the plaintiffs by their attorneys and upon motion It is ordered that this cause be dismissed and that the plaintiffs be adjudged to pay the cost herein to be taxed, for which execution may issue.

3913 M. D. Miller v. W. A. East. And now comes the plaintiff and claims a judgment final by default. And because the Defendant has been cited to answer this suit, which he has wholly failed to do and made default And the cause of action being liquidated It is ordered that M. D. Miller do have and recover of the Defendant W. A. East the sum of One hundred fifty two + 17/100 Dollars, debt and interest due upon the note sued on to this date, together with interest thereon at the rate after per cent. per month, and all the cost of this suit, for which execution may issue.

3915 R. A. Smith v. J. P. McKinney et al. Continued for service.

3934 Chandler, Carleton & Robertson v. G. W. Honey. Come now the plaintiffs and claim a Judgment by default. And because the Defendant has been cited and has failed to answer within the time prescribed and the cause of action being unliquidated, It is ordered that the plaintiffs recover of the Defendant according to the prayer of

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their petition and that a writ of Inquiry be awarded.

3536 Meiller & Dowell v. Longley and Taylor And now on this day the above cause coming onto be heard, came a Jury of twelve good and lawful men of Travis County, consisting of E.P. Phillips and eleven others, who being duly empannelled and sworn, heard the pleading the evidence and the charge of the Court in said cause, and after consideration returned into Court the following verdict, to wit: "We the Jury find that the one thousand dollars account against the International Railway Company in favor of A.H. Longley, is bound for the payment of the note sued on in this case. E.P. Phillips foreman." Wherefore It is adjudged and decreed that W.A.H. Meiller and John Dowell under their firm name of Meiller & Dowell do have and recover of the Defendants A.H. Longley and Henry M. Taylor the sum of Two Hundred and Twenty Nine Dollars and thirty cents coin, and all costs of suit: and that their lien on the account against the International Rail Road Company for one thousand dollars in favor of A.H. Longley, to writing, publishing and printing for said International Rail Road Company, as per special contract with Gen. James W. Barnes, be and the same is foreclosed. and it is ordered that said account be sold under execution to satisfy this judgment and costs.

3605 The State of Texas v. Robert Moore. Continued for service

3607 The State of Texas v. J.B. Camp. Continued for service

3609 The State of Texas v Wm Jackson. Continued for service.

3822. S.A. Mahon v. H. & T.C.R.R. Comes now the plaintiff and asks for a writ of Inquiry because of the default of the Defendant And the Defendant failing to appear to defend the suit, It is ordered that the Defendant be defaulted and that a writ of Inquiry be awarded.

Grand Jury And now on this day comes into open Court the Grand Jury of Travis county, duly tried and sworn for and during the present term of this Court, and through their foreman R.M. Johnson presented to the Court the following Bills of Indictment, to wit:

3141 an Indictment against John Burleson, for a panel with intent to Kill and Murder

3142 an Indictment against Cale Sublett for Betting at Monte.

3143 an Indictment against Eli Sharp " Betting at Monte

3144 an Indictment against Jnal Avallos " Betting at Monte

3145 an Indictment against Manuella (a Mexican woman. For Betting at Monte

3146 an Indictment against Ante Green, (a Colored Man) For Exhibiting Monte.

3147 an Indictment against Ygenos Moreno For exhibiting monte

3148 an Indictment against Candidas (a Mexican Woman For Betting at Monte

3149 an Indictment against Manuel de Jesus For Betting at Monte.

3150 an Indictment against Jose Maria Montez " Betting at Monte

3151 an Indictment against Charles Coney for permitting Monte to be played in his house

3152 an Indictment against Charles Coney " Carrying deadly Weapons.

3153 an Indictment against Charles Coney & Lewis " for aggravated Assault & Battery

3154 an Indictment against Lewis for Carrying deadly weapons

3155 an Indictment against Robert Holman for Betting at Monte.

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3156 an Indictment against Wiley Stout for Murder
3157 an Indictment against James Fuller. " Theft of a Roan Gelding
3158 an Indictment against Elisha White " Theft from a house.
3159 an Indictment against Thomas Davis " Theft of a Mare

And thereupon said Grand Jury retired upon a further discharge of their duties.

✓ 1 3589 Charles L. Tennell vs Thomas Breedlove et al. And now on this day came the parties to this cause by their attorneys and announced ready for trial. And thereupon came on to be heard the demurrer of the Defendants to the petition of the Plaintiff, which being argued by Counsel and duly considered by the Court, It is ordered and adjudged and decreed that said demurrer be sustained: that the petition be dismissed, that said plaintiff take nothing in this behalf: that the Defendants go hence and recover of said Charles L. Tennell, and the securities on his cost bond, to wit: L. H. Planck and T. M. Harwood all the cost of this suit, for which execution may issue. And thereupon said plaintiff by his attorney, gives notice in open Court of an appeal to the Supreme Court.

✓ 1 3734 Wm J. Arr et al. vs Mary O'Brien Comes now the Defendant, and on motion It is ordered that said Defendant have leave to amend

✓ 1 3777 D C Freeman vs John H. Griffin. Comes now the Plaintiff by attorney and on motion It is ordered that said Plaintiff have leave to amend

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

Saturday, February 7th 1874.

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

✓ 1 3589. Chas. L. Tennell v. Thomas Bradlove et als. And now come L. H. Planck and T. M. Harwood, attorneys for the Plaintiffs in this case, and ask permission of the Court to become sureties on the appeal bond of the said Plaintiff. Whereupon, It is ordered that said motion be granted and that said attorneys have permission to become such sureties

✓ 1 3885 A.S. Roberts vs Geo. W. Pierce. Comes now the plaintiff and claims a judgment by default. And because the Defendant has been cited and wholly failed to answer within the time prescribed by law and the cause of action being unliquidated, It is ordered that the plaintiff recover of the Defendant according to the prayer of the petition and that a writ of inquiry be awarded.

✓ 1 3936 Bonnie Murphy & Co. v. N. B. Mitchell. And now on this day appeared the plaintiffs by their attorneys and claim a Judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and makes default: and the cause of action being liquidated, It is ordered that said J. W. Bonnie and J. N. Gibson, under their firm name of Bonnie Murphy & Co. recover of the defendant N. B. Mitchell the sum of Six Hundred, twenty & 25/100 Dollars debt and interest due upon the instrument sued on to date, together with the cost of this suit, for all which execution may issue.

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✓ ✓ 3943 Le. M. Holmes Ex Parte. And now on this day comes on to be heard the petition of C. M. Holmes praying to have his disabilities as a minor removed, and the facts set out in said petition being duly sworn to as the law prescribes: and it appearing to the Satisfaction of the Court that the grounds or causes set out in said Petition are sufficient, and that it is advisable and will be advantageous to said minor to have his disabilities removed, It is therefore ordered adjudged and decreed by the Court that the disabilities as a minor of Le. M. Holmes be and they are hereby removed, and that he be deemed and held for all legal purposes of full age, and be held responsible, and have all the privileges and advantages as if he were of full age, saving only that he shall not vote until he arrives at the age of twenty-one years.

✓ 3451 The State of Texas v. James Davidson. And now on this day came on to be heard the motion to dissolve the attachment issued in this case, which being heard and considered, It is ordered that said motion be sustained, and the attachment be dismissed and dissolved

✓ ✓ 3451. C. W Hill v. J. Doncaster et al. And now come the Parties by their attorneys and the Defendants submitted to the Court their motion for a new trial, which being heard and duly considered, It is ordered that said motion be overruled. Whereupon the Defendants give notice in open Court of an appeal to the Supreme Court.

Grand Jury And now on this day appeared in open Court the Grand Jury of Travis county, only tried and sworn for and during the present term of this Court, and through their foreman, R. M. Johnson, presented to the Court the following Bills of Indictment, to wit:

3160 An Indictment against Daniel Bailey for Arson
3161 an Indictment against James O'Brien for Theft
3162 An Indictment against John Ezelle & Bob Hagner for Thefts of neat Cattle
3163 an Indictment against Johnson & Jinson " permitting Cards to be played &c
3164 an Indictment against Jinson " playing Cards &c
3165 An Indictment against John Ezelle & Bob Hagner " Theft of oxen.
3166 an Indictment against John Ezelle & Bob Hagner " Theft of Cow & Calf
3167 an Indictment against Peterson (a swede " Playing Cards &c
3168 an Indictment against John Ezelle & Bob Hagner " Theft of neat Cattle
3169 an Indictment against John Ezell & Bob Hagner " Theft of Steer
3170 an Indictment against John Ezelle & Bob Hagner " Theft of heifer
3171 an Indictment against John Ezelle & Bob Hagner " Theft of Cattle
3172 an Indictment against John Ezelle & Bob Hagner " Theft of Cattle

And said Grand Jury thereupon retired upon a further discharge of their duties.

3679. Tom McKay vs George Wye. And now on this day comes the plaintiff and asks for a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed by law and made default

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and the cause of action being liquidated, It is ordered that Jim McCray do have and recover of the Defendant George Dye the sum of Onehundred, ninety-nine + 72/100 Dollars in coin, debt and interest due upon the note sued onto date, and all the cost of this suit, for which execution may issue.

√ 2930 X Augusta Raven et al v. H.L. Raven. And now come the plaintiffs and claim a judgment final by default. And because the defendant has accepted service of the plaintiffs petition and has failed to answer within the time prescribed by law and made default. and the cause of action being liquidated It is ordered that said Augusta Raven and C. Raven do have and recover of the said H.L. Raven the sum of four thousand four hundred dollars debt and interest thereupon the notes sued on, with interest thereon at the rate of five per centum per annum from date till paid, and all the cost of this suit, for which execution may issue

And Court adjourned till Monday morning at 9 o'clk.

Monday, February 9th, 1874.

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

√ √ 2595 X Amos Morrill v. A.H. Cook et al. Come now the parties, when upon motion It is ordered that this cause be dismissed, and that said A.H. Cook pay all the cost of this suit, for which execution may issue.

√ 2596 X Amos Morrill v. McGuire & Cook. Come the parties, when on motion It is ordered that the cause be dismissed, and that said A.H. Cook pay all the cost of this suit, for which execution may issue

√ √ 2598. X Amos Morrill v. A.H. Cook et al. Come the parties, when on motion It is ordered that the cause be dismissed, and that said A.H. Cook pay all the cost of this suit, for which execution may issue

√ 2599. X Amos Morrill v. A.H. Cook et al. Come the parties, when on motion It is ordered that this cause be dismissed, and that said A.H. Cook pay the cost of this suit, for which execution may issue

√ 3795. X B.D. Basford v. Albert Scott et al. And now on this day came the parties by their attorneys, when on motion It is ordered that this cause be dismissed from the docket: that said Plaintiff pay all the cost by him incurred, and that the Defendants pay the cost by them incurred, for all which execution may issue.

Grand Jury And now on this day came into open Court the Grand Jury of this county, duly tried and sworn for and during the present term of this Court, and through their foreman, R.M. Johnson, presented to the Court the following Bills of Indictment, to wit:

3173 an Indictment against J Wiley Craft for Betting at Monte
3174 an Indictment against Al Musgrove " playing cards in a public place &c
3175 an Indictment against Jim Moore " Exhibiting Monte
3176 an Indictment against Pink Reid " Exhibiting Monte
3177 an Indictment against Jim Berry " Exhibiting Monte
3178 an Indictment against Maroney " Betting at Monte
3179 an Indictment against "Dutch Dock " Exhibiting Monte

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3180 an Indictment against Darrell & Freeman for permitting Cards to be played &c
3181 an Indictment against Peterson for Playing Cards &c.
3182 an Indictment against S A Carlson " playing Cards &c
3183 an Indictment against C A Swenson " playing Cards &c
3184 an Indictment against John Ryan " Betting at Monte
3185 an Indictment against James O'Brien " Theft of Money
3186 an Indictment against Frank Britton " Betting at Monte
3187 an Indictment against Ambrose Stule " Betting at Monte
3188 an Indictment against Hudson " Exhibiting Monte
3189 an Indictment against Hudson " Exhibiting Faro
3190 an Indictment against Charles Bontman " Exhibiting Monte
3191 an Indictment against Blucher Hutchins " Betting at Monte
3192 an Indictment against Samuel Johnson " Betting at Monte
3193 an Indictment against Bud Cotton " Exhibiting Monte
3194 an Indictment against "Beer Bottle" Smith " Betting at Monte
3195 an Indictment against Dave Hart " Betting at Monte
3196 an Indictment against Alex Chalmers " Betting at Monte
3197 an Indictment against Bob Span " Betting at Monte
3198 an Indictment against Bob Span " Exhibiting Monte
3199 an Indictment against Billy Rodgers " Betting at Monte
3200 an Indictment against Billy Rodgers " Exhibiting Monte
3201 an Indictment against John Stokes " Betting at Monte
3202 an Indictment against Craft " Betting at Monte
3203 an Indictment against Dan Cragg " Betting at Monte
3204 an Indictment against Houston " Betting at Monte
3205 an Indictment against Jim Robinson " Betting at Monte
3206 an Indictment against Houston " Exhibiting Monte
3207 an Indictment against A E Eckman " Playing Cards &c.
3208 an Indictment against Frank Cook " Betting at Monte
3209 an Indictment against Jim Berry " Betting at Monte
3210 an Indictment against John Jones " Playing Cards &c
3211 an Indictment against Charles Johnson " Playing Cards &c
3212 an Indictment against John Rayley " Betting at Monte
3213 an Indictment against Aly Morris " Betting at Monte
3214 an Indictment against Thomas Bowles " Betting at Monte
3215 an Indictment against Buck Warren " Exhibiting Monte
3216 an Indictment against Jack Conner " Betting at Monte
3217 an Indictment against Lewis Hill " Betting at Monte
3218 an Indictment against Aaron Robinson " Betting at Monte
3219 an Indictment against Jerry Johnson " Betting at Monte
3220 an Indictment against C Sundenburg " Playing Cards &c
3221 an Indictment against Billy Haynes " Exhibiting Monte
3222 an Indictment against John Evans " Betting at Monte
3223 an Indictment against Stewart " Playing Cards &c
3224 an Indictment against Dan Givens " Betting at Monte
3225 an Indictment against Fairbanks " Exhibiting Monte
3226 an Indictment against Jeff Moseby " Betting at Monte

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3227	an Indictment against	Pink Benford	for Exhibiting Monte
3228	an Indictment against	Bob Ridley	" Betting at Monte
3229	an Indictment against	Charles Reed	" Exhibiting Monte
3230	an Indictment against	Washington While	" Betting at Monte
3231	an Indictment against	Pink Reed	" Betting at Monte
3232	an Indictment against	Tobey	" Exhibiting Monte
3233	an Indictment against	Charles Fugett	" Exhibiting Monte
3234	an Indictment against	Maroney	" Betting at Monte
3235	an Indictment against	Toni	" Exhibiting Monte
3236	an Indictment against	B Ericksen	" Playing Cards &c
3237	an Indictment against	Sadderstraine.	" Playing Cards &c
3238	an Indictment against	Gustave Johnson	" Playing Cards &c
3239	an Indictment against	L Johnson	" Playing Cards &c
3240	an Indictment against	C McRome	" Playing Cards &c
3241	an Indictment against	Julis	" Betting at Monte
3242	an Indictment against	Sansberry	" Betting at Monte
3243	an Indictment against	Joe Franks	" Exhibiting Monte.
3244	an Indictment against	Joe Franks	" Betting at Monte
3245	an Indictment against	Gandalonpe Corales	" Betting at Monte
3246	an Indictment against	Bicente	" Betting at Monte
3247	an Indictment against	Wiley Bort	" Exhibiting Monte
3248	an Indictment against	Wiley Bort	" Betting at Monte
3249	an Indictment against	John Banyhn	" Exhibiting Monte
3250	an Indictment against	J C Degress	" Betting at Monte
3251	an Indictment against	Moses Swisher	" Betting at Monte
3252	an Indictment against	Alexander Sackett	" Betting at Monte
3253	an Indictment against	Jeff Mosby	" Exhibiting Monte
3254	an Indictment against	Maxwell	" Betting at Monte
3255	an Indictment against	Henderson	" Betting at Monte
3256	an Indictment against	Taylor	" Playing Cards &c
3257	an Indictment against	John Rosengreen	" Playing Cards &c
3258	an Indictment against	Rodell	" Playing Cards &c
3259	an Indictment against	Dahey	" Playing Cards &c
3260	an Indictment against	J Wiley Craft	" Exhibiting Monte
3261	an Indictment against	Ike Bell	" Betting at Monte
3262	an Indictment against	L Peoples	" Betting at Monte
3263	an Indictment against	Saul Lewis	" Betting at Monte
3264	an Indictment against	Bill Long	" Betting at Monte
3265	an Indictment against	Bill Long	" Exhibiting Monte
3266	an Indictment against	W H Green	" Playing Cards &c
3267	an Indictment against	Fairbanks	" Betting at Monte
3268	an Indictment against	James Farris	" Exhibiting Monte
3269	an Indictment against	James Farris	" Betting at Monte
3270	an Indictment against	George Walker	" Betting at Monte
3271	an Indictment against	Thomas Bowles	" Exhibiting Monte
3272	an Indictment against	Bill Thompson	" Betting at Monte
3273	an Indictment against	Aaron Robinson	" Betting at Monte
3274	an Indictment against	James Moore	" Betting at Monte

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3275 an Indictment against Jacob Smith for Exhibiting Monte
3276 an Indictment against Jacob Smith " Betting at Monte
3277 an Indictment against Washington White " Exhibiting Monte
3278 an Indictment against Ike Bell " Exhibiting Monte
3279 an Indictment against J C Degress " Betting at Monte
3280 an Indictment against Sam Miller " Betting at Monte.

And said Grand Jury suggesting that there is still further business before them, they were ordered to retire upon a discharge thereof

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

February 10th, 1874.

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

3871 Ellen C. Contrite et als. vs C. A. Denny et als. On motion It is ordered that Jno. M. Denton, Esq. be appointed Guardian ad litem for the minor defendants in this case.

3930 Augusta Raven et al. vs H. L. Raven. It is ordered by the Court, that in addition to the Judgment rendered in this cause at a former day of this term, that plaintiffs lien be foreclosed as follows: It appearing that the plaintiffs have a lien upon the following described Real Estate to secure the payment of the notes, upon which the Judgment rendered in this case is based: Being situated in the County of Travis, Texas, on Gilleland's creek, about 14 miles from Austin, one tract of land being part of a Survey in the name of McMullen - beginning at a stone mound in the W. line of the original Survey 594 vs from its N. W. cor. thence S. 30 W. at 406 vs a stone mound: thence S. 30 E. at 1806 vs a stone mound, the S. W. cor. of Wm S. Hawkins Survey: thence N 30 E with Hawkins W. line 1502 varas to Gilleland's creek, thence up said creek with its meanders to a point in said creek where the line of a Survey of 177 acres sold off of this original Survey to Wm Davenport, leaves the same - thence to W. with Davenports line at 916 varas to the beginning point contains 463 acres more or less Also one other tract or parcel of land in said county, to wit: situate about twelve miles North of Austin on the head waters of Walnut creek, being part of the Survey in the name of Peter Conrad and beginning at a stone mound on the W. line of a Survey in the name of J. Kinchel 100 vs from its S. W. cor. thence N. 30 E. to the S. line of a Survey in the name of Horsley - thence N. 60 W. with Horsley line to his Northern S. W. cor. thence S. 71 W. to the S. E. Corner of a Survey in the name of W. E. Baker, thence with the E. line of a Division Survey for W. C. Reger to the N. W. corner of a Division Survey for Sam. Hamilton, thence with Hamiltons N. line 1166 vs. to the beginning, containing 120 acres, more or less.

It is ordered that said lien of plffs upon said Real Estate, and the improvements thereon, be foreclosed, and that an order of sale issue requiring the Sheriff of Travis County to levy upon and sell the same as under execution, and the proceeds thereof

This judgment rendered in open Court this 2nd day of October 1874.
Augusta Raven.

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he shall apply to the satisfaction of the debt, and interest to accrue thereon, as expressed in the judgment rendered herein, the cost of the suit, and of the sale, and the residue, if any, he shall pay over to the Defendant.

Grand Jury — And now comes into Court the Grand Jury of Travis county, duly tried and sworn for and during the present term of this Court, and through their foreman, R. M. Johnson, returned and presented to the Court the following Bills of Indictment, to wit:

3282 an Indictment against John Rutledge For theft of a Steer
3283 an Indictment against J. McMorphis & Fahey for Playing Cards &c
3284 an Indictment against Morphis & Fahey " " " &c
3285 An Indictment against Gilbert Stewart " Carrying a deadly Weapon
3286 an Indictment against Gilbert Stewart & Bill Peal " Aggravated Assault
3287 An Indictment against Gilbert Stewart " Carrying a Six Shooter
3288 an Indictment against Gilbert Stewart & Bill Peal " Aggravated Assault
3289 an Indictment against Gilbert Stewart & Bill Peal " Threats to Kill.
3290 an Indictment against Gilbert Stewart & Bill Peal " Malicious Mischief
3291 an Indictment against D. McEzell, John Ivey & Co " Theft of heifer
3292 an Indictment against D McEzell, John Ivey & Co " Theft of neat Cattle
3293 an Indictment against D McEzell, John Ivey & Co " Theft of Steer
3294 an Indictment against Robert Marion " Aggravated Assault
3295 an Indictment against Bill Peal " Carrying deadly Weapon

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

3796 E. Remond vs W. Charles Lewis, et.als Comenon the Defendants by their attorneys, and upon motion It is ordered that said Defendants have leave to amend

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

Wednesday, February 11th 1874.

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

3944 Emilie Bachm Ex Parte. And now comes on to be heard the application of Emilie Bachm, asking to have her disabilities as a minor removed. And the same being heard and considered, and being deemed sufficient, It is ordered that the Disabilities as a minor of said Emilie Bachm, be and they are hereby removed, and that she be deemed and held for all legal purposes of full age, and be held responsible, and have all the privileges and advantages as if she were of full age.

Grand Jury — And now on this day came into Court the Grand Jury of Travis county, and through their foreman, R. M. Johnson, presented to the Court the following Bills of Indictment, to wit:

3296 an Indictment against Pink Binford for Exhibiting Monte
3297 an Indictment against William Wilson " Betting at Monte
3298 an Indictment Against McGonigal " Exhibiting Monte

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3299	an Indictment against	Dave Heart	for	Betting at Monte
3300	an Indictment against	Jerry Stewart	"	Betting at ten pins
3301	an Indictment against	Wiley Jones	"	Exhibiting Monte
3302	an Indictment against	Ben Thompson	"	Betting at Monte
3303	an Indictment against	W Esser	"	Playing Cards in a public place
3304	an Indictment against	W.J. Suter	"	Playing cards in a public place
3305	an Indictment against	Baltram	"	Exhibiting a game of ten pins
3306	an Indictment	Against Antonio Martinez	"	Betting at Monte
3307	an Indictment against	Theodore Hall	"	Exhibiting Monte
3308	an Indictment against	Carl Schaeffer	"	Playing Cards in a public place
3309	an Indictment against	Gus Stauber	"	Playing Cards in a public place
3310	an Indictment against	Carr	"	Playing Cards in a public place
3311	an Indictment against	Green Little	"	Exhibiting Monte
3312	an Indictment against	Fortune	"	Betting at Monte
3313	an Indictment against	Bailey	"	Exhibiting Monte
3314	an Indictment against	Newell Burdett	"	Betting at Monte
3315	an Indictment against	Henry Brown	"	Betting at Monte
3316	an Indictment against	Harry	"	Betting at Monte
3317	an Indictment against	James Littlepage	"	Betting at ten pins
3318	an Indictment against	Lacy McKinzie	"	Betting at ten pins
3319	an Indictment against	L H Cook	"	Exhibiting Monte.
3320	an Indictment against	H Green	"	Playing Cards in a public place
3321	an Indictment against	Daniel Wheat	"	Exhibiting Monte
3322	an Indictment against	Capt Thompson	"	Playing Cards in a public place
3323	an Indictment against	H Kliner+	"	Playing Cards in a public place
3324	an Indictment against	Moody	"	Playing Cards in a public place
3325	an Indictment against	August Zeller	"	Playing Cards in a public place
3326	an Indictment against	Ed Randall	"	Playing Cards in a public place
3327	an Indictment against	Brady	"	Permitting Cards to be played in a House under his Control
3328	an Indictment against	Bass Craft	"	Exhibiting Monte
3329	an Indictment against	James Rawles	"	Exhibiting Monte
3330	an Indictment against	Ed Hipp	"	Permitting Cards to be played in a House under his Control
3331	an Indictment against	Ike Jones	"	Playing Cards in a public place
3332	an Indictment against	Julius Mapman	"	Playing Cards in a public place
3333	an Indictment against	N P Eckman	"	Playing Cards in a public place
3334	an Indictment against	Leigh Chalmers	"	Playing Cards in a public place
3335	an Indictment against	Mose Mitchell	"	Betting at Monte
3336	an Indictment against	Luciano Navarro	"	Playing Cards in a public place
3337	an Indictment against	Jim Wheat	"	Betting at Monte
3338	an Indictment against	Charles Cook	"	Betting at Monte
3339	an Indictment against	James Moore	"	Betting at Monte
3340	an Indictment against	Dick Patterson	"	Betting at Monte
3341	an Indictment against	John Brown	"	Betting at Monte
3342	an Indictment against	Bob Roberts	"	Betting at Monte
3343	an Indictment against	Julius Lunst	"	Playing Cards in a public place
3344	an Indictment against	Dock Hadra	"	Playing Cards in a public house
3345	an Indictment against	Jack Wilson	"	Exhibiting Monte

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3346	an Indictment	against	Henry Sauer	for Playing Cards in a public plac
3347	an Indictment	against	James Burdett	" Betting at Monte
3348	an Indictment	against	Charles Banks	" Betting at Monte
3349	an Indictment	against	J R Burns	" Playing Cards in a public place
3350	an Indictment	against	Adolph Schultz	" Playing Cards in a public place
3351	an Indictment	against	James Farrell	" Playing Cards in a public place
3352	an Indictment	against	L Holcoote	" Betting at Monte
3353	an Indictment	against	Robt B Smith	" Betting at Monte
3354	an Indictment	against	Henry Spencer	" Betting at Monte
3355	an Indictment	against	Ed Creary	" playing Cards in a public place
3356	an Indictment	against	Frank Cook	" playing Cards in a public place
3357	an Indictment	against	James Langford	" Betting at Monte
3358	an Indictment	against	Reagan	" playing Cards in a public place
3359	an Indictment	against	Charles Banks	" playing Cards in a public place
3360	an Indictment	against	Billy Patterson	" Playing Cards in a public place
3361	an Indictment	against	Blucher Hutchins	" Betting at Monte
3362	an Indictment	against	Ben Marshall	" Playing Cards in a public place
3363	an Indictment	against	Albert	" Playing Cards in a public place
3364	an Indictment	against	Fred Schlicknun	" Playing Cards in a public place
3365	an Indictment	against	Alf Gardner	" Playing Cards in a public place
3366	an Indictment	against	F Riechman	" Playing Cards in a public place
3367	an Indictment	against	McGann	" Playing Cards in a public place
3368	an Indictment	against	N Hanson	" Playing Cards in a public place
3369	an Indictment	against	P Eckman	" Playing Cards in a public place
3370	an Indictment	against	J Knechler	" Playing Cards in a public place
3371	an Indictment	against	Peter Jackson	" Betting at Monte
3372	an Indictment	against	Samuel Brown	" Betting at Monte
3373	an Indictment	against	James Langford	" Betting at Monte
3374	an Indictment	against	Bill Long	" Betting at Monte
3375	an Indictment	against	John Smith	" Betting at Monte
3376	an Indictment	against	C Ohrendorf	" playing Cards in a public place
3377	an Indictment	against	John Cooke	" Betting at Monte
3378	an Indictment	against	Peter Cooke	" Betting at Monte
3379	an Indictment	against	H Green	" playing Cards in a public place
3380	an Indictment	against	Charles Cook	" Betting at Monte
3381	an Indictment	against	George Sussman	" Playing Cards in a public place
3382	an Indictment	against	Theodore Heall	" Betting at Monte
3383	an Indictment	against	George Johnson	" Exhibiting Monte
3384	an Indictment	against	Clark Goodrich	" Betting at Monte
3385	an Indictment	against	Bud Sawyer	" Betting at a ten pin alley
3386	an Indictment	against	Ed Cook	" Betting at Monte
3387	an Indictment	against	Ambrose Steele	" Betting at a ten pin alley
3388	an Indictment	against	Charles Enmy	" Betting at Monte
3389	an Indictment	against	Fred Schmidt	" Playing Cards in a public place
3390	an Indictment	against	Al Rust	" Betting at Monte
3391	an Indictment	against	Charles Peterson	" Playing Cards in a public place
3392	an Indictment	against	"Chico"	" Betting at Monte

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3393 an Indictment against Kirch Fink for Betting at Cards Playing Cards in a public place.

3394 an Indictment against W Breuggerhoff " Playing Cards in a public place

3395 an Indictment against H Dan " Playing Cards in a public place.

✓✓ 3760 Nalle & Co. v. James Davidson et al. And now come the plaintiffs and claim a judgment by default. And because the Defendants have been cited by publication, and have failed to answer within the time prescribed by law, and wholly made default, And the cause of action being unliquidated, It is ordered that the plaintiffs do recover of the Defendants according to the prayer of their petition, and that a writ of inquiry be awarded.

✓✓ 3761 Loomis & Christian vs James Davidson et al. And now come the plaintiffs and claim a judgment by default. And because the Defendants have been cited by publication, and have failed to answer within the time prescribed by law, and made default, and the cause of action being unliquidated, It is ordered that the plaintiffs do recover of the Defendants according to the prayer of the petition, and that a writ of inquiry be awarded.

✓✓ 3740 E Saunders v. N. Meyer. And now comes the Defendant by attorney, whereon motion It is ordered that said Defendant have leave to amend.

✓✓ 3777 D.C. Freeman vs John M. Griffin et al.

This day came the Pleff. in the above entitled and numbered cause, by his attorney and the Defendant Griffin having been duly cited and having failed to appear and answer in this behalf and the Defendant Asberry C. Royall having entered his appearance on the fifth day of the present term and waived five days notice before the return day of the present term, but failed to answer in this behalf and both of said Defendants having wholly made default: wherefore the said D.C. Freeman ought to recover of the Defts. Griffin his damages and of the Deft. Royal judgment in accordance with his petition, by occasion of the premises: and it appearing to the Court that the cause of action is liquidated & proved by an instrument of writing, It is ordered that the Clerk do assess the damages sustained by said plaintiff: and the clerk now here having assessed the damages aforesaid at the sum of Seventeen hundred and forty-eight and twelve hundredths gold dollars: and it further appearing to the Court that the note sued on was executed to the plaintiff by the Deft. John M. Griffin bearing ten per cent. per annum interest, and was executed on the 12th day of August, 1853, to secure the payment of the purchase money for the following described tracts of land, to wit: the land decreed to the said John M. Griffin by the judgment of the District Court of Johnson county in case No 605, at the August term of said Court in the year A.D. 1872 wherein W. C. Chrisman and others were plaintiffs against the unknown heirs of Jacob Gietner as Defendants, and in which the said Griffin and the said D.C. Freeman were intervenors, and also the land decreed to said Freeman, by the same judgment, the two tracts embracing seven hundred and seventy-seven and a half acres of the Jacob Gietner headright on Noland's River in Johnson county in the State of Texas. And it further appearing to the Court that the Defendant Asberry C. Royal has become a purchaser

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of a part of the said land with full notice of the plaintiffs vendor's lien upon the same, It is therefore considered by the Court that the plaintiff do have and recover of the said Defendant John M. Griffin said sum of Seventeen hundred and forty-eight and twelve hundredths gold dollars principal and interest, with ten per centum per annum interest thereon from this date, together with all his costs in this behalf expended. And it is ordered and adjudged and decreed by the Court that the vendor's lien, as it existed upon the twelfth day of August A.D. 1873 upon the tracts of land described as aforesaid, be and the same is hereby foreclosed: and that the clerk of this Court do issue an order of sale directed to the Sheriff or any Constable of Johnson County, commanding him the said officer to seize and sell the above described tracts of land, as under execution, in tracts of forty acres each in a square, or as nearly in a square as may be, and to put the purchaser thereof, or of any part thereof, that he may sell, in possession thereof, as against the Defendant the said Royal, dispossessing and putting off the land so sold the said defendant Royal, and that he apply the proceeds thereof to the payment and satisfaction of the said sum of Seventeen hundred and forty-eight and twelve hundredths gold dollars, together with all interest that may be due thereon and the costs of this suit: and if the said land shall sell for more than sufficient to pay off and satisfy said sums of money, then the said officer is hereby directed to pay over the excess to the Defendant: but if the said land shall not sell for enough to pay off and satisfy this judgment, then the clerk of this Court is directed to issue execution for the balance remaining unpaid.

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

Thursday, February 13th, 1874.

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

3571 C. H. Moore & Co. v. M. W. Townsend. And now on this day came the parties to this cause by their attorneys, and consent and agree that judgment may be rendered for the plffs. against the Defendant for the sum of $551 65/100. Whereupon It is ordered and adjudged that the plffs. C. H. Moore and George J. Doe, under the firm name of C. H. Moore & Co. do have and recover of said M. W. Townsend the sum of Five Hundred, fifty-one & 65/100 Dollars, and the cost of the suit, for which execution may issue.

3908 J. M. Litten v. E. Raven. Comes now the Plaintiff in open Court by attorney, and upon motion It is ordered that said Plaintiff have leave to amend the petition.

3909 B. M. Odum v. Elliott and Mufsuia. Comes now the Plaintiff in open Court, by attorney, and upon motion It is ordered that said plaintiff have leave to amend the petition.

Grand Jury. And now on this day appeared in open Court the Grand Jury of Travis county, duly tried and sworn, for and during the present term of this Court, and through their foreman, R. M. Johnson, presented to the Court, the following additional Bills of Indictment, to wit:

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3396 an Indictment against R & Mc Laren & John Meredith for Theft of Cotton
3397 an Indictment against A Garner " Perjury
3398 an Indictment against Andrew Coleman " Theft from a house
3399 an Indictment against Ira J Cox " Theft from a house
3400 an Indictment against Jo Freeman & John Henry " Theft from a house
3401 an Indictment against A S Donnan " Embezzlement
3402 an Indictment against A S Donnan " Swindling
3403 an Indictment against Ira J Cox " Theft from a house
3404 an Indictment against Ira J Cox " Burglary
3405 an Indictment against James Jackson " Theft of a Valise &c
3406 an Indictment against Wm Powell " Theft from a house
3407 an Indictment against J Dixon " Betting at Monte
3408 an Indictment against A H Longley " Betting at Monte
3409 an Indictment against A H Longley " Betting at Monte
3410 an Indictment against Frank Cotton " Playing Cards in a public place
3411 an Indictment against J Harvey " Betting at ten pins
3412 an Indictment against Manschack " Betting at ten pins
3413 an Indictment against Lewis allen " Betting at ten pins
3414 an Indictment against Alf Thurman " Playing Cards in a public place
3414 an Indictment against Ashton " Betting at ten pins

And said Grand Jury suggesting that there is no further business before them, they were ordered to go hence discharged.

✓ ✓ 3733 Wm F. Orr etal. vs. Wm Klug. Continued by the Plaintiffs.
✓ ✓ 3734 Wm F Orr etal. vs Mary O'Brien Continued by the Plaintiffs
✓ ✓ 3735 Wm F. Orr etal. vs Wm H. Crosbrey. Continued by the Plaintiffs
✓ ✓ 3740 E. Saunders vs Nathan Meyer. Continued by the Defendant.
✓ ✓ 3741 E. A. Meeks etal vs C Tompkins et al. Come now the partis by attorney when on motion It is ordered that this cause be dismissed, and that the Plaintiffs Elizabeth Ann Meeks, Richard Meeks, Sarah Frances Williams, Saml Williams, Almeda M. Sneed Newton Sneed, and Alice D. Rice, pay all the cost of this suit, for which execution may issue.
✓ ✓ 3744 E. A. Meeks et. al. vs C. Tompkins et al. Comes now the attorney for the Defendants, when on motion It is ordered that the defendants have leave to withdraw their title papers.
✓ ✓ 3747 Mary Gilmore v. Goodall & Blount. A Rule for security for cost having been entered in this case at the last term of this Court, and the cause being here called for trial and the Rule not being complied with, It is ordered that the cause be dismissed for want of Complaint, with the rule, and that the defendants recover of the plaintiffs all their cost, for which execution may issue
✓ ✓ 3759 Virginia A. Webb v. Halland Webb. And now on this day this cause being called for trial came the plaintiff and announced ready. And the Defendant came not, though duly cited. When came a Jury of twelve good and lawful men of Travis County, consisting of Geo Wye and eleven others, who being tried, elected, empannelled and sworn, heard the pleadings, evidence and the

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charge of the Court, and retired for deliberation. Whereupon the jury returned into Court the following verdict, to wit: "3759. Virginia A. Webb v. Holland Webb. Divorce. We the Jury find the facts set forth in the Pff's petition to be true. Geo. Dye, Foreman." Whereupon It is ordered and decreed that the Bonds of matrimony heretofore celebrated and existing between said Holland Webb and Virginia A. Webb be and the same are dissolved and set aside and held for naught: and that the said Virginia A. Webb shall have the custody, care, custody, and education of the child of the parties, to wit: Willie Webb - and that said Holland Webb is restrained from all interference with the plaintiff with regard to the custody of said child, and that the plaintiff recover of the Defendant all her cost for which execution may issue.

✓ 3764 Alfred Groomes vs. S. P. Cooke et als Continued to make parties.

✓ 3790 J. T. Jackson vs. John and D. M. Ezell. Continued by consent.

✓ 3637. C. T. Millett vs. Jno. T. Miller. And now come the parties to this cause by their attorneys and announced ready for trial. Whereupon came a jury of twelve good and lawful men of Travis County, consisting of Richd C. Hart and eleven others, duly tried, elected, empanelled and sworn, who having heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find verdict for Plaintiff in the sum of Twenty one hundred and fourteen 77/100 Dollars coin for principal and interest to date. Austin Feby 12th 1874 Richd C. Hart, foreman." Whereupon It is ordered and decreed that said C. T. Millett do have and recover of the said John T. Miller the sum of twenty-one hundred, fourteen & 77/100 Dollars in coin, so found to be due, and all the cost herein be taxed, for which execution may issue.

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

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

✓ 3752 S. F. Geldart et al. vs Alex. McRae et als Continued

✓ 3757 R. A. Lane v. R. B. Swan. Continued

✓ 3781 Thomas J. Pitt v. E. W. Haller. Continued by the Defendant

✓ 3782 R. H. Smith vs B. M. Clopton et al. Continued by consent.

✓ 3803 R. M. Russell vs R. C. Eaves et al. Continued

3775. Wm Walsh v. John W. Glenn. And now come the parties and announce ready for trial, and then came a Jury of twelve good and lawful men of Travis county, consisting of R. C. Hart and eleven others, duly tried, elected and sworn, who having heard the pleadings, evidence, argument of counsel and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: " We the Jury find verdict for the plaintiff in the sum of Two hundred " and two 30/100 Dollars $202 30 Austin Feby 13th 1874. Richd C. Hart, fore- " man." Whereupon It is ordered that the said William Walsh do have

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and recover of the Defendant John W. Glenn the sum of Two Hundred, Two + 30/100 Dollars, so found to be due, together with the cost of this suit, for all which execution may issue.

3839 Carlotta Peterson et al vs Gustaf Peterson et al On this day came on to be heard the report of August Neilbacher Special commissioner appointed at the October Term 1873 of this Court to sell the lots in said decree specified in the manner and form and on the terms therein directed which report is in words & figures as follows to wit

Carlotta Peterson et al vs Gustaf Peterson et al Suit pending in Travis County District Court for partition February Term A.D 1874 To the Hon J.P Richardson Judge of said Court. I August Neilbacher Special Commissioner appointed by this Hon Court at its October Term 1873 "to sell at either private or public sale for cash in coin as to him may seem best said lot No 8 in Blk No 38 in Austin Texas with all the improvements thereon situated and also the East half of the South East quarter of Block No 41 in Division "E" of the City of Austin with all the improvements thereon situated and report to the next term of this Court how he has acted and what he has done by virtue of the authority herein conferred" beg leave to report that by virtue of the authority conferred upon me by said decree I considered it as most advisable & satisfactory to all parties concerned & most likely to subserve all their interests to sell said property at public instead of private sale. I accordingly advertised to sell said property in the mode & manner required by law posting up written notices of said sale and also by publishing such notices in the State Gazette Newspaper for the length of time required by law in each instance at the S.E. corner of Blk No 30 in the City of Austin within legal hours on the First Tuesday 6th day of January A.D 1874 at Public Auction to the highest & best bidder for cash in coin and on said first Tuesday 6th day of January 1874 in compliance with said advertisements I did sell all of said property and the widow Carlotta Peterson being the highest & best bidder for lot No 8 in Block No 38 on Pecan Street in the City of Austin I Knocked off said lot to her and declared her to be the purchaser thereof for the sum of three thousand One hundred & twenty five (3125) coin dollars & Gustaf Peterson being the highest & best bidder for the East half of the South East quarter of Blk No 41 in Division "E" of the City of Austin I Knocked off said lot to him & declared him to be the purchaser thereof for the sum of Seven hundred & three (703) coin Dollars. Your commissioner

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reports further that he considers each of said pieces of property sold for a fair cash price in coin and therefore he asks that he be authorized to execute Deeds to said purchasers of said property on their complying with the terms of said sale Respectfully submitted August Heilbacher Commr Sworn to & subscribed before me Feby 9th 1874 H Brown Clk And the plff Carlotta Peterson being now here by attorney & the minor plffs Albert Peterson & Edward Peterson being now here by their special Guardian J M Denton & the minor plffs William Peterson & Henry Peterson being now here by their legal Guardian August Heilbacher and the defendants Gustaf Peterson Christine Peterson & Johanna Peterson and her husband Charles A Juhlin being now here by attorney and it appearing to the Court that said report of said Commissioner ought to be confirmed and all of said parties consenting thereto It is therefore ordered adjudged & decreed by the Court that said report of said Commissioner be and the same is hereby in all things confirmed and that said Commissioner August Heilbacher be and he is hereby authorized and fully empowered on their complying with the terms of said sale to execute and deliver to said purchasers Carlotta Peterson and Gustaf Peterson an absolute deed in fee simple for the property each one purchased, and that the parties hereto to wit- Carlotta Peterson. William Peterson Albert Peterson, Edward Peterson, Henry Peterson Gustaf Peterson Christine Peterson Johanna Juhlinne & Charles A Juhlin be and they are hereby divested of all title in and to the said two town lots and that the title to the same be and is hereby vested in the said August Heilbacher to be by him surveyed to said purchasers Carlotta Peterson & Gustaf Peterson & deed to lot purchase by each of them on their complying with terms of said sale And it appearing to the Court that the amount in the aggregate bid at said sale for said property was Three Thousand Eight Hundred & Twenty-eight Dollars and it appearing to the Court that the interest of each party hereto in said property was determined in the decree ordering a partition which could not be done rendered by this Court in this case on the 22nd of October 1873 it is therefore ordered adjuged and decreed by the Court that said $3828 be and the same be divided among the parties hereto as is herein directed to wit- Carlotta Peterson is declared to be entitled to $744.31 as the value of her life estate absolute in the separate property of her said deceased husband and her community interest in the said community property Gustaf Peterson

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~~deceased~~ $529 81 as his share as one of the heirs of the estate of his deceased father & mother Christine Peterson is declared to be entitled to $529 81 as her share in the estate of her father and mother decd in said property William Peterson is declared to be entitled to $529 81 as his share of his father and mother decd estate in said property Henry Peterson is declared to be entitled to $529 81 as his share in said property as one of the heirs of his deceased father and mother Albert Peterson is declared to be entitled to $217 32 as his share in said property as one of his decd Father Johanna Juhlin is declared to be entitled to $529 81 as her share in said property as one of the heirs of her decd Father and mother Edward Peterson is declared to be entitled to $217 32 as his share as one of the heirs to the estate of said deceased. Father aggregating an Coin $3828.00 It is further considered that Carlotta Peterson pay one sixth of all Court Costs of these proceedings that Johanna Juhlin. Gustaf Christine, William and Henry Peterson pay 4/6 of said Costs and that Albert and Edward Peterson pay 1/6 of said Court Costs It is further ordered that Albert Peterson & Edward Peterson pay their special Guardian J M Denton the sum of Twenty Fifteen com Dollars It is further ordered that the said August Weilbacher be and he is hereby authorized and required to pay over the amount of money above assigned to the parties hereto of full age and take their receipt for said money and the said Weilbacher legal Guardian of the minors Henry and William Peterson is hereby directed to enter on the inventory of their property and is hereby charged with the amount of money they are entitled to as above assigned & the said Weilbacher is hereby directed to pay over to Carlotta Peterson the mother & legal Guardian of the estate of the minors Albert and Edward Peterson the amount of money they are entitled to as above assigned and take her receipt as such Guardian for the same and the said Weilbacher after having disposed of said amount as in this decree directed to make due report on or before the first term of this Court of his act in the premises And it is further ordered by the Court that the said August Weilbacher be and is hereby allowed the sum of thirty-five - dollars for his services as such Commissioner and auctioneers fee the same to be taxed by the clerk as a part of the costs in this case

And it further appearing to the Court that J M Den

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for the Special Guardian of Albert Peterson and Edward Peterson minors, appointed by this Court to represent said minors in this case has fully discharged his said trust, and no estate of said minors having come to his hands It is therefore further ordered by the Court that said J M Denton special Guardian as aforesaid be and is hereby discharged from his said Trust, and him and his Sureties on the bond given by him as such special Guardian be released from any responsibility on the same and he is hereby allowed $15.00 dollars for his services as such Guardian to be Taxed by the Clerk as part of the costs in this case to be paid out of the estate of said minors Albert and Edward Peterson It is further ordered by the Court that this case stand continued to the next term of this Court and Court adjourned till to-morrow at 9 o'clock AM.

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

✓ ✓ 3783 James Phillips et al. vs W A Henderson et al. And now on this day came the parties to this cause by their attorneys and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of J H Wacker and eleven others, duly tried elected and sworn who having heard the pleadings, evidence, argument of counsel and the charge of the Court, returned the following verdict, to wit: "We the Jury find for the Pffs Forty One Dollars Mechanics lien that the work was done and materials furnished on the Building and Lot described in the Pffs petition J H Wacker, Foreman." Whereupon It is ordered that James Phillips and Martin W. Townsend do have and recover of the said W. A. Henderson and W O Henderson said sum of Forty One Dollars and the Cost of this suit for which execution may issue And it appearing that the plaintiffs have a lien upon the following described Real Estate court: Lot No. 10 in Block No. 173 of the City of Austin, and the improvements thereon to secure the payment of this Judgment It is ordered that said lien be foreclosed and that an Order of sale issue requiring the Sheriff of Travis County to sell the same as under execution and the proceeds thereof be applied to the satisfaction of this Judgment.

✓ ✓ 3776 Sampson & Hendricks vs M. E. Summerow et al. And now on this day comes the Plaintiffs by attorneys and ask Judgment against the Garnishees who have been served in this cause and it appearing to the Court from their answers that William L. Piper is indebted to the Defendant Summerow in the sum of $24.60 in coin: B. F. Cady in the sum of $60 coin: C. C. Pomsley in the sum of $14.50 coin: and W. A. Pomsley in the sum of $19.15 coin. And it further appearing to the Court that the following named Garnishees who have been duly served in this cause are indebted to said Defendant Summerow as follows to wit: W. G. Carpenter in the sum of $51.88/100 in coin: Arnold Klein in the sum of $18.00 coin: A. R. [illegible]

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in the sum of $12 coin & R.P. Dumas in the sum of $25.00 coin And it further appearing that R. J. Nichols, John Sprowell, and J.M. Hodges have been duly served with writs of garnishment in this cause and that they have wholly failed to make any answers thereto, It is therefore ordered and adjudged that the Plaintiffs do have and recover from said W.L. Piper $22.62 coin, from B. F. Cady $60.00 coin, from C. C. Townsley $14.50 coin from W.A. Townsley $19.15 coin from W.G. Carpenter $51.88 coin. from Arnold Klein $18.15 coin: from A.R. Renick $12 coin: from P.P. Dumas $25.20 coin: from R. J. Nichols, John Sprowell and J.M. Hodges the sum of $218.49 for all which execution may issue.

And it further ordered by the Court that whatever remains of what is herein adjudged to said Plaintiffs against said garnishees after satisfying the judgment recovered by said Plaintiffs in this cause against Defendant Summerow, on the first day of November 1873 and interest thereon and the costs of this suit shall be remitted back to said Garnishees to be levied between them and Defendant Summerow without prejudice to either of the parties.

✓	3605	The State of Texas vs Robert Moore Dismissed
✓	3607	The State of Texas vs J.C. Camp Dismissed
✓	3609	The State of Texas vs Wm Jackson Dismissed
✓	3614	The State of Texas vs J.C. Tully Dismissed
✓	3619	The State of Texas vs John Storey Dismissed
✓	3663	Charlotte Collins Surv. wife of Geo. Washington. And now on this day comes the plff by atty and claims a judgment final by default. And because the Defendant has been cited by personal service and has failed to answer within the time prescribed and wholly made default and because the cause of action is liquidated It is ordered that Charlotte Collins surviving wife of L.W. Collins Dec'd do have and recover of the said George Washington the sum of One hundred Forty four and 25/100 Gold Dollars, debt and interest thereon from the date sued on to date, with ten per centum per annum interest thereon from date until paid and the Cost of the suit, for which execution may issue.
✓	3731	The State of Texas vs R.D. Templeton. Dismissed
✓	3791	R.S. Rust et al. vs Ned Douglass et als and B.C. Giles et als Garnishees Comes the plffs by atty and upon motion It is ordered that the proceeding in Garnishment in this case be dismissed. and that the Cost of the garnishment be adjudged against the plaintiffs for which execution may issue.
✓	3844	G.A. Freeman vs Robert Lewis et al. And now come the Plaintiffs by their Attorneys and upon motion It is ordered that Jno. C. Townes Esq be appointed Special Attorney for the unknown heirs sued herein and that said Jno C. Townes be appointed Guardian for the Minor Defendants herein.
✓	3845	John D. Kerfoot et als vs Unknown Heirs of Sefrin Eisin. And now come the plffs by their atty and on motion It is ordered that Jno C. Townes Esq be appointed Guardian for the

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minor heirs in this case, and Attorney for the unknown heirs Defendant
3851 The State of Texas vs Chas. Bley. And now this case coming on to be heard
X and the answer of the Defendant being heard and it being deemed
insufficient and it appearing that said Defendant has been fined as a
Defaulting Juror in the sum of Twenty Dollars, It is ordered that said
Judgment Nisi be made final and that the State of Texas recover
of said Charles Bley the sum of Twenty Dollars as a Defaulting
Juror, together with the cost of this suit, and proceeding and that
a Commitment issue to collect the same.

3852 The State of Texas vs W. F. Meeks Dismissed

3853 The State of Texas vs Leu. Baker Dismissed

3854 The State of Texas v. Wm R Davis Continued for service.

3855 The State of Texas v. B. M Songley. It is ordered that the fine
X entered against the Defendant at the last Term of this Court
be set aside and that the Defendant pay the Cost of the pro-
ceeding for which a commitment may issue

3856 The State of Texas v. Aaron Robinson. Cont'd for service.

3857 The State of Texas v. Tilman Hannibal It appearing that the De-
X fendant has been fined as a Defaulting Juror in the sum of Twenty
Dollars and has been served with Scire facias to appear and show
cause why the same should not be made final, which he has
wholly failed to do It is ordered that said Judgment Nisi be made
final and that the State of Texas recover of said Tilman Han-
kal said sum of Twenty Dollars and the cost of the proceeding
and that a Commitment issue to collect the same.

3858 The State of Texas v H. G. Lee. It appearing that the Defendant has been
X fined as a Defaulting Juror in the sum of Twenty Dollars and has been serv-
ed with Scire facias to appear and shew cause why the same should not be
made final which he has wholly failed to do, It is ordered that said judg-
ment nisi be made final and that the State of Texas do have and
recover of the Defendant H. G. Lee the sum of Twenty Dollars and the
cost of the prosecution and that a Commitment issue to collect same

3859 The State of Texas v. A. H. Songley It appearing that the Defendant
X has been fined as a Defaulting Juror in the sum of Twenty Dollars and
has been served with Scire facias to appear and shew cause why the
same should not be made final which he has wholly failed to do
It is ordered that said Judgment nisi be made final and that the
State of Texas do have and recover of the Defendant A. H. Songley
the said sum of Twenty Dollars and the cost of the proceeding and
that a Commitment issue to collect the same.

3860 The State of Texas v. Perry D. Joe Continued for service.

2802 William Drake vs O. Gilleland And now come the parties by their attys
when the Defendant submitted to the Court her motion for a new tri
which being heard and duly considered by the Court It is ordered
that the same be overruled. And thereupon the Defendant by
Attorney gives notice in open Court of an appeal to the Su-
preme Court.

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3655 Gould Bros vs J.A. Coats. And now come the parties by their attorneys when the plaintiffs submitted their motion for a new trial, which being heard and considered It is ordered that said motion be overruled

3703 Jno L. Dyer v. A.H. Cook. And now come the parties by their attys when the plaintiffs submitted his motion to set aside the continuance in this cause which being heard and considered, It is ordered that the motion be granted; & that the said continuance be set aside and vacated

3451 C.W. Heller v. J. Lancaster et als. And now come the parties by their attys when the Defendants submitted the motion to dismiss the Garnishments issued herein which being heard and considered It is ordered that said motion be overruled

3637 A.T. Moiller v. John T. Miller. And now come the parties by their attys and the Defendant submitted his motion for a new trial which being heard and considered by the Court, It is ordered that said motion be overruled. Whereupon the Defendant gives notice in open Court of an appeal to the Supreme Court

3783 Phillips & Townsend vs H.N. Hardeman et al. And now come the parties by their attys when the Plaintiffs submitted their motion for a new trial. which being heard and considered It is ordered that said motion be granted: that a new trial be awarded and cause continued

3806 William Thaxton vs John W. Leland et als

3880 E.A. Hicks vs Cummings and Smart

3888 M.L. Hamilton vs J.D. McArthur et al

And now come the Defendants in the last three preceding causes by their attys and move the Court to require said Plaintiffs to enter into bond and security for the cost of said suits And thereupon It is ordered that said Rule be granted. that the pffs in said three causes be required to enter into Bond and security for the cost of said suits on or before the next Term the attorneys for said Plaintiffs being notified

And thereupon Court adjourned till Monday next 9 am

Monday, February 16th, 1874.

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

J.S. Joplin Comes now J.S. Joplin, who sued out a writ of Habeas Corpus and waiving an examination submits the case to the Court. Whereupon It is ordered that said J.S. Joplin be allowed to execute a Bond for his appearance at the next Term of the District Court of Bastrop County in the sum of Five Hundred Dollars conditioned to appear before said Court and answer any charge that may be preferred against him at the next Term.

3850 The State of Texas vs Walter Hipp et.als. And now come the parties by their attys and on motion It is ordered that this cause be dismissed and that the said Walter Hipp & E. Hipp pay all the cost of this proceeding for which execution may issue

February 16th 1874.

1938 State of Texas vs Charles Sublett. Dismissed

1939 State of Texas vs Charles Sublett. Dismissed

3000 The State of Texas vs John Kingston And now comes the District Attorney for the State and the Defendant in person and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis county, consisting of Geo. Dye and eleven others, who being duly elected and sworn, and having heard the plea of guilty and the charge of the Court, retired for deliberation. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury find the prisoner guilty as charged and assess his punishment at five years in the State Penitentiary Geo. Dye, Foreman." Whereupon It is ordered that the said Defendant stand Committed to the County Jail to await Judgment and Sentence.

2783 State of Texas vs Jo Meyers. Dismissed

2801 State of Texas vs A. Coleman Dismissed

2874 State of Texas vs A H Tucker Dismissed

2876 State of Texas vs A H Tucker Dismissed

2883 State of Texas vs Ed. Wickelson Dismissed

2884 State of Texas vs Ed. Wickelson Dismissed

2890 State of Texas v. Booker Griffith. Cont'd by the Deft.

2895 State of Texas v. Sid Jones alexander. Dismissed

2902 State of Texas v O. Baule. Indictment quashed and Deft. discharged.

2905 State of Texas v. Maria Simpson. Continued by Deft.

2924 State of Texas vs Neill Cain. And now come the parties and announced ready for trial. And waiving a Jury submit the case to the Court. And the Deft. enters the plea of guilty. And thereupon It is ordered that the State of Texas recover of said Neill Cain the sum of Ten Dollars as a fine, and all the Cost of this prosecution and that a Commitment issue to collect the same.

2938 The State of Texas vs Johnny Hand. And now come the parties and announced ready for trial and waiving a Jury submit the case to the Court. And the Deft. enters the plea of guilty. And thereupon It is ordered that the State of Texas recover of Johnny Hand the sum of Ten Dollars as a fine, and the cost of the prosecution and that a Commitment issue to collect the same.

2940 The State of Texas vs Gray Franks. And now come the parties and announced ready for trial and waiving a Jury submit the case to the Court. And the Deft. enters the plea of guilty. And thereupon It is ordered that the State of Texas recover of Gray Franks the sum of Ten Dollars as a fine and the cost of the proceeding and that a Commitment issue to collect the same.

2944 The State of Texas vs. Rud Cotton Dismissed

2950 The State of Texas vs. Walter Kipp. And now come the parties and announced ready for trial and waiving a Jury submit the case to the Court. And the Deft. enters the plea of guilty. And thereupon It is ordered that the State of Texas recover of Walter Kipp the sum of Ten Dollars as a fine and the cost of the prosecution and that a Commitment issue to collect the same.

2953 The State of Texas vs Neill Cain Dismissed

2966 The State of Texas vs John Robinson. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court. And the Deft. enters the plea of guilty. And thereupon It is ordered that the State of

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Texas recover aforesaid John Robinson the sum of ten dollars as a fine and the cost of the prosecution and that a capias issue to collect the same.

✓ 2973 The State of Texas vs John Lewis Cause Dismissed

✓ 2974 The State of Texas v. C. Colmore. Come the parties and announce ready for trial and then came a Jury of twelve good and lawful men of Travis County, consisting of J.H. Walker and eleven others, duly tried, elected and sworn, who having heard the plea of not guilty, the evidence and the charge of the Court returned the following verdict, towit: "We the Jury find the Defendant not guilty. Whereupon It is ordered that said Defendant go hence fully acquitted and discharged.

2982 State of Texas v. C. Colmore. Continued by the State.

/ 3125 3126. 3127. State v. Cases ar Stunter Dismissed.

/ 3850 The State of Texas v. W. Stipp et.als. Come the parties by their attorneys whereupon motion It is ordered that this cause be dismissed as to the forfeiture set aside and that the cost of the same be adjudged against the Defendants A. E. Hipps and Walter Hipps, for all which execution may issue.

/ 3129 State of Texas v. Jo. Simms. Come the parties and announce ready for trial and then came a Jury of twelve good and lawful men of Travis County consisting of J.H. Walker and eleven others duly tried, elected & sworn who having heard the evidence and the charge of the Court, returned the following verdict to wit: "We the Jury find the Defendant not guilty J.H. Walker, foreman." Whereupon It is ordered that the Defendant go hence discharged.

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

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

✓ 3002 State of Texas vs Bettie, Dismissed

3007 State of Texas vs Wm Fretwell Continued by the Defendant

2979 State of Texas vs Thomas Kesee. Continued for service.

2986 State of Texas vs Jones & Sawyer. Continued for service.

2989 State of Texas v. Stone & Galloway. Continued for serva.

2990 State of Texas v. Jones & Sawyer. Continued for service.

3020 State of Texas v. Aaron Robinson. Continued for service.

3021 State of Texas v. Wild Harry. Continued for service.

✓ 3028 State of Texas v. John Baughn. Come the parties and announce ready for trial. And the Defendant pleads guilty. And waiving a Jury submit the case to the Court. And thereupon It is ordered that the State of Texas recover of said John Baughn the Sum of Ten Dollars as a fine, and all the cost of this proceeding, and that a Commitment issue to collect the same.

3032 State of Texas v. Monroe Williams Continued for service.

3035 State of Texas v. Wash. White Continued for service.

3054. State of Texas v. Ike Bell. Continued for service.

3056 State of Texas v. Wash. White. Continued for service.

✓ 3186 State of Texas v. Frank Cotton Britton. Come the parties and announce ready for trial, and waiving a Jury submit the case to the Court.

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3250 State of Texas v Jno. DeGrelp. Come the parties and announce ready for trial and waiving a Jury submit the case to the Court And the Defendants pleads guilty. Whereupon It is ordered that the State of Texas recover of said Jno. DeGrelp the sum of Ten Dollars as a fine and the cost of the prosecution, for all which a commitment may issue.

3279. State of Texas v. J.C. DeGress. Dismissed

2879 State of Texas v. E.T. Randle. And now come W. M. Jackson and Wm. Thomas, and each of them acknowledged himself to owe the State of Texas one hundred dollars each, to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that the said W. M. Jackson and W. G. Thomas make their personal appearance before the District Court of Travis county, now in session, and there remain from day to day and from term to term thereafter to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas vs. E.T. Randle, and that they do not depart the Court without leave.

3004 State of Texas v. Phil. Davis. And now come Geo. Green, Charles Johnson, Sallie Lewis, Rebecca Lewis, and Phil Davis intrvlpes for the Defendant, and each of them acknowledged himself and herself to owe the State of Texas one hundred dollars each to be levied upon their goods and chatels, lands, tenements and estate, But to be void upon condition that each of said intrvlpes make their personal appearance before the District Court of Travis county now in session and there remain from day to day and from term to term thereafter to give evidence on behalf of the plaintiff in the above entitled cause of the State of Texas v. Phil. Davis, and that they do not depart the Court without leave.

3869 The State of Texas v. J.H. Roberts et als. Comes now the plaintiff by atty and on motion It is ordered that the said plaintiff have leave to amend.

2864 The State of Texas v. W. J. Matteson. And now on this day came the parties by their attorneys, the Defendant also coming in person and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county, consisting of J.H. Walker and eleven others, who being duly tried, elected and sworn, heard the Indictment, complaint, the plea of not guilty, the evidence, argument of counsel and the charge of the Court retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury, find the Defendant guilty and assess his punishment at three hundred & fifty dollars. J.H. Walker, foreman." Whereupon It is ordered that the State of Texas do have and recover of the Defendant, M. J. Matteson, the sum of three hundred and fifty dollars and the cost of the prosecution, and that the Defendant be committed to the County Jail until the same are paid in full.

3004 The State of Texas v. Phil. Davis. And now on this day came the parties by attorney, the Defendant also appearing in person, and announced ready for trial. When came a Jury of twelve good and lawful men of Travis county, consisting of C. A. Turney — and eleven others, who being tried elected and sworn according to law, heard the Indictment read, the plea

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of not guilty, the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess the punishment ~~ten~~ years in the State Penitentiary. C.H. Tinney foreman." Whereupon it is ordered that said Defendant be committed to the county Jail to await judgment and Sentence.

And Court adjourned till to morrow at 9 o'clock a.m.

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

3406 State of Texas vs Wm Powell. And now on this day came the parties by their attorneys, the Defendant also appearing in person and announced ready for trial. When the Defendant pleads not guilty. And then came a Jury of twelve good and lawful men of Travis County, consisting of George Wye and eleven others, who being duly tried, elected and sworn, heard the plea of not guilty, the evidence, argument of counsel and the charge of the Court, and retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury find the prisoner guilty and affix his punishment at three (3) years in the State Penitentiary. Geo. Wye, foreman." Whereupon it is ordered that the Defendant stand committed to the County Jail to await judgment and Sentence.

2868 The State of Texas vs Robert Hamilton et al. And now come W.C. Reager, John E. Maxwell and Russell Maxwell and acknowledges themselves each to owe the State of Texas One hundred dollars each, to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that the said W. C. Reager, John E. Maxwell and Rufsell ~~Rufsell~~ make their appearance before the District Court of Travis county now in session and there remain from day to day and from term to term thereafter, to give evidence on behalf of the Plff. in the above entitled cause, and that they do not depart the Court without leave.

2869. The State of Texas v. Robert Hamilton. And now comes W. C. Reager, John E. Maxwell and Russell Maxwell and acknowledged, each of them, to owe the State of Texas One Hundred dollars each, to be levied upon their goods and chattels lands, tenements and estate, But to be void upon condition that said W. C. Reager, John E. Maxwell and Rufsell Maxwell each make their appearance before the District Court of Travis county, now in sesion, and there remain from days to day and from term to term thereafter, to give evidence on behalf of the Plff. in the above entitled cause of the State of Texas vs Robert Hamilton and that they do not depart the Court without leave.

3010 State of Texas v. Wm Whittington. On motion of the District Attorney It is ordered that the Bail given by the Defendant in this case be quashed, because of the insufficiency of the sureties on the recognizance.

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3010 State of Texas v. Wm Whittington. And now comes Charles Cuenot and acknowledged himself to owe the State of Texas the sum of One hundred Dollars to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that said Charles Cuenot make his appearance before the District Court of Travis county now in session and there remain from day to day and from term to term thereafter, to give evidence on behalf of the plaintiff in the above cause of the State of Texas v. Wm Whittington, and that he do not depart the Court without leave.

3011 State of Texas vs Wm Whittington. And now comes James Horst and acknowledged himself to owe the State of Texas the sum of One hundred dollars to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that the said James Horst make his appearance before the District Court of Travis county now in session and there remain from day to day and from term to term thereafter, to give evidence on behalf of the pefs in said cause No. 3011, of the State of Texas v. Wm Whittington and that he do not depart the Court without leave.

3116 State of Texas v. James Clements. And now come the parties by atty and announce ready for trial. When came a Jury of twelve good and lawful men of Travis county, consisting of C.M. Finney — and eleven others duly tried, elected and sworn, who having heard the plea of not guilty, the evidence and the charge of the Court, after retirement returned the following verdict, to wit: "We the Jury find the Defendant not guilty. C.M. Finney foreman." Whereupon it is ordered that the Defendant go hence discharged.

3110 State of Texas v. Jeff. Houston. Dismissed

3111 State of Texas v. E. Roberson. Continued for service

3112 State of Texas v. P. Jones. Continued for service

3113 State of Texas v. P. Jones. Continued for service.

3115 State of Texas v. Jo. Gill. Continued for service.

3121 State of Texas v. James Clements. Continued by the State.

3123 State of Texas v. B. M. Little. Continued for service.

3128 State of Texas v. Page & Burchard. Dismissed

3130 State of Texas v. Jose Antoverres Continued for service.

3314 State of Texas v. Newell Burdett. Come the parties by their atty and announced ready for trial and waiving a Jury submit the case to the Court. And the Defendant pleads guilty. And it is ordered that the State of Texas recover of Newell Burdett the sum of Ten Dollars as a fine and the cost of the prosecution and that a commitment issue.

3405 State of Texas vs James Jackson. Come the parties by atty and the deft in person, when the Defendant submitts his exceptions to the Indictment, which being heard and argued by Counsel and duly considered, It is ordered that the said exceptions be sustained, that the Indictment be quashed and the cause dismissed. Whereupon the District atty in behalf of the State, gives notice in open Court of an appeal to the Supreme Court.

February 19th, 1874

✓ 3135 State of Texas v. A.S. Donnens Dismissed

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

February 19th, 1874.

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

✓ 2136 The State of Texas vs. M. J. McAteson And now come the parties by their attorneys, the Defendant appearing in person also, when came on to be heard the exceptions of the Defendant to the Indictment in this case which being argued by counsel and considered by the Court, It is ordered that said exceptions be sustained & that the cause be dismissed. Whereupon the District attorney excepts to the ruling of the Court, and gives notice in open Court of an appeal to the Supreme Court. And it is ordered, on motion of the District Atty that the Defendant be required to enter into recognizance in open Court in the sum of Two Hundred Dollars to abide the decision of the Supreme Court.

✓ 3396 The State of Texas v. R. C. McLaren. And now on this day came R. C. McLaren as principal, and John Burleson, as security for said McLaren, and acknowledges themselves jointly and severally justly to owe and be indebted unto the State of Texas, in the sum of five hundred dollars, to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that the said R. C. McLaren make his personal appearance before the District Court of Travis county now in session and there remain from day to day and from term to term thereafter to answer the Indictment preferred against said R. C. McLaren by the Grand Jury of Travis county, at the February term, 1874, of the District Court of said county, for theft of cotton, and that he do not depart the Court without leave.

✓ 2868 The State of Texas vs. R. & J. Hamilton. And now come Robert Hamilton and James Hamilton as principals and H. L. Raven and Sarah Hamilton as securities and acknowledge themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One hundred and fifty dollars to be levied upon their goods and chattels, lands, tenements and estate, But to be void upon condition that the said Robert Hamilton and James Hamilton shall personally appear before the District Court of Travis county to be held at the Courthouse thereof in Austin, on the first Monday in June, 1874, then and there to answer the Indictment preferred against the said Defendants by the Grand Jury of Travis county for the theft of a cow, and there remain from day to day and from term to term thereafter to answer said charge, and that they do not depart the Court without leave.

✓ 2869 The State of Texas v. Robert Hamilton. And now on this day comes Robert Hamilton as principal, and H. L. Raven and Sarah Hamilton as securities, and they acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas

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in the sum of one hundred and fifty dollars to be levied upon their goods and chattels, lands, tenements, and estate, But to be void upon condition that said Robert Hamilton make his personal appearance before the District Court of Travis county to be held at the Courthouse thereof in Austin on the first Monday in June, 1874, and there remain from day to day and from term to term thereafter, to answer the charge of theft of a pig, preferred against him by the Grand Jury of Travis county, and that he do not depart the Court without leave.

3137 The State of Texas v M. J. Matteson. And now on this day came the parties to this cause by their attorneys, the Defendant also appearing in person, and announced ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, consisting of J.H. Walker and eleven others, who being tried, elected and sworn according to law, heard the Indictment, the plea of not guilty, the evidence, argument of counsel and the charge of the Court, retired for deliberation. Whereupon the Jury returned into Court the following verdict, to wit: "We the Jury find the Defendant guilty and assess his fine at fifty dollars. J.H. Walker, foreman. Whereupon It is ordered that the State of Texas recover of M.J. Matteson the sum of fifty dollars and the cost of the prosecution, and that a Commitment issue to collect the same.

Friday February 20th 1874.

2446. The State of Texas vs Wash L Hill. Indictment for Murder. and now on this day came the parties to this cause by their attorneys, and the defendant in person, and announced ready for trial. whereupon came a jury of twelve good and lawful Men of Travis County, consisting of Louis Blumentritt and eleven others, who being duly tried, elected, empannelled and sworn according to law, heard the indictment, the plea of not guilty, the evidence the argruments of Counsel and Charged of the Court, without leaving their seats returned into court the following verdict, to wit; "We the Jury find the defendant Wash L Hill not guilty as Charged. Louis Blumentritt foreman Wherepon it is ordered by the Court that the defendant go hence fully acquitted and discharged

3408 The State of Texas vs Jo Freeman and John Henry Indictment for theft.

And now on this 20th came the District Attorney in behalf of the State, and Jo Freeman one of the defendants in person and by attorney, and announced ready for trial, and thereupon came a Jury of twelve good and lawful Men of Travis County, consisting of Charles H Tinney and eleven others, who being duly tried, elected, empannelled and Sworn according to law, heard the indictment, the plea of not guilty, the evidence, the argument of Counsel and the Charge of the Court, and retired to consider of their verdict, and after a short absence returned into Court the following verdict to wit. "We the Jury find the defendant Guilty, and assess the punishment to two years in the State penitentiary, C H Tinney Foreman." Whereupon it is ordered by the Court that the defendant Jo Freeman Stand Committed to the County jail to await Judgment and Sentence.

Ex parte. B Trigg. District Attorney. It is ordered by the Court that B Trigg District Attorney

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he and he is hereby is fined the sum of fifty dollars for a contempt of court.
and that he stand committed to the jail of Travis County until said fine is paid,

✓ 3400 The State vs Jo. Freeman and John Henry — Theft from a house
And now on this day came the parties to the above entitled cause, and announced ready for trial
by their attorneys, and Jno. Henry one of defendants, appearing also in person and by attorney, and in response to the indictment plead "not guilty"; whereupon came a jury of twelve good and lawful men of Travis County, to-wit. Geo. Dye and eleven others, who being duly tried, empanneled and sworn according to law, heard the evidence, argument of counsel and charge of the Court, retired to consider of their verdict and returned into court the following verdict, to-wit: "we the jury find the defendant guilty, and assess his punishment at four years in the State penitentiary. Geo. Dye, foreman." whereupon it is ordered that the defendant, Jno. Henry stand committed to the county jail to await judgment and sentence.

And ordered that the court stand adjourned till 9 am to-morrow.

Saturday Feby 21st, 1874

Court met pursuant to adjournment; present Hon. J. P. Richardson, Judge 27th Judicial District presiding; whereupon the following proceedings were had; to-wit:

✓ 3004 The State vs. Phil Davis. Comes now the defendant by his atty and moves the court that a new trial be granted, which being duly considered, the same is overruled; whereupon the defendant excepts and gives notice in open Court of an appeal to the Supreme Court.

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

Monday Feby 23d 1874.

✓ 3940 And now on this day came on to be heard the application of John Davis, minor, for the removal of his disabilities by reason of said minority; and it appearing to the satisfaction of the Court that said Jno. Davis is a minor citizen of the County of Travis, State of Texas, and that both father and mother of said minor are dead; that he is without any natural or legal guardian of his person or estate; and further having in charge the maintenance of his minor sister Fannie, it is deemed advisable and for the best interest of said minor, in view of the premises, that his petition be in all things allowed; whereupon it is ordered, adjudged and decreed that the disabilities of said minor, Jno Davis, be and the same are hereby fully removed, and that he be authorized and empowered to act for himself, in all respects, legal and lawful, as if he were of legal age, save and except the right of franchise

✓ 3403 The State vs Ira J. Cox. Indictment for Theft from a House.
Come now the parties to this cause, by their attys. the defend-

Feby 23

ant also appearing in person, and announced ready for trial— Thereupon came a Jury of twelve good and lawful men of Travis County, to-wit: J. H. Walker foreman and eleven others who hearing the plea of not guilty, the evidence, argument of counsel and charge of the Court— the said Jury being duly tried, empanneled and sworn according to law— retired for deliberation, and returned into court the following verdict, to wit: "We the Jury find the defendant guilty, and assess his punishment at five years imprisonment in the Penitentiary" J. H. Walker, foreman." Whereupon it is ordered that said defendant, Wm J. Cox stand committed to the County jail to await judgment and sentence.

3122 The State vs Nelson Jeffries. — Dismissed

3360 State vs Billy Patterson. — Come now the parties by their attorneys, and announce ready for trial, waiving a jury. And the defendant pleads guilty, whereupon it is ordered that the State of Texas recover of said defendant $10 as a fine and all costs of this prosecution; for which committment may issue.

3304 The State vs W. J. Sutor.— Come the parties by atty, and waiving a jury, announce ready for trial; whereupon the deft. pleads guilty, when it is ordered that the State of Texas recover from the defendant the sum of $10. as a fine and costs of prosecution, and that committment issue.

2976 The State vs Barnes Parker, E. H. Ayres and W. H. Griffin.— And now on this day comes the District Attorney in behalf of the State, the defendants, respectively, in person and by attorney, and announce ready for trial; whereupon the same is heard on the exceptions of defts' attorneys to the sufficiency of the indictment, and the same being fully considered by the Court, after the reading thereof and argument of counsel, It is ordered that the same be sustained and the indictment quashed; and that defendants respectively go hence fully discharged. To which ruling of the Court the District Attorney excepts on behalf of the State, and gives notice in open court of an appeal to the Supreme Court; and further takes the recognizance of said defendants respectively, as follows:

And thereupon came the defendants, Barnes Parker, E. H. Ayres and W. H. Griffin, respectively, and being duly sworn acknowledge themselves severally to be justly due and indebted to the State of Texas in the penal sum of $500. to be levied upon their goods and chattels, lands, tenements and estates, as principal and sureties respectively; for the true payment of which they bind their respective heirs, executors and administrators; but to be void on condition that said defendants respectively, who are charged with the offense of passing a forged power of attorney, under an indictment found by the grand jury of Travis County at the June term 1873 of said district Court, appear respectively before the district

Court of Travis County on the first Monday in June next, 1874 there to remain from day to day and from term to term, and not depart without leave of said District Court, in order to abide the decision of the Supreme Court of the State of Texas.

✓ 2977 The State of Texas v. Barnes Parker, E. H. Ayres and W. H. Griffin. And now in this cause come the parties by atty, the defendants also appearing in person; whereupon the district attorney in behalf of the State moves an order of dismissal as to the defendants E. H. Ayres and W. H. Griffin, which being considered it is ordered by the Court that said defendants Ayres and Griffin go hence fully discharged, and this cause continued by the State.

And now come E. H. Ayres and W. H. Griffin and acknowledge themselves to severally owe the State of Texas the sum of $500, to be levied upon their goods and chattels lands, tenements and estates, to be void upon condition that they, the said E. H. Ayres and W. H. Griffin appear before the District Court of Travis County, now in session, and there remain from day to day and term to term to give evidence in behalf of the State in said cause No. 2977 of the State of Texas vs Barnes Parker. and depart not without leave.

✓ 2980 The State v Barnes Parker, E. H. Ayres and W. H. Griffin. And now on this day come the parties by attys, the defendants respectively appearing in person, and announce ready for trial; whereupon defendants atty except to the sufficiency of the indictment; which being duly considered by the Court after reading thereof, and argument of counsel, It is ordered that the same be overruled; to which ruling defendants except, and by atty give notice of their reservation of exceptions. And the District Attorney moving an order of dismissal as to E. H. Ayres and W. H. Griffin; and the same being duly considered is allowed; whereupon it is ordered that said defendants E. H. Ayres and W. H. Griffin go hence fully discharged, and this cause continued by the State.

And now come E. H. Ayres and W. H. Griffin and acknowledge themselves severally to owe the State of Texas the sum of $500, to be levied upon their goods, chattels, lands, tenements and estates; to be void on condition that they the said defendants E. H. Ayres and W. H. Griffin appear befor the District Court of Travis County, now in session, and there remain from day to day and from term to term, to give evidence in behalf of the state in said cause No. 2980 of the State of Texas vs Barnes Parker and that they do not depart the court without leave.

✓ 3106 The State v. Major Chambers, — Theft. Dismissed

3136 The State v. Wiley Stunt. — Continued by defendant.

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Whereupon court adjourned till to-morrow 9 A. M.

Feby 24th. 1874

3131 The State v. Rhodes Whitis. — Theft of Mare. And now on this day come the parties by atty, the defendant also appearing in person, and announce ready for trial; whereupon it is held by the court that the indictment in this cause is insufficient in law, and it is ordered that the same be quashed; and that said defendant Rhodes Whitis go hence fully discharged — to which ruling of the Court the defendants atty excepts, and gives notice of his right to file exceptions thereto.

3447 Adrien Dronilhet vs Jacob Kuechler. et als. Come the parties to this suit by attorney, and the plaintiff announcing that he will no longer prosecute his said cause, and defendants assumpsit of payment of all costs. It is ordered by the court that this cause be dismissed, and that this plaintiff take nothing by his suit; and defendant paying costs so, further order is made

3178 The State vs Maroney. Betting at Monte. — Comes now the District Attorney in behalf of the State, the defendant also in person and atty, and announce ready for trial; whereupon the defendant waives a jury and enters the plea of guilty. It is therefore ordered and decreed that the State of Texas recover of the defendant Maroney the sum of $10 as a fine and costs of this prosecution; for which committment may issue.

3191 The State v Blucher Hutchins; Betting at Monte. And now on this day came the parties by attorney; the defendant also appearing in person, and announce ready for trial, and waiving a Jury, the defendant pleads guilty; whereupon it is ordered by the Court that the State of Texas have and recover of and from the defendant, Hatchins, $10. as a fine, and costs of this prosecution; for which committment may issue

3284 The State v Maroney. Dismissed

3334 The State v. Leigh Chalmers. — Comes now the District Attorney in behalf of the State, and the defendant in person and by atty, and announce ready for trial; and waiving a jury the defendant enters the plea of guilty; whereupon it is ordered that the State of Texas recover of said defendant Chalmers the sum of $10 as a fine, and all costs of this prosecution; for which committment may issue

3353 The State v Ed. Creary. — Come now on this day the parties in this cause, the District Attorney for the State, the defendant in person and also by attorney, and waiving a jur announce ready for trial; whereupon the defendant pleads guilty. It is therefore ordered and decreed that the State of Texas do recover of the defendant, Ed Creary, the sum of $10.00 as a fine and all costs of this prosecution, for which committment may issue.

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3361 The State of Texas v Blucher Hutchins — Dismissed
3402 The State vs Andrew S. Donnan. — Theft — And now on this day comes the District Attorney in behalf of the State, the defendant also in person and by attorney, and announce ready for trial; whereupon the defendant excepts to the sufficiency of the indictment as to the charge of swindling; which being duly considered by the court, after argument of counsel, the same is sustained. And the defendant further excepting as to the sufficiency of the indictment, the same is held good as charging theft under Article 748 of the criminal code; Thereupon came a Jury of twelve good and lawful men of Travis County, to-wit: W. T. Davis and eleven others, duly tried, elected and sworn, who having heard the plea of not guilty, evidence, argument of counsel and charge of the court, retired for deliberation, and returned into court the following verdict, to-wit" We the Jury find the defendant guilty, and assess his punishment to Two years in State Penitentiary. W. T. Davis, foreman." It is therefore ordered that the defendant Andrew S. Donnan stand committed to the county jail to await judgment and sentence. And ordered that Court stand adjourned till to-morrow 9 A. M.

Wednesday Feby 25th. 1874

Court met pursuant to adjournment. Present same as on yesterday

3009 The State vs. D. M. Ezell, S. J. Cox and J. R. Ivey. — Dismissed
3025 The State of Texas vs Nat. Woodlief. — And now on this day came the parties by attorney, and waiving a Jury, announce ready for trial; whereupon the defendant enters the plea of ~~not~~ guilty; It is therefore ordered that the State of Texas do recover of and from the defendant, Woodlief the sum of $10 as a fine and all costs of this prosecution, and that commitment issue.

3179 The State of Texas vs "Dutch Dock". — Exhibiting Monte. — And now come the parties by attorney, and waiving a jury announce ready for trial; and the defendant enters the plea of guilty whereupon. It is ordered that the State of Texas do recover of and from the said defendant the sum of $25.00 as a fine and costs of this prosecution, for all of which committment may issue.

3190 The State vs. Charles Boatman. And now on this day come the parties by attorney, and waiving a Jury announce ready for trial. whereupon It is ordered, the defendant entering the plea of guilty, that the State of Texas recover of defendant Charles Boatman the sum of $25 as a fine, and all costs of this prosecution, for which committment shall issue

3210 The State v. Jno. Jones. — Come now the parties to this cause by atty and waiving a Jury announce ready for trial, and the plea of guilty being entered by defendant, It is ordered that the State recover of defendant $10 as a fine and costs of prosecution, and that committment issue

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3215 The State vs Buck Warren. Ex. Morte. — And now on this day come the parties by attorney, and waiving a jury, announce ready for trial; whereupon the defendant enters the plea of guilty. It is therefore ordered that the State of Texas have and recover of and from the defendant Warren the sum of $25 as a fine and all costs of this prosecution, for which committment may issue.

3318 The State vs. Lacy McKenzie. Betting at ten pins. — Come now the parties to this cause by atty, and waiving a jury, announce ready for trial, and the defendant pleading guilty. It is ordered and decreed that the State of Texas have and recover of and from said defendant McKenzie, the sum of $10 as a fine and costs of this prosecution, for which committment may issue.

3410 The State of Texas v. Frank Cotton. — And now on this day come the parties to this suit by atty, and waiving a jury, announce ready for trial, whereupon the defendant enters the plea of guilty; It is therefore ordered that the State recover of said defendant Frank Cotton, the sum of $10 as a fine and costs of this prosecution; and that committment issue.

3292 The State vs D. M. Egell and Jno. Drey. — Theft of cattle. And now on this day comes the District Attorney in behalf of the State, the defendants also appearing in person and by atty, and announce ready for trial, whereupon came a jury of twelve good and lawful men of Travis county, to-wit: W. T. Davis and eleven others, duly tried, impannelled and sworn, who heard the plea of not guilty, evidence, argument of counsel and charge of the Court, and retired for consideration; and thereupon returned into court the following verdict; to-wit: We the Jury find defendants not guilty. W. T. Davis, foreman. It is therefore ordered and decreed that said defendants, D. M. Egell and John Drey go hence fully discharged.

whereupon court adjourned till to-morrow 9 oclock A. M.

Thursday, February 26th, 1874

Court met pursuant to adjournment. Present same as on yesterday; The case of the State vs D. M. Egell and Jno Drey, 3292, taken up and submitted to jury after examination of witnesses and argument of counsel and charge of the Court; and the same retiring for consideration. failing to agree at the hour of 4:30 P.M. ordered that court stand adjourned till to-morrow 9 A. M.

Feby 27th. 1874

3291 The State vs D. M. Egell and John Drey. Theft. — And now on this day comes the District Attorney in behalf of the State, the defendants severally appearing in person and by atty, and announce ready for trial; whereupon came a jury of twelve good and lawful men of Travis county, to-wit: W. T. Davis and eleven others, duly tried, elected and sworn; who heard the response of not guilty, evidence, ar-

gument of counsel and charge of the court, retired for deliberation; whereupon they returned into court the following verdict; to-wit; "We the jury find defendants, D. W. Ezell and John Doey not guilty." "W. F. Davis, foreman." It is thereupon ordered and decreed that said defendants, D. W. Ezell and John Doey go hence fully discharged.

3005 The State vs Christian Hornberger. Indictment for Murder. And now on this day come the parties by atty. the defendant also appearing in person, and announce ready for trial; whereupon came a jury of twelve good and lawful men of Travis county; to-wit: G. W. Hetten, and eleven others, duly tried empanneled and sworn, who having heard the indictment read, the defendants plea of not guilty, evidence, argument of counsel and charge of the court, retired for deliberation; and thereupon returned into court the following verdict to-wit: "We the jury find the defendant not guilty. G. W. Hetten foreman". It is therefore ordered and decreed that the said defendant. Christian Hornberger, go hence fully acquitted and discharged.

3160 The State vs Daniel Bailey.— And now on this day comes the defendant by atty, and excepts to the suffiency of the indictment; whereupon the same by due consideration of the court, after argument of counsel, is overruled.

And court adjourned till to-morrow 9 A. M.

Saturday. Feby 28th, 1874

Court met pursuant to adjournment; present Hon. J. P. Richardson. Judge 27th Judicial District, presiding; whereupon the following proceedings were had; to-wit:

2229 A. B. McGill vs Wade Henry and William Hamilton.— And now on this day come the parties to the above entitled cause by atty, and it appearing to the satisfaction of the court that said parties have agreed to this judgment being rendered, It is ordered, adjudged and decreed that the injunction heretofore (to-wit: on the 29th day of Augast A. D. 1861) be and the same is hereby dissolved. And it further appearing that the following described tracts of land, lying and being in the County of Blanco, State of Texas (but formerly in Travis district, and in Hays and Burnett counties;) and being the East half of Survey No. 408, containing three hundred and twenty acres; the whole of said survey No 408, containing six hundred and forty acres, and patented to P. C. Collins and J. M. Swisher, assignees of C. C. Powell; and being on the Cypress Fork of the Perdenales. And also nine hundred and sixty acres out of survey No. 402 patented to Collins and Swisher assignees of Thomas Manchd; also on the Cypress Fork of the Perdenales; commencing at the Northeast corner of said sur-

February 28th 1874

vey, and running west nineteen hundred varas, and thence South for quantity, including all the improvements on both of said tracts of land, are bound as security for the payment of the sum of fifteen hundred dollars to the said Wade Henry; and also to the payment of the sum of Two Hundred dollars, the attorneys fees of said Wade Henry and also for the costs of this suit. It is further ordered, adjudged and decreed that the said above described tracts of land be sold by the Sheriff of Travis County in the manner and at the same time and place that sales under execution take place in Travis County, to the highest and best bidder for Cash; and that he pay the proceeds, or so much thereof as may be necessary, to pay to the said Wade Henry the said sums of fifteen hundred dollars, and the additional sum of two hundred dollars for his attorneys fees; and, after satisfying all costs accruing to the officers of this court, pay over the balance, if any, to the said C. B. McGill.

And the parties hereto mutually release errors. It is further ordered, adjudged and decreed that said sale as herein ordered be stayed until the first day of January, A. D. 18[illegible] that the defendants recover of the plaintiff all costs in their behalf expended, and go hence without day; and that the officers of this court recover from the parties hereto all their costs; for which execution shall issue

3325 John A. Green and C. A. Horan. Execrs vs F. W. Chandler and A. P. Blocker. — On this day came on to be heard the application of the plaintiffs, praying for an order correcting a mistake in the judgment of this court, rendered in said cause, on the 13th day of June, 1872, in favor of plaintiff against the defendants Chandler and Blocker for the sum of $538 34/100 dollars; and the said defendants F. W. Chandler and A. P. Blocker, being present by atty, and it appearing to the court that said application should be granted. It is thereupon ordered and adjudged that the above described judgment in favor of plaintiffs against defendants — Chandler and Blocker, be and the same is hereby amended so as to read with regard to the matter of interest as follows; to-wit: "said sum of $538 34/100 adjudged to said plaintiffs shall bear interest at the rate of Twelve per cent. per annum, from said June 13th, 1872, until paid.

3457 Chas W. Hill vs Eva Lancaster, et als. — And now on this day came on to be heard the motion of the defendants, Eva Lancaster et als. to discharge the garnishee on his answer, and the same being considered by the court is overruled.

And the motion of Plaintiff to allow garnishee to pay money, admitted to be due in his answer, over to the clerk

Febrary 28th 1874

of this Court; and the prayer in the answer of said garnishee for protection of the Court. coming on to be heard, It is ordered that said garnishee. S. A. Posey. pay over to the Clerk of this Court the amount of money due as admitted, in his said answer, by reason of two notes for two hundred dollars in coin each, payable to Mrs Eva Lancaster at six and twelve (12) months, given in consideration of the Ranger Office; bought of J. Lancaster, deceased; and any money that may become due thereon, to abide the decision of this court. To which ruling of the Court the defendant by atty excepts.

3423 C. R. Johns & Co. vs David Waters, E. A. Waters. Fannie Smith and Wm Smith — Partition. — On this day come the plaintiffs by atty. and their motion to confirm the report of Commissioners and for final decree of Partition; and comes also W. J. Montgomery special atty for the minor Fannie Smith, and the other parties came not;

And thereupon, after hearing the motion and the report of said Commissioners. A. B. McGill. C. W. Presley and J. H. Walker heretofore filed, (having been returned and filed on Nov. 3d 1873) and the Court being fully advised of the contents thereof and of the action of said commissioners; and it appearing to the court that said Partition is just and equal, and in accordance with the decree of Partition, and writ under which said commissioners acted. It is thereupon ordered and decreed that said report be and the same is in all things approved and confirmed; which report is as follows:

C. R. Johns & Co., No 3423 vs David Waters, et als.

To the Hon. J. P. Richardson. Judge of the 27th Judicial District of the State of Texas:

The undersigned, appointed by your Honorable court, at its October Term. 1873, to partition the lands belonging to the estate of E. A. Waters, deceased. between his Heirs and C. R. Johns & Co., locaters of said land. respectfully beg leave to submit this as a report of their acts and doings in the premises.

Valuation

(1) 17. 333. 333 sqr. vrs. or 3070½ acres of land. situated in the counties of Houston and Walker, about 24 miles S. 11° W. of Crockett; patented by virtue of Certificate No 3/94. in the name of Jno. Bryan. August 31st. 1870. and valued at $1.00 per acre " " " $3070. 50

(2) 960 acres of land in Trinity County, situated about 21 miles S. 76° W from the town of Sumpter patented June 12th 1868. by virtue of Bounty warrant No 4/9 issued to John Bryan on September 11th. 1838

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Brought forward
and valued at $1.50 per acre $3070.5
(3) 320 acres of land, situated in Fannin county, on the waters of Bois d'Arc Creek, about 18 miles N. 53° E. from Bonham; Patented on January 4th, 1869 by virtue of donation warrant No 4/13. issued. December 3d 1838 to John Bryan, and val at $2.00 per acre 640.0
(4) 320 acres of land situated in Fannin county, on the waters of Bois d'Arc Creek, about 16 miles N. 52° E from Bonham, patented (No 316. vol 3) by virtue of donation warrant No 4/3, issued on Decemb 3d 1838, to John Bryan and valued, being sold to other parties, who settled thereon as Pre-emptionists at $0.50 per acre 160.0
(5) 57 acres of unlocated balance of certificate No 3/94 issued to John Bryan. and valued at $0.50 per acre 28.5
In all 4727½ acres, valued at $5337.0

Part of C. R. Johns & Co. Location Interest

(1) 320 acres of land situated in Fannin county, on the waters of Bois d'Arc Creek, about 16 miles N. 52° E. from Bonham, Patented (No 316. vol 3) by virtue of donation warrant No 4/3 issued Dec 3d 1838. to John Bryan. valued at $0.50 per acre
(2) 57 acres of unlocated balance of certificate No 3/94 issued to John Bryan and valued at $0.50 per acre $160.0
(3) 96 acres of land, situated in Trinity County, about 21 miles S. 7° W. of the town of Sumpter, Patented June 12th. 1868. by virtue of Bounty Warrant No 1/9. issued to John Bryan. Sept. 11th 1838. valued at $1.50 per acre 28.5
(4) 131⅔ acres of land, being part of 17. 333. 333 sqr. vrs of land lying in Houston and Walker counties — about 24 miles S. 11° W. of Crockett: Patented by virtue of certificate No 3/94 in the name of John Bryan. August 31st. 1870. Beginning at the East corner of a survey in the name of A. Dillard. Thence N. 45° W. 875 varas to a stake. Thence North 45° East 840 vrs a stake the most Northern corner of the original Jno. Bryan survey of 17. 333. 333 squ. vrs. Thence S. 45° E. 1017 vrs a stake Thence S. 45° W 840 varas a stake. Thence N. 45° W 142 varas to the place of beginning. valued at $1.00 per acre 1440.0

In all 1571.6
$1.779.6

Part of Elizabeth A. Waters share. No 1.

1779⅔ acres of land, being part of a survey of — 17. 333. 333 sq. vrs. situated in the counties of Houston and Walker, about 24 miles S. 11° W. from Crockett patented by virtue of certificate No 3/94 in the name of John Bryan, dated August 31st. 1870. Beginning at W. Windham's East corner. Thence N. 45

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W 408 varas to Jordiano Badillas S.E. line. Thence N. 55° E 2020 varas. Thence S 45° E 393 varas to the west corner of W. B. Smith. Thence S. 45° E 1097 vrs. said Smiths South corner. Thence N. 45° E 1097 vrs Smiths East corner Thence N. 45° W. 1097 vars said Smiths north corner. Thence S. 45 W 1097 vrs. Thence N. 45° W. 393 varas to said Badillas S.E. line. Thence N. 55° E 1800 vrs to said Badillas East corner. Thence N. 35° W 1355 varas to W. Dillards South corner. Thence N. 55° E 1206 vrs to the west corner of a 249 84/100 acre survey set apart for Fannie Smith and her father. Thence S. 45° E with the S.W. line of said survey 1097 vrs to its South corner on the N.W. line of P. Dillards survey. Thence S. 45° W 359 vrs — said Dillards west corner. Thence S. 45° E 1300 varas said Dillards South corner. Thence N. 45° E 420 varas, a stake on said Dillards S.E. line. Thence S. 45° E 900 vrs. a stake Thence S. 55° W 3241 vrs to a stake. Thence west 1853 vrs to the N.W. corner of J. Bethea's eastern survey. Thence S — 1293 varas a corner on said Bethea's west line. Thence west 2016 vrs to the S.E. line of W. Windhams survey. — Thence N. 45° E 1624 vrs to the place of beginning, valued at $1.00 per acre $1779.66

Part of David Waters Share No 2

889 84/100 acres, being part of a survey of 17.333.333 sq varas of land situated in the Counties of Houston and Walker, about 24 miles S. 11° W of Crockett, patented by virtue of Certificate No 394, issued in the name of John Bryan, August 31st 1870. Beginning at the S.E. corner of J. Bethea's eastern survey. — Thence South 571 varas to the N.W. line of Jos Ortega Thence with said line S. 55° W 3043 varas to John Coughran's S.E. corner. Thence North 760 vrs to another corner of said Coughran's. Thence N. 45° W 800 vrs to the S.E. line of J. Bethea's western survey. Thence N. 45° E. 1160 varas said Bethea's East corner. Thence N. 45° W 1108 varas said Bethea's North corner. Thence N. 45° E with W. Windham's S.E. line 46 varas to the S.W. corner of E. A. Waters 1779 2/3 acre survey. Thence East with the South line of said survey 2016 vrs to the west line of J. Bethea's Eastern survey. Thence South 707 vrs to said Bethea's S.W. corner. Thence East 903 varas to the place of beginning; valued at $1.00 per acre $889.84

Part of Fannie Smith and her father Wm Smith. share No 3

(1) 320 acres of land, situated in Fannin County, on the waters of Bois d'Arc Creek, about 18 miles N. 53 E from Bonham; Pat on Jany 4th 1869, by virtue of donation warrant, No 413 issued on the 3d December

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1858 to John Bryan, valued @ $2.00 per acre $640.00

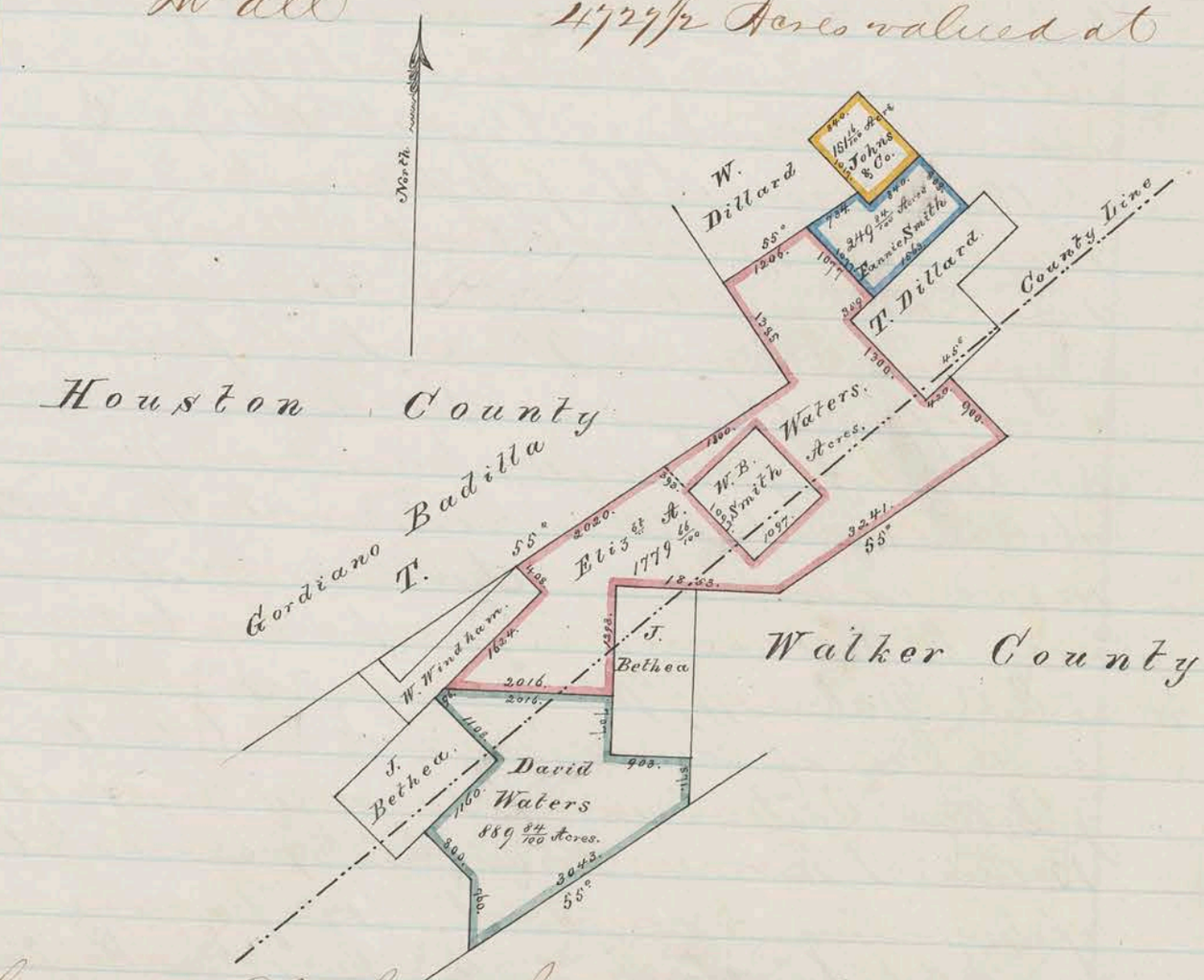
(2) 249 84/100 acres, being part of a survey of 17,333.333 sq. varas of land, situated in the Counties of Houston and Walker about 24 miles S. 11° W of Crockett, patented by virtue of certificate No. 3/74, issued in the name of John Bryan, August 31st, 1870.
Beginning at the East corner of W. Dillard's survey
Thence S. 45 E 142 vrs to the South corner of C. R. Johns & Co., 151 16/100 acres survey. Thence N. 45° E 840 varas to the East corner of said survey. Thence S. 45° E 808 varas a stake in the N. W. line of T. Dillard's Survey. — Thence S. 45° W. 1568 varas a stake. Thence N. 45° W 1077 varas a stake on the S. E. line of W. Dillard. — Thence N. 55° E. 7340 varas to the place of beginning valued at $1.00 per acre

In all. $249.84

$889.84.

Recapitulation

C. R. Johns & Co.	320 acres in Fannin Co. value	$160.00
" " "	37 acres, unlocated balance, value	28.50
" " "	960 acres, in Trinity Co value	1440.00
" " "	151 16/100 acres in Houston Co value	151.16
Elizabeth A. Waters	1779 66/100 acres in Houston and Walker Cos value	1779.66
David Waters	889 84/100 acres in Houston and Walker Cos value	889.84
Fannie Smith and her father Wm Smith	320 acres in Fannin Co value	640.00
	249 84/100 acres in Houston Co. value	249.84
In all	4727 1/2 Acres valued at	$5339.00



(Signed) A. B. McGill, Chas W. Pressler, J. H. Walker, Commissioners

Sworn to and subscribed before me, November 3d 1874

D. R. Morris Clk

By M. S. Dunn, Deputy.

Feburuary 28th 1874.

Estate of E. D. Waters deceased

To Commissioners in Partition

To Chas. W. Pressley. for making out field notes and sketch		$25.00
" " " " Services as Commissioner		15.00
" A. B. McGill " Services as Commissioner		15.00
		$55.00

And thereupon the Court doth further order, adjudge and decree that the said parties do hold, each the part in said partition, to him, her or them assigned, respectively in severalty; and that all right, title, interest and claim in the said lands allotted to the Plaintiffs, C. R. Johns & Co, be and the same is hereby divested out of the said defendants, and vested in the said plaintiffs.

And that all right, title and interest in that part of said lands allotted to the defendant, David Waters, be and the same is divested out of the said Plaintiffs, C. R. Johns & Co., and the defendants Elizabeth A. Waters, Fannie and W. Smith; and the same be and is hereby vested in the said David Waters.

And that all right, title and interest in that part of said lands, allotted to the defendant, Elizabeth A. Waters, be and the same is divested out of the Plaintiffs, C. R. Johns & Co., and the defendants David Waters, and Fannie and Wm. Smith, and that the same be and is hereby vested in said defendant, Elizabeth A. Waters.

And that all right, title and claim in that part of the said lands allotted in said Partition to the said Fannie Smith, and her father Wm. Smith, be and the same is hereby divested out of the Plaintiffs, C. R. Johns & Co, and the defendants, David and Elizabeth A. Waters, and the same be and is hereby vested in the said Fannie Smith, subject to her father's life interest in one-third of.

And It is further, ordered, adjudged and decreed that this decree do pass title in severalty to the respective parties for the lands assigned to each, without further action; and the same stand as a muniment of title to the lands allotted to the parties respectively.

And further ordered that the costs of this suit be adjudged; one-third against C. A. Johns & Co,; one-third against Elizabeth A. Waters; and one-sixth against against David Waters; and one-sixth against Fannie and Wm. Smith: And that an attorney's fee of dollars be allowed said W. J. Montgomery, special guardian of Fannie Smith, to be taxed as costs. It is further ordered that for all costs in this

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behalf expended, execution do issue after Sixty days against the parties not paying costs within said time.

✓ ✓ 3839 Carlotta Peterson, et al vs Gustaf Peterson, et al. — It is hereby ordered, by the consent of all parties, Plaintiffs and defendants, in the above styled and numbered cause, who are here now, by atty or guardian, that the order entered at the present term of this Court, continuing said cause until the next term of this Court, be and the same is hereby vacated, and held for naught.

And now on this day came on to be heard the report of the special Commissioner, August Weilbacher, who at the present term of this Court was authorized and directed, by order duly entered, to make, execute and deliver to Gustaf Peterson and Carlotta Peterson deeds to certain town lots in said order described, on their complying with the requirements therein specified; and further directing said Commissioner to make certain dispositions of the proceeds of said Lots, and make report of what he did by virtue of said order to this Court; which report is in words and figures as follows; to-wit:

Carlotta Peterson. No 3839. vs Gustaf Peterson. Suit Pending in Travis District Court. Feby Term. A.D. 1874.

To the Hon. J.P. Richardson. Judge of said Court:

"I. August Weilbacher, special Commissioner, beg leave to report that, by virtue of the power and authority vested in me by this Court, by order duly entered at its present term. Feby 9th 1874. I have made, executed and delivered to Carlotta Peterson a deed conveying to her all the right, title and interest of the parties. Carlotta Peterson, William Peterson, Albert Peterson, Edward Peterson, Henry Peterson, Gustaf Peterson, Christine Peterson, Johanna Juhlin and Charles A. Juhlin as heirs at law of John and Mary Peterson, dec'd, in and to Lot No 8 in Block No 38, on Pecan street in Austin, Texas, with all the improvements thereon situated; and she has paid me the sum of Three Thousand, one hundred and twenty-five coin dollars, the amount of her bid for said property, as before reported; and I have also made, executed and delivered to Gustaf Peterson a deed conveying to him all the right, title claim and interest of the above named parties as heirs at-law of said deceased John and Mary Peterson, in and to the east half of the Southeast quarter of Block No 41 in Division "E" of the City of Austin, Texas, with all the improvements thereon situated; and he paid me therefor the sum of Seven Hundred and three coin dollars, the amount of his bid for said lot as before reported. Your commissioner thus came in possession of the sum of Thirty-eight Hundred and Twenty-eight coin dollars, the aggregate amount bid for said two

town lots as before reported; and in compliance with said order of court. He has disposed of said money as follows; to wit: To Carlotta Petersen I paid $744 3/100 coin (See voucher "A") To Gustaf Petersen paid I $329 81/100 coin. (See vouchers "B.") To Christine Petersen I paid $329. 81/100 coin. (See vouchers "C.") To Johanna Juhlin I paid $329 81/100 coin. (See vouchers "D.") To Carlotta Petersen, guardian of the persons and estate of the minors Albert and Edward Petersen. I paid $1134. 64/100 coin. (See vouchers "E"); all of which are here to attached. And I have listed on the Inventory of the property of my wards William and Henry Petersen, and charged myself as their guardian with $1859. 62/100 coin; (See said inventory now on file in this court); making the aggregate amount to which I am entitled as a credit balance the $3828 coin. with which I charged myself above. Your commissioner says that he has discharged all the duties imposed upon him by this Hon. court to the best of his skill and ability, and that all the proceeds of the sale of said property have been accounted for by him in the manner required of him by this Hon. Court; wherefore he prays that this report be accepted and confirmed in all things, and that he be honorably discharged from his trust, and be dismissed hence without day. (Signed) August Weilbacher
Speial Commissioner

voucher "A" "Received from August Weilbacher, speial commissioner, the sum of Seven hundred and forty-four 3/100 dollars coin, the same being the amount set apart to me by the court in the purchase money of the lots sold by said Commissioner by decree of the District Court of Travis County, made in the partition case of myself and others against Gustaf Petersen et als, No 3839 for partition of Lots; said amount being my share in said money for my interest in the same as the surviving wife of John Petersen, deceased, for the value of life estate in one of said lots sold, and my community interest in the other, as set forth in the decree of Partition of said money, made at the Feby. Term of said court, 1874. this the 26th day of Feby. 1874 Charlotta Pettersen"

voucher "B" Received from August Weilbacher, speial Commissioner, the sum of five hundred and twenty-nine 81/100 dollars in coin the same being the amount of my share in the purchase money of the lots sold by said Commissioner, by decree of the district court of Travis County, made in the Partition case of Charlotta Petersen et al vs. Gustaf Petersen, et al. No 3839. for partition of lots. Said share was set apart to me as one of the heirs of my deceased father and mother John Petersen and Mary Petersen, as per decree of said court made at its Feby Term 1874, this the 26th day of Feb=

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uary, 1874. (Signed) Gustaf Peterson.

voucher "C" "Received from August Weilbacher, special commissioner, the sum of five hundred and twenty-nine 81/100 dollars in coin; the same being the amount of my share in the purchase money of the lots sold by said Commissioner by decree of the District Court of Travis county, made in the Partition case of Charlotta Peterson et al. vs. Gustaf Peterson, et al. No. 3839. for partition of lots; said share was set apart to me as one of the heirs of my deceased father and mother, John Peterson and Mary Peterson, as per decree of said court, made at its Feby. Term, 1874, this the 26th day of February, 1874.

"(Signed) Mrs. Christina Peterson"

voucher "D" "Received from August Weilbacher, special Commissioner, the sum of five hundred and twenty-nine 81/100 dollars in coin; the same being the amount of the share set apart by the court to Johanna Juhlin, formely Johanna Peterson, in the purchase money of the lots sold by said Commissioner, by decree of the District Court of Travis County, made in the Partition case of Charlotta Peterson et al. vs Gustaf Peterson et al, No. 3839. for Partition of lots. Said share was set apart to the said Johanna Juhlin as one of the heirs of her deceased father and mother, John Peterson and Mary Peterson, as per decree of said Court made at its Feby. Term, 1874 Given under our hands. Feby. 26th. 1874. Johanna Juhlin
Charles Aug. Juhlin"

voucher "E" "Received from August Weilbacher, special Commissioned, the sum of four hundred and thirty four 64/100 dollars in coin; the same being the amount of the share set apart by the court in purchase money of the lots sold by said Commissioner, by decree of the District Court of Travis County, made in the Partition case of Charlotta Peterson et al against Gustaf Peterson, et al No. 3839 for Partition of said lots to Albert Peterson and Edward Peterson minors, as two of the heirs of John Peterson, deceased, their father, as per decree of said Court made at its Feby Term 1874, setting apart to each of said minors $217.32/100: this the 26th day of Feby 1874. Charlotta Peterson, Guardian of the estate of Albert and Edwd Peterson, minors

And the Plaintiff Carlotta Peterson, being now here by attorney, and the minor Plaintiffs, Albert Peterson and Edward Peterson being now here by their mother and legal guardian, Carlotta Peterson; and the minor plaintiffs William Peterson and Henry Peterson being also here by their legal guardian, August Weilbacher, and the defendants, Gustaf Peterson, Christina Peterson and Johanna Juhlin and her husband Charles A. Juhlin, being now here by attorney; and it appearing to the court that the report of said commissioner ought to be confirmed; and all of said parties consenting thereto. It is therefore ordered, adjudged and decreed that said report be and the same is hereby in all things confirmed; and said Commissioner be and he is hereby honorably discharged, with a free and full acquittance

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from every and all the duties incumbent upon him as said Commissioner; and It is further ordered, adjudged and decreed by the Court that the following agreement and statement of the parties Christine Peterson, Johanna Jahlin, Charles A. Jahlin and August Weilbacher, legal guardian of the minor plaintiffs William and Henry Peterson, be and the same is hereby made a part of this decree, and that the same is incorporated herein, and made to have all the force and effect of a legal Judgment upon the parties signing the same; Said agreement and statement is as follows, to wit:

x x x x x x x x x

agreement and Statement of Parties.

State of Texas — Travis County. — Whereas Charlotta Peterson, surviving wife of John Peterson, deceased, did on the 22d day of Feby. 1872, file an inventory as such surviving wife of the community property owned by her and her said deceased husband, at the time of his death; and also a list of the separate property of the said John Peterson, and his first wife, Mary Petetson, deceased, and given bond as required by law; and whereas, the said Charlotta has made out a full and complete account of the disposition made by her of the community property inventoried, and claims collected and rents recovered; and also the disposition made by her of the separate personal property of the said John and Mary Peterson deceased; and the community debts paid by her, and the balance of the money in her hands, was divided according to the law of descent and distribution; Therefore, we the undersigned, heirs of the estate of the said John and Mary Peterson, deceased, approved said account as just and correct, and declared ourselves fully satisfied in the manner in which said Charlotta has managed and conducted said business; and we do hereby acknowledge the receipt in full of our and each of our share of the said balance of the money that was in her hands, and that we have no further claim against her; and whereas, the said Charlotta Peterson has inventoried, in her list of claims, a note executed by Gustaf Peterson to his father, the said John Peterson, deceased, for the sum of Six Hundred Dollars in gold, dated August 5th 1871, due three years after date, with interest at 8 per from date, and a mortgage given to secure the payment of said note on the W ½ of the S. E. Quarter of block No 41 in Division "E" of outlots of the City of Austin; which mortgage is recorded in Travis County in Book "V" pages 144 &c; Therefore, we Christine Peterson and Johanna Jahlin, formerly Johanna Peterson; and her husband, Charles A. Jahlin, state from our knowledge, and from the admission to

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us by the said John Peterson, deceased, that said note above described, was given without any consideration; said Gustaf at the time of the executing and delivery of said note and mortgage was threatened with a law suit for damages; and for the purpose of saving the above described Sot, in case a judgment was obtained against him; but there was no such suit brought; Therefore, we release said Gustaf Peterson from the payment of said note, and that said note and mortgage be and is hereby considered by us as cancelled. And we release the said Charlotta Peterson from any responsibility for having inventoried said note and mortgage. And I, August Weilbacher, guardian of the minors, William Peterson and Henry Peterson, being satisfied, from the statement above made, in regard to said note and mortgage; and also the same statement made to me by the said Charlotta Peterson, I am satisfied that the said Gustaf should be released from the payment of said note, and the said Charlotta exonerated from any liability, on her part, for having inventoried the same; and Whereas, the facts herein stated is a matter connected with the Partition of the estate of the said John Peterson, deceased, now still pending in the District Court of Travis County, they pray that this statement be recorded in the records of said court, with the final report that will be made by the said August Weilbacher, special commissioner, in case No 3839, in said Court. Given under our hands. Feby 26th, 1874

(Signed) Mrs. Christina Peterson. Johanna Jahlin
Charles Aug. Jahlin. August Weilbacher
guardian of minors. Wm and Henry Peterson

I, Charlotta Peterson, for myself and as Guardian of the estates of Albert and Edward Peterson, minors, join the release of Gustaf Peterson from the payment of said note, as no consideration was given for the same, and released from said Mortgage. (Signed) Charlotta Peterson.

It is further ordered that this cause having been finally disposed of, be and the same is hereby dropped from the docket, and that the officers of court have execution for their costs; which is to be taxed as previously directed.

3403. The State vs Ira J. Cox. — Comes now this defendant, by atty, and moves the court that a new trial be granted him; which being considered by the court after argument of counsel, is overruled, to which deft excepts and gives notice in open court of appeal to the Supreme Court.

3641 Julia A. Smith vs L. E. Edwards. And now on this day comes the plaintiff by atty, and moves to dismiss his cause of action against said defendant, on motion for damages, on defendant's payment of costs in this behalf expended; and the

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same being duly considered by the Court is ordered dismissed on defendant's discharge of costs.

2864 The State vs M. J. Matteson,

3137 The State vs M. J. Matteson.

Comes now on this day to be heard, in the two above recited and numbered causes, defendants motion by atty. for a new trial, and the same being duly heard by the Court after argument of counsel, is overruled; to which ruling of the Court the defendant excepts, and gives notice in open court, of an appeal to the Supreme Court.

2864 The State vs M. J. Matteson. — Comes now in this behalf the defendant by atty. and submits his motion in arrest of Judgment; which, after argument of counsel and due consideration of the Court is overruled; to all of which defendant excepts, and gives notice in open court, of an appeal to the Supreme Court.

3467 John and Ann Eliza Holland vs. John H. Conner. Dismissed at Plaintiffs costs. on motion, for which execution may issue.

3871 Ellen C. Cronkite et al vs. C. A. Denny, et. al.. And now on this day comes the Clerk of this court and moves that said plaintiffs be required to give bond and security for the costs of this suit; whereupon it being found that said rule had been complied with, this motion is dismissed

3871 Ellen Cronkite et al vs C. A. Denny, et. al. — This case coming on for trial, and the parties submitting the matters, as well of fact as of law, to the Court, and the matters and things being seen by the Court and fully understood, It is ordered, adjudged and decreed that the partition heretofore made by the parties be and the same is hereby confirmed; that as to the right, title and interest of Ellen Cronkite, Frank W. Cronkite and Sewellen Cronkite in and to the following described lands; to-wit: an interest of 614¼ acres, being part of a tract of one million three hundred and ninety-eight thousand, five hundred and forty-nine square varas of land, patented to Hugh Henderson, 19th June, 1863, by patent No. 196, vol. 17 1st class; valued at $122.85

(2) An interest of one hundred and sixty-four acres in a tract located for H. Henderson, in Ellis county, valued at $164.00. (3) A survey of one labor in Ellis county, patented to Lyman Cronkite, Nov. 20th, 1862, Patent No. 108, vol. 17, first class, valued at $265.00. (4) A tract of 320 acres in Gillespie, patented to John Muchison, assignee of Jos. S. Houston, 10th March 1848; Patent No. 415, vol 3, third class, valued at $80.00. (5) An interest of 492 acres in a survey made for Jos. Lawrence, in Ellis county, valued at $ claim

(6) All the claim, right and title they may have in and to the

a tract of land in Travis county, called the "Garcia Tract" devised to Mrs. Denny nee Cronkrite, by Lymon Cronkrite (7) The S. W. one-quarter of Lymon Cronkrite's head right league on Mustang Creek in Wharton county; (see grant recorded in Book "A". pages 219. 220, record of deeds Wharton County.) be and the same is divested from them the said Ellen, Frank and Sewellen Cronkrite, and the same is hereby vested in Tula Denny, only child and heir of Mrs. (Evaline Caroline) Denny, formerly Cronkrite, but now deceased.

That all the right, title and interest of said Tula Denny, Frank M. Cronkrite and Sewellen Cronkrite in and to the following lands and land claims; to-wit: (1) The Southeast quarter of Lymon Cronkrite's headright league in Wharton county. (2) An interest of 705 acres of land in a tract of 1001½ acres in Ellis county, patented to Moses Sophan. May 28th 1861, patent No. 350. vol 15, fiist class; valued at $705.00 (3) A tract of 320 acres in San Saba county, patented to Carl Fisher, June 25th 1856. Patent No. 1460. Vol. 12, third class; valued at $80.00. (4) An interest of 213 acres in Thomas H. Borden survey in Hill county, valued at $106.50. (5) An interest of 369 acres in John Cronkrite's survey in Kerr county, valued at $10 (6) An interest of 8⅔ acres in Jesse Burleson's survey, Colorado county, valued at $5.00. (7) 320 acre survey in name of Tod Robinson, Polk county, valued at $1.00 (8) 320 John H Robinson claim $1.00. (9) 177 acres int in J. H. Jones Labor Cert $1.00. (10) 743 acre interest in Wm. Leach survey Fort Bend county $20.00. (11) 640 acre interest in Jos. Frazili's survey Fort Bend County, valued at $17.00. (12) 320 acres A. Silsbee's survey Lampasas County, valued at $10.00. (13) 200 acres in Wm. Livingstone's survey, Matagorda County $5.00. (14) 320 acres Geo. S. Pentifost survey $5.00. (15) 100 acre interest, E. A. Whiteman survey $2.00. (16) 320 acre interest Johns Burleson survey. Lampasas county, valued at $5.00 (17) (337) acres A. Silsbee's survey Rusk county $5.00. (18) 320 acres Jackson county, no description $1.00 (19) all other papers and memoranda relating to land $10.00 be divested from them the said Tula Denny, Frank and Sewell Cronkrite, and the same is hereby fully vested in her the said Ellen Cronkrite, her heirs &c, forever.

It is further ordered, adjudged and decreed that all the right, title and interest of Tula Denny, Ellen Cronkrite and Sewellen Cronkrite in and to the following described lands; to-wit: (1) 1476 acres of land in Hill county patented to J H. Shadburn. 15th of August, 1861, Patent No. 326 vol 7. 2d class; valued at $738.00 (2) 113⅓ acres interest a tract of 680 acres in name of S. Kelsey in Ellis County $84.25/100 (3) 132⅔ acre interest in a 791 acre survey in name of S. Kelsey in Limestone county $66.33/100 (4) A 4/2 acre interest in

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295-2 acre survey in name of S. Kelsey in Ellis County. valued at $49.20 (5) An interest of 113⅓ acres in a 680 survey in name of S. Kelsey in Ellis county $11.33/100. (6) An interest of 132⅔ acres in a 796 acre survey in the name of S. Kelsey in Limestone county. valued $9.28. (7) An interest of 213⅓ acres in a survey for Alex. Rugeley in Ellis county $20.00/100 (8) A 320 acre interest in J. C. Wilson's survey Limestone county $5.00/100. (9) The Northeast Quarter of the Lynton Crockrite league on Mustang Creek in Wharton county Be and the same is hereby divested from them the said Tula Denny, Ellen Crockrite and Sewellen Crockrite, and fully vested in him the said Frank M. Crockrite, his heirs &c, forever.

It is further ordered, adjudged and decreed that all the right, title and interest of Tula Denny, Ellen Crockrite and Frank M. Crockrite in and to the following described lands, to-wit: (1st) The Northwest Quarter of Lynton Crockrites headright league of land on Mustang Creek in Wharton county. (2) 320 acres in Ellis county, patented to the heirs of John Haigler, Nov. 19th, 1862; Patent No. 457. vol. 36. third class. valued at $320.00 (3) 320 acres John H. Working survey Ellis county. $320.00. (4) An interest of 492 acres in a 2982 acre survey in Ellis county in name of S. Kilsey, be and the same is hereby divested from them the said Tulla Denny, Ellen and Frank M. Crockrite, and the same be and is hereby fully vested in him the said Sewellen Crockrite his heirs and assigns forever.

And it further appearing to the court that the estate of S. Crockrite, deceased, was indebted to Mrs. E. Denny Executrix, in the sum of $128.00/100; five hundred of which was advanced by C. A. Denny; and to Harry Crockrite in the sum of $1000. besides interest; which last claim is now the property of Sewellen Crockrite, Jun. making an indebtedness of $571.25/100 to each one of the heirs and devisees. And it appearing that Mrs. E. Denny was willing to take, and Ellen Crockrite to give her interest in the house and lot in the town of Lagrange, in full discharge of her portion of the indebtedness of the estate. It is ordered, adjudged and decreed that the right, title and interest of Ellen Crockrite in and to the half of the house and lot in La Grange, be and the same is hereby vested in said C. A. Denny; the other half being the property of Tulla Denny; and said Ellen Crockrite to have no further claim upon Tulla Denny and C. A. Denny, heirs of Mrs. E. Denny, for her interest in the house and lot in Lagrange; but the same is fully discharged and satisfied. And the heirs or legal representatives of Evelina Denny shall have no further claim on the heirs of S. Crockrite for payment of any indebtedness

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to her as executrix or otherwise, said interest in the Sagrange property being decreed to her in full satisfaction thereof.

And it further appearing to the satisfaction of the court that ~~Symon~~ Sewellen Cronkite, Jr. is the owner and holder of the claim for $1000, besides interest, against said estate; and that he is willing to receive $1000 worth of land therefor at valuation and Frank M. Cronkite and Sewellen Cronkite being willing to pay the same out of their portions of their father's headright league in Wharton County; and the same being valued at one dollar per acre. It is ordered, adjudged and decreed that the title to the Western half of the North east Quarter of Symon Cronkite's headright league heretofore vested in Frank M. Cronkite, and the Eastern half of the Northwest Quarter of said league hereinbefore vested in Sewellen Cronkite, be and the same is hereby divested out of them the said Frank and Sewellen Cronkite, Jr. and the same fully vested in said Symon for and his heirs &c., in full satisfaction and discharge of his said debt and interest against the Estate of Symon Cronkite deceased.

It is further ordered and decreed that the costs of this suit be divided equally between the parties C. A. Denny Ellen Cronkite, Frank M. Cronkite and Sewellen Cronkite, for which execution may issue in behalf of the officers of court. And court adjourned till Monday morning 9 A. M.

Monday, March 2d 1874

Court met pursuant to adjournment: present Hon. Jas. P. Richardson, Judge 27th Judicial District. Presiding; whereupon the following proceedings were had; to-wit:

3132 The State vs Dave Egell, John Ivey and Bob Hagee. Dismissed
3133 The State vs Dave Egell, John Ivey and Bob Hagee. — Dismissed
3134 The State vs John Ivey, Dave Egell and Bob Hagee — Dismissed
3139 The State vs M. J. Matteson. — Continued
3141 The State vs John Burleson. — Continued by defendant.
3142 The State vs Cale Sublett. — Continued for Service
3143 The State vs Eli Sharp. — Continued for service.
3144 The State vs Juan Avallos Continued for service
3145 The State vs Manella (Mexwoman) Con. for service.
3146 The State vs Ante. Green. — Continued for Service
3147 The State vs Yrenco Morico. — Continued for service
3153 The State vs Charles Coney and Sevis Brechaini. — Comes now the District Attorney in behalf of the State, and submits his motion to quash service in this behalf as to Sevis Brechiani; — which by the court being duly considered is allowed; whereupon It is ordered that said defendant go hence without day.
3157 The State vs James Fuller. Continued for service
3159 The State vs Thomas Davis. — Continued for Service.
3161 The State vs James O'Brien. — Dismissed

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3163 The State vs Johnson and Jinson. — And now on this day comes the District Attorney in behalf of the State, and the defendants ~~respectively~~ by atty, and waiving a Jury announce ready for trial, and the defendants cited the plea of guilty; whereupon It is ordered and decreed that the State of Texas do have and recover of and from the said defendant; to-wit: Johnson ~~and~~ Jinson the sum of Ten dollars ~~and~~ as a fine and all costs of this prosecution, for which committment may issue.

3164 The State vs Jinson — Dismissed

3167 The State vs. Peterson. — Continued for Service

3173 The State vs J. Wiley Craft. — Continued for service

3175 The State vs Jim Moore. — Come now the parties to this cause by atty, and waiving a Jury, announce ready for trial and the defendant in response to the Indictment enters the plea of guilty; whereupon It is ordered that the State of Texas do have and recover of and from the said defendant, Jim Moore, the sum of Twenty-five dollars as a fine and all costs of this prosecution, for which committment shall issue

3163 The State vs Johnson and Jinson. — And now on this day come the parties to this cause by atty, waive a Jury and announce ready for trial, and the said defendants respectively plead guilty, whereupon It is ordered that the State of Texas do recover of the defendant — Jinson, the sum of Ten dollars as a fine, and — that committment issue for the same and all costs of this prosecution

3176 The State vs Pink Reid. — Continued for service.

3177 The State vs Jim Berry. — Continued for service.

3180 The State vs Farrell and Freeman. — And now on this day comes the District Attorney in behalf of the State, and moves that a fine of $10.00 be entered against C. M. Rome a witness for the state. for non-attendance in this cause; the said Rome being duly called by the Sheriff, and failing to answer, thus wholly making his default; and it appearing to the court that said witness was duly cited by subpoena, It is ordered that the State of Texas recover of said C. M. Rome the sum of $10.00 as a fine, and all costs in this behalf expended, for which committment may issue. and this cause continued by the State.

3181 The State vs Peterson. — Continued for service

3183 The State vs C. A. Swenson. Continued for service.

3184 The State vs. John Ryan. — Continued for service

3185 The State vs James O'Brien. — And now on this day comes the District Attorney in behalf of the State, and the defendant by atty, and announce ready for trial; and the same being had

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on defendants exceptions to the sufficiency of the indictment, premises considered and by the court well understood the same are sustained; whereupon It is ordered that the Indictment in this cause be quashed, and further ordered that said defendant James O'Brien go hence fully discharged.

3187 The State vs Ambrose Steele. Continued for Service.

3188 The State vs Hudson. — Continued for Service

3189 The State vs Hudson, — Continued for service

3192 The State vs Samuel Johnson. — Continued for service.

3220 The State vs C. Lundberg. — Dismissed

3236 The State vs B. Erickson. — Dismissed

3297 The State vs William Wilson. — And now on this day come the parties to this cause by atty, waive a jury and announce ready for trial; and the defendant enters the plea of guilty; It is therefore ordered and decreed that the State of Texas recover of the defendant Wm Wilson the sum of $10. as a fine and all costs of this prosecution, for which committment shall issue.

3336 The State vs Frank Cook. — Come now the parties to this cause by atty, waive a jury and announce ready for trial, and the defendant enters the plea of guilty; whereupon It is ordered that the State of Texas recover of the defendant, F. Cook the sum of $10.00 as a fine and all costs of this prosecution, and that committment issue.

3386 The State vs Ed Cook. — In this cause come the parties by atty, waive a jury and announce ready for trial, and the defendant enter the plea of guilty, whereupon It is ordered that the State of Texas recover of the defendant. Ed. Cook. the sum of Ten dollars as a fine, and all costs of this prosecution, and that committment ifsue.

whereupon Court adjourned till to-morrow 9 A. M.

Tuesday March 3d 1874

Court met at 9 A. M; Present same as on yesterday; whereupon the following proceedings were had; to-wit:

2925 The State vs Frank Cotton. — Dismissed.

3010 The State vs Wm Whittington. — Continued by defendant. And now come H. Seekatz, J. B. Thaxton, A. P. Blocker, Chas. Lucmot, G. W. Rose, Chas Horst, James Horst, R. S. Capeton. Horace Oldham, Jas Roundtree, Jas A. Berry, and acknowledge themselves to owe and be indebted to the State of Texas each in the sum of $100. to be levied upon their goods, chattels, lands tenement and estates; But to be void on condition that they and each of them make their personal appearance at the District Court of Travis County on the first Monday in June 1874, and then remain from day to day and from term to term thereafter to give evidence in behalf of the Plaintiff in the above entitled cause, and that they do not depart the Court without leave.

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3011 The State vs Williams Whittington. — And now on this day comes the District Attorney and submits his motion to quash the recognizance in this case had at the November Term 1873 of this court, for the insufficiency of the sureties thereon; and it appearing to the court, on examination, that said recognizance is insufficient, It is ordered that the same be quashed; and this cause continued by defendant.

And comes now H. Seeligson, J. B. Thaxton, A. P. Blocker, Chas Ducuot, G. W. Rose, Chas Horst, Jas Horst, R. S. Capeton, Horace Oldham, Jas Roundree, Jas A. Berry, and acknowleage themselves severally to owe and be indebted to the State of Texas each in the sum of $100. to be levied upon their goods, chattels, lands, tenements and estates; But to be void upon condition that they severally make their personal appearance at the District Court of Travis County, to be held at the Court house thereof in the city of Austin on the first Monday in June 1874 and there remain from day to day and from term to term thereafter, to give evidence in behalf of the State in the above entitled and numbered cause, and that they do not depart the Court without leave.

3012 The State vs Wm Whittington. — Comes now in this cause the District Attorney in behalf of the State and moves the court to quash the recognizance had in this behalf at the November Term 1873. of this court, by reason of the insufficiency of the sureties thereto; whereupon it is ordered, premises considered and by the court well understood, that the same be quashed; and this cause continued by dfft.

And comes now H. Seeligson, J. B. Thaxton, A. P. Blocker, Chas Ducuot, G. W. Rose, Chas. Horst, Jas Horst, R. S. Capeton, Horace Oldham, Jas Roundtree, Jas A. Berry and acknowledge themselves to severally owe and be indebted to the State of Texas in the sum of $100. to be levied upon their goods, chattles, lands, tenements and estates to be void, however, on condition that they and each of them make his personal appearance at the next term of the District court of Travis county at the Courthouse thereof in the City of Austin on the 1st Monday in June 1874, and there remain from day to day and from term to term to testify in behalf of the State in the above entitled and numbered cause, and that they do not depart the court without leave.

3013 The State vs Wm Whittington. — And now on this day comes the Distrist Atty. in behalf of the State, and moves the court to quash the recognizance had in this cause at a former term of this court, by reason of the insufficiency of the sureties thereto; whereupon it is ordered that the same be quashed; and this cause continued by defendant.

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And now come H. Seekatz. J. B. Thaxton, A. P. Blocker. Chas Dumont, G. W. Rose. Chas Horst, Jas. Horst. R. S. Lapeyton Horace Oldham, Jas. Roundtree. Jas A. Berry. and acknowledge themselves severally to owe and be indebted to the State of Texas in the sum of $100 each, to be levied upon their goods, chattles, lands, tenements and estates; to be void upon condition that they severally make their personal appearance before the District court of Travis county, at the courthouse thereof in the City of Austin on the first Monday in June 1874 and then remain from day to day and from term to term thereafter, to testify in behalf of the State in the above entitled and numbered cause, and that they do not depart the court without leave.

3108 The State vs M. D. Mathes. — Continued by the State

3154 The State vs Lewis. — Continued for service

3160 The State vs Daniel Bailey. — And now on this day comes the District attorney in behalf of the State, the defendant also appearing in person and by atty, and announce ready for trial; whereupon came a jury of twelve good and lawful men of Travis county, to-wit; B. F. Roe and eleven others, who being duly tried, empanelled and sworn, heard the reading of the indictment, plea of not guilty, evidence argument of counsel and charge of the court, retired for consideration; and thereupon returned into court the following verdict, to-wit "We the jury find defendant, not guilty. B. F. Roe, foreman". It is therefore ordered that the said Daniel Bailey go hence fully discharged.

3194 The State vs "beer bottle" Smith. — Come now the parties to this cause by atty, waive a jury and announce ready for trial; thereupon came the defendant by atty and enters the plea of guilty; whereupon it is ordered by the court that the State of Texas recover of and from the said defendant, Smith, the sum of $10. as a fine and all costs of this prosecution; and that committment issue.

3195 The State vs Dave Hart. — Continued for service.

3196 The State vs. Alex Chalmers. — Dismissed

3197 The State vs Bob. Spann. — Continued for service.

3198 The State vs Bob Spann. — Continued for service.

3199 The State vs Billy Rodgers. — Continued for service.

3200 The State vs Billy Rodgers. — Continued for service.

3201 The State vs John Stokes. — Continued for service.

3202 The State vs Craft. — Continued for Service.

3203 The State vs Dan Cragg. — Continued for service.

3204 The State vs Houston. Continued for Service.

3205 The State vs. Jim. Robinson. — Continued for Service

3206 The State vs Houston. — Continued for Service.

3207 The State vs A. E. Eckman. — Continued for Service.

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3208 The State vs Frank Cook. — Dismissed.
3209 The State vs Jim Berry. — Continued for Service.
3211 The State vs Charles Johnson. — Dismissed.
3212 The State vs John Rayley. — Continued for Service.
3213 The State vs Alf. Morris. — Comes now the District Atty in behalf of the State, and the defendant by atty, and waiving a jury announce ready for trial; and the defendant enters the plea of guilty; whereupon It is ordered that the State of Texas do recover of and from the defendant, Alf. Morris, the sum of $10 as a fine and all costs of this prosecution, for which committment shall issue.
3214 The State vs Thomas Bowles. — Come now the parties to this cause by atty, waive a Jury and announce ready for trial; thereupon the defendant enters the plea of guilty; whereupon It is ordered that the State of Texas do recover of and from the defendant, Tom Bowles, the sum of Ten dollars as a fine and all costs of prosecution; and that committment issue.
3216 The State vs Jack Conner. — Continued for Service.
3217 The State vs Lewis Hill. — Continued for Service.
3218 The State vs Aaron Robinson. — Continued for Service.
3219 The State vs Jerry Johnson. — Continued for Service.
3221 The State vs Billy Haynes. — Continued for Service.
3222 The State vs John Evans. — Continued for Service.
3223 The State vs Stewart. — Continued for Service.
3224 The State vs Dan Givens. — Continued for Service.
3226 The State vs Jeff. Mosely. — Continued for Service.
3227 The State vs. Pink Benford. — Continued for Service.
3228 The State vs Bob. Ridley. — Continued for Service
3230 The State vs Washington White. — Continued for Service.
3231 The State vs Pink Reed. Continued for Service
3232 The State vs Tobey. — Continued for Service
3233 The State vs. Charles Fugett. — Come now the parties to this cause, by atty; waive a Jury and announce ready for trial; thereupon the defendant enters the plea of guilty; It is therefore ordered that the State of Texas do have and recover of and from the defendant Chas Fugett, the sum of Twenty five dollars as a fine and all costs of this prosecution, for which committment may issue.
3235 The State vs Toni. — Dismissed.
3237 The State vs Saddestraine. — Continued for Service.
3238 The State vs Gustave Johnson. — Continued for Service.
3239 The State vs L. Johnson. — Dismissed.
3240 The State vs C. M. Ponce. — Continued for Service
3241 The State vs Julio. — Continued for service
3242 The State vs Sansberry. — Comes now in this cause the District Atty for the State, the defendant by atty, waive a jury and announce ready for trial; and the defendant en-

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ters the plea of guilty; whereupon It is ordered that the State of Texas do have and recover of and from the defendant Sansberry the sum of Ten dollars as a fine and all costs of this prosecution, and that committment issue.

3243 The State vs Jo. Franks.— Dismissed.
3245 The State vs Guadelupe Corales.— Continued for Service
3246 The State vs Bicente — Continued for service.
3247 The State vs Wiley Box.— Continued for Service
3248 The State vs Wiley Box.— Continued for Service
3249 The State vs Jno. Baughw.— Dismissed.
3251 The State vs Moses Swisher — Continued for Service
3252 The State vs Alexander Duckett.— Continued for Service
3253 The State vs Jeff. Mosby.— Continued for Service
3254 The State vs Manwell.— Continued for Service
3255 The State vs Hudson.— Continued for Service
3256 The State vs Taylor — Dismissed.
3260 The State vs J. Wiley Croft.— Continued for Service.
3261 The State vs Ike Bell.— Continued for Service.
3262 The State vs L. Peoples.— Continued for Service.
3263 The State vs Danl Sevis Continued for Service.
3264 The State vs Bill Tong.— Continued for Service
3265 The State vs Bill Tong.— Continued for Service.
3266 The State vs. W.H. Trew.— Continued for Service.
3268 The State vs James Farris.— Continued for Service.
3269 The State vs James Farris.— Continued for Service.
3270 The State vs George Walker.— Continued for Service
3271 The State vs Thomas Bowles.— Dismissed
3272 The State vs Bill Thompson.— Continued for Service
3273 The State vs Aaron Robinson.— Continued for Service
3274 The State vs James Moore.— Continued.
3275 The State vs Jacob Smith.— Continued for Service
3276 The State vs Jacob Smith.— Continued for Service
3277 The State vs Washington White.— Continued for Service
3278 The State vs Ike Bell.— Continued for Service
3280 The State vs Sam Miller.— Continued for Service
3281 The State vs John Hughes.— Continued by consent
3282 The State vs John Rutledge Continued for Service
3283 The State vs J. M. Morphis and Fahey.— And now on this day comes J. Mesmer who being duly sworn acknowledges himself to owe and be justly indebted to the State of Texas in the sum of $25.00 to be levied upon his goods, chattels, lands, tenements and estates; to be void on condition that he make his personal appearance before the District Court of Travis County, at the courthouse thereof in the city of Austin, now in session, and there remain from day to day and from term to term thereafter, to give evidence in behalf of the State in the above entitled and numbered cause, and that he depart not the court without leave

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3289 The State vs Gilbert Stewart and Bill Peal. — And now on this day comes the defendant Stewart as Principal and S. N. Stewart and J. T. Plumley as Sureties, and being duly sworn acknowledge themselves to severally owe and be indebted to the State of Texas in the sum of Two Hundred dollars, to be levied upon their goods, chattels, lands, tenements and estates; to be void upon condition that the said defendant, Gilbert Stewart make his personal appearance before the District Court of Travis County at the courthouse thereof in the city of Austin, now in session, and there remain from day to day and from term to term, to answer to an indictment preferred against him by the grand jury of Travis County at the Feby. Term, 1874 of this court with threats with intent to Kill; and that he do not depart the court without leave.

3294 The State vs Robert Mann. — Continued by consent.

3296 The State vs Pink Binford. — Continued for Service.

3299 The State vs Dave Hart. — Continued for Service

3300 The State vs Jerry Stewart. — Continued for Service

3301 The State vs Wiley Jones — Continued for Service

3302 The State vs Ben. Thompson. — Continued for Service

3305 The State vs Baltram. — Continued for Service

3306 The State vs Antonio Martinez. Continued for Service

3307 The State vs Theodore Hall. — Continued for Service

3309 The State vs Geo Stanbel. — Continued for Service

3310 The State vs Carr. — Continued for Service

3311 The State vs Green Little. — Continued for Service

3312 The State vs Fortune. — Continued for Service

3313 The State vs Bailey Continued for Service

3315 The State vs Henry Brown. — Continued for Service

3316 The State vs Harry. — Continued for Service

3317 The State vs James Littlepage. — Dismissed.

3319 The State vs L. H. Cook. — Continued for Service

3320 The State vs L. H. Green. — Continued

3321 The State vs Daniel Wheat. — Continued for Service

3322 The State vs Capt. Thompson. — Continued

3324 The State vs Moody. Dismissed

3325 The State vs August Zeller. Dismissed.

3326 The State vs Ed Randle. — Come now the parties to this cause by atty, waive a jury and announce ready for trial; and the defendant enters the plea of guilty; thereupon It is ordered that the State of Texas do have and recover of and from the defendant, Ed. Randle, the sum of $10 as a fine and all costs of this prosecution, and that committment issue.

3328 The State vs Pass Craft. — Continued for Service

3330 The State vs Ed. Hipp. — Continued.

3331 The State vs Ike Jones. — Continued for Service

3333 The State vs S. P. Eckman. — Continued for Service

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3335 The State vs. Mose Mitchell.— Continued by defendant

3336 The State vs Suciano Navarro.— Continued for Service

3337 The State vs Jino Wheat.— Come now the parties to this cause by atty, waive a Jury, and announce ready for trial; whereupon the defendant enters the plea of guilty; It is therefore ordered that the State of Texas do have and recover of and from the said defendant Jino Wheat the sum of $10 as a fine and all costs of this prosecution, for which committment may issue.

3338 The State vs Charles Cook.— Dismissed.

3339 The State vs James Moore.— Dismissed

3340 The State vs Dick Patterson. Continued for Service

3341 The State vs John Brown.— Continued for Service

3342 The State vs Bob. Roberts.— Continued by consent

3345 The State vs Jace Wilson.— Continued for Service

3347 The State vs James Burditt.— Continued for Service

3348 The State vs Charles Banks Continued for Service

3349 The State vs J. H. Byrns.— Continued by the State.

3350 The State vs Adolph Schultz.— dismissed

3351 The State vs James Farrell.— Continued by the State

3352 The State vs L. H. Cox K.— Continued for Service

3353 The State vs Robert B. Smith— And now on this day come the parties by atty, waive a Jury, and announce ready for trial, whereupon the defendant pleads guilty; It is therefore ordered by the Court that the State of Texas recover of the defendant R.B. Smith the sum of Ten dollars as a fine and costs of this prosecution, for which committment may issue

3354 The State vs Henry Spencer. Continued for Service

3357 The State vs James Sanyford.— Continued for Service

3358 The State vs Reagan — Continued for Service

3362 The State vs Ben Marshall.— And now on this day come the parties by atty, and waiving a Jury announce ready for trial; and the defendant enters the plea of guilty; whereupon It is ordered that the State of Texas recover of the defendant the sum of Ten dollars as a fine, and all costs of this prosecution for which committment shall issue.

3364 The State vs Fred Schlickum.— Dismissed

3367 The State vs McGann— Comes now in this cause the Dist Atty in behalf of the State and submits his motion to quash Service had in this cause for reasons assigned; and the same by the Court being duly considered, It is thereupon ordered that Service in this case be and the same is hereby quashed, and alias capias issue to the Sheriff of Calhoun County; which is accordingly done.

3370 The State vs Jacob Kuechler.— Dismissed

3371 The State vs Peter Jackson — Continued for Service

3372 The State vs Samuel Brown.— Continued for Service

3373 The State vs James Sangford.— Continued for Service

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3374 The State vs Bill Tong. — Continued for Service
3375 The State vs John Smith. Continued for Service
3378 The State vs Peter Cook. — Continued for Service
3380 The State vs Charles Cook. Continued for ~~Service~~ Dismissed.
3381 The State vs Geroge Seesman. Continued by the State.
3382 The State vs Theodore Hall. — Continued for Service
3383 The State vs Geroge Johnson. — Continued for Service
3384 The State vs Clair Goodrich. — Dismissed
3385 The State vs Bud Sawyer. — Continued for Service
3387 The State vs Ambrose Steele. Continued for Service
3388 The State vs Charles Turney. — Comes now the Distrcty atty and submits his motion to quash service had in this cause; and It is ordered that the same be granted and service quashed, and that alias capias issue; which is accordingly done.
3389 The State vs Fred Schmidt. — Dismissed.
3390 The State vs Al. Rust. — Continued for Service
3391 The State vs Chas Peterson. Continued for Service
3392 The State vs "Chico". Continued for Service
3397 The State vs A. Garner. — Continued for Service
3398 The State vs Andrew Coleman. — Continued for Service
3399 The State vs Wm J. Cox. — Continued
3401 The State vs A. S. Lowman. — Continued
3404 The State vs Wm J. Cox. — Continued
3407 The State vs J. Dixon. — Continued for Service
3411 The State vs T. Harvey. — And now on this day come the parties to this cause by atty, and announce ready for trial, whereupon the deft by atty, excepts to the sufficiency of the indictment; and the same being duly considered by the court after argument of counsel are overruled; and cause continued.
3412 The State vs Hauschack. — Continued for Service
3413 The State vs Lewis Allen. — Continued for Service
3414 The State vs Alf. Thurman. — Continued for Service
3415 The State vs Ashton. Continued by the State.
3796 Eugene Bremond vs W. Charles Lewis et als. And now on this day comes the Plaintiff by atty, and on motion it is ordered that said Plaintiff have leave to amend: And this cause continued by agreement.
3806 Wm Thaxton vs Jno. W. Cloud et als. — Comes now the Plaintiff in this cause by atty and submits his motion for dismissal at defendants cost; whereupon It is ordered that the same be dismissed; and defendant paying costs no further order is made.

And court adjourned till to-morrow A. M.

Wednesday March 4th, 1874.

Court met pursuant to adjournment; present same as on yesterday; whereupon the following proceedings were had.

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3151 The State vs Charley Coney.— Comes now the Distrct atty in behalf of the State, the defendant also in person and by attorney, and announce ready for trial; and the defendant excepts to the sufficiency of the indictment which by the court after consideration is overruled to which ruling the dept by atty excepts;— whereupon came a Jury of twelve good and lawful men of Travis County, to-wit: W. T. Davis and eleven others, who being duly tried, empanneled and sworn, heard the indictment, plea of not guilty, evidence, argument of counsel, and charge of the court, retired for consideration; whereupon they returned into court the following verdict; to-wit: "We the Jury find defendant guilty, and assess the fine at Twenty-five dollars ($25.00) W. T. Davis. foreman." It is therefore ordered that the State of Texas do have and recover of and from the defendant Charley Coney the sum of Twenty-five dollars as a fine and all costs of this prosecution, and that committment issue.

3257 The State vs John Rosengreen.— And now on this day come the parties to this cause by atty, the defendant also in person, and announce ready for trial; thereupon the defendant enters the plea of not guilty; then came a jury of twelve good and lawful men of Travis county, to-wit: C. H. Tunney and eleven others; who being duly tried, empanneled and sworn, heard the indictment, plea of not guilty, evidence, argument of counsel and charge of the court retired for deliberation, and thereafter returned into Court the following verdict, to wit: "We the jury find the defendant guilty, and assess the fine at Ten dollars. C. H. Tunney, foreman." whereupon it is ordered that the State of Texas recover of the defendant Jno. Rosengreen, the sum of Ten dollars as a fine and all costs of this prosecution, and that committment issue.

3283 The State vs J. M. Morphis and Fahey.— Dismissed.

3284 The State vs Col. Morphis and Fahey.— And now on this day come the parties to this cause by atty, the defendant also appearing in person, and announce ready for trial; whereupon the defendant excepts to the sufficiency of the indictment, which by the court being duly duly considered, after argument of counsel, It is ordered that the same be sustained and this Indictment stand quashed; To which ruling of the Court the Dist. Atty excepts: And It is further ordered that the defendant Morphis go hence without day.

3308 The State vs Carl Schaefer. And now on this day comes the District Atty in behalf of the State, the defendant also appearing in person and by atty, and announce ready for trial; whereupon came a jury of twelve good and lawful men of Travis county, to-wit: W. T. Davis and eleven others, duly tried, empanneled and sworn, heard the indictment, plea of not guilty, evidence, argument of counsel and charge of the court retired for consideration; and thereafter returned

into court the following verdict, to-wit: "We the Jury find defendant, not guilty." W. T. Davis. foreman." whereupon It is ordered that said defendant, Carl Schaefer, go hence without day.

✓ 3137 The State vs M. J. Matteson. — And now on this day comes the defendant M. J. Matteson as Principal, and George F. Sage and John A. Webb, his sureties, who jointly and severally acknowledge themselves indebted to the State of Texas in the penal sum of Two Hundred dollars, for the payment of which well and truly to be made, they bind each of themselves, their heirs, executors and administrators to be levied of their respective goods, lands, tenements and estates; but to be void on condition that the said defendant, M. J. Matteson, who is charged with the offence of the "fraudulent acquisition of personal property", appear before the District court of Travis County, on the first Monday in June next 1874, there to remain from day to day and from term to term, and not depart without leave of said District Court, in order to abide the judgment of the supreme court of the State of Texas.

3152 The State vs Charles Coney. — Continued by defendant.

✓ 3153 The State vs Charles Coney and Lewis. — Come now in this cause Lewis Brechiani, Martin Cereghiti and Jno. S. Berrera, who severally acknowledge themselves to owe and be indebted to the State of Texas in the sum of $100 dollars each to be levied upon their respective goods, chattels, lands, tenements and estates; to be void on condition that they severally make their personal appearance before the District court of Travis county now in session at the courthouse thereof in the City of Austin, and there remain from day to day and from term to term thereafter, to give evidence in behalf of the State in the above entitled and numbered cause, and that they do not depart the court without leave.

3293 The State vs D. M. Ezell, John Doe and Roe. — And now on this day comes the defendant, D. M. Ezell, as Principal and M. D. Mathes and S. C. Moore as sureties and acknowledge themselves to owe and be justly indebted to the State of Texas, each in the sum of $300; to be levied upon their goods, chattels, lands, tenements and estates, to be void on condition that the said defendant, D. M. Ezell make his personal appearance before the District Court of Travis County, now in session, and there remain from day to day and from term to term thereafter to answer to an indictment found against him by the Grand Jury of said Travis county at the Feby Term 1874 of this court, for the "Theft of a steer; and that he depart not the court without leave."

3323 The State vs H. Klenert. — Continued by defendant.

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3327 The State vs Brady. Continued by State.

3343 The State vs Julius Quast. — Continued by State.

3346 The State vs Henry Sauer. — Come now the parties to this cause by atty, waive a jury and announce ready for trial, and the defendant enters the plea of guilty; It is therefore ordered that the State of Texas recover of and from the defendant H. Sauer the sum of $10 as a fine and all costs of this prosecution for which committment may issue.

3359 The State vs Charles Benkle. — Continued by the State

3363 The State vs Albert — Continued by the State.

3365 The State vs Alf. Gardner. — Continued by defendant.

3366 The State vs F. Reichmann. — Continued by the State

3368 The State vs S. Hanson. And now on this day comes the District Atty in behalf of the State, and the defendant by attorney, and announce ready for trial; and the defendant enters the plea of not guilty; whereupon came a jury of Twelve good and lawful men of Travis county, to-wit: A. Musgrove and eleven others, duly tried, empanneled and sworn, heard the evidence argument of counsel and charge of the court, retiring for deliberation returned into court the following verdict; to-wit: "We the jury find the defendant guilty and assess the fine at Ten dollars; $10.00 A. Musgrove foreman". It is therefore ordered by the court that the defendant, S. Hanson, pay to the State of Texas the sum of Ten dollars as a fine, and to the officers of this court all costs in this behalf incurred, for which committment may issue.

3376 The State vs C. Chrondorf. Come now the parties to this cause by atty and announce ready for trial, and the defendant enters the plea of not guilty; thereupon came a jury of twelve good and lawful men of Travis county, to-wit: D. A. Todd and eleven others, duly tried, empanneled and sworn, heard the evidence, argument of counsel and charge of the court, retired for consideration, returned into court the following verdict: "We the jury find the defendant guilty and assess the fine at Ten dollars. — D. A. Todd, foreman". It is thereupon ordered by the court that the State of Texas recover of and from the defendant the sum of Ten dollars as a fine and all costs of this prosecution, and that committment issue.

3379 The State vs H. Green. — Continued by the State.

3393 The State vs Kirschnick. — Continued by the State.

3394 The State vs W. Bruggerhoff. — Dismissed.

3395 The State vs H. Dau. — Continued by the State.

2869 The State vs M. J. Matteson. — And now on this day comes the defendant M. J. Matteson as Principal, and Geo. F. Gage and John A. Webb, his sureties, who jointly and severally acknowledge themselves indebted to the State of Texas in the

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penal sum of eight hundred dollars, for the payment of which well and truly to be made, they bind each of themselves, their heirs, executors and administrators, to be levied of their respective goods, lands, tenements and estates; but to be void on condition that the said defendant H. J. Matteson, who is charged with the offense of "an aggravated assault and battery upon the person of Alice Calhoun", appear before the District Court of the county of Travis on the first Monday of June next, A.D. 1874; then to remain from day to day, and from term to term and not depart without leave of said District Court, in order to abide the judgment of the Supreme Court of the State of Texas.

3931 Peter Jones v Bell Jones. — And now on this day comes the Plaintiff by atty and announced ready for trial; and it appearing to the court that service has been had by acknowledgment of deft, and he having failed to answer within the time prescribed by law, thus wholly making his default. It is ordered that this cause proceed to trial; thereupon came a jury of Twelve good and lawful men of Travis county, to-wit: Geo. Dye and eleven others, duly tried empannelled and sworn, having heard the petition, evidence, argument of counsel and charge of the court retired for deliberation, and returned into court the following verdict, to-wit: "We the jury find the allegations in the Plaintiff's petition to be true. George Dye, foreman". It is thereupon ordered and adjudged that the bonds of matrimony existing between the Plaintiff Peter Jones and defendant Bell Jones be and the same are hereby dissolved; and that this cause be dismissed at Plaintiff's costs; for which executions may issue.

3925 L. E. Edwards v C. J. R. Edwards. — Comes now the Plff by atty and submits his motion to file a cross bill, which by the Court being duly considered, is allowed.

3934 Chandler Carleton and Robertson vs G. W. Honey. — And now on this day come the Plff by atty, and announce ready for trial; and the defendant came not, but wholly made default, though duly and legally cited by personal service; whereupon came a jury of Twelve good and lawful men of Travis county, to-wit: Wm D. Shepherd and eleven others; duly tried, empaneled and sworn, heard the evidence, argument of counsel and charge of the court retired for consideration and returned into court the following verdict: "We the jury find for the Plff. in the amount sued for, Seven Hundred and Twenty-two dollars and Seventy-five cents ($722.75 cts) currency; Austin, Texas March 4th 74 Wm D. Shepherd, foreman".

It is thereupon ordered and adjudged by the Court that

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the said Plaintiffs, F W. Chandler, Fred Carleton. and Jno. H. Robertson, under their said firm name of Chandler, Carleton and Robertson, do have and recover of and from the defendant, Geo. W. Honey, the sum of Seven Hundred and Twenty-two 75/100 Dollars ($722.75/100) currency, with interest at the rate of eight per centum per annum; and that they have their execution for their said debt, with interest and for all costs in this behalf expended.

3760 Halle & Co. vs James Davidson, et al.— And now on this day came on to be heard the above entitled and numbered cause, upon the writ of Inquiry heretofore awarded; and thereupon came a jury of twelve good and lawful men of Travis county; to-wit Thomas Dieterich and eleven others, duly empanneled and sworn, heard the evidence and charge of the Court, retired for deliberation, and returned into Court the following verdict; to-wit; "Halle & Co. No 3760 vs James Davidson et al. We the jury find for the Plff and assess his damages at the sum of ($557.70/100). Five Hundred and Fifty seven and 70/100 dollars in coin. We further find that the lumber and materials charged for by the Plff in his petition, were used in the erection of buildings and making improvements upon the lots and real estate described in Plff's Petition, and that the Plff has a mechanic's lien thereon to secure the same. Thos Dieterich. foreman". It is thereupon considered by the Court that the said Plff. Thos H. Halle, trading under the name of Halle & Co., do have and recover of the said defendants James Davidson and A.E. Davidson, his wife, the sum of Five Hundred and Fifty-seven 70/100 dollars in coin, together with all costs in this behalf expended. for which execution may issue.

And it further appearing to the court that the aforesaid sum of money is due and owing to the said Plff. for lumber and material furnished by the Plff. to the said defendants, and by them used in the erection of buildings and improvements upon Lots Nos Six (6). Seven (7) eight (8), Nine (9) and Ten (10), in Block No Three (3) in Raymond & White's sub-division of out-lots No fifteen (15) Sixteen (16) and Seventeen (17) of Division "D" of the outlots of the City of Austin, Travis county, State of Texas; and that said Plff has a Mechanics Lien upon said real estate to secure the payment of the said sum of money. It is therefore considered by the court, and it is so ordered, adjudged and decreed that the Mechanics Lien of the Plff. upon the above described lots and real estate be and the same is hereby foreclosed; and it is further ordered that the same be seized and sold by the Sheriff of Travis county as under execution; and that he apply the proceeds thereof to the payment of this judgment; and that he pay over the excess, if any, there

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be, to the said defendants. But if the same shall not sell for sufficient to pay this judgment, then the Plff shall have his execution for the remainder, against James Davidson; but no execution shall issue against the propety of the defendant A.E. Davidson, except the real estate described in this decree, and upon which Plffs said Mechanics Lien is foreclosed. And it further appearing to the court that the said defendants were duly cited by publication as prescribed by law, but have failed to answer and wholly made default, the following is incorporated in this decree as a statement of the facts proven on the trial of this cause. The Plff proved by Thos H. Nalle that the bill of lumber described in "Exhibit A", to the Plff's Petition, amounting to the sum of Five Hundred and Seven 13/100 in coin ($507 13/100) was by him sold and delivered to the said defendants on the 5th and 9th days of October; the 5th and 18th days of November and the 2d day of December, 1872, and that the same is still due with interest, from Jany 1st 1873, and no part of the same has ever been paid. He further testified that the prices charged were just and reasonable; and further that the said lumber and material was used in the erection of buildings and improvements upon Lots Nos 6, 7, 8, 9 and 10 in Block No (3), in Raymond and White's subdivision of out-lots Nos 15, 16, and 17 of Division "D", of the out-lots of the City of Austin.

H.S. Jones testified that he hauled the lumber and material set out in said "Exhibit A", and delivered the same to the defendants upon the lots before described. Plff then read the deed from Raymond White to A.E. Davidson for the afore described lots, as recorded in Book "W" page 421, records of Travis county.

Plff. also read the itemized account attached to his Petition, marked "Exhibit A", and the Sheriff's endorsement thereon as follows: " I certify that I have this 18th day of March 1873, delivered a true, correct and compared copy of this affidavit and account to Mrs James Davidson, the wife of Genl James Davidson; said James Davidson being now absent from the State. Geo. B. Zimpelman, Sheriff Travis county, Texas, by T. J. Pendly, deputy".

Plff then read the affidavit of Thos H. Nalle, dated March, 18th, 1873, attached to said account, fixing the mechanics lien upon said real estate

Plff also read the citation issued, and Sheriff's return thereon showing that the same had been duly served by publication.

3885 A. S. Roberts vs Geo. W. Pierce.— And now on this day came on to be heard the above entitled and numbered cause, upon

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the writ of Inquiry heretofore awarded, and it appearing that defendant has been duly cited by personal service and has wholly made default, and the said Plff by atty announcing ready for trial; thereupon came a jury of Twelve good and lawful men of Travis county; to-wit; C. H. Tumey and eleven others, being duly empanneled and sworn, heard the reading of Plff's Petition, evidence and argument of counsel and the charge of the court, retired for deliberation, and returned into court the following verdict; to-wit: "We the jury find for the Plff ($234.56/100) Two Hundred and Thirty-four dollars and fifty-six cents coin on note and account. C.H. Tumey foreman". Whereupon It is ordered and adjudged by the court that the said Plff. A.S. Roberts do have and recover of and from said defendant, Geo. W. Pierce, the sum of Two Hundred Thirty-four 56/100 dollars in coin principal and interest as the amount of his said debt; with interest at the rate of 8 per centum per annum until paid, together with all costs in this behalf expended, for which execution may issue.

And it is further ordered and adjudged that an order of sale, as under execution, issue to the Sheriff of Travis county directing him to sell the property attached in this behalf to-wit: 47 Tumblers. 2 Looking Glasses. 1 clock. 3 Pictures 15 wine glasses, 11 Beer glasses, $1.50 cy. $3.00 specie. 2 Buckets, 2 Pitchers, 3 Demijohns, 7 Liquor Bottles Part of a box of cigars, 1 Chandalier, 5 chairs; 3 Lamps 1 Stove; 1 table; 1 Small dipping box, 6 towels; 1 Sugar Stand, 2 bar screens, 2 doz Soda bottles, counter, shelving and Partition valued at $150.00; and that he apply the proceeds of sale to the payment of Plffs said debt, and pay the excess, if any there be to defendant; and further ordered that if said attached property shall fail to satisfy Plff's claim that he have execution for the remainder of his said debt and interest

3822 S. A. Mahon vs The H. & T. C. R. R. Co. — And now on this day came on to be heard the above entitled and numbered cause upon the writ of Inquiry heretofore awarded; thereupon came the Plff by atty and announced ready for trial; and the defendant came not but wholly made default; thereupon came a Jury of Twelve good and lawful men of Travis county; to-wit: C. H. Tumey, foreman, and eleven others duly empannelled and sworn, heard the reading of Plff's petition, evidence and charge of the court, retiring for deliberation, returned into court the following verdict: "We the Jury find for the Plff ($64.50) Sixty-four dollars and fifty cents in currency, C. H. Tumey, foreman".

It is thereupon ordered, adjudged and decreed that the defendant, S. A. Mahon, recover of and from the said defendants

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to-wit: The Houston and Texas Central Railway Company, the sum of Sixty-four and 50/100 dollars currency the amount of said Plffs principal debt and interest; with interest at the rate of 8 per centum per annum from the rendition of this Judgment; together with all costs in this behalf expended, for which execution may issue.

2516 The State vs R. C. McSavin. — And now on this day comes R. C. McSavin as Principal and Miss M. S. Moore and Miss Maggie S. Hill as Sureties, who severally acknowledge themselves to owe and be indebted to the State of Texas in the penal sum of Five Hundred dollars, to be levied upon their goods, chattels, lands, tenements and estates; to be void on condition that the said R. C. McSavin, make his personal appearance before the District Court of Travis County at the courthouse thereof in the city of Austin, now in session and there remain from day to day and from term to term thereafter, to answer to an indictment preferred against him by the grand jurors of Travis county at June Term 1872 of this District court on the charge of Forgery, and that he depart not the court without leave.

2572 The State vs R. C. McSavin. — And now on this day comes the defendant R. C. McSavin as Principal and Miss M. S. Moore and Miss Maggie S. Hill as sureties, who severally acknowledge themselves to owe and be indebted to the State of Texas in the penal sum of $500 each, to be levied upon their goods, chattles, lands, tenements and estates, to be void on condition that the said R. C. McSavin, make his personal appearance before ~~the~~ District Court of Travis County, now in session, and there remain from day to day and from term to term thereafter, to answer to an indictment preferred against him by the grand jury of Travis county at the June Term 1872 of this court. For the theft of money from a house, and that he do not depart the court without leave.

3396 The State vs R. C. McSavin and John Meredith. And now on this day comes the defendant R. C. McSavin, as Principal and Miss M. S. Moore and Miss Maggie S. Hill as sureties, and severally acknowledge themselves to owe and be indebted to the State of Texas in the penal sum of $500 to be levied of their respective goods, chattels, lands, tenements and estates, to be void on condition that the said R. C. McSavin make his personal appearance before the District Court of Travis county, to be held at the courthouse thereof in the city of Austin, on the 1st Monday in June, A. D. 1874, there to remain from day to day and from term to term thereafter, to answer to an indictment preferred

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against him by the Grand Jury of Travis county at the Feby Term, 1874 of this court, for the "theft of cotton", and that he depart not the court without leave. and this case continued by the State

And thereupon Court adjourned till to-morrow, 9 A.M.

Thursday March 6th, 1874.

Court met pursuant to adjournment; present same as on yesterday, whereupon the following proceedings were had, to-wit:

Ex-Parte Baldwin S. Moore.— Comes now this party by N. G. Shelley, Esqr. and presents his petition, accompanied by certificate of the Presiding Justice of Travis County Texas certifying as to his legal residence and age, and good reputation for moral character and honorable deportment, praying that he be licensed as an atty and counselor at law in the District and inferior courts of this State, on furnishing satisfactory evidence of legal qualification: whereupon It is ordered that the following gentlemen be appointed a Committee of examination; to-wit: Genl. N. G. Shelley.— Judge D. E. Thomas and Thos E. Sneed, Esqrs and that this examination be had on to-morrow's session of this Court.

whereupon court adjourned till to-morrow 9 a. m.

Friday March 6th, 1874

Court met pursuant to adjournment; present same as yesterday; whereupon the following proceedings were had

3004 The State vs Phil Davis.— And now on this day comes the defendant by atty, and submits his motion for a new trial; and by the court being duly considered, the same is overruled; to which ruling of the court the defendant excepts, and gives notice in open court of an appeal to the Supreme Court.

3682 Daniel A. James vs O. Archer.— Comes now the defendant by atty and submits his motion to re-tax the costs in this case, which by the court being duly considered after statement of counsel and inspection of the papers, It is ordered that the clerk of this court is hereby authorized to re-tax said costs; with special reference to the witness fee account.

3405 The State of Texas vs James Jackson.— And now on this day comes the defendant by atty and submits his motion for a final discharge, and the District atty consenting thereto. It is ordered by the court that the same be sustained, and defendant James Jackson, go hence without day.

3004 The State vs Phil Davis.— Comes now the defendant by atty and submits his motion in arrest of judgment; whereupon premises considered, and by the court well understood, after argument of counsel, It is ordered that the same be overruled to which ruling of the court the deft excepts and gives notice in open court of an appeal to the supreme court.

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3151 The State of Texas vs Charles Covey. In this cause comes the deft. by attorney and submits his motion for a new trial; and the same by the court being duly considered, after argument of counsel, is overruled; whereupon deft. excepts and gives notice, in open court, of an appeal to the Supreme Court.

3905 M. D. Miller vs J. W. Evans and D. M. Wilson. And now on this day come defts by atty, and submit their motion to set aside judgment by default rendered against them at a former ~~term~~ day of this term; and the same by the court being duly considered. It is ordered that said judgment by default be set aside, and said defendants have leave to answer and file the same.

3813 Hoyt, Busick & Co. vs Jno. A. Webb & Bro. — On this day come the defendants by atty, whereupon on motion it is ordered that the clerk of this court be authorized to retax the costs in this case with reference to depositions on file.

3402 The State vs A. J. Dorman. — Comes now the defendant by atty, and on motion It is ordered that he have leave to withdraw his motion for a new trial.

3400 The State vs Jno. Henry. On this day comes the deft. by attorney and submits his motion for a new trial, which by the court being duly considered, after argument of counsel, the same is overruled.

3578 M. A. Taylor vs H. C. Withers. And now on this day comes the deft by atty and moves the court that he be allowed to withdraw his motion in arrest of judgment and for new trial; which by the court being duly considered, the same is allowed.

3405 The State vs James Jackson. Dismissed.

3406 The State vs Wm Powell. — And now on this day comes the defendant in open court, and it appearing that said defendant has been found guilty of the offence charged in the indictment by the jury who tried the case; and said defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him, and offering no sufficient reason; It is ordered and adjudged that the defendant, Wm Powell, is guilty of felony and that he be confined in the Penetentiary at hard labor for the term of three years; and that the defendant be taken by the Sheriff of Travis county, and safely conveyed to the Superintendent of said Penetentiary, there to be confined at hard labor for the term of three years.

3402 The State vs Andrew J. Dorman. — And now on this day comes the defendant in open court, and it appearing that said defendant has been found guilty of the offence charged in the indictment by the jury who tried the case;

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and said defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him, and he offering no sufficient reason. It is ordered and adjudged that the said defendant Andrew S. Donnan, is guilty of felony; and that he be confined at hard labor in the State Penetentiary for the term of two years; and that said defendant be taken by the Sheriff of Travis county and by him safely conveyed to the Superintendent of said Penetentiary, there to be confined at hard labor for the term of Two years.

3400 The State vs Jo. Freeman and John Henry. — Comes now on this day the defendant John Henry, in open court; and it appearing that said defendant has been found guilty of the offense charged in the indictment by the jury trying the case; and said defendant being asked if he had anything to say why Judgment should not be rendered and sentence pronounced against him in accordance with the verdict of said jury, and he offering no sufficient reason, It is ordered and adjudged that the said defendant, John Henry, is guilty of felony; and that he be confined in the State Penetentiary at hard labor for the term of four years; and that said defendant be taken by the Sheriff of Travis county, and by him safely conveyed to the Superintendent of said Penetentiary, there to be confined at hard labor for the term of four years.

3400 The State vs Jo. Freeman and Jno. Henry. — And now on this day came the defendant, Jo. Freeman, in open Court; and it appearing that said defendant has been found guilty of the offense charged in the indictment, by the jury who tried the case; and said defendant being asked if he had anything to say why Judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and he offering no sufficient reason, It is ordered and adjudged by the court that said defendant, Jo. Freeman is guilty of felony, and that he be confined in the State Penetentiary at hard labor for the term of Two years; and that said defendant be taken by the Sheriff of Travis county and by him safely conveyed to the Superintendent of said Penetentiary, there to be confined at hard labor for the term of Two years.

3293 The State of Texas v D. W. Egell and Jno. Doey. And now on this day came the District atty in behalf of the State, the defendants appearing also in person and by atty, and announced ready for trial; whereupon came a jury of Twelve good and lawful men of Travis county, to-wit: S. C. Graberry and eleven others; duly tried, empaneled and sworn; heard the indictment, plea of not guilty, evidence, argument of counsel

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and charge of the court retired for consideration; and thereupon returned into court the following verdict, to-wit: "We the jury find the defendant guilty, and assess their punishment at (2) Two years in the State Penetentiary. S. C. Granberry, foreman." Whereupon it is ordered that said defendants, D. M. Ezell and John Covey be remanded to the county jail there to await judgment & sentence.

3151 The State vs Charles Covey.— And now on this day comes the defendant C. Charles Covey as Principal and Jno. B. Cost and Chas Horst his sureties, who jointly and severally acknowledge themselves indebted to the State of Texas in the penal sum of One Hundred and Thirty dollars, for the payment of which well and truly to be made, they bind each of themselves, their heirs, executors, and administrators, to be levied of their respective goods, lands, tenements and estates; but to be void on condition that the said defendant Charles Covey, who is charged with the offense of "permitting the game of monte to be exhibited, played and dealt in a certain house under his control", appear before the District Court of Travis county, on the first Monday in June next, 1874, and there remain from day to day and from term to term, and not depart without leave of said District Court, in order to abide the judgment of the Supreme Court of the State of Texas.

3077 The State vs Alf Morris.— Dismissed

3000 The State vs John Kingtonia.— And now on this day comes the defendant in open court; and it appearing that the said defendant has been found guilty of the offense charged in the indictment, by the jury who tried the case; and said defendant being asked if he had anything to say why judgment should not be rendered and sentence pronounced against him in accordance with said verdict, and he offering no sufficient reason; It is ordered and adjudged that said defendant John Kingtonia, is guilty of felony; and that he be confined in the State Penetentiary at hard labor for the term of five years; and that said defendant be taken by the Sheriff of Travis County and by him safely conveyed to the Superintendent of said penetentiary; there to be confined at hard labor for the term of five years.

2993 The State vs Jno. McArthur.— And now on this day come the parties by atty, and announce ready for trial; whereupon the District atty, in behalf of the State moves a dismissal as to the allegation of an aggravated assault charged in the indictment; and the same by the court being duly considered the same is allowed; and deft. by atty pleads guilty as to a simple assault, waives a jury, and submits his cause to the consideration of the court; It is thereupon ordered and decreed that the state of Texas have and re-

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cover from said defendant the sum of $1.00 as a fine and all costs of this prosecution, for which committment may issue.

2866 The State vs McGhee and McGhee. — And now on this day come the parties to this cause by atty; whereupon the District atty dismisses as to the charge of an aggravated assault; and thereupon defendants announce ready for trial, and plead guilty of a simple assault, and waive a jury; whereupon It is ordered by the court that the State of Texas do have and recover of said defendants the sum of one dollar as a fine and all costs of this prosecution; for which committment may issue.

1693 Thomas Cassidy's admr. vs R. A. Smith, admr. In this cause came the Plff. by atty. and moved the court, ore tenus, for leave to amend, which by the court being considered, the same is overruled, to which ruling of the court the Plff excepts.

3760 Nalle & Co. vs James Davidson, et. als. — And now on this day come the defendants by atty, and move the court to set aside the judgment by default and order writ of inquiry rendered at a former day of this term, and the same by the court being duly considered. It is ordered that said judgment by default be set aside and vacated, and that defendants have leave to answer and file the same; to which ruling of the court Plff by atty excepts.

3761 Loomis and Christian vs James Davidson, et al. — And now on this day came the parties by atty, and in accordance with agreement on file, the following judgment is entered.

It is ordered, adjudged and decreed by the court that the Plff's. Dimon Lewis and Edward Christian, under their firm name of Loomis and Christian, do have and recover of and from the defendants James Davidson and A. E. Davidson, his wife, the sum of five hundred, eighty-six 77/100 Dollars even ($586 77/100) for their principal debt and interest, together with all costs of suit.

And it being agreed that the judgment on which said is based was for work and materials furnished upon the following described tract of land, situated in the county of Travis and State of Texas, described as follows; to-wit: 1st. Beginning at a stake on the N. bank of Onion Creek, 5 varas below a Pecan 14 inches dia mkd X ditto above 12 in. in dia. marked X 6 varas. Thence N. 33° W 133 Poles to a stake on Williamson creek. Thence up the South side of said creek, with its meanders, to a stake Thence S. 7° West 830 varas to Onion Creek. Thence down said stream with its meanders to the place of beginning less 42 acres taken from said tract, and sold by P. H. Raiford and wife to James H. Raymond. June 26th, 1863,; also 42½ acres adjoining and above the above described

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tract. Beginning at the S. W. corner of Raiford's tract on the bluff above the lower bank of Onion Creek, at the corner of the fence of said Raiford. Thence N. 8° E, 600 varas to the corner of the fence near Williamson Creek. Thence S. 80½° W 160 vrs to a point from which a Passway, 10 varas wide, into a permanent water hole, supplied at this point by a Spring in the bluff of Williamson creek. Thence 654 vards to a stone pile on the bank of Williamson Creek. Thence South 8° West 240 varas to Onion Creek. Thence down Onion Creek, on the bluff, with its meander, to the place of beginning: Both tract having been deeded by C. W. Whitis to A. E. Davidson, wife of James Davidson, by deed dated April 1st, 1872, and recorded in Book "W" page 419, County records of Travis county.

It is therefore ordered, adjudged and decreed by the Court that the mechanics liens of the Plffs upon the aforesaid tract of land, be and the same is hereby foreclosed; and that the Clerk of this Court do issue an order of sale of said land to the Sheriff of Travis county, directing him to sell the same as under execution; and that he apply the proceeds of said sale to the satisfaction of Plffs claim and lien; and the balance, if any there be, turn over to defendants.

And it is further ordered, adjudged and decreed by the court that in the event that in the event said tract of land shall not bring sufficient to pay off and discharge said judgment and costs, that Plffs may have execution against said defendants for whatever balance may be due on this judgment.

✓ ✓ 3846 Archer & Meyer vs Jos. Jones. — Comes now the Plff by atty, whereupon on motion It is ordered that said Plff have leave to amend.

✓ ✓ 3877 The State of Texas vs J. W. Baughman et al. — In this cause It is ordered that the Shff of Whatley county have leave to amend his return.

✓ ✓ 3905 M. D. Miller v Jno. W. Evans and D. M. Wilson. And now on this day come the defts by atty, and move the court to set aside the judgment by default against them rendered at a former day of this term; whereupon It is ordered that said judgment by default be set aside and vacated and that said defendants have leave to make answer and file the same.

Entd on 669

✓ 3947 Sheek & Sneed vs Jas P. Newcomb, E. H. Duick & E. M. Wheelock. And now on this day come the Plffs in their own proper person, and defendants by C. J. Evans their atty; and the defendants having failed to file an answer to Petition of Plffs; and it appearing to the Court that all of said defendants have waived the issuance and service of proces

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and entered their appearance to the petition herein; and by their written waiver consented that this cause may be tried by the court without the intervention of a jury. It is ordered that this cause be now tried, and the allegations in Plff's petition be taken as true. And the Court, after a full hearing hereof, upon evidence adduced, finds that defendants are indebted to Plff's in the sum of two hundred and Seventy Seven and 75/100 dollars; and it further appears that the said defendant Jas. P. Newcomb heretofore entered into an agreement and obligation with his co-defendant, E. H. Quick, by which he the said Newcomb is pledged to hold the said Quick harmless from the payment of this claim;

Whereupon It is ordered, adjudged and decreed that the Plff's David Sheek's and Thomas E. Dreed do have and recover of and from the said defendants Jas P. Newcomb, E. H. Quick and E. W. Wheelock the sum of Two Hundred and Seventy Seven dollars and Seventy-eight cents ($277.78), together with all costs in this behalf expended, for which execution shall issue;

And it is further ordered and decreed that said execution shall be levied upon the property of the said Jas. P. Newcomb before any levy on the property of the said Quick; and further ordered that if said Quick be compelled to pay any part of this judgment and costs, that he have his execution against said defendant Newcomb for full restitution of such payment.

2885 The State vs Virgil Connor. — Continued by defendant.

2933 The State vs Nathaniel Grumbles.

2968 The State vs Tilman Hannibal. — This cause being called for trial the defendant T. Hannibal, failing to appear and answer to the indictment in this case, he and his securities Hal Mason and Addison Smith, being distinctly called at the door of the Court house of Travis county, and the defendant, after a reasonable length of time, still failed to appear; and it appearing to the court that the defendant T. Hannibal, with the said H. Mason and A. Smith, did as his securities, did execute the bail bond on file in this case, substantially as follows: dated 13th Feby 1874, payable unto the State of Texas in the sum of Two Hundred and fifty dollars; conditioned that the said defendant T. Hannibal make his personal appearance at the District Court of said county of Travis on the 1st Monday in October 1873, to answer the indictment preferred against the said defendant T. Hannibal by the grand jurors of Travis county at the June Term A. D. 1873, for an aggravated assault, and there

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remain from day to day and from term to term of said court, and that he do not depart thence without leave of said court, which said bond is forfeited; and it is considered by the court that the State of Texas do have and recover of the said defendant T. Hannibal, Addison Smith and Hal Mason, his securities the said sum of Two Hundred and fifty dollars; and that this judgment will be made final unless good cause be shown at the next term of this court why the said defendant Tillman Hannibal did not appear; and further ordered that citations do issue to the said securities.

2970 The State vs Neill Cain.— And now on this day comes C. Pickett and acknowledges himself to owe and be indebted to the State of Texas in the sum of one Hundred dollars, to be ~~levied~~ on his goods, chattels, lands, tenements and estates, to be void on condition that he make his personal appearance before the District court of Travis county, now in session, and there remain from day to day and from term to term thereafter, to give evidence in behalf of the State in the above entitled and numbered cause, and that he depart not the court without leave.

3068 The State vs Toney Christian.— This cause being called for trial, the defendant Toney Christian failing to appear and answer to the indictment in this case, he and his securities Ed Wilkerson and Alick Lewis, being distinctly called at the door of the Court House of Travis county; and the defendant, after a reasonable length of time, still failed to appear; and it appearing to the court that the defendant, Toney Christian, with the said Ed. Wilkerson and Alick Lewis as his securities did execute the bail bond on file in this case, substantially as follows: Dated 17th day of October, A. D. 1873, payable unto the State of Texas in the sum of One Hundred Dollars, conditioned that the said defendant Toney Christian, make his personal appearance at the District court of said county of Travis then in session, to answer the indictment preferred against the said defendant by the grand jurors of Travis county at the October Term A. D. 1873 for "exhibiting mostly"; and there remain from day to day and from term to term of said court and that he do not depart thence without leave of said court; which said bond is forfeited; and it is considered by the court that the State of Texas do have and recover of the said Toney Christian, and his said securities Ed Wilkerson and Alick Lewis the said sum of One Hundred Dollars; and that this judgment will be made final unless good cause be shown at the next term

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of this court why the said defendant, Toney Christian, did not appear; and further ordered that citations do issue to the said securities.

3104 The State vs Bill Tong.— This cause being called for trial, the defendant Bill Tong, failing to appear and answer to the indictment in this case, he and his securities W. M. Walton and N. B. Mitchell, being distinctly called at the door of the courthouse of Travis county, and the defendant, after a reasonable length of time, still failed to appear; and it appearing to the court that the defendant Bill Tong, with the said W. M. Walton and N. B. Mitchell as his said securities, did execute the bail bond on file in this case, substantially as follows; dated 17th day of October, A. D. 1873, payable unto the State of Texas in the sum of One Hundred dollars; conditioned that the said defendant Bill Tong, make his personal appearance at the District court of said county of Travis then in session, to answer the indictment preferred against the said defendant Bill Tong, by the grand jurors of Travis county at the June Term, A. D. 1873. for exhibiting monte; and there remain from day to day and from term to term of said court, and that he do not depart thence without leave of said court; which said bond is forfeited; and it is considered by the court that the State of Texas do have and recover of the said Bill Tong, and W. M. Walton and N. B. Mitchell as his securities the said sum of One Hundred dollars; and that this judgment will be made final unless good cause be shown at the next term of this court why the said defendant, Bill Tong, did not appear; and further ordered that citations do issue to the said securities.

3138 The State of Texas vs M. J. Matteson.— And now on this day comes the defendant, M. J. Matteson, as Principal and M. L. Mathes and C. D. Millett as securities, and acknowledge themselves to severally owe and be indebted to the State of Texas in the sum of $300. to be levied on their respective goods, lands tenements and estates, but to be void on condition that the said defendant, M. J. Matteson make his personal appearance before the District court of Travis county now in session, and there remain from day to day and from term to term thereafter, to answer to an indictment preferred against him by the grand jurors of Travis county at the Feby Term, 1874 of this court, for the fraudulent acquisition of personal property, and that he depart not the court without leave

3155 The State vs Robert Holman. This cause being called for trial, the defendant R. Holman, failing to appear and an-

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sued to the indictment in this case, he and his securities W.H. Sims and J. McRussell, being distinctly called at the door of the courthouse of Travis county; and the defendant after a reasonable length of time still failed to appear; and it appearing to the court that the defendant, Robert Holman, with the said W.H. Sims and J. McRussell as his securities did execute the bail bond on file in this case substantially as follows; Dated 20th day of February A.D. 1874, payable unto the State of Texas in the sum of One Hundred Dollars; conditioned that the said defendant, Robert Holman, make his personal appearance at the District Court of said county of Travis now in session, to answer the indictment preferred against the said defendant, Robert Holman, by the Grand Jurors of Travis county at the Feby. Term A.D. 1874, for betting at a gaming table commonly called Monte, and there remain from day to day and from term to term of said court, and that he do not depart thence without leave of said court, which said bond is forfeited; and it is considered by the Court that the State of Texas do have and recover of the said defendant R. Holman, and W.H. Sims, his said sureties, the said sum of One Hundred dollars; and that this judgment will be made final unless good cause be shown at the next term of this court why the said defendant Robert Holman did not appear, and further ordered that citations do issue to the said securities.

3182. The State vs S.A. Carlson. This cause being called for trial, the defendant, S.A. Carlson, failing to appear and answer to the indictment in this case, he and his securities, C. Johnson and C.M. Rowe, being distinctly called at the door of the courthouse of Travis county, and the defendant, after a reasonable length of time, still failed to appear; and it appearing to the court that the defendant, S.A. Carlson, with the said C. Johnson, and C.M. Rowe, as his securities did execute the bail bond on file in this case, substantially as follows: dated 18th day of Feby, A.D. 1874, payable unto the State of Texas in the sum of One Hundred dollars, conditioned that the said defendant S.A. Carlson, make his personal appearance at the District Court of said county of Travis, now in session, to answer the indictment preferred against the said defendant, S.A. Carlson, by the grand jurors of Travis county at the Feby Term A.D. 1874, for playing at a game of cards in a public place; and there remain from day to day and from term to term of said court, and that he do not depart

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thence without leave of said court; which said bond is forfeited; and It is considered by the court that the State of Texas do have and recover of the said defendant S. A. Carlson, and C. Johnson and C. M. Ponce as his securities the said sum of One Hundred dollars; and that this judgment will be made final unless good cause be shown at the next term of this court why the said defendant, S. A. Carlson, did not appear; and further ordered that citations do issue to the said securities.

3225 The State vs C. A. Fairbanks. — This cause being called for trial, the defendant C. A. Fairbanks, failing to appear and answer to the indictment in this case, he and his securities M. S. Wright and Frank Kelly, being distinctly called at the door of the Courthouse of Travis County; and the defendant after a reasonable length of time, still failed to appear; and It appearing to the court that the defendant C. A. Fairbanks, with the said M. S. Wright and Frank Kelly, as his securities, did execute the bail bond on file in this case, substantially as follows: Dated 12 day of Feby, A. D. 1874, payable unto the State of Texas in the sum of One Hundred dollars, conditioned that the said defendant C. A. Fairbanks, make his personal appearance at the District Court of said county of Travis now in session, to answer the indictment preferred against the said defendant C. A. Fairbanks, by the grand jurors of Travis County at the Feby Term, A. D. 1874, for exhibiting monte; and there remain from day to day and from term to term of said court, and that he do not depart thence without leave of said court, which said Bond is forfeited; and it is considered by the court that the State of Texas do have and recover of the said C. A. Fairbanks, and of M. S. Wright and Frank Kelly his securities the said sum of one hundred dollars; and that this judgment will be made final unless good cause be shown at the next term of this court, why the said defendant C. A. Fairbanks did not appear; and further ordered that citations do issue to the said securities.

3229 The State vs Charles Reed. — This cause being called for trial the defendant, Charles Reed, failing to appear and answer to the indictment in this case, he and his securities, Mat. Woodlief and W. Wilson, being distinctly called at the door of the Courthouse of Travis county, and the defendant after a reasonable length of time, still failed to appear. And it appearing to the court that the defendant, Charles Reed, with the said Mat Woodlief and W. Wilson as his securities, did execute the bail bond

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on file in this case; substantially as follows; dated 12th day of Feby. A. D. 1874, payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said defendant Charles Reed, make his personal appearance at the District Court of Travis county now in session, to answer the indictment prefered against him by the grand jurors of Travis county at the Feby Term, A. D. 1874. for exhibiting "for the purpose of gaming a certain gaming bank called monte"; and there remain from day to day and from term to term of said court, and that he do not depart thence without leave of said court which said bond is forfeited; and it is considered by the court that the State of Texas do have and recover of the said defendant Charles Reed, and his said sureties Hat Woodlief and W. Wilson, the said sum of One Hundred dollars; and that this judgment will be made final unless good cause be shown at the next term of this court why the said defendant. Chas Reed did not appear; and further ordered that citations do issue to the said sureties.

1 3259 The State vs C. Fahey.— This cause being called for trial, the defendant C. Fahey, failing to appear and answer to the indictment in this case, he and his securities W. A. Crofts, and Richard Mitchell, being distinctly called at the door of the court house of Travis county; and the defendant, after a reasonable length of time, still failed to appear. And it appearing to the court that the defendant C. Fahey, with the said W. A. Crafts and Richard Mitchell, as his Securities, did execute the bail bond on file in this case, substantially as follows; dated 2d day of March, A. D. 1874, payable unto the State of Texas in the sum of One Hundred dollars, for the payment of conditioned that the said defendant C. Fahey, make his personal appearance at the District court of Travis county to answer an indictment prefered against the said defendant C. Fahey by the grand jurors of Travis county at the Feby term A. D. 1874. for playing at a game with cards in a public place; and there remain from day to day and from term to term of said court, and that he do not depart thence without leave of said court; which said bond is forfeited, and it is considered by the court that the State of Texas do have and recover of the said C. Fahey and the said W. A. Crofts and Richard Mitchell his securities the said sum of One Hundred dollars; and that this judgment will be made final unless good cause be shown at the next term of this court why the said defendant C. Fahey did not appear; and further or-

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dered that citations do issue to the said securities.

3329 The State vs James Rawles.— This cause being called for trial, the defendant. Jas Rawles, failing to appear and answer to the indictment in this case, he and his surety, Wm Kluge, being distinctly called at the door of the Courthouse of Travis county, and the defendant, after a reasonable length of time, still failed to appear; and it appearing to the court that the defendant, James Rawls, with the said Wm Kluge as his surety, did execute the bail bond on file in this case, substantially as follows: Dated 28th day of Feby, A. D. 1874, payable unto the State of Texas in the sum of One hundred dollars; conditioned that the said defendant, James Rawles make his personal appearance at the District Court of said County of Travis, now in session, to answer the indictment preferred against the said defendant James Rawles, by the Grand Jurors of Travis County at the Feb term, A. D. 1874, for exhibiting monte; and there remain from day to day and from term to term of said court, and that he do not depart thence without leave of said court which said bond is forfeited; and it is considered by the court that the State of Texas do have and recover of the said James Rawles and his said surety Wm Klug the said sum of One hundred dollars; and that this judgment will be made final unless good cause be shown at the next term of this court, why the said defendant James Rawles did not appear; and further ordered that citations do issue to the said securities.

3369 The State vs P. Eckman.— This cause being called for trial, the defendant failing to appear and answer to the indictment in this case, he and his securities, A Swenson and C. L. Joahnson, being distinctly called at the door of the Courthouse of Travis County, and the defendant, after a reasonable length of time, still failed to appear; and it appearing to the Court that the defendant, P. Eckman, with the said A Swenson and C. L. Joahnson, as his securities, did execute the bail bond on file in this case, substantially as follows; dated 20th day of Feby, A. D. 1874 payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said defendant P. Eckman make his personal appearance at the District Court of said county of Travis, now in session, to answer the indictment preferred against the said defendant P. Eckman, by the grand jurors of Travis county at the Feby Term, A. D. 1874, for playing at a game with cards in a public place; and there remain from day to day and from term to term of said court, and that he do not depart thence

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without leave of said Court; which said bond is forfeited and it is considered by the court that the State of Texas do have and recover of the said P. Eckman, and his said sureties L. L. Jodhisen and A. Swenson, the said sum of One hundred dollars; and that this judgment will be made final unless good cause be shown at the next term of this court why the said defendant P. Eckman, did not appear; and further ordered that citations do issue to the said securities.

3337 The State vs John Cooke. This cause being called for trial the defendant John Cooke failing to appear and answer to the indictment in this case, he and his security Raphal Mauthe being distinctly called at the door of the Courthouse of Travis County, and the defendant, after a reasonable length of time, still failed to appear and it appearing to the Court that the defendant John Cooke, with the said Raphal Mauthe as his surety did execute the bail bond on file in this case, substantially as follows to-wit: dated 20th day of Feby A. D. 1874, payable unto the State of Texas in the sum of One hundred dollars, conditioned that the said defendant Jno. Cooke make his personal appearance at the District Court of said county of Travis now in session, to answer the indictment preferred against the said defendant Jno. Cooke, by the grand jurors of Travis county at the Feby Term A. D. 1874, for betting at Monte; and there remain from day to day and from term to term of said court, and that he do not depart thence without leave of said court; which said bond is forfeited; and it is considered by the court that the State of Texas do have and recover of the said Jno Cooke, and his said surety Raphal Mauthe said sum of one hundred dollars; and that this judgment will be made final unless good cause be shown at the next term of this Court why the said defendant Jno. Cooke, did not appear; and further ordered that citations do issue to the said securities.

3408 The State vs A. H. Longley.— This cause being called for trial, the defendant A. H. Longley, failing to appear and answer to the indictment in this case, he and his surety, S. E. Edwards, being distinctly called at the door of the Courthouse of Travis county, and the defendant, after a reasonable length of time, still failed to appear; and it appearing to the Court that the defendant A. H. Longley with the said S. E. Edwards as surety, did execute the bail bond on file in this case, substantially as follows; dated 14th day of Feby

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A.D. 1874, payable unto the State of Texas in the sum of one hundred dollars, conditioned that the said defendant A.H. Longley make his personal appearance at the District Court of said county of Travis now in session, to answer the indictment preferred against the said defendant A.H. Longley, by the grand jurors of Travis county at the Feby Term A.D. 1874, for betting at a gaming bank called Monte, and there remain from day to day, and from term to term of said court, and that he do not depart thence without leave of said court which said bond is forfeited; and it is considered by the court that the State of Texas do have and recover of the said defendant A.H. Longley, and his said surety, L.E. Edwards, the said sum of one hundred dollars and that this judgment will be made final unless good cause be shown at the next term of this court why the said defendant A.H. Longley, did not appear; and further ordered that citation do issue to the said securities.

3409 The State vs A.H. Longley. — This cause being called for trial, the defendant A.H. Longley, failing to appear and answer to the indictment in this case, he and his surety, L.E. Edwards, being distinctly called at the door of the Courthouse of Travis county, and the defendant after a reasonable length of time, still failed to appear; and it appearing to the court that the defendant A.H. Longley, with the said L.E. Edwards as his surety, did execute the bail bond on file in this case, substantially as follows; dated 14th day of Feby. A.D. 1874, payable unto the State of Texas in the sum of one hundred dollars conditioned that the said defendant A.H. Longley, make his personal appearance at the District Court of said county of Travis, now in session, to answer the indictment preferred against the said defendant, A.H. Longley, by the grand jurors of Travis county at the Feby Term A.D. 1874, for betting at a gaming bank called monte, and there remain from day to day and from term to term of said court, and that he do not depart thence without leave of said court; which said bond is forfeited; and it is considered by the court that the State of Texas do have and recover of the said A.H. Longley, and his said surety the said sum of one hundred dollars, and that this judgment will be made final, unless good cause be shown at the next term of this court, why the said defendant A.H. Longley, did not appear; and further ordered that citation do issue to the said securities.

13293 The State vs D.W. Egell and John Ivey. — And now on

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this day come the defendants by atty and submit their motion for a new trial; which by the court being duly considered after argument of counsel, the same is overruled; to which ruling of the Court defendants except, and give notice in open court of an appeal to the Supreme Court.

/ / 3902 C. L. Nitschke vs A. Eaves. — And now on this day come the parties by their attorneys and announce ready for trial; and by consent a jury is waived; and thereupon the court having heard the pleadings, evidence and argument of counsel, and having duly considered the same, is of opinion that the law is with the Plff; whereupon it is ordered and adjudged that the said Plff. C. L. Nitschke, is entitled to the office of City Sexton of the City of Austin; that a writ of mandamus do issue placing the said Nitschke in possession of said City Cemetery, and ousting the defendant A. Eaves from the same; that the cause be dismissed, and that the Plaintiff recover of the defendant all his costs, for which execution may issue; to which the defendant excepts, and gives notice in open court of an appeal to the Supreme Court.

Ex Parte. B Trigg. — And now on this day comes Thos E. Sneed. Esq and moves the court to dismiss
X the fine assessed against the District Atty. of this court, at a former day of this term; whereupon it is ordered that said fine be and the same is hereby remitted, and the contempt for which said fine was imposed be and the same is fully purged.

Ex Parte Baldwin S. Moore. — Come now the
B S Moore committee of examination in the matter of the application of B. S. Moore for license as an atty, and report that they find said applicant fully qualified; whereupon it is ordered that the Clk of
X this Court issue to said B. S. Moore a license as an atty and counselor at law in all the District and inferior courts of this State; which is accordingly done.

/ 3293 No 3293. The State of Texas vs D. M. Ezell and John Ivey. And now comes the District Atty and the defendants in person; whereupon it is ordered that said defendants D. M. Ezell and John Ivey are guilty of felony as in the indictment in this behalf is charged, and that they be confined at Hard labor in the State Penetentiary for the term of Two years, in accordance with the verdict of the Jury who tried the case; and because of the notice of appeal it is ordered that sentence be suspend-

ed to await the result of the appeal.

(3002 The State of Texas vs Phil Davis. — And now comes the District Attorney, and the defendant in person; whereupon it is ordered that said defendant Phil Davis is guilty of felony, as in the Indictment in this behalf is charged, and that he be confined at hard labor in the State Penetentiary for the term of Ten years, in accordance with the verdict of the jury who tried the case; and because of the notice of appeal, It is ordered that sentence be suspended to await the result of this appeal.

(3403 The State of Texas vs Wm S. Cox. — And now comes the District Attorney and the defendant in person; whereupon It is ordered that said defendant. Wm. S. Cox is guilty of felony as in the Indictment in this behalf is charged, and that he be confined at hard labor in the State Penetentiary for the term of five years, in accordance with the Verdict of the jury who tried the case; and because of the notice of appeal It is ordered that sentence be suspended to await the result of this appeal

Thereupon It is ordered that certificates for jury service issue to the following named parties for jury service; to-wit:

Grand Jury

1 R.M. Johnson	10 days	(2) Chas Barbee col	10 days	(3) W.B. Smith	10 days
4 E. Raven	10 "	(5) Jas Forney	10 "	6 E.W. Holder	10 "
7 Nathan Douglas col	10 "	8 J.J. Musgrove	10 "	9 Jos. A. Costa	10 "
10 H.M. Metz	10 "	(11) Pleo Bratten col	10 "	12 Wade Henry	10 "
13 S.P. Fowler	10 "	(14) J.E. Washington col	10 "	15 W.A. Storey	8 "
(16) E.D. Walker	10 days				

Petit Jury

1 W.K. Robinson	5 days	(2) Robt Barr	13 days	(3) Dewitt Robinson	3 days
4 B.O. Stanely	5 "	5 J.A. Flack	5 "	6 G.R. Smith	5 "
7 B.F. Marshall	11 "	8 Jno Washington	5 "	9 H. Fisher	5 "
10 H.P. Coleman	5 "	11 Tom Hancock	5 "	12 J.D. Harrison	5 "
13 Nat Moore	5 "	14 Rob. Herndon	5 "	15 L.C. Sock	5 "
16 Jacob Marshall	5 "	(17) C.W. Dixon	4 "	(18) Chas Hubenick	4 "
19 Jno Baur	11 "	(20) E.P. Phillips	11 "	(21) J. Whitehead	11 "
22 H. Gooden	11 "	23 D. Williams	11 "	(24) A.F. Boyce	11 "
25 W Calhoun	11 "	26 T.S. Sanders	5 "	27 Wm Wallace	5 "
28 S. Alexander	5 "	29 J.E. Harber	5 "	(30) Jas Sand	5 "
31 J. Shaw	5 "	(32) G.W. Hatton	5 "	33 H. Gooden	5 "
34 D. Williams	5 "	35 H.P. Coleman	5 "	(36) D. Robinson	5 "
37 L. Blumenthal	5 "	38 J.A. Flack	5 "	39 W Calhoun	5 "
41 R. Barr	5 "	41 J.H. Walker	5 "	(42) H. Fisher	5 "
43 J.D. Harrison	5 "	(44) B.F. Marshall	5 "	45 T. Hancock	5 "
46 F. Wilhelm	5 "	47 C. Adams	5 "	48 A.C. Hart	5 "
49 L.C. Sock	2 "	(50) Geo. Dye	4 "	51 Jno. C Hamilton	5 "
52 W.S. Harris	5 "	53 Geo Dye	5 "	54 Jno. Valentine	5 "
55 T.H. Doran	5 "	D. Robinson	5 "	57 J.E. Harber	5 "

		dys	No		dys	No		dys
58	G. W Hetton	5	59	H. Fisher	5	60	J. W. Killough	5
61	W R Robinson	5	62	Nat Nathews	5	63	S. Alexander	5
64	H. Gooden	5	65	A. Williams	5	66	H. P. Coleman	5
67	J. A. Flack	5	68	B. F. Marshall	5	69	Robt Barr	5
70	F. Hancock	5	71	J. H. Walker	5	72	C. H. Tunney	5
73	Nat Moore	5	74	Robt Herndon	5	75	G. W. Rose	1
76	C. M. Rowe	3	77	J. A. Clements	2	78	R. B. Faulkner	2
79	Al. Finnis	2	80	F. Alderette	2	81	Chs. Ravensthall	2
82	J. B. Thaxton	5	83	R. S. Capeton	5	84	Jas McArthur	5
85	G. W. Hetton	5	86	J. H. Walker	5	87	Robt Herndon	5
88	W. R. Robinson	5	89	S Blumentritt	5	90	Nat Moore	5
91	B F. Marshall	5	92	Geo Dye	5	93	F. Hancock	5
94	W. G. Roundtree	5	95	J. E. Harber	5	96	J. S. Warren	5
97	W. Woodson	5	98	M C. Nuckols	5	99	W. T. Davis	5
100	W. R. Robinson	5	101	D. Robinson	5	102	Jno Valentine	5
103	H. Patterson	5	104	T. H. Doran	5	105	Wm Wagener	5
106	A. Wilkie	5	107	S. Alexander	5	108	H. Fisher	5
109	E. McSehee	1	110	W. T. Davis	4	111	C. H. Tunney	4
112	A Weilbacher	2	113	B F. Rose	5	114	J. A. Flack	5
115	D. A Todd	4	116	Jas Sittlepage	3	117	J. B. Thaxton	2
118	Geo. Dye	4	119	W. G. Roundtree	4	120	W Woodson	4
121	A N Poteet	5	122	C. M. White	4	123	S. C. Granberry	5
124	Al Musgrove	5	125	Jno Robinson	5	126	D. Cayce	5
127	J. Junker	4	128	B F. Marshall	5	129	Wade Smith	4
130	C. Ravensthall	4	131	G. W. Hetton	4	132	Jno Valentine	4
133	Jas Wall	4	134	H. Fisher	4	135	S. Alexander	4
136	S Blumentritt	4	137	W. R Robinson	4	138	Robt Barr	4
139	J. A. Cunningham	(1)	140	S Jones	(1)	(141)	Jo Hallum	1
142	P. Bratton	(1)	143	T. Hill	(3)	(144)	D. Mitchell	1
145	F. Dieterich	(1)	146	H. Green	(1)	147	A. Wilkie	2
148	T. H. Doran	(1)	149	J. Magnan	(1)	150	J. Quast	1
151	R. Holcombe	(1)	152	S Brauner	(1)	153	Geo Sussman	1
154	F. Murphy	(1)	155	W. A Shepherd	(1)	156	H Spaw	1
157	W. Johnes	(1)	158	H. Thompson	(1)	159	H. Kellnot	1

160 Jacob Lesser (1 day) 161. G. W. Adams (1 day) 162 N. Hanson 2 days.
163 C. D. Johnson 2 days

Making a total of Sixteen Hundred and Twenty-eight dollars

Ex Parte Tom Hill. . — It is ordered that Tom Hill petit juror be fined in the sum of one Hundred dollars for contempt of court, and that a writ of scire facias issue to him returnable at the next term of this court to show cause if any he can why this judgment should not be made final.

And thereupon it appearing to the court that the following named persons, to-wit: Lewis Magner, B. M. Odom, and D. M. Bradley, have been legally summoned by the Sheriff of Travis county, to serve as jurors at the present

failed to appear

term of this court, which they have wholly failed to do
It is ordered that they be fined in the sum of Twenty dollars each, as defaulting Jurors, and that writs of scire facias issue to each of said persons returnable to the next term of this court, commanding them to appear and show cause, if any they have, why said fine should not be made final.

And thereupon It is ordered by the Court that the following named persons be allowed the sums set opposite their names for service as baliffs at the present term of this court, payable out of the County treasury of Travis county, upon certificate of the Clerk of this court, to-wit:

Issued	Wm. Thaxton	10	days as Riding Baliff	at $3.00	per day	$ 30.00
Issued	W. Thaxton	20	" " " "	" $2.00	" "	40.00
Issued	R. A. Crozier	20	" " " "	" $3	" "	30.00
Issued	R. A. Crozier	20	" " " "	" $2	" "	40.00
Issued	H. Maddox	10	" " " "	" $3.	" "	30.00
Issued	H. Maddox	20	" " " "	" $2.00		40.00
Issued	Jno. D. Mingham	6	days at $3.00	per day		18.00
Issued	S. C. Cook,	22	" " $2.00	" "		44.00
Issued	C. M. Rowe	4	" " $2.00	" "		8.00
Issued to Maddox	Jno. Robinson	22	" " $2.00	" "		44.00
Issued	A. Musgrove	6	" " $2.00	" "		12.00
	Making the sum of					$336.00

Issued And thereupon It is ordered that Frank Brown, Clk, Issued and Geo B. Zimpelman, Sheriff, be allowed each the sum of One Hundred and Twenty dollars each, for ex-officio Services at the present term of this Court, payable out of the County Treasury of Travis County upon certificate of the Clerk of this Court.

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

J. P. Richardson
Judge 27th Judicial District.

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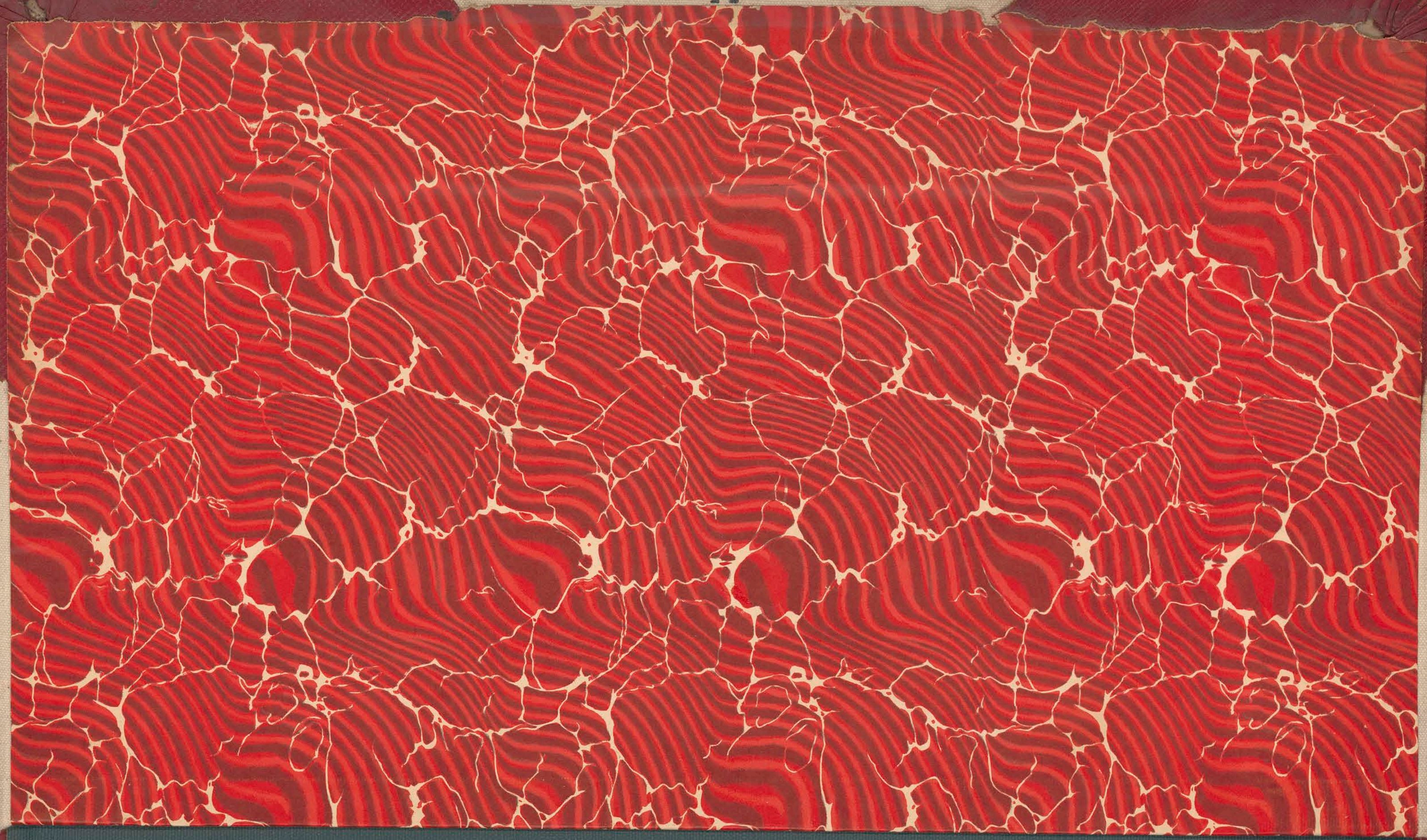

CIVIL MINUTES

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