CIVIL

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Spring Term A.D. 1836

District Court

Civil

Minutes

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1

The State of Texas }
County of Travis }

Be it Remembered, That on this the 1st day of April, A.D. 1856, there was drawn, according to law, in the City of Austin, Travis County, Texas, by Frank A Brown Clerk of the District Court of Travis County, and Ashford B. McGill, Clerk of the County Court of said County, in the presence of John T. Graves, an acting Justice of the Peace of said County and State aforesaid, the following named persons to serve as Jurors at the Spring Term of the District Court thereof, within and for said County and State aforesaid, A.D. 1856, as follows, to wit:—

No.	Names.	No.	Names.
1	Dennis Walsh.	19	George Hancock
2	John Baker	20	R. C. Flanniken
3	Thomas Adams	21	Thomas Wood Ward.
4	S. K. Marshall.	22	Joseph Kornsby
5	Robert Crenshaw	23	W. C. Montgomery
6	Charles F. Compton	24	A. P. Blocker
7	Hugh McBride	25	James Cole.
8	Gustavus Kirchburg	26	Thomas Freeman
9	John Hamilton	27	Jason C. Crocks
10	Nathan Brown	28	John M. Janes.
11	William A. Martin	29	James C. Boulden
12	Thomas H. Jones	30	James M. Turley
13	Saul Miner	31	M. M. McLannin
14	C. C. Browning	32	George W. Davis.
15	George W. Glazscock	33	John Meeks.
16	James M. Parks	34	Thomas P. Rowe.
17	Washington Anderson	35	Harvey Smith.
18	S. H. Goodrich	36	James Manor.

Frank A Bunn, Clerk D.C.D.C.
A.B. McGill C.C.Ck by Peter B. Lowe Dep.. C.C.T.C.
J. T. Graves J.P.

Spring Term, Monday, June 16th A. D. 1856

The State of Texas }
County of Travis } Be it Remembered, that at a Term of the Honorable District Court begun and holden at the Court House thereof in the City of Austin, within and for the county and State aforesaid, on the tenth Monday after the first Monday in April, 1856, it being the 16th day of June, 1856, the same being the time appointed by law for the convening and sitting of the Honorable District Court for the Second Judicial District within and for the county and State aforesaid. Present, the Hon. Thomas H. Duval, Judge of the Second Judicial District and of said Court; Frank Brown, Clerk of said Court, and John T. Price Sheriff of Travis county.

And thereupon the Court being organized, the following proceedings were had, to wit:

The Venire having previously been drawn according to law, and the same being duly issued, executed and returned into Court, the Court ordered the Sheriff to make proclamation of the names of those appearing upon said Venire; And thereupon the Court appointed George Hancock as Foreman of said Grand Jury; and the said Grand Jury having been drawn out of those who were summoned on the regular Venire, their names appear as follows, as the Grand Jury to serve for and during the present term of this Court; as follows, to wit

George Hancock, Foreman; Wm. O. Martin, John Hannerton, George H. Hancock, Gustavus Kirchberg, George R. Davis, James M. Tinley, Jas. Shivers, Marion Brinn, John M. Garet, Thomas C. Rowe, James Mann, C. C. Browning, Charles D. Comstock, John Baker, Dennis Walsh, Abner P. Blocker, John Meeks, Robert C. Hancock and Joseph Hornsby.

And thereupon the Court ordered, that the remainder of those persons whose names appear on the regular Venire, and who are not retained as Grand Jurors, are excused from further service.

And thereupon the said Foreman and the said Grand Jurors were duly sworn according to law as the Grand Jury for the present term of this Court. And thereupon the Court charged the said Grand Jury as to the duties incumbent upon them; and ordered the said Grand Jury to retire under charge of J. M. Blackwell Constable of Austin City Precinct, and ex officio Bailiff to said Grand Jury, upon a discharge of the duties incumbent on them by virtue of their said capacities.

Spring Term, Monday June 11th A.D 1855

874 Francis Kelly vs Joseph Warren } Plaintiff Defendant } Injunction

On motion of the plaintiff it is ordered by the Court that an attachment issue for the Defendant Joseph Warren returnable to-morrow morning to answer for the contempt by committed by him for not obeying the writ of Injunction issued in this cause

Order for parties to amend,

It is ordered by the Court that in all cases now pending on the Docket the parties have leave to amend their pleadings at any time during the first week of this Court, without regard to the character of the amendment subject however to such exceptions as may be taken to the same, and to such terms as the Court may think proper to impose,

94 W. Nesbitt vs John M Costley } Plaintiff Defendant } Assumsit

On motion of the Clerk it is ordered by the Court that the plaintiff in the above entitled cause enter into bond and security for Costs of Suit on or before the first day of the next Term of this Court otherwise the Same will be dismissed at his Costs the attorney of plaintiff being present and notified

259 Edward Grumbles vs W S Oldham } Plaintiff Defendant } Continuance

On Motion and by consent of parties this Cause is continued until the next Term of this Court, by order of the Court,

316 John A Grumbles et al vs Gideon Pace et als } Plaintiffs Defendants } Continuance

By agreement of parties it is ordered by the Court that this cause be continued until the next Term of this Court

Spring Term Monday June 11th A D 1855

383 ✓

Ellison & Sarah Burch vs William R Baker } Plaintiffs & Defendant } Rule for Costs

On motion of the Clerk, it is ordered by the Court that the Plaintiffs in the above entitled Cause enter into bond and Security for Costs of Suit, on or before the first day of the Next Term of this Court, otherwise the same will be dismissed at their Costs. the Attorney of Plaintiffs being present and Notified

407 ✓

Oldham Marshall & Perrill vs Claiborne Arrington } Plaintiffs & Defendant } Continuance

On motion and by consent of parties it is ordered by the Court that this Cause be continued until the next Term of this Court

408 ✓

R M McElvin & Co & Michael Zeller } Plaintiffs & Defendants } Rule for Costs

On motion of the Clerk it is ordered by the Court that the Plaintiffs in the above entitled Cause enter into bond and Security for Costs of Suit on or before the first day of the next Term of this Court otherwise the same will be dismissed at his Costs, the Attorney of plaintiffs being present and Notified

Lacinda Price vs Rufus Getchell } Plaintiff & Defendant } Dismissing Suit

5313/4 ✓

And now come the parties by Attorney and by consent it is ordered by the Court that the above Cause be dismissed at the Cost of Defendant and thereupon it is ordered by the Court that the ~~Plaintiff~~ defendant ~~recover~~ pay his and recover of the ~~defendant~~ Plaintiff all his Cost in this Suit expended for which execution may issue

Robert Hills vs Albert Rust } Plaintiff & Defendant } Rule for Cost

603 ✓

On motion of the Clerk it is ordered by the Court that the Plaintiff in the above entitled Cause enter into bond & Security for Costs of Suit on or before the first day of the Next Term of this Court otherwise the same

Spring Term Monday June 16th 1851

will be dismissed at his Cost, the Attorney of Plaintiff being present and notified

658 John H Shrimpp } Plaintiff } Rule for Costs
Joseph Newsham & Defendant &
On Motion of the Clerk it is ordered by the Court that the Plaintiff in the above entitled Cause enter into bond and Security for Costs of Suit, on or before the first day of the next Term of this Court, otherwise the Same will be dismissed at his Cost, the attorney of the Plaintiff being present and notified

717 J S Bunce & Co } Plaintiffs } Rule for Cost
& G Compton & Defendants &
On motion of the Clerk
It is ordered by the Court that the Plaintiffs in the above entitled cause enter into bond and Security for Cost of Suit on or before the first day of the Next Term of this Court otherwise the Same will be dismissed at their Cost, the attorney of Plaintiffs being present and notified

718 J S Bunce & Co } Plaintiffs } Rule for Cost
& G Compton & Defendant &
On Motion of the Clerk
It is ordered by the Court that the Plaintiffs in the above entitled cause enter into bond and Security for Costs of Suit on or before the first day of the next Term of this Court, otherwise the same will be dismissed at his cost the Attorney of Plaintiff being present & Notified

719 Lewis Rose & wife } Plaintiffs } Rule for Costs
Thomas Collins & Defendant &
On motion of the Clerk
It is ordered by the Court that the plaintiffs in the above entitled Cause enter into bond and Security for Costs of Suit on or before the first day of the next Term of this Court otherwise the Same will be dismissed

Spring Term Monday June 16th 1834

at his Cost the attorney of plaintiffs being present and notified

766	A N Lowery	Plaintiff	Rule for costs
	vs		
	Edward Jinnin and Thomas Cassidy	Defendants	

On motion of the Clerk it is ordered by the Court that the plaintiffs in the above entitled cause enter into bond and security for Costs of Suit on or before the first day of the next Term of this Court, otherwise the same will be dismissed at his Cost, the attorney of the plaintiff being present and notified

770	D Hardaman	Plaintiff	Rule for Costs
	Wm B McGehee et al	Defendant	

On motion of the Clerk it is ordered by the Court that the plaintiffs in the above entitled Cause enter into Bond and Security for Cost of Suit on or before the first day of the Next Term of this Court, or the Same will be dismissed at his Cost the attorney of plaintiff being present and notified.

779	A J Hamilton	Plaintiff	Order to Dismiss
	vs		
	Augustus Fore	Defendant	

And now come the parties by attorneys and by consent it is ordered by the Court that the above Cause be dismissed at Defendants Cost and thereupon it is ordered by the Court that the ~~Plaintiff~~ Defendant go hence and recover of the ~~Defendant~~ Plaintiff all his costs in this behalf expended for which execution may issue

437	Wingfield, Price & Co	Plaintiffs	Rule for Costs
	vs		
	Hugh Nelson	Defendant	

On motion of the clerk It is ordered by the Court that the plaintiffs enter into bond and security for the costs of this suit on or before the first day of the next Term hereof, otherwise the same will be dismissed at their cost, the attorneys of said plffs. being present in Court and notified

Spring Term Monday June 16th A.D. 1856.

438 B.O. Payne & Susan C. Payne } Plaintiffs
Josiah S. Dunn } Defendant } Rule for Costs

And now comes the clerk, and on his motion It is ordered by the Court that the plaintiffs in the above entitled cause enter into bond and Security for Costs of Suit on or before the first day of the next Term of this Court otherwise the Same will be dismissed at his cost. the attorney of plaintiffs being present and notified

737 Chandler & McFarland } Plaintiffs
John D. Grumbles } Defendant } Continuance

It is ordered by the Court that the above cause be continued until the Next Term of this Court,

780. Enos S Look } Plaintiff
J & W W Hall } Defendant } Rule for Costs

And now comes the Clerk and on his Motion, It is ordered by the Court that the plaintiff in the above entitled cause enter into bond and Security for Costs of Suit on or before the first day of the next Term of this Court otherwise the Same will be dismissed at his Cost. the attorney of plaintiff being present and notified

782 Treadway Bro & Co } Plaintiffs
Wm B McGehee etal } Defendants } Rule for costs

And now comes the clerk and on his motion it is ordered by the Court that the plaintiffs in the above entitled cause, enter into bond and Security for Cost of Suit on or before the first day of the next Term of this Court otherwise the Same will be dismissed at his cost, the attorney of plaintiffs being Present and Notified,

785 E M Peart } Plaintiff } Dismissing
Geo L Walton } Defendant }

And now comes the parties to this

Spring Term Monday June 11th A.D. 1855

Cause by attorney and on motion it is ordered by the Court that the above cause be dismissed from the Docket the Costs having been paid

788 ~~John Cook~~ ~~Plaintiff~~
~~John Lanneyetal~~ ~~Defendants~~

815 H C Hamilton } Plaintiff
L C Cunningham et al } Defendants } Winnipiog

And now comes the parties to this cause by attorney and on motion it is ordered by the Court that the above Cause be dismissed at the Cost of the Defendants, and thereupon it is ordered by the Court that the plaintiff go hence and recover of the Defendants L C Cunningham Henry Cyphum A J Hannum & Wesley Blue all fee Cost in this Suit expended for which execution may issue

823 John G Miller & wife } Plaintiffs
Josiah Fisk } Defendant } Rule for Cost

And now comes the Clerk and on his motion it is ordered by the Court that the plaintiffs in the above entitled Cause enter into bond and Security for Costs of Suit on or before the first day of the next Term of this Court, otherwise the Same will be dismissed at his costs, the Attorney of plaintiffs being present and notified

826 Edward B Smith } Plaintiff
Owen O Brien } Defendant } Motion to dissolve

On motion of Defendant it is ordered by the Court that the Injunction heretofore granted in this Cause be dissolved and that this case be dismissed, at the Cost of the plaintiff and thereupon it is ordered and decreed by the Court that the Defendant recover of the plaintiff E B Smith and the Securities on his Injunction bond to wit Edward K Peck & M M Grant all the Cost in this behalf expended for which execution may issue

Spring Term Monday June 16th 1851

831 Joel A Burdett } Plaintiff
Jesse Rowe } Defendant } Guard ad litem

832 Nimes C Burdett } Plaintiff
Jesse Rowe } Defendant } Guard ad litem

833 H N Burdett } Plaintiff
vs
Jesse Rowe } Defendant } Guard ad litem

And now comes the plaintiffs by attorneys in each of the above causes and suggests to the Court that the Defendant Jesse Rowe is a Minor, and moves the court to appoint a Guardian ad litem to represent the interests of the said Minor in each of the above causes, and thereupon it is ordered by the Court, that John B Costa Esq be appointed Guardian ad litem to defend the interests of the minor Defendant in each of the above causes

632 Henry Kench } Plaintiff
vs
S C Blanton } Defendant } Rule for cost

And now comes the clerk and on his motion it is ordered by the Court that the plaintiff in the above entitled cause, enter into bond and security for cost of suit on or before the first day of the next Term of this court otherwise the same will be dismissed at his Cost, the attorney of the plaintiff being present and notified

888 Henry D Edwards } Plaintiff
vs
Lucy Ann Edwards et al } Defendants } Order appointing Guardian

On motion of the plaintiff by his attorney it is ordered by the Court that John B Costa an attorney of this Court be appointed Guardian ad litem to represent the interests of the Minor Defendants Lucy Ann Edwards Leonard Edwards, Sarah Jane and Elizabeth Edwards. in this Cause,

Spring Term Tuesday June 17th 1856

and thereupon it is ordered by the Court that Court adjourn until tomorrow Morning at 8 O Clock

Tuesday Morning June 17th 1856 Court met at 8 O Clock A M pursuant to adjournment whereupon the following proceedings were had by said Court as follows to wit

186 Martin Moore } Plaintiff } Continuance
ppa vs Bohlental & Defendant &
It is ordered by the Court that this cause be continued to await the award of the arbitrators until the next Term of this Court

170 Webb Kidd } Plaintiff } Continuance
M E Hamilton & Defendant &
It is ordered by the Court that this cause be continued until the next Term of this Court

222 Benjamin Grumbles & wife } Plaintiff } Continuance
John L. Grumbles & Defendant &
It is ordered by the Court that this cause be continued until the next Term of this Court

201 Ppa Brown & wife } Plaintiff } Continuance
John Decks Heirs & Defendant &
It is ordered by the Court that this cause be continued until the next Term of this Court,

x Declaration of intention to become a citizen
The State of Texas } Adolph Trautwein being duly
County of Travis } sworn according to Law in the District Court of the County of Travis in and for the State of Texas doth declare that he was born in the year of our Lord 1829 in the Kingdom of

Spring Term Tuesday June 17th 1856

Germany whence he emigrated in the year 1849 to the United States of America and has selected the State of Texas as the place of his intended settlement, and he further declares that it is his bona fide intention to become a citizen of the United States and of the State of Texas and renounce forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly of to the Grand Duke of Baden of whom he is now a Subject

Sworn to and Subscribed in open Court this the 17th day of June A D 1856
Frank Brown Clerk
of said District Court

Adolph Trautwein

1280 City & Davis for use &c } Plaintiffs
v
Calvary Oxsoddy & } Defendants } Motion for Rule

This day come the parties to this cause by their attorneys and agree that the same may be dismissed at the Cost of the Plaintiffs and thereupon it is ordered and decreed by the Court that the Defendants go hence and recover of the Plaintiffs all their costs in this suit expended and that the Clerk of this court certify the Bill of Costs in this cause to the Probate Court of Travis County as an established and adjudicated claim against the Estate of Thomas A Moore dec

315 Nathaniel Amory etal } Plaintiffs } Rule for Costs
v
L C Cunningham etal } Defts

And now on Motion of the Clerk it is ordered by the Court that the Plaintiffs in the above entitled cause enter into bond and security on or before the first day of the next Term of this Court otherwise the Same will be dismissed at his Cost, the attorney of the Plaintiffs being present and notified,

Spring Term Tuesday June 17th A.D. 1834

316	John L. Grambles etal	Plaintiffs		Order
	vs			
	Gideon Faucheal	Defendants		

It is ordered by the Court that this cause be placed at the Foot of the Docket

343	Richard Wells admr	Plaintiff		Continuance
	vs			
	John Webster	Defendants		

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

669	James Lamb	Plaintiff		Motion for Rule
	vs			
	I. H. Mathews	Defendant		

On motion of the Clerk, It is ordered by the Court that the plaintiff enter into bond and security for the costs of this suit on or before the first day of the next term hereof, otherwise the same will be dismissed at his cost the attorney for the said plaintiff being present in open Court and notified

149	Nathaniel Lewis	Plaintiff		Judgment on Sci. Fa.
	vs			
	Edwin Nash	Defendant		

It appearing to the Court that the defendant has been duly served by writ of Scire facias to appear and defend the motion to revive the Judgment heretofore rendered, at a former ~~day~~ term of this Court, and that he has failed to answer to the same, It is therefore ordered adjudged, and decreed by the Court that the plaintiff, Nathaniel Lewis, have and recover of the defendant the amount of the Judgment heretofore rendered as aforesaid, being the sum of Five Hundred and ninety ~~Seven~~ Dollars and all cost of this for which execution may issue

100	C. Poole Executor of	Plaintiff		Judgment on Sci. Fa.
	J. & Poole			
	vs			
	Edwin Nash	Defendant		

It appearing to the Court, that the Defendant has been duly served by writ of Scire facias to appear and ~~recover~~ defend the motion to revive the

Spring Term Tuesday June 17th 1856

Judgment heretofore rendered at a former Term of this Court and that he has failed to answer the same. It is therefore ordered adjudged and decreed by the Court that the Plaintiff C C Poole Executor of C A Poole have and recover of the Defendant Edwin Nash the amount of the judgment heretofore rendered as aforsaid being the Sum of Five Hundred and Twenty three $ 3 Dollars and 100 cts and all costs of this suit for which Execution may issue

George Hancock Plaintiff

1813 W O Martin & Defendant } Order to dismiss

And Now Come the parties to this cause by Attorney, and thereupon on motion it is ordered by the Court that the above cause be dismissed at the cost of the plaintiff, It is therefore ordered adjudged and decreed by the Court that the Defendant W O Martin go hence and recover of the plaintiff George Hancock all his Costs in this Suit expended for which execution may issue

And thereupon it is ordered by the Court that Court now adjourn until tomorrow Morning at 8 O Clock,

Wednesday Morning June 18th Court met pursuant to adjournment present the same as on yesterday, whereupon the following proceedings were had by said Court as follows to wit

James C Stephenson, (admr dbn) Plaintiff

257 v. } Decree

Samuel Craft et al, & Defendants

This day in open Court came John W Brown the administrator of the Estate of Samuel Craft, deceased by his Attorney, and it appearing to the Court that the Decree rendered against the said Samuel Craft one of the Defendants in the above entitled Cause on the 7th day of May A.D. 1853 for the sum of had been satisfied by the said John W Brown acting as administrator as aforsaid

and that a Decree in said cause had been rendered for the Sum of $1459.40 Cts against Wilford Barton another of the Defendants in said cause in favor of Samuel Craft Deceased on the 7th Day of May A D 18 37 It further appearing to the Court that the said John W Brown was administrator as aforsaid and that by an order entered in said cause on the 31st Day of January 1836 he was made a party to the Same and all the rights of the said Samuel Craft Deceasd in said cause were vested in his favor, And it further Appearing to the Court that by an order of the Court rendered in said cause on the Day of February A D 1837 John A Green had Sold a certain tract of Land consisting of 1 Labor a part of the Estate of William Barton Deceased, and of the Dead right of the said William Barton to A B H Gill for the Sum of $5042-30 Cts the terms of said Sale being Set forth in the report made by the said John A Green from which it appears that an installment of the purchase money for the said Land is already due, and it further appearing that by virtue of the Decree of partition rendered in said Cause the said Wilford Barton as one of the heirs of the said William Barton Deceasd was entitled to an interest consisting of one fifth of the said Land

It is therefore ordered adjudged and decreed by the Court that whenever the purchase money for the said Land, or any part thereof shall come into hands of the said John A Green in due course of Law after reserving a sufficient portion of the Same to pay all Costs to which it may be subject that the said John A Green shall pay one fifth of the balance of said purchase Money into the hands of the said John W Brown administrator as aforsaid —

X

Miles Byrne, Ex Parte

And the said Miles J Byrne having filed here in open Court his petition praying to be admitted to become a citizen of the United States, and the Court being satisfied by the oaths of James A Gillespie and James C Brady citizens of the United States, that the said Miles J Byrne

Spring Term Wednesday June 18th 1834

was Known by them for the last five years as residing within the limits and under the jurisdiction of the United States and within one year in the State of Texas, during that time he has behaved as a Man of good moral character, attached to the principles of the constitution of the United States and well disposed to the good order and happiness of the same, and he may also satisfied that the said Miles Byrne made his declaration to become a Citizen of the United States in the ~~District~~ Court of the County of Philadelphia two years previous to the filing his said Petition according to the act of Congress in such cases made and provided. And the said Miles Byrne having in open Court taken the oath prescribed by Law to support the Constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatever and particularly to the Queen of Great Britain of whom he was a late Subject

It is therefore ordered by the Court that the said Miles Byrne be and is hereby admitted a Citizen of the United States, and that the clerk of this Court issue to him a Certificate accordingly

367 John C Hyde } Plaintiff
Francis Kelly } Defendant } Judgment

And now on this day come the parties to this cause by Attorney and are ready for trial and thereupon came a jury of twelve good and lawful men of Travis County to wit A M. McBride and Eleven others who being duly elected tried empannelled and sworn heard the evidence adduced by the parties, and the argument of the counsel and being charged by the court retired to consider their verdict and thereupon the said Jury returned into Court the following verdict to wit. "We the Jury find for the Defendant." "A. M. McBride Foreman"

Therefore it is ordered adjudged and decreed by the Court,

Spring Term Wednesday June 18th 1851

that the plaintiff take nothing by his said action. that the defendant go hence and recover of the plaintiff all his costs in this cause expended; and that the clerk of this Court certify a correct copy of the bill of costs in this cause to the Probate Court of Travis county as a liquidated and established claim against the estate of John C. Hyde, deceased

437

Wingfield Price & Co } Plaintiffs
v. } Judgment
Hugh Nelson } Defendants

In this case appeared the plaintiffs and defendant by their attorneys and the defendant submitted to the Court his demurrer to the plaintiffs amended petition, the same being fully considered by the Court it is ordered adjudged and decreed by the court that Defendants Demurrer be and the same is 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 A M Bride foreman and who being duly tried empannelled and sworn according to law after hearing the evidence introduced by the plaintiffs and defendants, the argument of the Counsel, charges of the Court, retired to consider of their verdict and returned into Court the following verdict to wit "We the jury find for the plaintiffs the Sum of $818 00/100 Debt and Interest A M Bride foreman"

It is therefore ordered adjudged and decreed by the Court that the plaintiffs, George Wingfield and James A Price under the firm name and Style of Wingfield Price & Co do have and recover of and from the defendant Hugh Nelson the sum of Eight Hundred and Eighteen Dollars for his principal debt and interest up to this date with interest thereon at the rate of Eight per Cent per annum from this date until paid, together with all costs of this suit in this behalf laid out and expended, for which execution may issue

It is further ordered adjudged and decreed by the Court that the lien in favor of the plaintiffs upon the title bonds executed by Mexican Agent to the Defendant Hugh Nelson dated the 12th day of May 1841 and assigned by the Defendant to the plaintiffs on the 31st day of May 1851 for Two Thousand Two Hundred and twelve acres of Land it being a part of the three

Spring Term Wednesday June 18th 1856

League tract of Land fronting on the East side of the Brazos River at the mouth of Thoo cana Creek formerly in Robertson County, that said Lein be and the same is hereby foreclosed so far as the interest of the Defendant Hugh Nelson is concerned and the Sheriff of Travis County is hereby authorized and required to levy upon and sell the aforesaid title bond or writing obligatory as required by the Statute in such cases made and provided and convey the same to the purchaser and appropriate the proceeds thereof to the payment of this Judgment

94 H S Russett vs Jno M Costley } Plaintiff / Defendant } Judgt on award

On this day came the parties to this cause by their attorneys and also the arbitrators C S West and E L Peck, and the said parties filed their agreement to substitute the award, this day filed in Court, to the one previously filed and lost, and thereupon it is ordered by the Court that the said award be made the judgment of this Court, and that the plaintiff Russell S Russett have and recover of the defendant John M Costley the sum of One Hundred & thirty Dollars and all his cost for which execution may issue

Aug. 19. 1856 This Judgment satisfied in full including Jury fee and interest to date. H. Brown, Clk

E & S Burch vs William R Baker } Plaintiffs / Defendant } Rule for Costs

No 383

On motion

Texas Emigration Company vs Stephen Crosby Comm. } Plaintiffs / Defendant

No 401

On motion of the Clerk it is ordered by the Court that the plaintiffs in the above entitled causes enter into bond and security for Costs of Suit on or before the first day of the next Term of this Court otherwise the same will be dismissed at their respective costs, the plaintiffs attys. in

Spring Term Wednesday June 18th 1856

each being present and Notified

R D McAnilly (Plaintiff
413 v Simon Purdon & Defendant } Continuance

W C & Susan C Payne (Plaintiff
438 v Josiah G Dunn & Defendants } Continuance

It is ordered by the Court that each of the above cases be continued until the next Term of this Court,

And thereupon it is ordered by the Court that Court now adjourn until tomorrow morning at 8 O Clock

Thursday morning June 19th 1856 Court met at 8 o'clock A M pursuant to adjournment, present the same as on yesterday, whereupon the following proceedings were had by said Court as follows to wit

Declaration of intention to become a Citizen

The State of Texas } Henry Pfleger being duly sworn
County of Travis } according to Law in the District Court of the County of Travis in and for the State of Texas doth declare that he was born in the year of our Lord one thousand Eight Hundred and three in the Kingdom of Prussia whence he emigrated in the year of our Lord 1851 to the United States of America, and has selected the State of Texas as the place of his intended settlement, and he further declares that it is bona fide his intention to become a citizen of the United States and of the State of Texas and renounce forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the King of Prussia of whom he was a late Subject

Sworn and Subscribed to in open Court this the 19th day of June A D 1856 Frank Brown clk of said District Court

Henry Pfleger

Spring Term Thursday June 19th 1856

408 R M McAlpin & Co } Plaintiffs } Judgment
vs
Michael Miller } Defendant }

and now on this day come the parties to the above cause by attorney and announced themselves ready for trial, and thereupon enter a jury of twelve good and lawful men of Travis County to wit A M Hopkins and eleven others who being duly tried elected empannelled and Sworn, heard the evidence, argument of Counsel and charge of Court, retired to consider their verdict, and thereupon said Jury returned into Court the following verdict to wit "McAlpin & Co vs Miller We the Jury find for the Defendant in the above cause, this the 18th 1856, A M Hopkins foreman" Wherefore it is adjudged and decreed by the court, that the Plaintiffs take nothing by their said action, that the defendant go hence, and recover of the said Plaintiffs Robert M McAlpin, and Peter S Miller under their firm Name of R M McAlpin & Co and the Security on their Cost bond to wit D W Chandler all costs in this behalf expended for which execution may issue.

William Davenport Ex parte

and the said William Davenport having filed here in open Court his petition praying to be admitted to become a citizen of the United States and the Court being satisfied by the oaths of Joseph Lee and Josiah Fish citizens of the United States that the said William Davenport was known to them for the last five years as residing within the limits and under the Jurisdiction of the United States and within one year in the State of Texas, that during that time he was a man of good Moral character, attached to the principles of the constitution of the United States and well disposed to the good order and happiness of the same and being also satisfied that said William Davenport has made his declaration to become a citizen of the United

States in the District Court of the County of Travis State of Texas two years previous to the filing of his said petition according to the act of congress in such case made and provided, and the said William Davenport having in open court taken the oath prescribed by Law to support the constitution of the United States and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince potentate State or sovereignty whatsoever and particularly to the Queen of England of whom he was a late subject

It is therefore ordered by the Court that the said William Davenport be and is hereby admitted a Citizen of the United States, and that the clerk of this Court issue to him a certificate accordingly

William Bowles, Exparte

And Now on this day came William Bowles, a native of Hanover and presented his petition praying to become a citizen of the United States, and he having declared here in open Court that it was bona fide his intention to become a citizen of the United States and to renounce forever all allegiance and fidelity to any foreign Prince Potentate State or Sovereignty whatsoever and particularly to the King of Hanover of whom he was at that time a Subject, and the said William Bowles, having on his solemn oath declared and also made proof thereof by competent testimony of Michael Miller and William Sawer citizens of the United States that he had resided within the United States of America next preceding his arriving at the age of 21 years and continued to reside therein to the time of making his said application that including the entire years of his Minority, he had resided within the limits and under the jurisdiction of the United States five years and afterwards, and that during the three years next preceding it had been bona fide his intention to become a citizen of the United States, and it appearing to the satisfaction of the Court that during the said period of five years he had behaved as a person of good moral character, attached to the principles

Spring Term Thursday June 19th. 851

of the constitution of the United States
and well disposed to the good order and
happiness of the Same, and that said
Petitioner having declared on his Solemn
oath before this Court that he will Support
the Constitution of the united States and that
he absolutely and entirely renounces & alle-
=giance and fidelity to every foreign Prince
Potentate State or Sovereignty whatever and
particularly to the King of Hanover of whom
he was before a Subject

It is therefore ordered and consid
=ered by the Court that the said William Bates
be and is hereby admitted a citizen of the
United States and that the Clerk of this
Court issue to him a Certificate accordingly

William Buttery Exparte

And the Said William Buttery
having filed here in open Court his petition
praying to be admitted to become a citizen
of the United States and the Court being satis
fied by the oaths of Geo. H. Gray & John T. Price
citizens of the United States that the said
William Buttery was known to them for the la-
five years as residing within the limits &
under the jurisdiction of the United States
and within one year in the State of Texas
that during that time he has behaved as
a man of good moral character attached to
the principles of the Constitution of the United
States and well disposed to the good order
and happiness of the Same and being also
satisfied that the said William Buttery has
made his declaration to become a citizen of
the United States in the District Court of the
County of Travis State of Texas two years
previous to the filing his said petition according
to the act of Congress in such Case made and
provided, and the said William Buttery having
in open Court taken the oath prescribed by Law to sup-
ort the Constitution of the United States and
that he doth absolutely and entirely renounce
and abjure all allegiance and fidelity to

every foreign Prince Potentate State or Sovereignty whats=oever and Particularly to the Queen of Great Britian whereof he was before a Subject

It is therefore ordered by the Court that the Said William Bullery be and ~~the same~~ is hereby admitted a citizen of the United States and that the Clerk of this Court issue to him a certificate accordingly.

444 Nathaniel Townsend vs Volman & De Frate & Defendants } Plaintiff } Order

It is ordered by the Court that this cause be placed at the heel of the Docket

John C Grayson vs Josiah Pickrel & Defendants } Plaintiff } Order

By agreement of Attorneys in this case it is ordered by the Court that the Same be tried by Judge R C Townes, as special Judge

William Custard vs Richard Borchand & Defendants } Plaintiff } Order

On application of Defendants in this cause it is ordered by the Court that G H & H B Burdett be made Party Defendants hereto

The State of Texas vs Owen O Brien & Defendant } And Now on this day appeared County of Travis & in open Court the Grand Jury for said County of Travis & State of Texas duly elected empanelled and Sworn for the present Term of this Court and by their Foreman George Hancock presented to the Court the following Bills of Inditement as follows to wit

675 The State of Texas vs Owen O Brien & Defendant } Plaintiff } Allowing a Gaming Bank To be exhibited for gaming in his house

Spring Term Thursday June 19th 1856

676	The State of Texas vs Owen O'Brien	Plaintiff & Defendant	Allowing Faro to be exhibited in his house	
677	The State of Texas vs Owen O'Brien	Plaintiff & Defendant	Permitting a gaming Bank to be exhibited for gaining in his house	
678	The State of Texas vs Owen O'Brien	Plaintiff & Defendant	Permitting Card Playing for Money in his house for retailing Spiritious Liquors	
679	The State of Texas vs Owen O'Brien	Plaintiff & Defendant	Permitting Faro to be exhibited for gaming in his house	
680	The State of Texas vs David Bright	Plaintiff & Defendant	Exhibiting a Faro Bank	
681	The State of Texas vs Augustus Corse	Plaintiff & Defendant	Horse Stealing	
682	The State of Texas vs Thomas Rhoff	Plaintiff & Defendant	Assault with intent to Kill & Murder	
683	The State of Texas vs William Wyatt	Plaintiff & Defendant	Exhibiting a Faro bank	
684	The State of Texas vs John Balk	Plaintiff & Defendant	Cutting timber on Land not his own without consent of owner	
685	The State of Texas vs Antonio Nepgin	Plaintiff & Defendant	Assault & battery	
686	The State of Texas vs William B Lilley	Plaintiff & Defendant	Playing Cards for Money in a house for retailing Spiritous Liquors	

and thereupon said Grand Jury by its foreman George Hancock having Suggested to the court that there was further busines before them, said Court ordered them to retire upon a further discharge of their duties

And thereupon it is ordered by the Court that Court Now adjourn until tom-morrow Morning at 8 O'Clock,

Friday morning June 20th 1856 Court Met at 8 O'Clock A M Pursuant to adjournment present the Same as on yesterday, whereupon the following proceedings were had by said Court, to wit

Declaration of intention to become a Citizen

The State of Texas }
County of Travis } John Cassidy being duly Sworn according to Law in the District Court of the County of Travis in and for the State of Texas doth declare that he was born in the year of our Lord One thousand Eight Hundred and thirty three, in the Kingdom of England, whence he emigrated in the year 1853 to the United States of America and has Selected the State of Texas as the place of his intended Settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the State of Texas, and renounce forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the Queen of England of whom he ~~was~~ is now a Subject

Sworn to Subscribed in Open Court } John Cassidy
this the 20th day of June AD 1856 }
Frank Brown clerk of said }
District Court }

Christian Kirchner Ex parte

And the said Christian Kirchner having filed here in open Court his petition praying to be admitted to become a citizen of the United States and the Court being satisfied by the oaths of John K Call and Henry Stanley citizens of the United.

Spring Term Friday June 20th 1856

States that the said Christian Kirchner was known to them for the last five years as residing within the limits and under the Jurisdiction of the United States and within our year in the State of Texas, that during the time he has behaved as a man of good moral character, attached to the principles of the constitution and of the United States and well disposed to the good order and happiness of the Same, and being also satisfied that the said Christian Kirchner has made his Declaration to become a citizen of the United States in the District Court of the County of Travis State of Texas two years previous to the filing his said Petition according to the act of Congress in such case made and provided, And the said Christian Kirchner having in open Court taken the oath prescribed by Law, to Support the constitution of the United States and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the Prince of Sondershausen whereof he was before a Subject

It is therefore ordered by the Court that the said Christian Kirchner be and is admitted a citizen of the United States and that the clerk of this Court issue to him a Certificate accordingly.

The State of Texas } And now on this day
County of Travis } in Open Court appeared the
Grand Jury for the County & State aforesaid
duly elected impannelled and Sworn for the
present Term of this Court and by their foreman
George Hancock presented to the Court the
following Bills of Indictment as follows
to wit

687 The State of Texas } Plaintiff } Permitting a Gaming bank
v } called Monte to be exhibited
John Horan } & Defendant } in his house

Spring Term Friday June 21st A.D 1877

688	The State of Texas v John Horan	Plaintiff & Defendant	Permitting "Twenty one" to be exhibited in his house
689	The State of Texas v John Horan	Plaintiff & Defendant	Permitting "Faro" to be exhibited &c
690	The State of Texas v John Horan	Plaintiff & Defendant	Permitting "chuck a Luck to be exhibited in his house
691	The State of Texas v John Horan	Plaintiff & Defendant	Permitting "21" to be exhibited for gaming in his house
692	The State of Texas v John Horan	Plaintiff & Defendant	Permitting Monte to be exhibited in his house
693	The State of Texas v John Horan	Plaintiff & Defendant	Permitting Faro to be exhibited in his house
694	The State of Texas v Robertson. Caseed Rio Grande Robertson	Plaintiff & Defendant	Exhibiting a Monte Bank for gaming
695	The State of Texas v David Bright	Plaintiff & Defendant	Exhibiting a Faro Bank
696	The State of Texas v Robert C White	Plaintiff & Defendant	Exhibiting "Twenty one"
697	The State of Texas v Thomas Pyle and James Terrell	Plaintiff & Defendants	Cow Stealing

Spring Term Friday June 20th 1856

698	The State of Texas v Benjamin A A Betts	Plaintiff & Defendant	Assault with intent to kill
699	The State of Texas v Dutch Peto	Plaintiff & Defendants	Exhibiting a Monte Bank
700	The State of Texas v Dutch Peto	Plaintiff & Defendant	Exhibiting "21"
721	The State of Texas v Dutch Peto	Plaintiff & Defendant	Exhibiting a Faro Bank

and thereupon said Grand Jury having reggested to the Court that there was farther business before them, said Court ordered them to retire upon a farther discharge of their duties

Declaration of intention to become a Citizen

The State of Texas } John Buttery being duly Sworn
Travis County } according to Law in the District Court of the County of Travis in and for the State of Texas doth declare that he was born in the Year of our Lord One Thousand Eight Hundred & Thirty four in the County of Yorkshire and Kingdom of Great Britain from whence he emigrated in the year 1849 to the United States of America, and has since that the State of Texas as the place of his intended Settlement and he further declares that it is bona fide intention to become a Citizen of the United States and of the State of Texas, and to renounce forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the Queen of the Kingdom of Great Britain aforesaid of whom he is now a Subject

John Buttery

Sworn to and Subscribed in Open Court This the 20th day of June A.D. 1856

Frank Brown Clk of D
District Court

Spring Term Friday June 26th A D 1835

204 William Clark } Plaintiff
vs } Judgment
Andrew R Hopkins } Defendants

And Now on this day come the parties to this Cause by Attorney and announce themselves ready for trial and thereupon came a Jury of twelve good and Lawful Men of Travis County ~~who~~ to wit A H Bride foreman and Eleven others who being duly elected tried empannelled and Sworn, heard the evidence adduced by the Parties and the argument of Counsel and being charged by the Court, retired to consider of their verdict, and thereupon said Jury returned into Court the following Verdict to wit "We the Jury find for the Plaintiff the Sum of $350,00, A H Bride, Foreman Wherefore it is ordered adjudged and decreed by the Court that the Plaintiff William Clark do have and recover of the Defendant Andrew R Hopkins the Sum of $350,00 together with the Costs of this Suit for which Execution may issue.

577 J W Hampton } Plaintiff
vs } Judgment by default
J H W Hale } Defendant

And Now on this day comes the Plaintiff in this Cause and claims a Judgment final by default and it appearing to the Court that due Service of Process has been made and that said Defendant has failed to file his answer within the time prescribed by Law, And it further appearing that the Cause of action is liquidated, as shown by an instrument of writing,

It is therefore ordered adjudged & decreed by the Court that the Plaintiff James H Hutchins administrator of the Estate of J W Hampton deceased have and recover of the Defendant J H W Hale the Sum of One Hundred and Fifteen Dollars and four Cents the amount of the principal debt and interest together with interest on said amount at the rate of 8 per Cent per annum ~~until~~ from date until paid, and all his Costs in this Suit expended for which Execution may issue

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693	George W White	Plaintiff	Order
	Sherman Case et al	Defendants	

On motion it is ordered by the Court that Plaintiff have leave to amend his Petition, and that Rachael Case be made a party defendant hereto

700	The State of Texas	Plaintiff	Decree
	James F Gillett	Defendant	

735	Christian Wilhelm	Plaintiff	Dismissed
	Peter Frank	Defendant	

And now come the parties to this Cause by attorney and on Motion it is ordered by the Court that this Cause be dismissed at the Cost of the Plaintiff, Wherefore it is ordered by the Court that the Defendant go hence and recover of the Plaintiff Peter Christian Wilhelm all the Costs in this behalf expended for which execution may issue

790	W H Booth	Plaintiff	Order
	A L Washam et al	Defendant	

And now comes the Defendant A L Washam by his Attorney and files his answer in this Cause

852	R J Morgan wife	Plaintiffs	Judgment
	L Coke et al	Defendants	

And now come the Plaintiffs by attorney, and Defendants having failed to answer it is ordered by the Court that the injunction granted in this Cause be made perpetual according to the prayer of their said Petition and by consent it is ordered by the Court that this Case be dismissed and that Defendants recover of the plaintiffs R J Morgan & Susan E Morgan and the Securities on their

Spring Term Friday June 21th 1867

Injunction Bond to wit L S Overstreet Thomas E Sneed all Costs in this behalf expended for which Execution May issue

866	A B Sutton & W Johnson	Plaintiff & Defendant &	Continued	

It is ordered by the Court that the above Cause be continued until the next Term of this Court as by operation of Law

871	Simon Draper Rebbeca Jane Draper	Plaintiff & Defendant		Rule for Cost
874	Erastus J Jennings et al Sherman Case	Plaintiff & Defendants &		Motion for Cost
880	Shelton Watson Wm S Smith	Plaintiff Defendant		Motion for Costs
881	Henry P Hill A J Hamill et al	Plaintiff & Defendants &		Motion for Costs
882	Henry P Hill John J Grumbles et al	Plaintiff & Defendant &		Motion for Cost
883	Jeremiah Barnett Banyan Payne et al	Plaintiff & Defendant &		Motion for Cost
886	David Ayres J Douglas Brown	Plaintiff & Defendant &		Motion for Cost
889	Samuel H Johnson Samuel H Kirkley	Plaintiff & Defendant		Motion for Cost

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893	P W & S A Garrison & L Tillman	Plaintiff & Defendants	Motion for Costs
908	Moses G Shinnard & Unknown Heirs of Joseph Stephenson	Plaintiff & Defendants	Motion for Costs
909	Samuel Pearce Birt & Diana Gilliland et al	Plaintiff & Defendants	Motion for Costs
910	Corporation of Bastrop & Alfred Smith	Plaintiffs & Defendant	Motion for Costs
925	Edward D Hobbs & Unknown Heirs of Higginston	Plaintiffs & Defendant	Motion for Cost
935	Thomas Franklin & A G Compton	Plaintiffs & Defendants	Motion for Costs
941	John G Grayson et al & Josiah Fisk et al	Plaintiff & Defendants	Motion for Cost
944	Susan L Ward et al & G Catlin et al	Plaintiff & Defendants	Motion for Costs
951	John Miles et al & John P Grumbles et al	Plaintiff & Defendants	Motion for Cost
954	M W Grimes & Eggers & Bryce	Plaintiff & Defendants	Motion for Costs

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982	Shropshire & Davis Ford Walker & Davidson	Plaintiffs & Defendants	&	Motion for Costs
991	Charles Walker William Rankles	Plaintiff & Defendant	&	Motion for Costs
1021	George W Cartwright John F Porter	Plaintiff & Defendant	&	Motion for Cost
1019	Ingram & Roberts Sylvister Lockwood	Plaintiffs & Defendant	&	Motion for Cost
1037	Charles C Travis F J Duffau	Plaintiff & Defendant	&	Motion for Cost
1039	James Beck & Co D A & H W Burdett	Plaintiffs & Defendants	&	Motion for Costs
1064	William Gannon Mary Gannon	Plaintiff & Defendant	&	Motion for Costs
1065	H D Huggins et al John H Holcomb	Plaintiff & Defendant	&	Motion for Cost
1067	Henry Soez L Gellman	Plaintiff & Defendant	&	Motion for Costs
1071	James Sims E R Pickett	Plaintiff & Defendant	&	Motion for Costs
1072	William D Thompson Charles Riddle	Plaintiff & Defendant	&	Motion for Costs

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On motion of the Clerk it is ordered by the Court that the Parties Plaintiffs in each of the above mentioned Causes enter into bond and Security for Cost of Suit on or before the Next Term of this Court, Otherwise the Same will be dismissed at their Cost, the Attorney of Plaintiffs Being Present and Notified

873 Howell & Twitty vs Douglas Brown } Plaintiff / Defendant } Dismissing

And Now comes the Parties to this Cause by attorney and on Motion it is ordered by the Court that this Cause be dismissed at the Cost of the Plaintiff, It is therefore ordered by the Court that the Defendant go hence and recover of the Plaintiff all his Cost in this behalf expended for which Execution may issue

870 Francis Durrich / Plaintiff / James C Rice & Defendant } Continuance

By agreement of Parties as ~~and~~ on Affidavit of Defendant hereto, it is ordered by the Court that this Cause be continued until the Next Term of this Court

894 J H Chandler / Plaintiff / S W Johnson & Defendant } Continued

It is ordered by the Court that this Cause be continued until the Next Term of this Court as by operation of Law

901 A G Compton / Plaintiff / Henry G Hughes & Defendant } Judgment

And Now comes the plaintiff in this cause and claims Judgment final by default, and it appearing to the Court that due Service of process has been made, and that said defendant has failed to file his answer within

Spring Term Friday June 21th 1851

the time proscribed by Law.

It is therfore ordered adjudged and decreed by the Court that the plaintiff A G Coppedge have and recover of the defendant Henry G Hughes the Sum of One Hundred and Fifty 03/100 Dollars the principal and Interest due from the said Defendant with interest at the rate of eight per cent from this date until paid and all costs in this behalf expended for all which execution may issue

907 George Hancock } Plaintiff } Judgt by default
James & Mathews } Defendant }

And Now on this day comes the plaintiff in the Cause and Claims a Judgment final by default and it appearing to the Court that due Service of the Process has been made and that said defendant has failed to file his answer within the time prescribed by Law, and it further appearing that the Cause of Action is liquidated, as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the plaintiff George Hancock have and recover of the Defendant James & Mathews the Sum of Three Hundred and Seventy 34/100 Dollars the amount of principal debt and Interest due on said Note to this date with Interest on said Amount at the rate of 8 pr Centper annum from date until Paid, together with all his Costs in and about this Suit expended for which execution may issue

912 D Moker } Plaintiff } Dismissed
Rankin & Thorp } Defendant }

And Now comes the parties to this Cause by attorney and on motion

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It is ordered by the Court that this cause be dismissed at the Cost of the plaintiff It is therefore ordered by the Court that the Defendants go hence and recover of the Plaintiff all Cost in this behalf expended for which Execution may issue

914 Peter K Marshall } And now on this day comes
vs } the plaintiff ing this cause
Robert Rutherford } and claims a Judgment final
by default, and it appearing to the Court that
due Service of process has been made and
that said defendant has failed to file his
answer within the time prescribed by Law
and it further appearing that the cause of acti
on is liquidated as shown by an instrument
of writing. It is therefore ordered adjudged
and decreed by the Court that the Plaintiff
Peter K Marshall have and recover of the defen
dant Robert Rutherford the Sum of One hundred
and thirty three 75/100 Dollars, the same being
the Amount of principal and interest due
on said Note to this date, with interest on
said Amount at the rate of 8 per cent per
annum from date until paid, together
with all his Cost in this behalf expended
for all which Execution may issue

S Billingsley } Plaintiff } Decree
419 vs
413 Slaughter et al } Defendant }
and Now on this day came
the parties in the above entitled cause, by
attorneys and on Motion of Plaintiffs
Counsel, this cause is discontinued as to the
defendant James Rowe, and the defendant
413 Slaughter having withdrawn his answer
in said Cause, a Judgment was taken against
him by default at the Cost of the Plaintiff
It is therefore ordered adjudged and decreed
by the Court that the said Plaintiff S Bill
ingsley do have and recover of & from
the said Defendant 413 Slaughter the
Sum of Five hundred and Seventy three

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58/100 Dollars as his principal debt and interest on said Note to this date together with ten per Cent interest from date until Paid for which Execution May issue, It is further ordered and decreed that the Defendant A B Slaughter had and recover of & from the said Plaintiff J Billingsley all the Costs in this suit for which Execution May issue

921 James J Neal } Plaintiff } To Amend return
v
Fielding J Roy et al } Defendants }

And Now on this day came the Plaintiffs Attorney and Suggested to the Court the insufficiency of the Sheriffs return on the Citation issued to Defendants in this Cause whereupon said Court granted said Sheriff leave to Amend said his return on said Citation

923 B F Stone } Plaintiff } Judgt by default
v
A H Cook } Defendant }

And Now on this day comes the plaintiff in this Cause and claims a Judgment final by default and it appearing to the Court that due Service of the process had been made, and that said Defendant has failed to file his answer within the time prescribed by Law, and it further appearing that the Cause of action is liquidated as shown by an instrument of writing, It is therefore ordered adjudged and decreed by the Court that the Plaintiff B. F. ~~Stones~~ have and recover of the Defendant A H Cook the Sum of One hundred and Seventy two Dollars & thirty two Cents the amount of principal debt and Interest due on said Note to this date, with interest on said Note at the rate of 8 per Cent per annum from date until Paid, together with all his Cost in this Suit expended, for all which execution May issue.

927 Overton Oldham } Plaintiff } Judgment
v
Albert G Fackler et al } Defendants

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and now on this day comes the plaintiff in this Cause and claims a judgment final by default, And it appearing to the Court that due Service of the proces has been made and, that the said defendant has failed to file his answer within the time proscribed by Law, and it further appearing that the Cause of Action is liquidated as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the plaintiff Overton Oldham have and recover of the Defendants Albert A Fowlkes and W H Sublett the Sum of Two Hundred and Seventy Nine Two Dollars that being the amount of principal and interest due on said Note to this date with interest on said amount at the rate of ten per centum per annum from date until paid, together with all his cost in and about this Suit expended for all which Execution may issue,

928 John B Banks (Plaintiff) Continued
vs
J M Sevier (Defendant)

It is ordered by the Court that this Cause be continued until the next Term of this Court as by operation of Law

929 James E Brady (Plaintiff) Leave to amend
vs
John F Miller (Defendant)

It is ordered by the Court that the Defendant be granted leave to Amend his Answer in this Cause

930 Surviving Partners of Harral Sprouls & Co (Plaintiffs) Judgment
vs
James A Mathews (Defendant)

And now on this day comes the plaintiff in this Cause and claims a judgt by default final by default and it appearing to the Court that due Service of the Proces has been

made and that said defendant has failed to file his answer within the time prescribed by Law, and it further appearing that the Cause of action is liquidated as is shown by an instrument of writing It is therefore ordered and decreed by the Court that the Plaintiffs Surviving Partners of Farra & Jerrolds do have and recover of the Defendant James A Mathews the Sum of Three Hundred and forty five Dollars being the Amount of Principal debt and interest due on said Note to this date with interest on Said Amount at the rate of ten per Cent per Annum from date until paid, together with all costs in this behalf expended for which Execution May issue

and thereupon Court adjourned until to-morrow Morning at 8 Oclock — Saturday Morning June 21. 1856. Court met at 8 o'clock A.M. pursuant to adjournment, whereupon the following proceedings were had by said Court, to-wit:

9 32 Collins & Davis for } Plaintiffs } Continued
Heirs of J. H. Miller } Defendants }

It is ordered by the Court that this Cause be continued until the next Term of this Court as by operation of Law

9 40 D Hardeman } Plaintiff } Judgment
Wm Knowles et al } Defendants }

And now on this day Comes the Plaintiff in this Cause and Claims a Judgment by default, and it appearing to the Court that due Service of the Process has been made and that Defendant has failed to file his answer within the time Prescribed by Law, and it further appearing that the Cause of Action is liquidated as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the Plaintiff D Hardaman have and recover of the Defendants Wm Knowles and Wm B. Nicholas Sherman Reynolds the Sum of Nine Hundred and forty three 17 Dollars 100 being the Amount of Principal Debt and Interest due on said Note with interest on said Amount at the rate of ten per Cent per Annum until paid together with all Costs in this Suit Expended for which Execution May issue,

9 52 Smith & Stuyvesant for use of John A Green } Plaintiff } Judgment
H O Martin } Defendant }

Spring Term Saturday June 21st 1856

And now comes the Plaintiff in this Cause and Claims a Judgment final by default, and it appearing to the Court that due Service of Process has been Made and that said Defendant has failed to file his answer within the time prescribed by Law, and it further appearing that the Cause of action is liquidated as shown by an instrument of writing, It is therefore ordered adjudged and decreed by the Court that the Plaintiff Wesley Smith for the use of John A Green have and recover of the Defendant W O Martin the Sum of One hundred & Thirty Seven 52/100 Dollars the Amount of principal and Interest due on said Note to this Date, with interest on said Amount from date until Paid at the rate of ten Per Cent Per Annum, together with all Costs in this behalf expended for all which Execution may issue

953 James A Tanner admr / Plaintiff / Judgment
Hamilton Chandler & Gray / Defendants /

And now on this day comes the Plaintiff in this Cause and Claims a Judgment final by default and it appearing to the Court that due Service of Process has been Made and that said Defendant has failed to Answer within the time prescribed by Law and it further appearing that the Cause of action is liquidated as shown by an instrument of writing It is therefore ordered by the Court that the Plaintiff James A Tanner administrator of the Estate of Joseph A Tanner Dec, have and recover of & from the Defendants F H Chandler & P Hamilton & Jos A Gray the Sum of Four Hundred & ~~Forty one~~ 83/100 Dollars the Amount of Principal and interest due on said Note to this date together with interest on said Amount at the rate of 8 Per Cent per annum from date until Paid, with all Costs in this behalf expended for which Execution may issue

Spring Term Saturday June 21st 1851

1 Declaration of intention to become a citizen

The State of Texas
County of Travis } William Gannon being duly
Sworn according to Law on the District Court of the
County of Travis in and for the State of Texas
doth declare that he was born in the Year of
our Lord Eighteen Hundred and thirty in the king
dom of Great Britain whence he emigrated in the
year 1848 to the United States of America and has
selected the State of Texas as the place of his intended
settlement, and he further declares that it is bona
fide his intention to become a Citizen of the United
States and of the State of Texas and renounce for ev
er all allegiance and fidelity to every foreign Prince
Potentate State or Sovereignty whatsoever and parti
cularly to the Queen of the Kingdom of Great Britain
aforesaid of whom he was before a Subject
Sworn to & Subscribed in Open Court
this the 21st day of June AD 1851 } Wm Gannon
Frank Brown Clerk of said }
District Court

974 James A Gillespie admr } Plaintiff
v. } Con. for Servia
A A Carleton et al } Defendants

Service on the Partie Defendant in this Cause failing to be had, It is ordered adjudged and decreed by the Court, that this Cause be continued for Service until the next Term of this Court

966 L D Carrington & Co } Plaintiff
v. } Judgt by default
R N Lane } Defendant

And now on this day Comes the Plaintiff in this Cause and claims a Judgment final by default and it appearing to the Court that due Service has been Made, and that said Defendant has failed to file his answer within the time prescribed by Law and it further appearing that the Cause of action is liquidated as Shown by an instrument of writing It is therefore ordered adjudged and decreed by the Court that the Plaintiff L D Carrington & Co recover of and from the Defendant R N Lane the Sum of One Hundred & Fifty four 34/100 Dollars

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the amount of the principal and interest due on said Note to this date with Interest at ten per Cent per annum from date until paid together with all Costs in this Suit expended for which execution may issue

967 Joseph J Manor } Plaintiff } Continued
J F Nimmo & Defendant &

It is ordered by the Court that this Cause be continued until the next Term of this Court as by operation of Law

971 L D Carrington & Co } Plaintiffs } Judg't by default
Ernest Raven & Defendant &

And Now on this day comes the Plaintiff in this Cause and claims a Judgment by default and it appearing to the Court that due Service of the process has been made and that the defendant has failed to answer within the time prescribed by Law, and it further appearing that the Cause of action is liquidated as shown by an instrument of writing, It is therefore ordered adjudged and decreed by the Court that the Plaintiff L D Carrington & Co have and recover of and from the Defendant Ernest Raven the Sum of One Hundred and forty Seven 37/100 Dollars being the Amount of principal and interest due on said Note with Interest on said Amount at the rate of ten per Cent per annum from date until paid together with all Costs in this behalf expended for which execution may issue,

975 L D Carrington & Co } Plaintiffs } Same ...
J D Fitzgerald & Defendant &

And on this day comes the Plaintiff in this Cause and claims a Judgment by default and it appearing to the Court that due Service of the process has been made and that the Defendant has failed

to file his answer within the time prescribed by Law and it further appearing that the Cause of action is liquidated as Shown by an instrument of writing

It is therfore ordered adjudged and de-creed by the Court that the Plaintiffs L D Carrington & Co have and recover of & from the Defendant B S Fitzgerald the Sum of One Hundred and Twenty four $\frac{00}{100}$ Dollars being the amount of Principal and interest due on said Note with interest on said amount at the rate of ten per Cent per Annum from date until paid together with all Costs in this Suit expended for which execution may issue

976 L D Carrington & Co } Plaintiffs
B F Newton } Defendant } Judgment by default

And Now on this day Come the Plaintiff in this Cause and Claims a Judgment by default And it appearing to the Court that due Service of the Process has been made and that the defendant has failed to file his answer within the time prescribed by Law and it further appearing that the cause of action is liquidated as Shown by an instrument of writing

It is therfore ordered by the Court that the Plaintiff L D Carrington & Co have and recover of the Defendant B F Newton the Sum of Three Hundred and Sixty four Dollars and fourteen Cents being the amount of Principal and interest due on said Note with interest on said amount at the rate of ten Per Cent Per Annum from date until paid, together with all costs in this behalf expended for which execution May issue,

977 George W Hughes } Plaintiff } Judg by by default
J C Blanton et al } Defendants }

And now on this day comes the plaintiff in this cause and claims a judgment by default and it appearing to the Court that due Service of Process has been made, and that said defendants have failed to file their answers herein within the time prescribed by Law and it further appearing that the Cause of action is liquidated, as shown by an instrument of writing, It is therefore

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Ordered adjudged and decreed by the Court that the plaintiff George W Hughes have and recover of the Defendants S C Blanton and L B Luckett the Sum of One hundred and Sixty Dollars the same being the principal and interest due on said Note to this date with Interest on said amount from date until paid together with all the Costs in this Cause for which Execution may issue

978 William M Dowdy | And now on this day
J M W Hall. | came the parties plaintiff
| in this cause and claims
a judgment final by default, and it
appearing to the Court that due Service of proces
has been made and that said Defendant has
failed to file his answer within the time pres
cribed by Law and it also appearing that the
cause of action is liquidated as shown by
an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the Plaintiff William M Dowdy have and recover of the defendants J M W Hall and Douglas Brown the Sum of Two hundred and Thirteen 50/100 Dollars principal and interest due on said Note to this date with interest on said Amount at the rate of 8 per Cent per Annum from date until paid together with all Costs in this behalf expended for which Execution may issue,

980 John W Brown et al | Plaintiffs | dismissing
W D Ezell et al | Defendants |

And now comes the parties & on Motion of plaintiff in this Cause It is ordered by the Court that this Case be dismissed at the Cost of the plaintiff, It is also ordered by the Court that the Defendant W D Ezell have and recover of the plaintiff John W Brown the costs in this Cause expended for which execution may issue

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981 Thomas Griffin / Plaintiff / Judgment by default
P. B. Calhoun & Defendant &

and now comes the plaintiff in this cause and claims a Judgment finaly by default and it appearing to the Court that due service of process has been made and that said Defendant has failed to file his answer within the time prescribed by Law and it also appearing that the Cause of action is liquidated as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the plaintiff Thomas Griffin go hence and recover of the defendant P. B. Calhoun the Sum of One hundred and Ninety one 59/100 Dolls being the principal, damages and interest due on said Note to date with interest at the rate of per Cent per annum from date until paid, also all costs in this behalf expended for which execution may issue

984 James Emerson / Plaintiff / Judgment by default
John B Stone & Thomas A Stone & Defendants &

and now comes the plaintiff in this cause and claims a Judgment finaly by default and it appearing to the Court that due Service of process has been made and that said defendants have failed to file their answers within the time prescribed by Law, and it also appearing that the Cause of action is liquidated as shown by an instrument of writing

It is therefore ordered by the Court that the plaintiff James Emerson have and recover of the Defendants John B. and Thomas A Stone the Sum of Four hundred and Ninety Six 00 Dollars, being the principal and Interest due on said Note with interest on said amount from date until paid at the rate of Eight per Cent with all costs in this behalf expended for which execution may issue

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985 L D Carrington & Co } Plaintiffs
N N Johnson } Defendant } Judgment by default

And now on this day come the plaintiffs in this Cause & claims a Judgment final by default and it appearing to the Court that due Service was acknowledged, and that said defendant has failed to file his answer within the time prescribed by Law, and it also appearing that the Cause of action is liquidated as is shown by an instrument of writing

It is therefore ordered and decreed by the Court that the plaintiffs L D Carrington & Co have and recover of the Defendant N N Johnson the Sum of Four Hundred and forty Seven 5-7/100 being the principal and interest due on said note to this date with interest on said note at the rate of ten per Cent per Annum from date until paid with all Costs in this Suit expended for which execution may issue,

987 Harvey Smith Admr } Plaintiff
Jno M Christian etal } Defendants } Decree

And Now on this day came the plaintiffs in the above entitled Cause by attorney and on Motion of plaintiffs Counsel this Cause is discontinued as to the Defendant Jno M Christian and a Judgment was taken by default against the other defendants George H Davis and Augustus Fore

It is therefore ordered by the Court that the plaintiff Harvey Smith administrator of the Estate of William Smith dec have and recover from the defendants George H Davis and Augustus Fore the Sum of Eight hundred and fifty Nine Dollars and fifty Cents being the amount of principal and interest due on said Note also with interest at the rate of 8 per Cent per Annum until paid with all Costs in this Suit expended for which execution may issue

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988 James F Johnson / Plaintiff / Continued
H P Flemming et al / Defendant /
Service failing to be had on the parties to this Cause It is ordered by the Court that this cause be continued until the Next Term of this Court for Service,

989 J W House & Co / Plaintiffs / Judgment by defl
Thomas L Pitt / Defendant /
And Now comes the Plaintiff in this Cause and claims a Judgment final by default, and it appearing to the Court that due service of the process has been made, and that said defendant has failed to file his answer within the time prescribed by Law, and it further appearing that the Cause of action is liquidated as shown by an instrument of writing
It is therefore ordered adjudged and decreed by the Court that the plaintiffs J W House and Elmore Mathews under the firm name of J W House & Co have and recover from the Defendant Thomas L Pitt the Sum of One Hundred and Ninety four 00/100 Dollars the amount of principal and interest due on said Note to date, with interest on said amount at the rate of Six per Cent per Annum until paid, with all Costs of Suit in this behalf expended for all which, execution may issue,

992 Sampson & Hendricks / Plaintiffs / Same
Henry H Sublett / Defendant /
And Now on this day comes the plaintiffs in this Cause and claims a Judgment final by default, and it appearing to the Court that due service of process has been made and that defendant has failed to file his answer within the time prescribed by Law, and it also appearing that the Cause of action is liquidated as is shown by an instrument of writing
It is ordered adjudged and decreed by the Court that the plaintiffs F D Sampson & C, have and recover from the defendant Henry H Sublett the Sum of One Hundred and Thirty two

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50/100 Dollars being the amount of the principal and interest due on said Note with interest on said amount from date until paid, also the Costs of this suit in this behalf expended for all which Execution May issue

995 O W Ware vs William Gibson } Plaintiff } Judgt by default & Defendant

And now comes the Plaintiff in this Cause and claims a Judgment final by default, and it appearing to the Court that due Service of Process has been Made, and that defendant has failed to file his answer within the time prescribed by Law, and it also appearing that the Cause of action is liquidated as is shown by an instrument of writing,

It is therefore ordered adjudged and decreed by the Court that the Plaintiff O W Ware have and recover from the Defendant William Gibson the Sum of Nine hundred and Ninety five 00/100 Dollars, the amount of principal and interest due on said Note together with interest on the amount from date until paid, also the Costs of this Suit in this behalf expended for all which Execution May issue

999 Narral Sprouls & Co vs Mathew Brown } Plaintiff } Same & Defendant

And now comes the plaintiff in this Cause and Claims a Judgment final by default and it appearing to the Court that due Service of Process has been made and that Defendant has failed to file his Answer within the time prescribed by Law and it also appearing that the Cause of action is liquidated as shown by an instrument of writing, It is therefore ordered adjudged and decreed by the Court that the Plaintiffs Narral Sprouls & Co have and recover from the Defendant Mathew Brown the Sum of

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One hundred and fifty one 84/100 Dollars being the Amount of principal and interest due on said Note with Interest at the rate of ten per Cent from date yet[t] paid together with all Costs in this behalf expended for which Execution may issue

1003 Archibald A Lowry } Plaintiff } Judg[t] by default
S K Jennings } Defendant }

And now on this day comes the plaintiff in this Cause and claims a Judgment final by default and it appearing to the Court that due Service of the Process has been made, and that defendant has failed to file his answer within the time prescribed by Law, And it further appearing that the Cause of action is liquidated as is shown by an instrument of writing;

It is therefore ordered adjudged and decreed by the Court that the plaintiff A Lowrey have and recover of the defendant S Jennings the sum of Five hundred & eighty one Dollars the principal debt and interest due on said Note with Interest at the rate of ten per Cent on said amount from date until paid together with all Costs in this behalf expended for all which Execution may issue

1007 Nathaniel Townsend } Plaintiff } Order
v
Benjamin Roach } Defendant }

By consent of parties in this Cause, It is ordered by the Court, that further time be given the Defendant to file his answer, hereto.

1009 George Hancock } Plaintiff } Judgment
v
W R Brown } Defendant }

And now comes the plaintiff and claims a Judgment final by default, and it appearing that due service of Process has been made and that defendant has failed to file his answer within the time prescribed by Law, and it also appearing that the Cause of action is liquidated

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as shown by an instrument of writing
It is therefore ordered adjudged and decreed by the Court that the plaintiff George Hancock have & recover of the defendant W K Brown the sum of four hundred and forty Eight 54/100 Dollars, the principal and interest due on said Note with interest on said amount at the rate of twelve per Cent per annum until paid together with all Costs in this behalf expended for which Execution may issue

1010 George Hancock / Plaintiff / Judgment
E S Johnson / Defendant /

And now on this day comes the plaintiff in this cause and claims a judgment final by default and it appearing that due and legal Service of process has been made and that said Defendant has failed to file his answer within the time prescribed by Law, and it also further appearing that the Cause of action is liquidated as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the plaintiff George Hancock have and recover of the defendant E S Johnson the Sum of Three Hundred and Sixty Seven 34/100 Dollars the principal and interest due on said Note to this date, with interest on said amount at the rate of 12 Per Cent Per Annum from date until paid together with all his Costs in this behalf expended for which execution may issue

George Hancock / Plaintiff / Judgment
James D Easton / Defendant /

1011 And now comes the plaintiff in this Cause and claims a judgment final by default, and it appearing that due Service of the process has been made, and that said defendant has failed to file his answer within the time prescribed by Law, and it further appearing that the Cause of action is liquidated, as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the plaintiff George Hancock have and recover of the Defendant James D Easton the Sum of Two hundred & fifty three Dollars the principal and Interest due on said Note with interest on said amount at the rate of 8 pr Cent from date until paid together with all Costs in this behalf expended for which Execution may issue

1020 L Moke } Plaintiff } Judgment
R D Rutherford } Defendant }

And now comes the plaintiff in this Cause and claims a Judgment final by default, and it appearing to the Court that due Service of the Proces has been Made, and that Defendant has failed to answer within the time prescribed by Law, and it also appearing that the Cause of action is liquidated as shown by an instrument of writing,

It is therefore ordered adjudged and decreed by the Court that the plaintiff L Moke have and recover of the Defendant R D Rutherford the Sum of One hundred and fifty two 90/100 Dollars the principal and interest due on said Note with interest at the rate of ten per Cent. per annum on said Amount until paid together with all Costs in this behalf expended for which Execution may issue;

1035 Marion A Houston admr } Plaintiff } Judgment
James A Mathews } Defendant }

And Now on this day comes the plaintiff in this cause and claims a Judgment final by default and it appearing that due Service has been Made and that Defendant has failed to file his answer within the time prescribed by Law and it also appearing that the Cause of action is liquidated as shown by an instrument of writing It is therefore ordered and decreed by the Court that the plaintiff Marion A Houston Administrator of the Estate of William Houston Dec have and recover from the Defendant James A Mathews the Sum of Two hundred and fourteen 45/100 Dollars the principal and interest due on said Note with interest on said amt at the rate of 8 per Cent pr Annum from date until paid

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and the Costs of Suit in this behalf expended
for all which Execution may issue

1048 E & A Ten Eyck } Plaintiff } Judgment
L Fellman } Defendant }

and now comes the plaintiff in this cause and claims
a Judgment by default and it appearing that
due Proces has been Made, and that Defendant
has failed to file his answer within the time pre
scribed by Law, and it also appearing that
the Cause of action is liquidated as shown by
an instrument of writing It is therefore ordered
adjudged by the Court that the plaintiffs E &
A Ten Eyck have and recover of the Defendant
L Fellman the Sum of One hundred & Eighty
one 12/100 Dollars the principal and interest
due on said Note, with interest on said
amount at the rate of 8 per Cent from date
until paid and all Costs in this behalf
expended for which Execution may issue

1049 E & A Ten Eyck } Plaintiffs } Decree
Laughlin Coy } Defendants }

And now comes the parties
by attorney and on Motion of the plaintiffs
this Cause is dismissed as to the Defendant
Coy and a Judgment is taking by def
ault as to the Defendant C & Laughlin
Proces having been served on him and
he having failed to file his answer within
the time proscribed by Law

It is therefor ordered adjudged &
decreed by the Court that the plaintiffs
E & A Ten Eyck have and recover from the
Defendant C & Laughlin the Sum of one
hundred and fifty Six Dollars and twenty two
Cents the Principal & interest due on said Note
with interest at the rate of ten Per Cent Per
annum from date until paid with all Costs
in this behalf expended for which execution
may issue

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1066 George Hancock } Plaintiff
H A Lowry & Defendant } Continued

Service failing to be had upon the party Defendant in this Cause, it is ordered by the Court that this Cause be continued until the next Term of this Court for Service,

1068 J C Crigler } Plaintiff
Jos R Burleson & Defendant } Judgment by default

And now on this day comes the Plaintiff in this Cause and claims a judgment final by default, and it appearing that due Service has been acknowledged, and that Defendant has failed to file his answer herein within the time prescribed by Law, and it also appearing that the Cause of action is liquidated as is shown by an instrument of writing, It is therefore ordered by the Court that the Plaintiff J C Crigler have and recover of the Defendant Jos R Burleson the Sum of One Hundred and Nineteen 53/100 Dollars the principal and interest due on said Note with interest at ten Per Cent Per Annum from date until paid and all the Costs in this behalf, expended for all which Execution may issue,

Clerks fees $6.00
Rec'd of Jos R. Burleson the sum of fifty five dollars on this judgment
G. M. Flournoy for Haralson Fleming & Richards.
Balance due on this judgt pd to Plff Counsel July 23/56
Haralson Fleming & Richards

1070 James Sims } Plaintiff } Cont'd for Service
Wm C & Thomas Walker & Defendants

Service failing to be had upon the Parties Defendant in this Cause it is ordered by the Court that this Cause be Continued until the Next Term of this Court

Wm A Connell et al } Plaintiffs
1073 L D Carrington et al & Defendants } Continuance

It is ordered by the Court that this Cause be continued until the Next Term of this Court

Thomas A Smith admr } Plaintiff
1084 Henry W Sublett & Defendant } Judgment

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And Now on this day comes the Plaintiff in this Cause and claims a Judgment by default, and it appearing to the Court that Service of Proces has been acknowledged and that Defendant has failed to file his answer herein, and it also appearing that the Cause of action is liquidated as shown by an instrument of writing

It is therefore ordered by the Court that the Plaintiff Thomas J Smith admr of the Estate of the Estate of Simeon Cooley dec have and recover of the Defendant Henry H Sublett the Sum of One Hundred and thirty Six 80/100 Dollars the Principal and Interest on said note with Interest at the rate of 8 per Cent per Annum until paid together with all Costs in this behalf expended for which Execution May issue

359 William R Redding } Plaintiff } Decree
James & Tyson et al } Defendants }

In this Case it appearing to the Court that the Cause has been reversed and the following Judgment rendered by the Supreme Court to wit

The State of Texas, To the District Court of Travis County, Greeting

Before our Supreme Court on the 7th day of December A D 1855 the cause upon appeal to revise or reverse your Judgment between William R Reading appellant and James & Tyson & Tyson & others appellees, was determined and thereon our said Supreme Court made its order in these words

"No 399 This cause came on to be heard on the transcript of record of the Court below and the same being inspected because it is the opinion of this Court that there was Error in the Judgment of the Court below, It is ordered adjudged and decreed that the Judgment of the Court below be reversed, and this Court proceeding to render such Judgment as the Court below should have rendered, It is

ordered adjudged and decreed by the Court that the
appellant do have and recover of and from the Estate
of the Testator of the Appellee Robert L Reading
and his heirs at Law Lang & Tyron and his husband
William J Tyron, William M Redding, Mary F Redding
Mina J Redding, Margaret L Redding, Nancy L Redding
and Catherine E Redding an undivided interest of
four hundred Acres out of the following described
portion of a League of Land Situate in Tyron County
granted to the said testator of Appellee Robert L Redding
an assignee of James S Wallace by patent bearing
date the 28 of April A D 1847, the field Notes of the
portion of said League out of which said undivided
interest of four Hundred Acres is decreed to Appellant is
as follows to wit,

Beginning on the East or North East Corner of No 4
Thence N 60 W 946 Varas to South Corner of W A Redding
Thence N 30 E 6690 Varas to East Corner of Josiah Fisk
Thence S 60 E 791 Varas to North West line of No 82
Thence S 30 W 930 Varas to West Corner of No 82
Thence S 60 E 1000 Varas to South Corner of No 82
Thence S 30 W 1500 Varas to West Corner of No 81
Thence S 60 E 1000 Varas to South Corner of No 81
Thence S 30 W 1400 Varas to N E Line of No 27
Thence N 60 W 456 Varas to North Corner of No 27
Thence S 30 W 2400 Varas to E or N E Corner of No 9
Thence S 60 W 1444 Varas to South Corner of No 9
Thence S 30 W 760 Varas to the Beginning—

The field Notes of the Entire League is as follows—
Beginning on the North Corner of Survey No 10 of 379
acres at a Stake for the N W Corner of this Survey No 57
from which a Mesquite brs S 73 W 5 varas Mkd +
Thence N 30 E 4594 Varas to a Stone Mound in the Prairie
for Corner of this Survey and the N E Corner of Survey No 7
Thence N 60 West with the North boundary line of Survey
No 7 to a Stone Mound in the Prairie 542 Vdas distant
Thence N 30 E 1436 Varas with the East boundary line of
Survey No 15 to a Stone Corner in the Prairie
Thence S 60 E 3000 Varas to the North Corner of Survey No
82 of one Labor at a Stone Mound from which a Pecan
brs N 60 W 154 Varas Marked +
Thence S 30 W 3000 Varas to a Branch of Walnut Creek
934 Varas to Corner of Stone in Prairie
Thence S 60 E 1000 Varas to a Stone Mound

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from which a live oak brs N40 E4 varas Mkd + for Corner of this Survey
Thence, S86 E 1500 Varas to a Stone Corner and the North Corner of the Survey No 81 of 1 Labor
Thence, S 40 E with the South bound ary Line of Survey No 81- 1000 Varas to a Stone Corner of this Survey, and the S E Corner of Survey No 81
Thence, S30 W400 Varas intersected the North boundary Line of Survey No 27 at a Stake and Mound by the Prairie for Corner of this Survey
Thence, S 30 W 2400 Varas, intersecting the NE Corner of Survey No- from which a Post oak, Mkd + brs N26 W 15 Varas, another brs S30 W20 Varas Mkd X
Thence N 60 W. with the North boundary line of Survey No 9, 1444 varas to corner of this Survey at a Stone mound.
Thence S. 30 W. 460 varas to a Stake for corner of this Survey from which a Post oak bears S. 87 W 10 varas mk X another bears N 36 W 10 varas mkd X
Thence N. 60 W 2613 varas to the place of beginning, and that all the right, title and interest of the said estate of Robert L. Redding, the said Estate of appellee, and of his aforesaid heirs, the said Sam E. Tyson and his husband Wm S. Tyson Wm M. Redding Mary J. Redding Mina J. Redding Margaret L. Redding, Nancy J. Redding and Catharine C. Redding in and to the undivided interest of four hundred acres of the portion of said league of land first herein discribed, be divided out of them and each of them and vested in the said appellant William R Redding

It is further ordered, adjudged and decreed that the District Court of Travis county be directed by the Mandate of this Court to appoint Commissioners in accordance with the provisions of the statute to make partition of the said four hundred acres of land to said appellant, and the appellees pay all cost of this cause in this Court expended and this decision be certified below for observance

Whereof we command you to observe the order of our said Supreme Court in this behalf, and in all things to have it duly recognized, obeyed and executed

Witness the Hon John Hemphill Chief justice of said Supreme Court with the Seal thereof annexed at Austin this the 8th day of December A D 1853 Thomas Green Clk
And the Supreme court having ordered this Court to appoint Commissioners to partition & Set apart four hundred acres of that portion of of the League of Land in Travis County

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granted to Robert L Redding as assignee of James Wallace that has Not been Sold by the said Robert L Redding on his lifetime as appears from the said Notes incorporated on and Made a part of this decree of the Supreme Court,

It is therefore ordered by the Court that ~~Robert~~ P H Rowland, W P DeRossayd[illegible] & D. F. Waddell be and are hereby appointed Commissioners to partition and Set apart four hundred acres of the last Mentioned tract of Land to said Plaintiffs dividing and partitioning the Same according to Quantity & quality and they are hereby required to make said partition and return and report of the Same at the present term of this Court, and the Clerk of this Court is required to issue a copy of this decree and order and deliver it to the plaintiffs Attorney instanter,

937 Thomas Truman } Plaintiff
S K Jennings & al } Defendants } Judgt and Writ of inquiry

It appearing that the defendants have Not answered, within the time prescribed by Law, it is ordered by the Court that the plaintiff have a judgment by default and that a writ of inquiry be awarded

922 Levi S Chatterfield } Plaintiff
J Douglas Brown & al } Defendants } Order

On Motion of the Clerk it is ordered by the Court that the Plaintiff enter into bond and Security for costs of Suit, on or before the first day of the next term of this Court or the Same will be dismissed at his Costs the Plaintiffs Attorney being Present and Notified and thereupon it is further ordered by the Court that leave be given for L S Chatfield to intervene in the above Cause

939 John B Banks } Plaintiff
Wesley Smith & } Defendant } Judgt and writ of inquiry

It appearing that the Defendant has Not answered within the time prescribed by Law, it is ordered by the Court that the Plaintiff have a Judgment by default and that a Writ of enquiry be awarded

Spring Term Saturday June 21st 1851

↓ 943 Robert White } Plaintiff
Sylvester Lockwood } & Defendant } Order

It appearing that the defendant has not answered within the time prescribed by Law, It is ordered by the Court that the Plaintiff have a Judgment by default and that a writ of enquiry be awarded

↓ 969 James M Haynie } Plaintiff
U L Ezell } & Defendants } order

It appearing that the defendants have not answered within the time prescribed by Law, It is ordered by the Court that the Plaintiff have a Judgment by default and that a writ of enquiry be awarded

It is ordered by the Court that Monday Morning be set apart for the taking up and trial of the Criminal Docket for the present Term of this Court.

And thereupon Court adjourned until Monday Morning at 8 oclock A M

Monday Morning June 23 dd 1851 Court met pursuant to adjournment, present the same as on Saturday, whereupon the following Proceedings were had by said Court as follows to wit:

↓ 901 A G Compton } Plaintiff } Debt
Henry G Hughes & Defendant &

This day came the Plaintiff by his attorneys and judgment by default having been entered on the 5th day of the term of this Court and the Clerk in making up the minutes neglected to enter the lands attached to the payment of said judgment interest and Cost and it appearing from the return of the Sheriff of Coryell County on the attachment issued in this Cause that he had duly levied upon the following described lands, to wit:

The undivided one fourth part of the following described tract of Land to wit Thirty five hundred and Eighty Six Acres of Land situated on the

Leon 37½ Poles above the Jonction of the three forks forming Little River Surveyed for Francis Hughs by Virtue of Certificate No 54, Beginning at the N W Corner of a Survey in the Name of J R M Thompson No 1 Thence N 19° E at 200 Vrs Set a Post oak in a Mound for the N E Corner from which a live oak Mkd + brs S 80° W 21 Vrs also an Elm & India brs N 49° W 45 Vrs Thence N 71° W at 840 Vrs crossed Hughs Creek at 2850 Vrs Set a Post oak in a Mound for the N W Corner from which a Red Oak & Indian brs N 45° E 70 Vrs also a red oak Mkd & brs S 18° E 90 Vrs Thence S 19° W at 1710 Vrs the Leon runs S E at 5000 Vrs Enters Prairie at 7102½ Vrs, Set a Post ~~oak~~ for the S W Corner from which a Post oak Mkd & brs S 1½ Vrs also a Post oak Mkd & brs N 77° W 4 Vrs, Thence S 71° E at 2851 Vrs Set a Post ~~oak~~ in a Mound for the S E Corner of this Survey thence N 19° E at 4016 Vrs passed the S W Corner of a Survey in the Name of Said Thompson and with the W Boundary thereof at 1326 Vrs crossed the Leon S. E 1902½ Vrs beginning Also the undivided one fourth part of the following described tracts of Land to wit, Three hundred and twenty acres of Land Surveyed for Wm Connelly Situated W of Leon on Plum Creek, 42 miles above the Jonction of the forks formerly ~~on~~ Little River, Beginning at the N E Corner of a Survey in the Name of B H Daniel for the N W Corner of this Survey, thence S 19° W with the E Boundary of Said Survey at 420 Vrs a Branch runs S at 780 Vrs, a Branch runs S 1344 Vrs to a Stone Mound from which a Red Oak 3 in dia brs S 41° E 17 Vrs, thence S 71° E 1344 Vrs to a Stone Mound for S E Corner of this Survey, thence N 9° E at 400 Vrs a branch runs S E 1344 Vrs Set a Post ~~oak~~ for which a Post oak Mkd P brs S 89° W 2 Vrs also a Black Jack Mkd & brs N 44° E 1½ Vrs thence N 71° W at 1078 Vrs passed the S E Corner of a Survey in the Name of J D Lynch and with the S Boundary of said Survey 1344 Vrs to beginning

Apl 24th A D 1851. L. N. Allen, Sheriff, C. C.

It is therefore ordered adjudged and decreed that said described Lands as the Property of said Hughes be Sold in the Manner Prescribed by Law, to Satisfy said Judgment interest & Cost and that Execution issue accordingly

461 R H McAlpin & Co (Plaintiff) Decree
v
Cassidy & Finnin (Defendants)

And Now on this day comes the Parties to the above entitled Suit by their Attys and a Jury of twelve good and lawful Men

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to wit A McBride forman and Eleven others who being regularly pred empannelled and Sworn according to Law and thereupon the parties having announced themselves ready for trial and the pleadings both of plaintiff and defendants being read, the evidence heard the arguments of the Counsel and the charge & instructions of the Court being given to the jury they retired to consider of their verdict and thereupon returned into Court the following to wit "We the Jury find for the Plaintiff the Sum of Nine Dollars and forty five Cents

A McBride forman

And it appearing to the Court that the said verdict is reduced to an Amount under the Jurisdiction of the Court by payment, It is ordered adjudged and decreed that the plaintiffs Robert K Alpin and Peter S Miller formerly doing business under the Name and Style of R K McAlpin & Co have and recovery of the said defendants Thomas Cassidy and Edward Finnin formerly doing business under the Name & Style of Cassidy & Finnin the said Sum of Nine Dollars & forty five Cents for which execution may issue and it is further ordered that the above Named defendants have and recover of and from the above named plaintiffs all the costs in this Suit for which execution may issue and their Securities on their Cost bond to wit S H Chandler & J. Hamilton

760 Phebe Taylor } Plaintiff } Divorce
Michael L Taylor } Defendant }

And now on this day comes the Plaintiff by attorney and the Defendant having been Served by Publication thirty days previous to the last Term of this Court by inserting the Citation in the Texas State Gazette as shown by the Sheriffs return for more than four weeks successively before the last Term, and said Case having been continued over to the next and the said defendant having failed to answer and being now Solemnly called and having Made default the Court under the Statute in Such Cases Made and provided

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appointed Edwin R Peck Esq an Attorney of this Court the attorney of the defendants and thereupon Came a Jury of twelve good and Lawful Men to wit A M Bride forman and Eleven others who being duly Sworn well and truly to try the issue according to law and the evidence as given them after having heard the evidence the argument of Counsel and the Charge of the Court returned into Court here the following verdict, "We the jury find the allegations set forth in the plaintiffs petition to be true"

It is therefore ordered adjudged and decreed by the Court that the Marriage between the Plaintiff Thebe Taylor and the defendant Michael D Taylor in June 1838 in the State of Missouri be dissolved and that the said Thebe Taylor hereafter be absolved from the bonds of Matrimony with the said Michael D Taylor

It is further ordered adjudged and decreed by the Court that the said Thebe Taylor do have the guardianship of the children of the said Marriage Charles R Taylor, William Alexander Taylor, George Taylor John Taylor, Elizabeth Taylor & Jane B Taylor with the right to control them free from Molestation by the said Michael D Taylor until they attain respectively the years of Majority

It is further ordered adjudged and decreed by the Court that the Plaintiff Thebe Taylor recover of the defendant Michael D Taylor all her Costs in and about this Suit expended for which Execution May issue

X

The State of Texas } And now on this day appears
County of Travis } in open Court the Grand Jurors
for said County of Travis, and State of Texas
duly elected empannelled and Sworn for the
present Term of this Court and by their forman
George Hancock presented to the Court the follow
ing bills of Indictment to wit

No 702 The State of Texas } Plaintiff } Exhibiting a gamin
vs } g table Called a
Dutch Pete } Defendant } Lottery

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703	The State of Texas / Thos P Adcock	Plaintiff & Defendant	Betting at Faro	
704	The State of Texas / Thomas Powds	Plaintiff & Defendant	for betting at Poot	
705	The State of Texas / Andrew Bayles	Plaintiff & Defendant	Betting at Faro	
706	The State of Texas / George Robinson	Plaintiff & Defendant	For setting a Gaming Bank Called Chuck a Luck to be obtained in his house	
707	The State of Texas / David Bright	Plaintiff & Defendant	Exhibiting a Faro Bank	
708	The State of Texas / Benjamin Hinds	Plaintiff & Defendant	Betting at Faro	
708	The State of Texas / Edward R Peck	Plaintiff & Defendant	Betting at Faro	
709	The State of Texas / William Fowler	Plaintiff & Defendant	Assault & Battery	
710	The State of Texas / George Sew	Plaintiff & Defendants	Boling at a Monte Bank	
711	The State of Texas / Giles S Boggs	Plaintiff & Defendant	Exhibiting Faro	
712	The State of Texas / Giles S Boggs	Plaintiff & Defendant	Exhibiting Faro	

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713	The State of Texas / Giles S Boggess	Plaintiff & Defendant	Betting at Faro
714	The State of Texas / William B Lilly	Plaintiff & Defendant	Betting on "Seven up"
715	The State of Texas / William B Lilley	Plaintiff & Defendant	Playing at a game with Cards for Money in a Public Place
716	The State of Texas / William B Lilley	Plaintiff & Defendant	Exhibiting Faro
717	The State of Texas / Tilman Weaver	Plaintiff & Defendant	Exhibiting twenty one
718	The State of Texas / Alfred Robertson	Plaintiff & Defendant	Betting on a Monte bank
719	The State of Texas / Banyan Payne	Plaintiff & Defendant	Assault with intent to Kill
721	The State of Texas / Willard C Walker & Thomas Walker	Plaintiff & Defendants	Assault with intent to Kill and Murder
721	The State of Texas / Constantine A Hopkins	Plaintiff & Defendant	Aggravated Assault and battery
722	The State of Texas / Henry W Sublett	Plaintiff & Defendant	Betting at Faro
723	The State of Texas / Richard O Browning	Plaintiff & Defendant	Betting at Faro

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724	The State of Texas vs Robert Terry & Lovell Cavinef	Plaintiff & Defendants	Larceny & Near Cattle
725	State of Texas vs Oliver A Marony	Plaintiff & Defendant	Betting at Faro
724	The State of Texas vs George Robinson	Plaintiff & Defendant	Permitting Monte to be exhibited in his house
727	The State of Texas vs William B Ashbrae	Plaintiff & Defendant	Betting at Faro
728	The State of Texas vs Samuel G Worrell	Plaintiff & Defendant	Betting at Faro
729	The State of Texas vs Samuel G Worrell	Plaintiff & Defendant	Playing Cards for Money in a public house
730	The State of Texas vs Samuel G Worrell	Plaintiff & Defendant	Playing Cards for Money in a Public house
731	The State of Texas vs Wilson whose Name is unknown	Plaintiff & Defendant	Exhibiting a Gaming Table Called "Faro Bank"
732	The State of Texas vs Wilson whose Name is unknown	Plaintiff & Defendant	Exhibiting "Chuck a luck"
733	The State of Texas vs Pacifas Anderson	Plaintiff & Defendant	Betting at Pea Pool

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734	The State of Texas vs Theofolas Anderson	Plaintiff & Defendant	Betting at Faro	
735	The State of Texas vs Ba C Tarver	Plaintiff & Defendant	Betting at Faro	
736	The State of Texas vs John Horan	Plaintiff & Defendant	Allowing a Monte Bank to be exhibited on his House	
737	The State of Texas vs Newton Jackson	Plaintiff & Defendant	Exhibiting a Monte bank	
738	The State of Texas vs Isaac Hinton Jackson	Plaintiff & Defendant	Playing Cards for Money in a public place	
739	The State of Texas vs Alfred Robertson	Plaintiff & Defendants	Playing Cards for Money in a public place	
740	The State of Texas vs H H Sublett	Plaintiff & Defendant	Betting at Faro Bank	
741	The State of Texas vs Henry H Sublett	Plaintiff & Defendant	Betting at Faro	
742	The State of Texas vs A A Maroney	Plaintiff & Defendant	Exhibiting a Faro bank for Gaming	
743	The State of Texas vs Pit Cook	Plaintiff & Defendant	Betting at Faro	
744	The State of Texas vs John S Fisk	Plaintiff & Defendant	Betting at Monte	

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745	The State of Texas	Plaintiff	}	Playing cards for money in a public place
	Arthur Dixon	Defendant		
746	The State of Texas	Plaintiff	}	Permitting a gaming table & the attendants pertaining in his house
	James M Wallace	Defendant		
747	The State of Texas	Plaintiff	}	Playing cards for money in a public place
	James R Jackson	Defendant		
748	The State of Texas	Plaintiffs	}	Betting at Faro
	James R Jackson	Defendant		
749	The State of Texas	Plaintiff	}	Exhibiting a Faro Bank for Gaming
	William Ryan	Defendant		
750	The State of Texas	Plaintiff	}	Permitting a Faro Bank to be exhibited in his house for gaming
	Geo Robinson	Defendant		
751	The State of Texas	Plaintiff	}	Permitting a gaming house & table for & exhibited in his house
	Geo Robinson	Defendant		
752	The State of Texas	Plaintiff	}	Permitting a banking game called "Faro" to be exhibited in his house
	Geo Robinson	Defendant		
753	State of Texas	Plaintiffs	}	Permitting a gaming bank called "Twenty one" to be exhibited in his house
	Geo Robinson	Defendant		
754	The State of Texas	Plaintiff	}	Permitting a gaming house called Roulette to be exhibited in his house for the purpose of gaming
	Geo Robinson	Defendant		
755	The State of Texas	Plaintiffs	}	Permitting a gaming house called Chuck a luck to be exhibited in his house
	Geo Robinson	Defendant		

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and thereupon said Grand Jury by its foreman George Hancock Jurors suggested to the Court that there was further Crimes before them, said Court ordered them to retire upon a further discharge of their duties,

+ And thereupon Court adjourned until to morrow Morning at 8 Oclock A M,

Tuesday Morning June 24th 1857 Court Met Pursuant to adjournment present the same as on yesterday whereupon the following proceedings were had by said Court to wit,

✓ 757 Susanah Smith } Plaintiff
v } Order
Joseph Smith } Defendant }

It is ordered by the Court that William Byrd Esq be appointed to represent the Defendants in this Cause

✓ 901 L Hoke } Plaintiff
v } Judgment by default
W B Jugerson } Defendants }

And now on this day comes the Plaintiff by attorney and claims a Judgment by default and it appearing that due and legal Process has been had and that Defendant has failed to file his answer within the time prescribed by Law, and it also appearing that the Cause of action is liquidated as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the Plaintiff L Hoke have and recover of the Defendant W B Jugers on the sum of Three hundred and thirty two Dollars & Seventy five Cents the principal and interest due on said Note from date ~~until paid~~ with Interest on said Amount at the rate of ten per Cent ~~per~~ ~~ann~~ until paid together with all Costs of this Suit for which Execution May issue

Spring Term Tuesday June 27th 1854

993 Phil Claiborne } Plaintiff
James E Brady } Defendant } Continued
And now come the parties and by agreement, It is ordered by the Court that this Cause be Continued until the next Term of this Court

1047 Thomas Freeman } Plaintiff
E B Smith } Defendant } Leave to amend
It is ordered by the Court that the Defendant in this Cause have leave to amend

1064 William Gannon } Plaintiff
Mary Gannon } Defendant } Order
It is ordered by the Court That Joseph Bledsoe Esq be appointed to represent the Defendant in this Cause

679 N C Hamilton } Plaintiff
Wm Bradford etal } Defendant } Order
It is ordered by the Court that this Cause be placed at the head of the Docket

Corporation of Easton } Plaintiff
Alfred Smith } Defendant } Order
Upon Affidavit of all Defendants this Cause is continued until the Next Term of this Court

271 Elizabeth Lloyd etal } Plaintiffs
Richard Lloyd etal } Defendants } Decree
In this Cause appeared the Parties Plaintiffs and defendants by their Attorneys, upon Motion of the Plaintiffs Attorney the following judgment is here rendered by the Court. Viz. Time pro Time, Whereas it appears from the records of this Court that at the fall Term 1853 a Decree of Partition

of the Land between the parties litigant was made and a Judgment rendered against the Defendant Richard J Lloyd for all the Costs of this Suit up to the date of the order of Partition to wit the Spring Term 1853 of District Court and whereas it further appears that at the Fall 1853 Judgment was rendered against Richard J Lloyd William Lloyd, Benjamin W Lloyd, Washington Lloyd, John D Lloyd, Elizabeth Lloyd and ~~his wife~~ Jesse Davis and his wife Biddy Davis pay one Ninth each of the Cost of Partition, that the said John C Ley pay two Ninths of the Costs of said Partition, that this Court through Mistake failed to fix and allow the fees heretofore to be due the Surveyors and Commissioners appointed to Partition and Set apart said Land but left the Amount blank in said Judgment, It is therefore ordered adjudged & decreed by the Court that Horace L Upshur as Surveyor of Nueces County be allowed the Sum of One Hundred Dollars and F A Lockett as Deputy Surveyor be allowed the Sum of Twenty Dollars, that Albert Brown Wesley Smith and Enoch S Johnson, be allowed the Sum of Eighteen Dollars each, for all which Execution may issue

848

A J Cleveland } Plaintiff
v } Order
Wm & Circus & Defendants }

This day came the plaintiff by attorney and the defendants having failed to answer the allegations of plaintiffs petition within the time prescribed by Law and it appearing to the Court that the action is founded upon an unliquidated ~~Claim~~ demand, thereupon came a Jury of twelve good and lawful men to wit
and eleven others who being sworn and charged to enquire and assess the Amount of plaintiffs debt and it being made to appear that the plaintiffs demand against the said defendants is the Sum of One Hundred and thirty five dollars as by agreement between the parties thereupon the Jury empannelled, Sworn and charged as aforesaid do Say "We the Jury find the Amount to be due the plaintiff to be One Hundred and thirty five Dollars
It is therefore ordered by the Court that the plaintiff recover of the Defendants, the said Sum of One

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hundred and thirty five Dollars & as aforesaid assessed by the Jury, together with the Costs of this Suit for which let execution issue,

State of Texas } And now on this day appeared in open Court the Grand County of Travis } Jury for the County of Travis, duly elected empannelled and Sworn for the present Term of this Court and by their Foreman George Hancock presented to the Court the following bills of Indictment, to wit

756	The State of Texas v. William P. De Normandie	Plaintiff & Defendant	Betting at Pai Pool
757	The State of Texas v. Arthur Lott	Plaintiff & Defendant	Betting at Faro
758	The State of Texas v. Josiah F. Crosby	Plaintiff & Defendant	Betting at Faro
759	The State of Texas v. Bate Robertson	Plaintiff & Defendant	Betting at Faro
760	The State of Texas v. Andrew Norton	Plaintiff & Defendant	Betting at Faro
761	The State of Texas v. Richard T. Browning	Plaintiff & Defendant	Betting at Pool
762	The State of Texas v. Amaza P. Lott & Duckett	Plaintiff & Defendant	Playing for Money in a Publick House

Spring Term Tuesday June 24th 1856

	The State of Texas / William E Bayley	Plaintiff / Defendant	Cutting and carrying away lumber from land not his own without Consent of owner
764	The State of Texas / J H W Hall	Plaintiff / Defendant	Permitting a Faro Bank to be exhibited in his house
765	The State of Texas / J H W Hall	Plaintiff / Defendant	Permitting a Monte Bank to be exhibited for gaining
766	The State of Texas / Jeremy Frazier & J H W Hall	Plaintiff / Defendant	Permitting a Faro Bank to be exhibited in his house
767	The State of Texas / J Haston	Plaintiff / Defendant	Taking up and using a Stray horse Contrary to Law
768	The State of Texas / Joseph Looney	Plaintiff / Defendant	Timber Stealing
769	The State of Texas / Sherman Case	Plaintiff / Defendant	allowing Brand Not his own on Neat Cattle without Consent of owner
770	The State of Texas / Thomas R Glover & William B Manning	Plaintiff / Defendant	Swindling
771	The State of Texas / James Sims	Plaintiff / Defendant	Assault with intent to Kill
772	The State of Texas / John J Blankenship & John Cunningham & Charles D Ridley	Plaintiff / Defendants	Arson

Spring Term Tuesday June 24th 1856

773	The State of Texas John D Blankenship John Simmons & Charles J Raley	} Plaintiffs } Defendants	} Arson }

And thereupon said Grand Jury by its forman George Hancock having Indgested to the Court that there was No further business before them said Court ordered them to be finally discharged

182	The State of Texas W G W Jones	} Plaintiff } Defendant	} Indgment }

And now on this day comes the Plaintiff by the District Attorney and the defendant, and announced themselves ready for trial. And the defendant being arraigned, pleads guilty to the indictment. Whereupon came a Jury of twelve good and lawful men of Travis county, to wit. Hugh McBride and eleven others, who being duly elected, empannelled and sworn heard the plea of guilty and the charge of the Court, and having thereupon retired, returned into Court the following verdict to wit. "We the Jury find the defendant guilty and assess the fine at ten dollars W. McBride, Foreman."

Whereupon It is ordered, adjudged and decreed by the Court that the plaintiff have and recover of the defendant, W. G. W. Jones, the sum of ten dollars, so found by the Jury aforesaid, and all her costs, and that said defendant remain in the custody of the Sheriff until the same are paid

517	The State of Texas v. George W. Scott	} Plaintiff } Defendant	} Indgment }

And now comes the Plaintiff by the District Attorney and the defendant by his attorney S. H. Wood, and the latter, by his attorney, enters the plea of guilty and confesses the payment of the Indgment. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: Hugh McBride and eleven others, who being duly elected,

empannelled, sworn and charged, having heard said plea of guilty, and retiring to consider of their verdict, returned into Court the following to wit. "We, the Jury, find the defendant guilty and assess the fine at ten dollars. H. McBride Foreman." Whereupon, It is ordered by the Court that the State of Texas have and recover of the defendant George W. Sears, the sum of ten dollars and all costs of this cause, and that he remain in the custody of the Sheriff until the said fine and costs are paid

529 The State of Texas } Plaintiff
James S. Tolen } Defendant } Judgment.

And now come the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon the defendant plead guilty to the Indictment. And then came a Jury of twelve good and lawful men of Travis county, to wit. Hugh McBride and eleven others who being duly elected, empannelled sworn and charged, heard the plea of guilty, the charge of the Court, and having retired, returned into Court the following verdict, to wit. "We, the Jury, find the defendant guilty and assess the fine at ten dollars. H. McBride, Foreman." Wherefore, It is ordered by the Court that the State of Texas have and recover of the defendant, James S. Tolen, the sum of ten dollars, so found by the Jury aforesaid and all costs in this suit expended, & that said Tolen remain in the custody of the Sheriff until the said fine and costs are paid

585 The State of Texas } Plaintiff
vs } Judgment
C. A. Hopkins } Defendant

And now on this day come the parties by attorney and announced themselves ready for trial, and the defendant pleads guilty to the Indictment in this case. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: Hugh McBride and eleven others, who being duly elected, empannelled, sworn and charged, heard said plea and also the charge of the Court, and returned into Court the following verdict to wit: "We, the Jury, find the defendant guilty, and assess the fine at ten dollars. H. McBride, Foreman." Wherefore, It is ordered by the Court that the State of Texas recover of the defd. C. A. Hopkins, the sum of ten dollars, as aforesaid, and all costs of this cause, and that he remain in charge of the Sheriff until the said fine and costs are paid

Spring Term, Tuesday, June 24th 1856.

675 The State of Texas } Plaintiff
Owen O'Brien } Defendant } Recognizance

And now on this day came and appeared in open Court Owen O'Brien as principal and Samuel Stone and Washington L. Hill as Securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the penal sum of Five Hundred Dollars to be levied of their Goods and Chattels, Lands and Tenements. But to be void upon condition that the said Owen O'Brien be and remain in attendance upon the District Court of Travis County now in session and from term to term thereafter, to answer to an Indictment preferred against him the said Owen O'Brien by the Grand Jurors of Travis county, at this the Spring Term of the District Court of said County 1856 for permitting a certain gaming bank called "chuck-a-luck" to be exhibited for gaming in his house by some Mexicans whose names are to the Grand Jurors are unknown, and that he do not depart the Court without leave.

676 The State of Texas } Plaintiff
Owen O'Brien } Defendant } Recognizance

And now on this day came and appeared in open Court, Owen O'Brien as principal, and Samuel Stone and Washington L. Hill as securities and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal sum of Five Hundred Dollars to be levied of their Goods and Chattels, Lands and tenements. But to be void upon condition that the said Owen O'Brien be and remain in attendance upon the District Court of Travis county, now in session, and from term to term thereafter, to answer to an Indictment preferred against him by the Grand Jurors of Travis county at this the Spring Term of the District Court of said county, 1856, for permitting William Wyatt to exhibit in his house a gaming bank called Faro for the purpose of gaming, and that he do not depart the Court without leave

Spring Term, Tuesday, June 24, 1856

677 The State of Texas } Plaintiff
Owen O'Brien } Defendant } Recognizance

And now on this day came and appeared in open Court Owen O'Brien as principal and Samuel Stone and Washington L. Hill as securities and acknowledged themselves jointly and severally justly to be and be indebted unto the State of Texas in the sum of Five Hundred Dollars to be levied of their Goods and Chattels Lands and Tenements But to be void upon condition that the said Owen O'Brien be and remain in attendance upon the District Court of Travis county now in session and from term to term thereafter to answer to an Indictment preferred against him by the Grand Jurors of Travis county at this the Spring Term of the District Court of said county 1856 for permitting a gaming bank called Monte to be exhibited for gaming in his house in the City of Austin by some Mexicans to the Grand Jurors unknown, and that he do not depart the Court without leave.

678 The State of Texas } Plaintiff
o
Owen O'Brien } Defendant } Recognizance.

And now on this day came and appeared in open Court Owen O'Brien as principal and Samuel Stone and Washington L. Hill as securities, and acknowledged themselves jointly and severally justly to and be indebted unto the State of Texas in the sum of Five Hundred Dollars, to be levied of their Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Owen O'Brien be and remain in attendance upon the District Court of Travis County now in session and from term to term thereafter to answer to an Indictment preferred against him by the Grand Jurors of Travis county at this the Spring term of the District Court of said county, 1856, for permitting certain persons to the Grand Jurors unknown to play at a game with cards called Poker upon which money was bet in a house for retailing spirituous liquors occupied and kept by the said Owen O'Brien, and that he do not depart the Court without leave.

Spring
~~Fall~~, Term, Tuesday, June 24th 1856.

679 The State of Texas } Plaintiff
Owen O'Brien } Defendant } Recognizance

And now on this day came and appeared in open Court Owen O'Brien as Principal and Samuel Stone and Washington L. Hill as Securities, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars to be levied of their Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Owen O'Brien should remain in attendance upon the District Court of Travis County now in session and from term to term of said Court thereafter, to answer to an Indictment preferred against him the said Owen O'Brien, by the Grand Jurors of Travis county at this the Spring Term of the District Court of said county, 1856, for permitting a gaming bank called Faro to be exhibited for gaming in his House by one Dight, and that he do not depart the Court without leave

William L Moreton

And now on this day appeared in open Court Wm L Moreton and presented to the Court here his petition praying to be admitted to practice as an attorney & Counsellor at Law in the several Districts and inferior Courts of the State of Texas and the said Wm L Moreton having presented to the Court here sufficient evidence of his good moral character and honorable deportment, and that the said Wm L Moreton ~~had been duly licensed as an attorney and Counsellor at Law~~ possessed a competent knowledge of the Law to entitle him to be admitted and practice as an attorney and Counsellor at Law in the several District and inferior Courts of the State of Texas It is therefore ordered and decreed by the Court that the said William L Moreton be and is hereby admitted to practice as an attorney and Counsellor at Law in the several District & inferior Courts of the State of Texas upon the taking of the oath prescribed by Law and that a License issue accordingly

Spring Term Tuesday June 24th 1856

1687 The State of Texas / Plaintiff / Recognizance
John Horan / Defendant /

and now on this day came and appeared in open Court John Horan as principal and John B Costa and Joseph Lee as Securities and acknowledged themselves jointly and severally justly to owe and be indebted to the State of Texas in the Sum of five hundred Dollars to be levied upon their goods and chattels lands and tenements, but to be void upon condition that the said John Horan be and remain in attendance upon the District Court of Travis County now in Sesion, from term to term, and from day to day of each term thereafter, to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term of the District Court of said County 1856, for permitting a gaming ~~table~~ bank to be exhibited for gaming in his House called Monte, by one Robertson, called Rio Grande Robertson, and that he do not depart the Court without leave

1688 The State of Texas / Plaintiff / Recognizance
John Horan / Defendant /

and now on this day came and appeared in open Court John Horan as principal and John B Costa and Joseph Lee as Securities, and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the Sum of five hundred Dollars, to be levied upon their respective goods and chattels, lands and tenements, but to be void upon condition that the said John Horan be and remain in attendance upon the District Court of Travis County, Now in Session and from term to term and from day to day, of each term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of the District Court of said County, for permitting a Gaming Bank called "Twenty one" to be exhibited for gaming in his House by one Robert C White and that he do Not depart the Court without leave

Spring Term Tuesday June 24 /56

689 The State of Texas / Plaintiff / Recognizance
John Horan & Defendant & Surety

And Now on this Come and appeared in open Court John Horan as Principal and John B Costa and Joseph Lecas Securities and acknowledged themselves justly and Severally 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 and tenements, but to be void upon the Condition that the said John Horan be and remain in attendance upon the District Court of Travis County, now in Session from Term to term and from day to day, of each term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring term 1856 of the District Court of said County for permitting a Gaming Bank called Faro to be exhibited for gaming in his house by a man called Dutch Pete, and that he do not depart the Court without leave

690 The State of Texas / Plaintiff / Recognizance
John Horan & Defendant &

And Now on this day came and appeared in open Court John Horan as Principal and John B Costa and Joseph Lee as Securities and acknowledged themselves jointly and Severally, justly to owe and be indebted to the State of Texas in the Sum of five hundred Dollars, to be levied upon their goods and chattels lands & tenements but to be void upon condition that the said John Horan be and remain in attendance upon the District Court of Travis County now in Session and from term to term and from day to day of each term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of the District Court of said County for permitting a Gaming Bank called "Chuck a Luck" to be exhibited in his house by two Men whose Names are to the Grand Jurors unknown and that he do not depart the Court without leave

Spring Term Tuesday June 24th 1856 89

691 The State of Texas / Plaintiff / Recognizance
John Doran / Defendant /

And Now on this day came and appeared in open Court John Doran as Principal and John B Costa and Joseph Lee 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 and tenements but to be void upon condition that the said John Doran be and remain in attendance upon the District Court of Travis County now in Session, and from term to term and from day to day, of each term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of the District Court of said County for, permitting a Gaming bank called Twenty one, to be exhibited for gaming in a house owned and Controlled by him the said Doran by one Dutch Pete whose other name is to the grand Jurors unknown, and that he do not depart the Court without leave

692 The State of Texas / Plaintiff / Recognizance
John Doran / Defendant /

And Now on this day came and appeared in open Court John Doran as principal and John B Costa and Joseph Lee, 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 respective goods and chattels, lands and tenements but to be void upon the Condition that the said John Doran be and remain in attendance upon the District Court of Travis County at the Spring Term 1856 of the District Court of said County for, permitting a Gaming bank called Monte to be exhibited for gaming in his house by one "Dutch Pete" whose other Name is unknown and that he do not depart the Court without leave

And thereupon Court adjourned until tomorrow Morning at 8 O Clock A M,

Spring Term Wednesday June 25th 1856

Wednesday Morning June 25th 1856 Court met pursuant to adjournment, present the Same as on yesterday, whereupon the following proceedings were had by said Court to wit,

693 The State of Texas } Plaintiff
John Horan } Defendant } Recognizance

And now on this day came & appeared in open Court John Horan as Principal and John B Costa & Joseph Lee as Securities, and acknowledged themselves jointly & severally, justly to owe and be indebted to the State of Texas in the Sum of Five hundred Dollars to be levied upon their goods and chattels lands & tenements but to be void upon condition that the said John Horan be and appear in attendance upon the District Court of Travis County now in Session, and from term to term and from day to day of each term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of the District Court of said County for permitting a gaming bank Called Faro to be exhibited for gaming in his house by one Bright, and that he do not depart the Court without leave,

709 The State of Texas } Plaintiff
William Fowler } Defendant } Recognizance

And now on this day came and appeared in open Court William Fowler as principal and J. W. Bride and James F. McLaren as Securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the Sum of One hundred Dollars to be levied upon their respective goods Chattels lands & tenements & to be void upon Condition that the said William Fowler be and remain in attendance upon the District Court of Travis County from day to day and from term to term of each term thereafter to answer the indictment preferred against him by the Grand Jury of Travis County at the Spring Term of the District Court of said County 1856 for a duel & battery upon the

Spring Term Wednesday June 25th 1856

body of you Evelina Fowler wife of the said Defendant William Fowler, and do not depart the Court without leave,

The State of Texas (Plaintiff) Recognizance
v
George Robinson (Defendant)

and now on this day came and appeared in open Court George Robinson as principal and William R Baker and Theodore C Beck 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 of their respective goods and chattels lands and tenements, but to be void upon condition that the said George Robinson be and remain in attendance upon the District Court of Travis County now in Session and from Term to Term and from day to day of each Term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of the District Court of said County for permitting one Oliver H Harony to exhibit for gaming a gaming bank called Faro in his house and that he do not depart the Court without leave,

The State of Texas (Plaintiff) Recognizance
v
George Robinson (Defendants)

And now on this day came and appeared in open Court George Robinson as principal and William R Baker and Theodore C Beck 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 respective goods and chattels lands and tenements but to be void upon condition that the said George Robinson be and remain in attendance upon the District Court of Travis County now in Session and from Term to term and from day to day of each term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of the District Court of said County for permitting one Giles H Boggess to exhibit a gaming bank called Faro to be exhibited in his house, and that he do not depart the Court without leave,

Spring Term Wednesday June 25/56

1752 The State of Texas / Plaintiff / Recognizance
George Robinson & Defendant

And now on this day came and appeared in open Court George Robinson as principal and William A Baker and Theodore C Beck 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 Dollars to be levied upon their goods and Chattels lands and tenements, but to be void upon Condition that the said George Robinson be and remain in attendance upon the District Court of Travis County now in Session and from Term to Term and from day to day of each Term thereafter, to answer the indictment preferred against him by the Grand Jurors of Travis County at its Spring Term 1856 of said District Court for permitting a Gaming Bank called Faro to be exhibited for the purpose of gaming in his house by one William Wyatt and that he do not depart the Court without leave,

1753 The State of Texas / Plaintiff / Recognizance
George Robinson & Defendant

And now on this day came and appeared in open Court George Robinson as principal and William A Baker and Theodore C Beck as Securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the Penal Sum of Five hundred Dollars to be levied of their goods and chattels lands and tenements, but to be void upon condition that the said George Robinson be and remain in attendance upon the District Court of Travis County now in Session, and from term to term and day to day thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring term of the District Court of Travis County 1856 for permitting a Gaming Bank Called Twenty one to be exhibited for the purpose of gaming

Spring Term Wednesday June 25th 1856

in his house by one Silman Weaver and that he do not depart the Court wdhout leave

754 State of Texas / Plaintiff / Recognizance
George Robinson / Defendant /

And now on this day came and appeared in open Court George Robinson as Principal and William R Baker & Theodore C Bock as Securities and acknowledged themselves jointly & severally to owe and be indebted unto the State of Texas the Sum of Five Hundred Dollars, to be levied upon their goods and chattels lands and tenements, but to be void upon Condition that the said George Robinson be and remain in attendance upon the District Court of Travis County now in Session and from Term to Term of each Term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term of the District Court of Travis County 1856 for permitting a Gaming bank called Roulett, to be exhibited for the purpose of gaming in his house by one Wilson, and that he do not depart the Court without leave

755 The State of Texas / Plaintiff / Recognizance
George Robinson / Defendant /

And now on this day Came and Appeared in Open Court George Robinson as Security and William R Baker and Theodore C Baker as Securities and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the Sum of Five hundred Dollars to be levied upon their respective goods and Chattels lands and tenements but to be void upon Condition that the said George Robinson be and remain in attendance upon the District Court of Travis County now in Session and from term to term of each term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of said Court for permitting a gaming bank called Chuck-a-Luck to be exhibited for the purpose of gaming in his house by one Wilson and that he do not depart the Court without leave

Spring Term Wednesday June 25th 1856

↓ 724 The State of Texas } Plaintiff
George Robinson & } Defendants } Recognizance

And Now on this day came and appeared in open Court George Robinson as principal and William R Baker and Theodore C Beck as Securities and acknowledged themselves jointly and severally to owe and be indebted unto the State of Texas in the penal Sum of five hundred Dollars, to be levied upon their respective goods chattels lands and tenements but to be void upon Condition that the said George Robinson be and remain in attendance upon the District Court of Travis County Now in Session and from Term to Term of each term thereafter to answer the indictment preferred against him by the grand Juros of Travis County at the Spring Term of the District Court of said County 1856 for permitting a gaming bank called Monte to be exhibited for gaming in his house by some Mexicans whose names are to the Grand Jurors unknown, and that he do not depart the Court without leave

X And thereupon Court adjourned until tomorrow morning at 8 O Clock A M

Thursday morning June 26th 1856
Court met pursuant to adjournment, present the same as on yesterday whereupon the following proceedings were had by said Court in words and figures following

↓ 530 James S Ward } Plaintiff
F S Paschal et al } Defendants } Decree

In this Case now comes the plaintiff by his attorney and the Defendants Franklin L Paschal, Samuel Lytle, George T Howard and Governor R Nelson by their attys the said cause being brought to this Court by change of venue, and the parties

announcing themselves ready for trial also Came a Jury of good and lawful men of said County of Travis to wit A M Bride and Eleven others who being duly elected impannelled and Sworn & having heard the evidence and the Charge of the Court retired to consider of their verdict and thereupon they returned into Court the following. "We the Jury find for the Plaintiff. A. M Bride foreman"

Wherefore it is ordered adjudged and decreed by the Court that the said James S Ward do have and recover from the said Franklin L Pascha Samuel Lyle George Howard and Joseph A Nelson the title and possession of the following described tract or parcel of Land described in the said Plaintiff Petition to wit, twenty Six Labors of Land in Bexar District known as Survey No 59 in Section No 3 on the South West Bank of the Leona Rise about twenty two Miles above the Crossing of the road leading to Presidio Rio Grande — Beginning at a Stake in the S W Bank of the Leona for the N E Corner of Survey No 59 and the S E Corner of this Survey, whence an Elm 12 in dia brs N 42° E 4 Varas another 12 in dia brs S 41° E 41 brs — Thence South 65° West 11,765 Vrs to a Stake and a Mound, thence N 25° West 2530 Vrs to a Stake and a Mound, thence N 65° E 1002 Vrs to a Stake in the S W Bank of the Leona for the North East Corner whence an Elm ~~on the S W Bank of the Leona~~ 4 in dia brs N 64° E 2½ Vrs thence down the Leona with its Meanders to the beginning

It is further ordered adjudged and decreed that the said Plaintiff James S Ward do have his writ of possession against the said Defendants directed to the Sheriff of the proper County Commanding him to put & Place the said Plaintiff into the possession of the said Land,

It is further ordered adjudged and decreed by that the Plaintiff do have and recover of said defendants Franklin L Pascha Samuel Lyle George Howard and Joseph A Nelson all his Costs in this behalf had and expended for all which Execution May issue

Spring Term Thursday June 26th 54

571 C C Mason / Plaintiff / order
J P Cleveland & Defendant

And Now come the parties by attorney and on Motion it is ordered by the Court that so much of the replication as seeks to operate as a Plea of Non Est factum be Struck out and Set aside and Plaintiff accepts, It is further ordered by the Court that this Cause be continued as upon affidavit until the Next Term of this Court.

578 E G Wood / Plaintiff / Cont'd by Court
E B Rawles & Defendant

637 M T Johnson admr / Plaintiff / Same
Stephen Cross by Comm'rs & Defendant

640 Shepard & Burchins / Plaintiff / Cont'd by Court
Fielding S Roy & Defendant

Revell W Burdett / Plaintiff / Same
William Fowler & Defendant

It is ordered by the Court that the above causes be continued until the Next Term of this Court

643 Robert Mills / Plaintiff / Cont'd on affdvt
Albert Rust & Defendant

And Now comes the parties by attorney and thereupon It is ordered by the Court that this Cause be Continued until the Next Term of this Court as on affidavit of Plaintiff

Spring Term Thursday June 26th 1851

638 John W Shrimph Plaintiff / Continuance
Joseph Newsham & Defendant &
By agreement of Counsel it is ordered by the Court that this Cause be continued until the next Term of this Court

699 James Lamb / Plaintiff / Dismissed
I N Mathews & Defendant &
In this cause it is ordered by the Court that this Cause be dismissed at the Cost of the Plaintiff, Therefore it is ordered by the Court that the Defendant I N Mathews go hence and recover of the Plaintiff James Lamb all the Costs in this behalf expended for which execution may issue,

997 The State of Texas / Plaintiff / Case dismissed
Allanne Foster & Defendant &
On Motion of the District Attorney it is ordered by the Court that this Case be dismissed,

865 B D Hendricks admr / Plaintiffs / leave to amend
Geo W Glapcock & Defendants &

1057 Charles E Travis / Plaintiff / leave to amend
F F Duffau & Defendant &
It is ordered by the Court that in each of the above causes the Defendants have leave to amend,

1067 Henry Volz / Plaintiff / Leave for Pltff to amend
L Tillman & Defendants &
In this Cause it is ordered by the Court that the Plaintiff have leave to amend his Pleadings,

Spring Term Thursday June 21th 1855

131	The State of Texas v Andrew J Snider	Plaintiff & Defendant	Forgery
225	The State of Texas v Antonio Manchaca	Plaintiff & Defendant	gaming
302	The State of Texas v George Doss	Plaintiff & Defendant	Horse Stealing
303	The State of Texas v George Doss	Plaintiff & Defendant	Grand Larceny
181	The State of Texas v H G W Powers	Plaintiff & Defendant	gaming
264	The State of Texas v Josiah Hudson	Plaintiff & Defendant	Cutting timber ~~gaming~~
408	The State of Texas v Pleasant Barnhill	Plaintiff & Defendant	gaming
409	The State of Texas v Pleasant Barnhill	Plaintiff & Defendant	gaming
437	The State of Texas v James Casner	Plaintiff & Defendant	gaming
438	The State of Texas v James Casner	Plaintiff & Defendant	gaming
439	The State of Texa v James Casner	Plaintiff & Defendant	gaming

Spring Term Thursday June 26th 1856

445	The State of Texas vs Fleming	Plaintiff & Defendant	gaming
460	The State of Texas vs Wm H Fowler	Plaintiff & Defendant	Allowing woman Slave to hire her own time
464	The State of Texas vs Joshua Phillips	Plaintiff & Defendant	assault &c
465	The State of Texas vs William Barnett	Plaintiff & Defendant	Swindling
471	The State of Texas vs Joseph Wright	Plaintiff & Defendant	Allowing Slave to hire her own time
472	The State of Texas vs Francis Dutrick	Plaintiff & Defendant	Same as above
499	The State of Texas vs Charles Harrison	Plaintiff & Defendant	gaming
503	The State of Texas vs "Joe" a Mulatto Slave	Plaintiff & Defendant	arson
512	The State of Texas vs Ewing K Brown	Plaintiff & Defendant	assault &c
522	The State of Texas vs Gray Clements & Wm Foster & The Anderson	Plaintiff & Defendant	gaming

Spring Term Thursday June 24th 54

524	The State of Texas vs Theofolis Anderson	Plaintiff & Defendant	gaming
564	The State of Texas vs James Lumbard	Plaintiff & Defendant	gaming
566	The State of Texas vs Lewis Lumbard	Plaintiff & Defendant	gaming
616	The State of Texas vs J H Fleming	Plaintiff & Defendant	gaming
628	The State of Texas vs Jacob De Cordova	Plaintiff & Defendant	forgery
631	The State of Texas vs David H Cook	Plaintiff & Defendant	Same
653	The State of Texas vs James R Jackson	Plaintiff & Defendant	gaming
664	The State of Texas vs Thomas H Moore & James Casner	Plaintiffs & Defendants	gaming
657	The State of Texas vs Thos H Moore & Ned Roberts	Plaintiffs & Defendants	gaming

On motion of the District Attorney, It is ordered by the Court that the above Causes be dismissed, and that the Defendants go hence without day

Spring Term Friday June 27th 1856

× And thereupon Court adjourned until tomorrow morning at 8 OClock,

Friday morning June 27th 1856

Court met pursuant to adjournment present the Same as on yesterday, whereupon the following proceedings were had by said Court as follows to wit,

625 The State of Texas } Plaintiff
v } Recog. of witness
William A Bates } Defendant

And now on this day came in open Court Andrew J Copeland who acknowledged himself to owe and be indebted unto the State of Texas in the Sum of Five Hundred Dollars to be levied upon his goods and chattels lands and tenements, but to be void upon condition that ~~they and each of them~~ he be and appear at the next Term of the District Court of Travis County to be held at the Court House in the City of Austin on the Tenth Monday after the first Monday in September A D 1856 to testify on behalf of the plaintiff in the foregoing Cause wherein the State of Texas is Plaintiff and William A Bates is Defendant and there remain from day to day of each Term and that he do not depart the Court without leave,

627 The State of Texas } Plaintiff
v } Recog of witness
Charles L Haley } Defendant

And now on this day came in open Court Anderson Copeland who acknowledged ~~themselves~~ himself to owe and be indebted unto the State of Texas in the Sum of Five Hundred Dollars, to be levied upon his goods and chattels lands and tenements, But to be void upon Condition that he be and appear at the next Term of the District Court of Travis County, to be held at the Court House in the City of Austin on the Tenth Monday after the first Monday in September 1856 to testify on behalf of the State of Texas in a certain Cause wherein The State of Texas is plaintiff and Charles L Haley is defendant and there remain from day to day ~~and~~ of each term and that he do not depart the Court without leave

Spring Term Friday Jan 27th 1856

632 The State of Texas / Plaintiff / Recog of witness
Williard A Bates / Defendant /

And now on this day appeared in open Court Anderson Copeland who acknowledges himself to owe and be indebted unto the State of Texas in the Sum of five hundred Dollars, to be levied upon his goods and chattels, lands and tenements, but to be void upon Condition that he be and appear at the next Term of the District Court of Travis County to be held at the Court House in the City of Austin on the Tenth Monday after the first Monday in September A D 1856, to testify on behalf of Plaintiff in a Cause wherein The State of Texas is Plaintiff and Williard A Bates is Defendant and there remain from day to day of each term and that he do not depart the Court without leave.

876 Francis Kelly / Plaintiff / Attacht for Contempt
Joseph Warren / Defendant /

The Motion in this Case having been argued and the papers connected therewith examined, It is ordered by the Court that a fine of fifty Dollars be entered of Record against the Defendant Joseph Warren, and that he be adjudged to pay the Costs of this Proceeding and that he stand Committed to jail until the Same be paid or until the further order of the Court

719 The State of Texas / Plaintiff / Recognizance
Banyan Payne / Defendant /

And now on this day came and appeared in open Court Banyan Payne as Principal and James D Pace and Allen B. Townsend and acknowledged themselves jointly and Severally Justly to owe and be indebted to the State of Texas in the Sum of five hundred Dollars, to be levied of their goods & chattels lands and tenements, But to be void on Condition that he the said Banyan Payne

Spring Term June 27th A D 1856

be and remain in attendance upon the District Court of Travis County from day to day and from term to term of said term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term 1851 of said Court for assault with intent to kill and murder, and that he do not depart the Court without leave

111	The State of Texas v Andrew Jackson	Plaintiff & Defendant	Continued	
132	The State of Texas v Blake Thompson	Plaintiff & Defendant	Same	
143	The State of Texas v M Needham	Plaintiff & Defendant	Same	
142	The State of Texas v E C Travelstead	Plaintiff & Defendant	Same	
146	The State of Texas v E C Travelstead	Plaintiff & Defendant	Same	
153	The State of Texas v B A Thompson	Plaintiff & Defendant	Same	
393	The State of Texas v Ben F Hill	Plaintiff & Defendant	Same	
394	The State of Texas v Ben F Hill	Plaintiff & Defendant	Same	
398	The State of Texas v Thos L Moore	Plaintiff & Defendant	Same	

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399	The State of Texas vs Thos L Wood	Plaintiff & Defendant	Continued
441	The State of Texas vs Geo W McCoy	Plaintiff & Defendant	Same
460	The State of Texas vs L A Coch	Plaintiff & Defendant	Same
463	The State of Texas vs Joseph Hodges	Plaintiff & Defendant	Same
473	The State of Texas vs William Selley	Plaintiff & Defendant	Same
477	The State of Texas vs James Monroe Morris	Plaintiff & Defendant	Same
478	The State of Texas vs William Barnett	Plaintiff & Defendant	Same
496	The State of Texas vs Henry D Brewster	Plaintiff & Defendant	Same
506	The State of Texas vs John Wilson	Plaintiff & Defendant	Same
495	The State of Texas vs Henry D Brewster	Plaintiff & Defendant	Same
578	The State of Texas vs Buck Bennett	Plaintiff & Defendant	Same

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519	The State of Texas v Henry P Brewster	Plaintiff & Defendant	Continued
520	The State of Texas v Henry P Brewster	Plaintiff & Defendant	Same
523	The State of Texas v William Price	Plaintiff & Defendant	Same
530	The State of Texas v William Foster	Plaintiff & Defendant	Same
531	The State of Texas v Samuel G Borrell & William Norton	Plaintiff & Defendant	Same
538	The State of Texas v Henry P Brewster	Plaintiff & Defendant	Same
570	The State of Texas v Wilson Green	Plaintiff & Defendant	Same
571	The State of Texas v Wilson Green	Plaintiff & Defendant	Same
576	The State of Texas v Truman C Buck	Plaintiff & Defendant	Same
581	The State of Texas v William Sawyer	Plaintiff & Defendant	Same
591	The State of Texas v Ambrose Bradley	Plaintiff & Defendant	Same

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593	The State of Texas / Josephus Marks	Plaintiff & Defendant	Continued
601	The State of Texas / Burrell Lewis	Plaintiff & Defendant	Same
602	The State of Texas / Henry P Brewster	Plaintiff & Defendant	Same
603	State of Texas / Frank Harley	Plaintiff & Defendant	Same
605	State of Texas / Green B Horn	Plaintiff & Defendant	Same
613	State of Texas / William Holman	Plaintiff & Defendant	Same
615	State of Texas / William Craig	Plaintiff & Defendant	Same
625	State of Texas / William A Bates	Plaintiff & Defendant	Same
621	State of Texas / Henry Lohman	Plaintiff & Defendant	Same
627	State of Texas / Charles L Haley	Plaintiff & Defendant	Same
629	State of Texas / Dock Hughes	Plaintiff & Defendant	Same

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✓ 632	The State of Texas v Wm A Bates	Plaintiff & Defendant	Continued
✓ 634	State of Texas v James Owens & Martin Jones	Plaintiff & Defendant	Same
✓ 635	State of Texas v Martin Jones & William Jones	Plaintiff & Defendant	Same
✓ 637	State of Texas v Ben Roberts	Plaintiff & Defendants	Same
✓ 639	State of Texas v John Christian et al	Plaintiff & Defendants	Same
✓ 641	State of Texas v Joseph Davis	Plaintiff & Defendant	Same
✓ 642	State of Texas v John H Bennett	Plaintiff & Defendant	Same
✓ 644	State of Texas v William Lofton	Plaintiff & Defendants	Same
✓	State of Texas v Aleyas Obrieqin	Plaintiff & Defendants	Same
✓ 657	State of Texas v Thos Moore & Ben Roberts	Plaintiff & Defendants	Same

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659	State of Texas v James Burdett &	Plaintiff Defendant	}	Continued
661	State of Texas v C A Hopkins &	Plaintiff Defendant	}	Same
661	State of Texas v Alfred Cottingham &	Plaintiff Defendant	}	Same
662	State of Texas v Ned Roberts et al &	Plaintiff Defts	}	Same
663	State of Texas v Bob Turner &	Plaintiff Defendant	}	Same
665	State of Texas v Wiley Marshall &	Plaintiff Defendant	}	Same
666	State of Texas v James Lop &	Plaintiff Defendant	}	Same
667	State of Texas v Wiley Marshall	Plaintiff Defendant	}	Same
668	State of Texas v Wiley Marshall & Joseph Davis &	Plaintiff Defts	}	Same
669	State of Texas v Henry Vines &	Plaintiff Defendant	}	Same
670	State of Texas v Ezekl Davis &	Plaintiff Defendant	}	Same

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1671	State of Texas Wiley Marshall Joseph Rothwell	Plff & Defts	Continued	
1672	State of Texas Wiley Marshall	Plff & Deft	Same	
1673	State of Texas Wiley Marshall	Plaintiff & Defendant	Same	
1675	State of Texas Owen O Brien	Plaintiff & Defendant	Same	
1676	State of Texas Owen O Brien	Plff & Defs	Same	
1677	State of Texas Owen O Brien	Plff & Defts	Same	
1678	State of Texas Owen O Brien	Plff & Defs	Same	
679	State of Texas Owen O Brien	Plff & Defts	Same	
694	State of Texas Robertson	Plff & Deft	Same	
695	State of Texas Robertson	Plff & Defs	Same	Dow dismissed
713	State of Texas Thos H Ochiltree	Plff & Deft	Same	

Spring Term Friday June 27th 1851

705	State of Texas v Alfred Bayles &	Plaintiff Defendant &	Continued
706	State of Texas v David Bright &	Plaintiff Defendant &	Same
711	State of Texas v Giles S Boggs &	Plaintiff Defendant &	Same
712	State of Texas v Giles S Boggs &	Plff Defr &	Same
713	State of Texas v Giles S Boggs &	Plff Defr &	Same
714	State of Texas v ~~Giles~~ ~~Boggs~~ &	Plff Defr &	Same
715	State of Texas v William B Tilley &	Plff Defr &	Same
716	State of Texas v William B Tilley &	Plff Defr &	Same
727	State of Texas v William B Ochiltree &	Plff Defr &	Same
735	State of Texas v Eli E Farver &	Plff Defr &	Same
760	State of Texas v Andrew Norton &	Plff Defr &	Same

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771	The State of Texas vs P R Oliver & Fleming	Plaintiff & Defendants	Continued	
772	State of Texas vs J J Blankenship et al	Plff & Defts	Same	
773	The State of Texas vs J J Blankenship et al	Plff & Defts	Same	
547	John Marshal vs Joseph W Hampton	Plaintiff & Defendant	Order	

It is ordered by the Court that the Plaintiff have leave to amend his pleadings in this Cause,

617	Newell H Burnett vs William Fowler	Plaintiff & Defendant	Continued	

It is ordered by the Court that this Cause be continued until the next Term of this court

654	A G Blakely Surviving Partners &c vs F S Key	Plaintiff & Defendant	Order	

It is ordered by the Court that the above causes be placed at the head of the Docket

665	Moore & Bardett vs The Western Stage Company	Plffs & Defts	Security for Costs on Motion of the Clerk	

Spring Term Friday June 27th 1856

It is ordered by the Court that the plaintiff in this cause enter into bond and security for Costs of Suit on or before the first day of the next term of this Court otherwise the same will be dismissed at his Cost, the plaintiffs Attorney being present and Notified,

867 A H Hall } Plaintiff
Geo H Crabtree } Defendant } Leave to amend

It is ordered by the Court that the plaintiff have leave to amend his petition in this cause,

871 Simon Draper } Plaintiff
v. } Divorce
Rebecca Jane Draper } Defendant

It is ordered by the Court that the plaintiff and Defendant each have leave to amend their several pleadings in this cause, and thereupon on motion of Clerk it is further ordered by the Court that the plaintiff enter into bond and security for Costs of Suit on or before the first day of the next Term of this Court otherwise the same will be dismissed at his Costs, the Attorney of plaintiff being present and Notified

665 Moore & Burdett } Plaintiffs
v. } Judgment
Western Stage Company } Defendants

And now come the parties to this cause by their attorneys, and on motion, it is ordered by the Court that this cause be dismissed at the cost of the plaintiffs. And thereupon it is ordered by the Court that the plaintiffs take nothing by their suit that the defendants go hence without day and recover of the said plaintiffs, Green B. Moore and Joel A. Burdett, under their firm name of Moore & Burdett, all costs in and about this suit expended for which execution may issue

Spring Term Friday Jan 27th 1860

648 ↓ David B Oldham / Plaintiff / Injunc by default
J H Mathews and W H Burdett / Defendant /

And now comes the plaintiff in this Cause by attorney and claims a judgment final by default, and it appearing to the Court that due Service of the process has been made and that Defendant has failed to file his answer within the time prescribed by Law, and it further appearing that the Cause of action is liquidated as shown by an inspection of writing,

It is therefore ordered adjudged and decreed by the Court that the plaintiff David B Oldham have and recover of the Defendants James H Mathews and Newill H Burdett the Sum of One Hundred and twenty Seven 53/100 Dollars the amount of the principal and interest due on said Note to this date with interest on said amount at the rate of ten per Cent per annum from date until paid, together with all his Cost in and about this Suit expended for all which Execution may issue,

803 ↓ James Hall / Plaintiff / Leave to amend
Frank Brown admrs &c / Defendant /

It is ordered by the Court that the plaintiff have leave to file an amended petition in this cause,

Whereupon Court adjourned until Saturday Morning at 8 Oclock A M

Saturday Morning June 28th 1856 Court met pursuant to adjournment, present the same as on yesterday, whereupon the following proceedings were had by said Court as follows to wit

Spring Term Saturday June 28/58

715 W L Robards } Plaintiff
v } Decree
James S Holman } Defendant

This day came the parties by their attorneys, whereupon came a Jury of good and lawful men to wit Hugh McBride Foreman and Eleven others who being duly sworn well and truely to try the issue joined upon their oaths do say "We the Jury find the issue for the plaintiff and assess the damages at the Sum of Four Thousand Seven hundred and forty five Dollars It is therefore considered by the Court and ordered adjudged and decreed, that the said Plaintiff have and recover of said Defendant James S Holman the said Sum of four thousand Seven hundred and forty five Dollars, as also his Costs about his Suit in this behalf expended and that Execution issue therefor,

This judgment is satisfied in full by the receipt of W. L. Robards Plaintiff Taylor Co. Nov. 1858. Thos. Whitmore

Larkin S Price } Plaintiff
v } Decree
Michael Short } Defendant

511 And now on this day came the parties by their attorneys and announced themselves ready for trial, whereupon came a Jury of twelve good and lawful men to wit Hugh McBride and eleven others, who being duly sworn according to Law to try said Cause after hearing 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 for the plaintiff, H McBride foreman"

Whereupon it is ordered adjudged and decreed by the Court that the Plaintiff Larkin S Price do have and recover of and from the Defendant Michael Short one undivided third of a League and labor of land, belonging to the said Michael Short which being his headright league and labor and described as follows

Spring Term Saturday June 28th 1851

Situated lying and being in Travis Land District in the County of Bexar known as Survey No 692, about ten Miles N W from the mouth of Mean Bayou Beginning at the East Corner of Survey No 191 of 640 acres from which a Mesquite bears N 67 E 100 vrs, Another bears S 35° E 40 vrs, thence S 45° W with the S E line of Survey No 191, 2530 vrs to a Stake for the W Corner from which a post oak brs N 80° W 40 vrs another brs E 7 vrs_ thence S 45° E 5700 vrs to a Stone mound for the S Corner, thence N 45° E 5700 vrs to a Stake for the E Corner from which a live oak brs S 27° E 14 vrs, thence North 45° E 5700 vrs to a Stone mound for the N Corner thence South 45° W twenty five hundred and fifty varas to the place of beginning, and that all the right title claim and interest of the said Michael Short in and to the one undivided third of said League and Labor of Land be and the Same is hereby divested and that the title to the Same is hereby vested in the said Larkin F Price his heirs and assigns as fully and completely as it was vested in the said Short

It is further ordered adjudged and decreed by the Court that the following Commissioners to wit: Horace L Upshaw, George Hancock, Asa Mc Mc Reid and Anthony Wilcox be appointed to partition and set apart to Land to the Plaintiff L F Price according to Quality & quantity defining the boundaries of the Land and that they make their report to the next Term of this Court

It is further ordered adjudged and decreed that the plaintiff Larkin F Price do have and recover of and from the said Defendant Richard Short all Costs in this Suit expended for which Execution may issue

Heirs of Geo M Dolson } Plaintiff
4321 Joseph W Robertson } Defendant } Agreement

And Now on this day came the parties by their attorneys and Guardian Ad Litem and they mutually agree that the proper descriptions of the property sued for is "the South half of Lot No (2) two in block No Sixty Nine (69) upon myers avenue"

Spring Term Saturday June 27 /54

It is therefore agreed that the Clerk may correct the pleadings and orders upon pages 659 and 692 of the minutes of January 1854 so as to suit the above description and that this agreement be entered of Record,

Jno A & R Green
Attys for Robertson
Geo W Jaschal
Atty for Plffs

795 — F W Chandler Plaintiff / N W Burdett et al Defendant — Leave to amend

In this cause it is ordered by the Court that the plaintiff have leave to amend his pleadings.

879 — Joel A Burdett Plaintiff / F W Keithley Defendant — Same

It is ordered by the Court that the plaintiff have leave to file an amended petition in this cause

James Wall Plaintiff / Frank Brown et al Defend — Order

In this cause It is ordered by the Court that leave be given to Defendants Rice and Brown to file their amended answers

And Court adjourned until Monday morning at 8 Oclock

Spring Term Monday June 30th 1856

Monday morning June 30th 1856, Court met pursuant to adjournment, present the Same as on yesterday, whereupon the following proceedings were had by said Court in the words and figures following;

X ✓ Declaration of intention to become a citizen

Frederick Sutor being duly sworn according to Law in the District court of the County of Travis in and for the State of Texas, doth declare that he was born in the year of our Lord One thousand Eight hundred and Nineteen in the Kingdom of Prussy whence he emigrated in the year 1853 to the United States of America and has selected the State of Texas as the place of his permanent Settlement and he further declares that it is bona fide his intention to become a citizen of the United States and of the said State of Texas and renounce forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty whatsoever and particularly to the King of Prussia of whom he is now a Subject

Frederick Sutor

Sworn and Subscribed in open Court this the 30th day of June A D 1856

Frank Brown Clk D.C.T.C.

716 ✓

Richard Wells } Plaintiff
vs } Decree
Thomas L Pitt } Defendant }

And now on this day came the parties to the above entitled cause by attorneys, and announced themselves ready for trial, and thereupon the Demurrer of Defendant to Plaintiffs Petition being submitted by the Court overruled, thereupon came a jury of twelve good and lawful men of Travis County, to wit Hugh McBride and eleven others, who being duly tried impannelled and Sworn heard the evidence adduced by the parties and the argument of Counsel and being charged by the Court retired to consider

Spring Term Monday June 30th 1856

of their verdict and thereupon the said Jury returned into Court the following verdict to wit: "We the Jury find for the Defendant, Hugh McBride foreman

Wherefore it is ordered adjudged and decreed by the Court, that the Defendant go hence without day and recover of the Plaintiff Richard Wells and his Securityes on his Cost bond, to wit Virgil A Garth all the Costs in this behalf expended for which execution may issue,

And Thereupon It is ordered by the Court that the fines heretofore ordered against James McKinzie and Alexander McKinzie be and are hereby set aside,

649 The State of Texas / Plaintiff / Indictment
John McKinnis & Defendant &

And now on this day comes as well the District Attorney A. A. Chalmers as the Defendant John McKinnis who having heard the indictment says that he is not guilty as therein charged; and thereupon Came a Jury of twelve good and lawful Men to wit Marcus Huling and eleven others who being duly tried empannelled and sworn, having heard the evidence adduced by the parties, the argument of Counsel and Charge of the Court retired to consider of their verdict and on their oaths say "We the Jury find the Defendant guilty of unaggravated Assault & affix the fine at fifty Dollars, Marcus Huling Forman

It is therefore considered by the Court that the State of Texas recover of the defendant John McKinnis the Sum of fifty Dollars and Costs of Suit and that he stand committed to Prison until the same is paid

Spring Term Monday June 30th 1851

1054 The State of Texas } Plaintiff } Getting timber &c
John McKinnis } Defendant }

And now on this day comes as well the District Attorney A.H Chalmers as the Defendant John McKinnis who having heard the indictment says that he is not guilty as therein charged, and thereupon comes a Jury of twelve good and lawful Men to wit Marcus Ruling and Eleven others, who being elected and Sworn well and truly to try the issue of traverse, after hearing the evidence and after considering of their verdict say "We the Jury find the Defendant Not guilty, Marcus Ruling foreman

It is therefore considered by the Court that said Defendant go hence discharged without day, fully acquitted, and discharged,

Whereupon Court adjourned until tomorrow morning at 8 O Clock, Tuesday morning July 1st 1851, Court met pursuant to adjournment, present the same as on yesterday, whereupon the following proceedings were had by said Court to wit

902 The State of Texas } Plaintiff } Order
P Dutruch admr &c } Defendant }

In this Cause it is ordered by the Court that the Defendants Burleson and Grumbles have leave to file further Answers and that leave is given to plaintiff to file an amended Petition in this Cause,

1708 The State of Texas } Plaintiff } Judgment
Edward R Peck } Defendant }

And now on this day comes as well the District Attorney A.H Chalmers as the Defendant Edward R Peck who having heard the indictment says that he is not guilty as therein charged and thereupon comes a Jury of twelve good and lawful Men of Travis County to wit Marcus Ruling and Eleven others who being elected and Sworn well and truly to try the issue of traverse after hearing the evidence and Considering of their verdict Say We the Jury find the Defendant

Spring Term Tuesday July 1st 1851

guilty and assess the fine at twenty five Dollars
Marcus Huling foreman,
It is therefore considered by the Court that
the State of Texas recover of the Defendant
Edward P Peck the Sum of twenty five
Dollars together with the Costs of this
prosecution and that he Said Committed
to Prison until the Same is Said,

154 The State of Texas } Plaintiff
Wm P De Normandie } Defendant } Judgment

And now on this day
comes the District Attorney & Challengers as
well as the Defendant Wm P De Normandie
and thereupon came a Jury of twelve good
and lawful Men of Travis County to wit
Marcus Huling and Eleven others, ~~who~~
and the Defendant having heard the indict-
ment says that he is guilty as charged
and submits to the Judgment of the Court
and verdict of the Jury, And the Jury having
considered of their verdict returned into Court
the following, " We the Jury find the Defendant
guilty and assess the fine at twelve 50/100 Dollars
Marcus Huling foreman

It is therefore considered and
decreed by the Court that the said Defendant
be fined in the Sum of twelve 50 Dollars
and all costs in this behalf And that he
Stand in Charge of the Sheriff until Such
fine & Costs be Paid

771 The State of Texas } Plaintiff
James Sims } Defendant } Judgment

And now on this
day comes as well the District Attorney & Challengers as the Defendant James Sims who having
heard the indictment says that he is not
guilty as therein charged and thereupon
comes a Jury of twelve good and lawful
Men of Travis County to wit A S Hopkins
and Eleven others who having heard

the evidence adduced by the parties, arguments of counsel and charge of the Court retired to consider of their verdict and returned into Court the following "We the Jury find the Defendant Not Guilty. A N Hopkins Foreman

It is therefore ordered adjudged and decreed by the Court that said Defendant James Sims be dismissed without day fully acquitted and discharged.

723 The State of Texas / Richard I Browning } Plaintiff / Defendant } Judgment

And now on this day Comes the District Attorney A H Chalmers as well as the Defendant Richard I Browning who having heard the indictment Says that he is not guilty as therein charged And thereupon Came a Jury of twelve good and lawful Men of Travis County, to wit Hugh McBride and seven others, who having heard the evidence adduced by the parties, arguments of Counsel and Charges of the Court retired to Consider of their verdict, and returned into Court the following, "We the Jury find the Defendant Not guilty, Hugh McBride Foreman. It is therefore ordered adjudged and decreed by the Court that said Defendant Richard I Browning go hence without day fully acquitted and discharged

724 The State of Texas / Alegos Obzegen } Plaintiff / Defendant } Judgment

And now on this day comes the District Attorney A H Chalmers as well as the Defendant Alegos Obzegen who having heard the indictment Says he is ~~not~~ guilty as therein charged, and thereupon Came a Jury of twelve good and lawful Men of Travis County, who having heard the evidence adduced by the Parties, arguments of Counsel and Charges of the Court retired to Consider of their verdict, and returned into Court the following, We the Jury find the Defendant Not guilty Hugh McBride Foreman, It is therefore Considered by the Court that said Defendant Alegos Obzegen go hence without day fully acquitted and discharged.

Spring Term Wednesday July 2/54.

And thereupon it is ordered by the Court that Court do now adjourn until tomorrow Morning at 8 O Clock,

Wednesday Morning July 2nd 1854 Court met pursuant to adjournment, present the Same as on yesterday, Whereupon the following proceedings were had by said Court to wit,

599 The State of Texas } Plaintiff
Theofalis Anderson } Defendant } Judgment

And Now on this day Comes the District Attorney A.J. Chalmers as well as the Defendant Theophilus Anderson by Attorney, who having heard the indictment says he is guilty as therein charged, and thereupon Comes a Jury of twelve good and lawful men of Travis County to wit, Hugh McBride and Eleven others who being duly elected and Sworn well and truly to try the issue of Traverse after hearing the evidence and considering of their verdict Say

We the Jury find the Defendant guilty and assess the fine at Ten Dollars, H. McBride Foreman

It is therefore considered by the Court that for such offence he the said Defendant be fined and pay the State ten Dollars and also the Costs of this Prosecution: That he be committed to prison until the Same is Paid

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

And now on this day appeared in open Court Haden N Edwards and acknowledged himself to owe and be indebted unto the State of Texas in the Sum of Two hundred and fifty Dollars, to be levied upon his goods and chattels lands and tenements but to be void upon condition that he be and appear at the next Term of the District Court of Travis County Texas to be held at the Court house in the City of Austin on the tenth Monday after the

Spring Term Wednesday July 2nd 1856

first Monday in September A.D 1856, to testify on behalf of the State in a certain Cause wherein The State of Texas is Plaintiff and John S Thorn is Defendant and there remain from day to day and from term to term of each term and that he do not depart the Court without leave

612 The State of Texas } Plaintiff
John S Thorn } Defendant } Recog of witness

And now on this day appeared in open Court A H Edwards and acknowledged himself to owe and be indebted unto the State of Texas in the Sum of Two Hundred and fifty Dollars to be levied upon his goods chattels lands and tenements. But to be void on Condition that he be and appear at the Next Term of the District Court of Travis County to be held at the Court house in the City of Austin on the 10th Monday after the first Monday in September A.D 1856 to testify in a certain Cause wherein The State of Texas is Plaintiff and John S Thorn is Defendant and there remain from day to day and from term to term of each term thereafter and that he do not depart the Court without leave

624 The State of Texas } Plaintiff
Henry Lohman } Defendant } Recog of witness

And now on this day appeared in open Court Plaintiff Platt and acknowledged himself to owe and be indebted and the State of Texas in the Sum of One Hundred Dollars to be levied upon his goods and chattels, lands and tenements but to be void on condition that he be and appear at the next Term of the District Court of Travis County to be held at the Court House in the City of Austin on the tenth Monday after the first Monday in September A.D 1856 to testify in a Certain Cause wherein The State of Texas is Plaintiff and Henry Lohman is Defendant, and there remain from term to term and from day to day of each term and that he do not depart the Court without leave

Spring Term Wednesday July 2nd 1856

5.88 ✓ State of Texas / Plaintiff / Decree
Charles A Harrison / Defendant /
It appearing to the Court that the Appeal taken to the Supreme Court in this Cause has been affirmed, and that the Defendant has made his appearance in this Court to abide the decision of said Supreme Court in this Cause, It is therefore considered by the Court that said Defendant be taken into Custody until payment of his Fine Costs of Suit

✓ 722 The State of Texas / Plaintiff / Decree Order
Henry H Sublett / Defendant /

✓ 740 Same / Plaintiff / Order
Henry H Sublett / Defendant /

✓ 741 The State of Texas / Plaintiff / Order
Henry H Sublett / Defendant /
It is ordered by the Court that the above Causes be Continued until the to abide the decision of the Supreme Court in the Case of the State of Texas vs R Peck No 7118

✓ 687 The State of Texas / Plaintiff / Continued
John Horan / Defendant /

✓ 688 The State of Texas / Plaintiff / Same
John Horan / Defendant /

✓ 736 The State of Texas / Plaintiff / Same
John Horan / Defendant /
In this Cause it is ordered by the Court that these Causes be Continued until the next Term of this Court as upon affidavit of Defendant

Spring Term Wednesday July 2nd 1851.

587 The State of Texas / Plaintiff
Thomas J Moore / Defendant } Dismissing

In this Cause it is ordered by the Court that this Cause be dismissed Pond the Docket

~~47~~ The State of Texas / Plaintiff
James R Jackson / Defendant } Judgment.

And now on this day comes the District Attorney & W Chalmers as well as the Defendant James R Jackson by Attorney and thereupon Came a Jury of twelve good and lawful Men of Travis County ~~to~~ to wit Marcus Ayling and Eleven others and the Defendant having heard the indictment Says he is guilty as therein charged and submits to the Judgment of the Court and Verdict of the Jury and the Jury having considered of their verdict returned into Court the following "We the Jury find the Defendant guilty and assess the fine at Ten Dollars, Marcus Ayling Foreman" It is therefore considered by the Court that the State of Texas recover of the said Defendant the said fine of ten dollars together with the Costs of this Prosecution and that he stand in charge of the Sheriff until such fine and Costs be paid

747 The State of Texas / Plaintiff
James R Jackson / Defendant } Recognizance

And now on this day appeared in open Court James R Jackson as Principal and Edward H Peck and Richard T Browning and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the Sum of Fifty Dollars to be levied upon their goods and Chattels lands and tenements but to be void on Condition that the said James R Jackson be and remain in attendance upon the District Court of Travis County Now in Session and from term to term of each term thereafter to answer the indictment preferred against him by the Grand Juror of Travis County for Gaming, and that he do not depart the Court without leave

Spring Term Wednesday July 2nd 1856

748 State of Texas / Plaintiff / Recognizance
James R Jackson & Defendant &

And now on this day appeared in open Court James R Jackson as Principal and E R Peck & A F Browning as Securities and acknowledged themselves justly to owe and be indebted unto the State of Texas in the Sum of One hundred Dollars to be levied on his goods and Chattels lands and tenements but to be void on Condition that the said James R Jackson be and remain in attendance upon the District Court of Travis County Now in Session and from term to term of each term thereafter to answer the indictment pending against him by the Grand Juror of Travis County at the Spring Term 1856 of the District Court of said County for Rioting at Large and that he do not depart the Court without leave

748 State of Texas / Plaintiff / Judgment
James R Jackson & Defendant &

And Now on this day Comes the District Attorney W H Chalmers as well as the Defendant James R Jackson and thereupon comes a Jury of twelve good and lawful Men of Travis County to wit M Ayeling and eleven others and the Defendant having heard the indictment Says he is guilty as charged and submits to the Judgment of the Court and verdict of the Jury, and the Jury having considered of their verdict returned into Court the following, "We the Jury find the Defendant guilty and assess the fine at ten Dollars

Marcus Ayeling Foreman

It is therefore considered by the Court that the State of Texas recover of said Defendant James R Jackson the Sum of ten dollars with all Costs of suit in this behalf and that he stand in charge of the Sheriff until such fine & Costs be paid

Spring Term Wednesday July 2nd 1856

751 | State of Texas | Plaintiff | Motion to Quash
George Robinson | Defendant

And Now Comes the Defendant by Attorney and on Motion to Quash the indictment for insufficiency and informality, It was ordered adjudged and decreed by the Court that said Motion be sustained,

758 | State of Texas | Plaintiff | Judgment
Josiah F Crosby | Defendant

And Now Comes the District Attorney A D Chalmers as well as the Defendant Josiah F Crosby and thereupon comes a Jury of twelve good and lawful men of Travis County to wit Marcus Ahling and Eleven others ~~who~~ and the Defendant having heard the indictment says he is Guilty as therein Charged and Submits to the Judgment of the Court and Verdict of the Jury, and the Jury having Considered of their verdict returned into Court the following "We the Jury find the Defendant guilty and assess the fine at Thirteen Dollars

Marcus Ahling Foreman

It is therefore Considered by the Court that the State of Texas recover of the said Defendant Josiah F Crosby the Sum of thirteen Dollars with all Costs of Suit in this behalf and that he stand in Charge of the Sheriff until such fine be paid

769 | The State of Texas | Plaintiff | Recognizance
Joseph Looney | Defendant

And now on this day appeared in open Court Joseph Looney as Principal and Wm K Ewing and Joseph Warren as Securities acknowledged themselves to owe and be indebted unto the State of Texas in the Sum of Three hundred Dollars to be levied upon their Goods Chattels lands and tenements but to be void upon Condition that the said Joseph Looney be and remain in attendance upon the District Court of Travis County Now in Session and from term to term of each term thereafter to answer the Indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of the District Court of said County for ~~Carrying~~ Stealing and carrying away Number 8 from Land not his own without consent of owner and that he do not depart the Court without leave

Spring Term Wednesday June 2/56.

768 The State of Texas } Plaintiff
vs } Recog of witness
Joseph Looney } Defendant }

And now on this day appeared in open Court D. De Cordova A. L. Upshaw and John J. Trumbles and acknowledged themselves justly to owe and be indebted unto the State of Texas in the Sum of Three Hundred Dollars to be levied upon their goods chattels lands and tenements but to be void on condition that they be and appear at the next Term of the District Court of Travis County to be held at the Court House in the City of Austin on the tenth Monday after the first Monday in September 1856 to testify in a certain Cause wherein the State of Texas is Plaintiff and Joseph Looney is Defendant and there remain from day to day and from term to term of each term thereafter and that they do not depart the Court without leave

769 The State of Texas } Plaintiff
vs } Recognizance
Sherman Case } Defendant }

And now on this day appeared in open Court Sherman Case as Principal and Thos J. Chapman and Hugh McLemore as Securities and acknowledged themselves justly to owe and be indebted unto the State of Texas in the Sum of Three Hundred Dollars to be levied upon their goods & chattels lands and tenements but to be void on Condition that the said Sherman Case be and remain in attendance upon the District Court of Travis County now in Session, and from day to day and from term to term of each term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of said District Court for altering Brand of Neat Cattle not his own without Consent of Owner, and that he do not depart the Court without leave

Spring Term Wednesday Aug 2nd 1871

The State of Texas } Plaintiff } Judgment
v
Cap Callahan } Defendant }

And now on this day comes the Dist Attorney A W Chalmers as well as the Defendant Cap Callahan and thereupon Came a Jury of twelve good and Lawful Men of Travis County to wit Hugh McBride and Eleven others and the Defendant having heard the indictment Says he is guilty as Charged and submits to the Judgment of the Court and Verdict of the Jury, and the Jury having considered of their verdict returned into Court the following, We the Jury find the Defendant guilty and assess the fine at One Dollar

Hugh McBride Foreman

It is therefore decreed by the Court that the State of Texas recover of the said Defendant Cap Callahan the Sum of One Dollar and Costs of Suit and that he stand in Charge of Sheriff until fine and costs are paid,

The State of Texas } Plaintiff } Indict & Continued
v
Daniel Bayne } Defendant }
Samuel Duncan

And now comes the District Attorney A W Chalmers as well as the Defendant Samuel Duncan who having heard the indictment Says that he is Not guilty and thereupon Comes a Jury of twelve good and lawful Men of Travis County to wit

and Eleven others who being Sworn well and truly to try the issue of Traverse after hearing the evidence and Considering of their verdict on their oaths Say, We the Jury find the Defendant Not guilty, It is therefore ordered adjudged and decreed By the Court that said Defendant Samuel Duncan go hence without day, fully acquitted and discharged It is further ordered that this Cause be continued for Service as to Defendant Payne and that a Capias be issued to Anderson County for said Defendant,

And thereupon it is ordered by the Court that Court adjourn until tomorrow Morning at 8 oclock

Spring Term Thursday July 3rd A.D. 1856

Thursday Morning July 3rd 1856
Court met pursuant to adjournment present the Sand as on yesterday Whereupon the following proceedings were had by said Court to wit,

649 The State of Texas } Plaintiff
John H Kinnis } Defendant } Order

Upon application by affidavit being made to the Court and for good reasons appearing, It is ordered by the Court that said Defendant John H Kinnis be discharged from further imprisonment,

651 The State of Texas } Plaintiff
Alegos Obregon } Defendant } Recog

And now on this day appeared in open Court Lopez and acknowledged himself to owe and be indebted unto the State of Texas in the Sum of Three hundred Dollars to be levied on his goods chattels lands and tenements, but to be void on condition that he be and appear at the Next Term of the District Court of the County of Travis Now in Session, and to be next holden at the Court house in the City of Austin on the 4th Monday after the first Monday in September 1856 to testify in a certain Cause wherein the State of Texas is Plaintiff and Alegos Obregon is Defendant and there remain from day to day and from term to term of each term thereafter and that he do not depart the Court without leave

659 The State of Texas } Plaintiff
James Burdett } Defendant } Order

It is ordered by the Court that the bond in this Cause be quashed and on motion it is also ordered that this

Spring Term Thursday July 3rd 1856

Cause be continued until the next Term of this Court and that an alias Capias be issued to Bell County for the Defendant James Burdett

717 J S Bunce & Co / Plaintiffs / Judgment
A G Compton / Defendant /

This day came the parties by attorneys and by consent this Cause was submitted to the Court and it appearing to the Court after deducting all legal offsets due the Defendant that he is still indebted to the Plaintiffs in the Sum of Six hundred and Eighty Seven Dollars and Seventy four Cents It is therefore ordered adjudged and decreed by the Court that the Plaintiffs J S Bunce & Co have and recover of the said Defendant A G Compton the said Sum of Six hundred and Eighty Seven Dollars and Seventy four Cents together with all the Costs in this behalf expended for all which Execution may issue

718 J S Bunce & Co / Plaintiff / Judgment
A G Compton / Defendant /

This day comes the parties by their attorneys and by consent this Cause was submitted to the Court, and it appearing to the Court after deducting all legal offsets and Credits due the Defendant that he is still indebted to the Plaintiffs in the Sum of Six hundred and Eighty Seven Dollars and Seventy four Cents It is therefore ordered adjudged and decreed by the Court that the Plaintiffs have and recover of the Defendant A G Compton the said Sum of Six Hundred and Eighty Seven Dollars and Seventy four Cents together with all the Costs in this behalf expended for all which Execution may issue

883 Jeremiah Barnett / Plaintiff / Order
v
Banyan Payne / Defendant /

In this Case Holland Rogers and Seth Thomas are granted leave to file their petition of intervention and to make Sherman Case and Rachael

Spring Term Thursday July 3rd 1856

Case wife parties Defendant in this Suit and the Clerk of this Court is required to issue Copies of the petition and Cite the Defendant to appear at in this Suit, as required by Law.

181 The State of Texas / Plaintiff
Augustus Corse / & Defendant & / Order

And Now come the parties by attorneys and thereupon Defendant being arraigned pleads Not guilty, and thereupon it is ordered by the Court that an attachment be issued for Six Dumbla returnable forthwith

698 The State of Texas / Plaintiff
Benjamin H H Butts & Defendant & / Judgment

And Now on this day comes the District attorney A H Chalmers as well as the Defendant Benjamin H H Butts who having heard the indictment says he is not guilty as charged and thereupon Comes a Jury of twelve good and lawful Men of Travis County to wit Marcus Ruling and eleven others who being elected and Sworn well and truly to try the issue of traverse, after hearing the evidence and Considering of their verdict on their oaths say We the Jury find the Defendant not guilty

Marcus Ruling Foreman

It is therefore ordered by the Court that said Defendant Benjamin H H Butts be dismissed without day fully acquitted and discharged;

Spring Term Thursday July 3/54

724 The State of Texas / Plaintiff / Judgment
v
George Robinson / Defendant /

And now on this day comes as well the District Attorney A.M. Chalmers as the Defendant George Robinson who having heard the indictment & says that he is not guilty as thereon charged, and thereupon Comes a Jury of twelve good and lawful men of Travis County to wit W Hunting and eleven others who being elected and Sworn well and truly to try the issue of traverse, after hearing the Evidence and Considering of their verdict Say, We the Jury find the Defendant not guilty, Marcus Hunting Foreman,

It is therefore ordered by the Court that the Defendant be dismissed without day fully acquitted and discharged,

720 The State of Texas / Plaintiff / Recog of
v
Willard C Walker & / Defendant / Witnesses
Thomas Walker

And now on this day appeared in open Court Wm H Perry Wm G Wallace, James Simpson Joseph W Savage Thos W R Jeffreys and acknowledged themselves to owe and be indebted unto the State of Texas in the sum of Two hundred Dollars each, to be levied upon their goods & chattels lands and tenements but to be void upon Condition that they be and appear at the next Term of the District Court of Travis County to be held at the Court House in the City of Austin on the 1st Monday after the first Monday in September 1854, to testify and give evidence in a certain Cause wherein The State of Texas is Plaintiff and Willard C and Thomas Walker are Defendants and there remain from Term to Term and from day to day of each Term thereafter and that they do not depart the Court without leave, It is further ordered by the Court that this cause be continued until the next Term of this Court as upon affidavit of Defendant

Spring Term Thursday July 3/56

729 The State of Texas / Plaintiff / Indgt
Samuel G Norvell / Defendant /
And now comes the District Attorney A A Chalmers as well as the Defendant Samuel G Norvell, and thereupon came a Jury of twelve good and lawful Men of Travis County to wit Marcus Duling and Eleven others and the Defendant having heard the indictment says he is guilty as therein charged and submits to the Judgment of the Court and verdict of the Jury and the Jury having considered of their verdict returned into Court the following "We the Jury find the Defendant guilty and asses the fine at Ten Dollars
Marcus Duling foreman
It is therefore considered and decreed by the Court that the State of Texas recover of the Defendant Samuel G Norvell the sum of Ten Dollars and Costs of Suit and that he stand in charge of Sheriff until the same is paid,

730 The State of Texas / Plaintiff / Indgt
Samuel G Norvell / Defendant /
And now comes the District Attorney A A Chalmers as well as the Defendant Samuel G Norvell and thereupon came a Jury of twelve good and lawful men of Travis County to wit Marcus Duling and Eleven others, and the Defendant having heard the indictment says he is guilty as therein charged and submits to the Judgment of the Court and the verdict of the Jury, and the Jury having considered of their verdict say "We the Jury find the Defendant guilty and asses the fine at Ten Dollars, Marcus Duling foreman
It is therefore considered by the Court that the State of Texas recover of the Defendant Samuel G Norvell the sum of Ten Dollars and Costs of Suit and that he stand in charge of the Sheriff until the same is paid

Spring Term Thursday July 3rd A.D. 1851

458 The State of Texas } Plaintiff
Geo W Paschal } Defendant } Order

By agreement of counsel it is ordered by the Court that this case be tried by R T Townes as Special Judge.

1479 The State of Texas } Plaintiff
Terry V Neal } Defendant } Gaming

508 The State of Texas } Plaintiff
Blunt Clements } Defendant } Assault &c

531 The State of Texas } Plaintiff
J G Norvell } Defts } Gaming
Andrew Norton }

533 The State of Texas } Plff
M B Raper } Deft } Gaming

534 The State of Texas } Plff
M B Raper } Deft } Gaming

548 The State of Texas } Plffs
Gray Clements } Defts } Gaming

549 The State of Texas } Plff
Gray Clements } Defts } Gaming

585 The State of Texas } Plff
C A Hopkins } Defts } Gaming

591 The State of Texas } Plff
Ambrose Bradley } Deft } Gaming

It is ordered by the Court that the above causes be continued for Service until the Next Term of this Court

Spring Term Thursday July 3rd 1851

637	The State of Texas	Plff	}	Gaming
	J M Fleming et al	Defts		
655	The State of Texas	Plff.	}	Gaming
	Henry Vines	Defr		
680	The State of Texas	Plff	}	Gaming
	David Bright	Defr		
685	The State of Texas	Plff	}	Gaming
	David Bright	Defr		
684	The State of Texas	Plff	}	Gaming
	John Polk	Defr		
685	The State of Texas	Plff	}	Gaming
	Antonio Nepgin	Defr		
686	The State of Texas	Plff	}	Gaming
	Wm B Lilly	Defr		
696	The State of Texas	Plff	}	Gaming
	Robert E White	Defr		
697	The State of Texas	Plaintiff	}	Gaming
	Thomas Peabody & James Ferrell	Defr		
699	The State of Texas	Plff	}	Gaming
	Dutch Pike	Defr		
700	The State of Texas	Plff	}	Gaming
	Dutch Pike	Defr		

Spring Term Thursday July 3rd 1851

701	The State of Texas	Plff		Gaming
	Dutch Pike	Deft		
702	The State of Texas	Plff		Gaming
	Dutch Pike	Deft		
704	The State of Texas	Plff		Gaming
	Thomas Bowels	Deft		
707	The State of Texas	Plff		Gaming
	Benjamin Hinds	Deft		
710	The State of Texas	Plff		Gaming
	George Nen	Deft		
711	The State of Texas	Plff		Gaming
	Silman Weaver	Deft		
718	The State of Texas	Plff		Gaming
	Alfred Robinson	Deft		
721	The State of Texas	Plff		Gaming
	C A Hopkins	Deft		
724	The State of Texas	Plff		Gaming
	Robert Longley	Deft		
	Perry Edwards			
725	The State of Texas	Plff		Gaming
	Oliver A Harvey	Deft		

It is ordered by the Court that the above Causes be Continued for Service until the Next Term of this Court

Spring Term Thursday July 31 54

731	The State of Texas	Plaintiff		Gaming
	v			
	Wilson	Deft		
732	State of Texas	Plff		Gaming
	v			
	Wilson	Deft		
733	State of Texas	Plff		Gaming
	v			
	Anderson	Deft		
734	State of Texas	Plaintiff		Gaming
	v			
	Anderson	Deft		
737	State of Texas	Plff		Gaming
	v			
	Newton Jackson	Deft		
738	The State of Texas	Plaintiff		Gaming
	v			
	Isaac N Jackson	Deft		
739	The State of Texas	Plff		Gaming
	v			
	Alfred Robinson	Deft		
742	State of Texas	Plff		Gaming
	v			
	A Harony	Deft		
743	State of Texas	Plff		Gaming
	v			
	Cook	Deft		
744	State of Texas	Plff		Gaming
	v			
	John S Ford	Deft		
745	State of Texas	Plff		Gaming
	v			
	A J Lott	Deft		

Spring Term Thursday July 3rd 1856

√ 744	The State of Texas vs J H W Hall	Plff & Deft	}	Gaming
√ 749	The State of Texas vs Wm Ryan	Plff & Deft	}	Gaming
√ 757	State of Texas vs A J Lott	Plff & Deft	}	Gaming
√ 759	State of Texas vs Burke Robertson	Plff & Deft	}	Gaming
√ 762	State of Texas vs A J Lott	Plff & Deft	}	Gaming
√ 763	State of Texas vs Wm Bagley	Plff & Deft	}	Gaming
√ 764	State of Texas vs J H W Hall	Plff & Deft	}	Gaming
√ 765	State of Texas vs J H W Hall	Plff & Deft	}	Gaming
√ 766	State of Texas vs Johny Horgan & J H W Hall	Plff & Defts	}	Gaming
√ 767	State of Texas vs J Baston	Plff & Deft	}	Gaming

It is ordered by the Court that the above Causes be Continued for Service until the next Term of this Court,

Spring Term Thursday July 3rd 1856

592 State of Texas / John B Grumbles } Plff / Deft } Continuance

645 State of Texas / Green B Moore } Plff / Deft } Same

619 State of Texas / Bayard Payne } Plaintiff / Defendant } Same

It is ordered by the Court that the above Causes be Continued until the next Term of this Court

603 The State of Texas / Green B Moore } Plaintiff / Defendant } Indict

And now comes the District Attorney & Chalmers as well as the Defendant Green B Moore who having heard the indictment says that he is not guilty as therein charged and thereupon puts a jury of twelve good and lawful men of Travis County who being Sworn on their oaths say "We the Jury find the Defendant not guilty

Marcus Huling
Foreman

It is therefore ordered by the Court that said Defendant Green B Moore be discharged without day fully acquitted and discharged,

659 The State of Texas / John Horan } Plaintiff / Defendant } Contd

690 The State of Texas / John Horan } Plff / Deft } Same

691 State of Texas / John Horan } Plff / Deft } Same

Spring Term Thursday July 3rd 1856

192	State of Texas / John Horan	Plff / Deft	Cond on affidavit	
193	State of Texas / John Horan	Plff / Defts	Same	
194	It is ordered by the Court that the above Causes be continued until the next Term of this Court as upon affidavit of Defendants			
728	State of Texas / Samuel G Howell	Plff / Defts	Def Jurs	
	On Motion of District Attorney a Def Jurs is entered in this Cause			
751	The State of Texas / Geo Robinson	Plff / Defts	Order	
752	Same / Geo Robinson	Plff / Defts	Order	
753	Same / Geo Robinson	Plff / Defts	Order	
754	Same / Geo Robinson	Plff / Defts	Order	
755	Same / Geo Robinson	Plff / Defts	Order	

The Motion to Quash being overruled it is ordered that the above Causes be continued until the Next Term of this Court

Spring Term Thursday Aug 3/56

761 The State of Texas vs Richard T Browning } Pltff / Deft's } Recognizance

and now on this day appeared in open Court Richard T Browning as principal and J. Bledsoe and O K Peck as Securities and acknowledged themselves each and Severally to owe and be indebted unto the State of Texas in the Sum of One Hundred Dollars to be levied on their goods chattels lands and tenements but to be void on condetion that the said Richard T Browning be and ~~appear~~ remain in attendance upon the District Court of Travis County now in Session and there remain from day to day and ~~of~~ each terem succeeding to answer the indetement preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of the District Court of said County for Siting at Tin Pool and that he do not depart the Court without leave, It is also ordered that this cause be continued until the next Term of this Court

A. J. Ridge:

And now on this day came and appeared in open Court A J Ridge and petitioned the Court to be admitted to practice as an attorney and Counsellor at Law in the Several District and inferior Courts of the State, and the said A J Ridge having produced to the Court good and Satisfactory evidence of a moral character and honorable deportment and having produced Licence as an Attorney and Counsellor in the Supreme and inferior Courts of the State of Arkansas

It is therefore ordered adjudged and decreed by the Court that the said A J Ridge be and is hereby admitted to practice as an attorney and Counsellor at Law in the Several District and inferior Courts of the State of Texas, upon his taking

the oath prescribed by Law, and that a Sciene ifsue accordingly.

719 The State of Texas Plff } Recog for witness
Sherman Case & Deft &

And now on this day appeared in open Court Gustavus Kirchburg 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 chattels lands and Tenements but to be void upon Condition that the said Gustavus Kirchburg be and appear at the next Term of the District Court of the County of Travis to be held at the Court House in the City of Austin on the tenth Monday after the first Monday in September 1856 to testify in a certain Case wherein the State of Texas is Plaintiff and Sherman case is Defendant and that he do not depart the Court without leave, It is also ordered that this Case be continued until the next Term of this Court

719 State of Texas Plaintiff } Recog of witness
Sherman Case & Defendant &

And now on this day appeared in open Court Quinsey Case Richard J Daniels, Albert Barnett A G Blakely and F H Parker and acknowledged themselves each and Severaley 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 and tenements but to be void upon Condition that the said Quinsey Case, Richard J Daniels, Albert Barnett A G Blakely and F H Parker be and appear at the next Term of the District Court of Travis County to be holden at the Court house in the City of Austin on the tenth Monday after the first Monday in September 1856 to testify in a certain Case wherein the State of Texas is Plaintiff and Sherman case is Defendant, and that they do not depart the Court without leave

Spring Term Saturday July 5th 1856

and thereupon it is ordered by the Court that Court adjourn until Saturday Morning at 8 O Clock

Saturday Morning July 5th 1856
Court met Pursuant to adjournment present the Same as on Thursday whereupon the Following Proceedings were had by said Court as follows

The State of Texas | Plaintiff | Recog
506 ↓ V
John Wilson & Defendant &

and Now on this day appeared in open Court Jos. Lee and acknowledged himself 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 and tenements, But to be void upon Condition that he be and appear at the Next Term of the Dist Court of Travis to be held at the City of Austin on the 4th Monday after the first Monday in September 1856 then and there to testify in a certain case wherein The State of Texas is Plaintiff and John Wilson is Defendant and that he do not depart the Court without leave,

State of Texas | Plff
V
Geo Gamble | Defts | Order
James Cazner &
Thadeus Beck

It is ordered by the Court that this cause be dismissed as to the Defendant George Gamble

Spring Term Monday July 7 1856

Whereupon it is ordered by the Court that Court adjourn until Monday Morning at 8 Oclock. Monday morning, July 7, 1856 Court met at eight o'clock pursuant to adjournment present the same as on Saturday, Whereupon the following proceedings were had by said Court as follows, to wit:

The State of Texas } Continuance
658 v
Ned a Slave } Deft }

It is ordered by the Court that this cause be continued until the next Term of this Court as upon affidavit of Defendant

The State of Texas } Pff } Recognizance
720 v
Willard C Walker & Thos Walker } Defts }

And now on this day appeared in open Court Willard C Walker as principal and J J Smead & C K Peck 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 and tenements but to be void on condition that the said Willard C Walker be and remain in attendance upon the District Court of Travis County now in session a day from Term to term and from day to day of each Term thereafter to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of the District Court of said County for Assault & Battery with intent to Kill and Murder and that he do not depart the Court without leave

The State of Texas } Plaintiff } Recognizance
736 v
John Doran } Deft }

And now on this day appeared in open Court John Doran as principal and John B Costa and Joseph Lucas Securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the Sum of Five Hundred Dollars to be levied upon their goods chattels lands and tenements but to be void upon condition that the said John Doran be and remain in attendance

Spring Term Monday July 7th 1856

upon the District Court of Travis County
now in Session and from day to day of
each Term thereafter to answer the in-
dictment preferred against him by the
Grand Jurors of Travis County at the Spring
Term 1856 of the District Court of Travis County
for "Allowing a Monte bank to be exhibited in
his house for gaming, and that he
do not depart the Court without leave

740 The State of Texas Plff
vs Recognizance
A W Sublett & Deft &

And now on this day appeared in Open Court
A W Sublett as Principal and S G Sneed
and W L Rogers as Securities and acknow-
ledged 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 chattels lands
and tenements but to be void upon condi-
tion that the said A W Sublett be and
remain in attendance upon the District
Court of Travis County Now in Session and
from term to term and from day to day there
after to answer an indictment preferred against
him by the Grand Jurors of Travis County
at the Spring Term 1856 of the District Court
of said County for Selling at Pin Pool
and that he do not depart the Court without leave

741. The State of Texas Plff
vs Recognizance
A W Sublett & Deft &

And now on this day appeared in open
Court A W Sublett as Principal and S G
Sneed and W L Rogers as Securities
and acknowledged themselves jointly and
severally justly to owe and be indebted
unto the State of Texas in the Sum of
One Hundred Dollars to be levied on
their goods chattels lands and tenements
but to be void on Condition that the
said A W Sublett be and remain

Spring Term Monday July 7th 1856

in attendance upon the District Court of Travis County now in Session and from term to term and from day to day of each term thereafter, to answer an indictment preferred against him by the Grand Jurors of Travis County at the Spring Term 1856 of the District Court of said County for betting at Faro and that he do not depart the Court without leave

1065 ↓ M A Porterfield } P'ff } Order
Geo W Paschal } Def't }

In this cause appeared the parties plaintiff and defendant by their attornies and by agreement of parties the venue in this cause is changed to the County of Comal, and the Clerk of the Court is hereby ordered to transmit to the District Clerk of Comal County a certified copy of all the proceedings in this cause together with all the original papers on or before the first day of the next term of said Court

↓739 C & G R Freeman } Plaintiff
W L Blanton } Defendant } Decree

This day came the plaintiffs by their attornies and the Defendant having been served by publication before the last term of the Court and this cause having been continued by operation of Law to this term and the Defendant failing to appear and making default and it appearing to the Court that the Defendant is indebted to the plaintiffs in the sum of Seven hundred and forty five 03/100 Dollars and that said indebtedness was created as the purchase money for one thousand acres of Land Lying on the waters of Little River in the State of Texas at Bryan, the same Land patented by the heirs of L T Simpson, It is therefore ordered by the Court that the plaintiffs have and recover of the Defendant said Sum of Seven Hundred and forty five 03/100 Dollars with Cost of Suit and for all which execution

Spring Term Monday July 7/56

may issue and that said Land be sold to satisfy said debt interest & Costs

719	Lewis Rose & wife v Thomas Collins	Plffs & Defts	Contd

It is ordered by the Court that this cause be continued until the next Term of this Court by Consent of parties

720	W S Cardwell v A A Hopkins et al	Plff & Defts	Dismissed
825	Lott & Stule v W S Oldham	Plffs & Deft	Same

It is ordered by the Court that the above causes be dismissed at the Cost of Defts and thereupon it is ordered that the plaintiffs go hence and recover of the Defendants in each case respectively the Cost of suit in this behalf for which Execution may issue

727	Hamilton Chandler & Co v George Hancock	Plffs & Deft	order
738	Chandler & McFarland & Augustus Fore	Plffs & Defts	Same
741	Irwin & Cole v R N & N T Forehand	Plffs & Defts	Same
747	A A Cook v John T Price	Plff & Deft	Same
780	Enos S Look v R W Vaco	Plff & Deft	Same

Spring Term Monday July 7 56

781 L D Jennings & Plff / Order
& G Compton & Defts &

1802 Pleasant D Alexander etal & Plff / Same
S A Maverick & Defts &

1803 James Wall & Plff / Same
Frank Brown admrctal & Defts &

812 John Noak & Plff / Same
v
Oldham & Marshall & Defts &
It is ordered by the Court that the above cause
be placed at the Head of the Docket

743 W A Smith & Plff / Judgt by default
v
R N Allen & Deft &
And now on this day comes the plaintiff in this
cause and claims a judgment final by default
and it appearing to the Court that due service of
the process has been made and that Defendant
has failed to file his answer within the time
proscribed by Law, and it further appearing
that the Cause of action is liquidated as shown
by an instrument of writing
It is therefore ordered by the Court that the
plaintiff W A Smith have and recover of the
Defendant R N Allen the Sum of One Hundred
and twenty 59/100 Dollars the amount of Principal and
interest due on said Note to this date
with interest on said amount at the
rate of eight per Cent per annum from date until
paid together with all his Cost in this
suit expended for which execution may issue

752 D C & G R Freeman & Plff / Continuance
v
Thomas B Cross & Defts
John Bird &
It is ordered by the Court that this Cause be
continued for Service until the next Term of this Court

Spring Term Monday July 7/54

A A Lowery) Plff
v) Cont'd
Cassady & Finnin & Defts &

It is ordered by the Court that this cause be continued until the next Term of this Court as upon affidavit of Defendants

788 John Cook) Plaintiff
v) Dismissed
John Tarey et al & Defendants

It is ordered by the Court that this Cause be dismissed each party paying one half the Costs of this Suit,

814 John McKean) Plff) Cont'd
v) Timothy McKean & Deft &

By agreement of Counsel it is ordered by the Court that this cause be continued until the Next Term of this Court,

817 W G Blakely) Plff) Dismissed
v) Geo W Glascock, & Deft &

It is ordered by the Court that this cause be dismissed for Non compliance with rule for Costs, and thereupon it is ordered that the Plaintiff recover of the Defendant Geo W Glascock the Cost of suit in this behalf, for which execution may issue

817 W. G. Blakey) Plaintiff)
v) Judgment.
Geo. W. Glascock & Defendant)

And now on this day comes the defendant by his attorney, and suggests to the Court that at the last term hereof a rule was entered against the plaintiff requiring him to enter rule bond and security for the cost of this suit. And thereupon it appearing to the Court that the said plaintiff has failed to comply with said rule, It is ordered, adjudged and decreed that the defendant go hence and recover of the plaintiff Harlwell W. Blakey, all the costs of this suit, for which execution may issue.

Spring Term, Monday, July 7th 1856.

770 D. Hardeman } Plaintiff
W. B. McGehee, et al } Defendants } Judgment

And now on this day come the parties to this cause by their respective attorneys, and submit the same to the Judgment of the Court. And thereupon upon inspection of the pleadings, and the evidence adduced, the Court finds in favor of the plaintiff wherefore It is ordered, adjudged and decreed by the Court that the plaintiff, D. Hardeman, have and recover of the defendants Norman Reynolds, William W. Knowles and William B. McGehee the sum of Eleven Hundred and Fifty-Three Dollars and twenty-four cents, the amount of the principal debt and interest due on the note sued on to the date of the rendition of this Judgment, with interest on said amount at the rate of six per cent per annum from this date until it shall satisfaction, together with all costs in and about this suit laid out and expended, for all which execution may issue.

771 J. D. Giddings } Plaintiff
A. G. Compton } Defendant } Judgment

And now comes the plaintiff by attorney and claims a final Judgment by default. And it appearing to the satisfaction of the Court that the defendant has been served with process, that he has failed to answer within the time prescribed by law, and that the cause of action is liquidated as shown by an instrument of writing - It is therefore ordered, adjudged and decreed by the Court that the plaintiff, J. D. Giddings, have and recover of the defendant A. G. Compton, the sum of Three Hundred and Fifty Seven Dollars and Sixty One Cents, the amount of principal debt and interest due thereon to this date, with legal interest on said amount until the same is paid, together with all costs of this suit, for all which execution may issue

772 Greenway, Bro's & Co } Plaintiffs }
Wm B. McGehee, et al. } Defendants } Judgment

And now come the plaintiffs by attorney and claim a Judgment by default. And it appearing to the Court that the defendants have been legally served with process and that they have failed to answer, and that the cause of action is liquidated as shown by a promissory note - It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, William N. F. Greenway, John W. Greenway, John W. Lyman, Charles M. Mead, and Townsend Cox, under their firm name of Greenway, Brother & Co. have and recover of the defendants, William B. McGehee, Samuel W. Johnson and Samuel W. Keirby, the sum of Two Hundred and Fourteen Dollars and Sixty Four Cents, the amount of the principal and

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interest due on the note sued on to this date, with legal interest on said sum from date until paid, and all costs of this suit for which execution may issue.

788 John Cook } Plaintiff
v. } Judgment
John Taney et al. } Defendants

And now on this day come the parties to this cause by their attorneys and agree that this cause may be dismissed at the mutual cost of the plaintiff and defendants. And thereupon It is ordered, adjudged and decreed by the Court that the plaintiff recover of the defendants, John Taney and A. B. Slaughter one half of the costs of this suit, for which execution may issue, and that the defendants recover of the plaintiff John Cook, one half of the costs of this suit, for which execution may issue

793 F. W. Chandler } Plaintiff
v. } Judgment and Verdict.
Sherman Case, et al } Defendants

And now on this day come the parties to this cause by attorney and having announced themselves ready for trial, submitted the cause to the verdict of the jury and judgment of the Court. And thereupon came a jury of twelve good and lawful men of Davis county, to wit: B. L. Basford and eleven others, who being duly elected, empannelled and sworn, heard the evidence and charge of the Court. And retired to consider of their verdict. And ~~thereupon~~ the said plaintiff dismissed his suit as to the defendant T. L. Rieter, before the submission of the cause. Whereupon It is ordered by the Court that the said T. L. Rieta go hence and recover of the plaintiff all his costs, for which execution may issue. And thereupon the said jury returned into Court the following verdict, to wit: "We, the jury, find for the plaintiff the sum of $171.21. B. L. Basford, Foreman."

Wherefore, It is ordered, adjudged and decreed by the Court that the plaintiff, Frederick W. Chandler have and recover of the defendants, Sherman Case & Newell W. Burdett the sum of One hundred and seventy one Dollars and thirty-one cents, the amount found due by the jury aforesaid, with legal interest on the same from this date until ~~the~~ paid, satisfaction, together with all costs of this suit, for which execution may issue

Spring Term, Tuesday, July 8th 1856

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday Morning at eight o'clock

Tuesday Morning, July 8th 1856. Court met at eight o'clock, pursuant to adjournment, Present the same as on yesterday. Whereupon the following proceedings was had by said Court as follows, to wit:

720. W. J. Cardwell } Plaintiff
A. N. Hopkins, et al } Defendants } Judgment

And now come the parties to this cause by their respective attorneys, and upon their motion It is ordered that this cause be dismissed at the cost of the defendants. And thereupon It is ordered adjudged and decreed by the Court that the plaintiff W. J. Cardwell have and recover of the defendants A. N. Hopkins, D. F. Nichols, Jas A. Burgett and Binford F. Smith, all his costs in this cause expended, for which execution may issue

983 L. D. Carrington & Co } Plaintiffs
vs } Order
N. M. Johnson & A. H. Cook } Defendants

It is ordered by the Court that the defendants in this cause have leave to amend their answers, and that the plff. have leave to amend

1001 John J. B. Headspeath } Plaintiff
vs } Order
A. N. Hopkins } Defendants

It is ordered by the Court that the plaintiff in this cause have leave to file amended petition

1071 James Sims } Plaintiff
vs } Order
Pick & O'Neil } Defendants

It is ordered by the Court that the defendants have leave to file amended answers.

825 Lou & Steele } Plaintiffs
vs } Judgment
W. S. Oldham } Defendant

And now come the parties to this cause by their attorneys and agree that this cause may be dismissed at defendant's cost. And thereupon It is ordered, adjudged and decreed by the Court that the plaintiffs recover of the defendant, Williamson S. Oldham, all costs of this suit, for which execution may issue, and that the same be dismissed.

Spring Term, Tuesday, July 8th 1856.

561 John W. Wear, Admr. } Plaintiff
Heirs of F. E. Weare } Defendant } Judgment on Motion

It is ordrd. upon motion of the Plaintiffs by their attorneys, that the parties to this cause have leave to file a Statement of the Facts, same by time, proved on the trial of the same at the last term of this Court

364 John C. Hyde's Admr } Plaintiff
v. } Order
Francis Kelly } Defendant

And now on this day come the parties to this cause by attorney, and after hearing the argument of counsel upon the motion of plaintiff for a new trial, It is ordered by the Court that the same be overruled. And thereupon the said plaintiff, by his attorneys, gives notice, in open Court, of an appeal to the Supreme Court

408 R. M. Measlin & Co. } Plaintiffs
v. } Order.
Michael Zeiler } Defendant

And now on this day come the parties to this cause by their attorneys, and upon a consideration of the motion filed by plaintiffs for a new trial, after hearing the argument of the counsel thereon, It is ordered by the Court that the said motion be overruled. And thereupon the said plaintiffs by attorney in open Court, give notice of an appeal to the Supreme Court

937 Thomas Freeman } Plaintiff
v. } Judgment.
S. K. Jennings & J. G. Swisher } Defendants

And now on this day comes the plaintiff to this cause by attorney, and the defendants being called, came not, but made default; and said defendants having failed to answer the allegations of plaintiffs petition within the time required by law, and it appearing to the satisfaction of the Court that the plaintiffs demand is liquidated as evidenced by a promissory note in writing It is therefore ordered, adjudged and decreed by the Court that the plaintiff Thomas Freeman recover of the defendants S. K. Jennings, Jr. and James G. Swisher the sum of Three Hundred and Ninety Three Dollars and Sixty One Cents, principal, debt and interest as claimed in plaintiffs petition, with 8 per cent interest on said sum from this date until paid, together with all the costs of this suit, for which execution may issue

Spring Term, Tuesday, July 8th 1856.

And it further appearing to the satisfaction of the Court that this action is founded upon a promissory note which was executed for a part of the purchase money of a tract of land sold by the said defendant James G. Swisher, as specified in said promissory note, It is therefore ordered by the Court that a Jury be called to enquire as to the truth of the allegations in plaintiffs petition contained, Thereupon came a Jury of good and lawful men, to wit: Marcus Hosking and eleven others who being sworn well and truly to enquire and true verdict render as to the allegations of plaintiffs petition, do say "We, the Jury find for the plaintiff Marcus Hosking Foreman". And it appearing that the note sued on was given for a part of the purchase money of a certain tract of land described in said plaintiffs petition as follows to wit: "Lying on west side of "Colorado River opposite the City of Austin in said county, and being part of the "Decker league. beginning in the centre of a branch immediately above where "the road leading to the ferry landing opposite Congress Avenue crosses said branch, "thence up said branch with its meanderings, to wit: N. 79 3/4° West 90 varas N. 44° "West 105 varas N. 89 1/4° West 74 varas N. 76° West 76 varas N. 49 1/2° West 34 varas "to the line dividing the division of Capt. Swisher and Capt. Boulden in the Decker "League, Thence S. 30° West with said dividing line 46 varas to a stake, Thence "S. 60° E. 365 varas to a stake on the left of the road leading to said ferry landing "from which a live oak eight inches in diameter marked with a blaze bears "N. 34° West 2 1/2 varas and a post oak 24 inches in diameter blazed bears South "62 1/2° West 13 1/2 varas; thence N. 30° E. 515 varas to the beginning, containing by "estimate 31 1/10 acres of land." It is therefore ordered, adjudged and decreed by the Court that the plaintiff Thomas Freeman, have and recover of the defendants his principal debt, damages and costs as aforesaid, and that an order of sale issue to the Sheriff of Travis County commanding him to sell the tract or parcel of land as above described and set out in plaintiffs petition, and if the proceeds of such sale be insufficient to pay this judgment and costs, that execution issue for the balance thereof.

1827 Ernest Raven, Plaintiff
v
John Killeen, Defendant. } Judgment

And now on this day comes the Parties to this cause by attorneys, and announce themselves ready for trial, and thereupon came a Jury of twelve good and lawful Men of Travis County to wit Lindsford Foreman and eleven others who being duly elected tried impannelled and Sworn, heard the evidence adduced by the Parties and the arguments of Counsel and being charged by the Court retired to consider of their verdict, and

thereupon said Jury returned into Court the following verdict to wit " We the Jury find for the Plaintiff the Sum of Four hundred and fifty three 7/100 Dollars, J D Bapford Foreman

Whereupon it is ordered adjudged and decreed by the Court, that the plaintiff Ernest Raven recover of the Defendant John Killelea the Sum of Four hundred and fifty three 7/100 Dollars the amount of principal and interest due on said Notes, with legal interest on the Same from date until paid together with all Costs in and about this Suit, expended for all which Execution may issue,

1194 H W Chandler } Plaintiff } Judgment.
N W Braden, et ab } Defendants }

And now come the parties to this cause by their Attorneys and announced themselves ready for trial, And thereupon defendants demurrer to plaintiffs petition being considered by the Court it is ordered And thereupon the parties having submitted the cause to the Court and waiving a jury, and upon hearing the evidence and argument of counsel and the inspection of the Pleadings, the Court finds in favor of the plaintiff. And thereupon It is ordered, adjudged and decreed by the Court that the plaintiff, Frederick W Chandler have and recover of the defendants, Newell W Braden and H L Rector the sum of Three Hundred and Ninety Three 22/100 Dollars, the amount of the principal debt and interest due on the note sued on in this case to the date of the rendition of this Judgment, with legal interest on said amount from that date until the final satisfaction of the same, together with all cost of this suit, for all which execution may issue

1196 H W Chandler } Plaintiff } Judgment
N W Braden, et ab } Defendants }

And now come the parties to this cause by attorney and waiving a Jury, submit the cause to the Judgment of the Court. And thereupon upon inspection of the pleadings, and hearing the evidence, and the argument of the counsel, and duly considering the same the Court proceeds to render Judgment for the plaintiff Whereupon, It is ordered, adjudged and decreed by

the Court that the plaintiff, Frederick W. Chandler name of the Defendants, Thomas Case, Newell N. Burdett, Augustus Foe, Jacob A. Burdett, Henry N. Sublett, Geo A. Burdett and T. L. Keiser, the sum of One Hundred and Fifty Nine Dollars and Twenty Five cents the amount of the principal debt and interest due on the note sued on to this date, with legal interest on the same from date until paid, and all cost of this suit for which execution may issue.

828 ✓ Green B Moore } Plaintiff
v.
H. G. Blakey } Defendant } Judgment.

This day the above cause being called by the Court, and the plaintiff failing to appear, either in proper person or by attorney, to prosecute the same It is ordered adjudged and decreed by the Court that the same be dismissed, and that the defendant recover of the plaintiff, Green B Moore, all the cost of this suit, for which execution may issue.

830 ✓ Edward Clark } Plaintiff.
v.
Capsidy & Robertson } Defendant } Judgment

And now come the parties to this cause by their respective attorneys, and having announced themselves ready for trial, submitted the same to the judgment of the Court. And thereupon upon the exhibition of the evidence and inspection of the pleadings the Court proceeds to render Judgment for the plaintiff. Whereupon, It is ordered, adjudged and decreed by the Court that the plaintiff, Edward Clark have and recover of the defendant, Thomas Capsidy and Joseph M. Robertson, the sum of Three Hundred and ~~Eighteen~~ Fifty Dollars, the amount of principal and interest due on the note sued on to this date, with ten per cent interest on said sum from date until paid, and all cost of this suit, for all which execution may issue.

832 ✓ Henry C Burdett } Plaintiff } Continued
v.
Cope Rowe } Defendant }

And now come the parties to this cause by attorneys and by agreement it is ordered by the Court that this cause be continued until the next Term of this Court

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835 Juan Garcia / Plaintiff / Dismissed
Barry Grumbles & Defendant &

This day the above cause being called by the Court and the Plaintiff failing to appear either in proper person or by attorney to prosecute the Same, It is ordered adjudged and decreed by the Court that the Defendant go hence and recover of the Plaintiff Juan Garcia all the Costs of this Suit, for which execution may issue,

836 John B Moore / Plaintiff / Dismissed
Francis Dutrich and & Defendants &

And now on this day comes the Defendant by his Attorney and Suggests to the Court that at the last Term hereof a rule was entered against Plaintiff requiring him to enter into bond and security for the Costs of this Suit, and thereupon it appearing to the Court that the said Plaintiff has failed to comply with said Rule, It is ordered adjudged and decreed that the Defendant go hence and recover of the Plaintiff John B Moore all the Costs of this Suit for which execution may issue

841 John J Bremond / Plaintiff / Continuance
J & J Herndon et al & Defendant &

It is ordered by the Court that this cause be continued until the Next Term of this Court as upon affidavit of defendant Herndon and it is also ordered that each party have leave to amend their pleadings in this cause

848 R E Flanniken / Plaintiff / Dismissed
R A Peck & Co & Defendants &

And now Come the parties to this Cause by attorneys and by agreement it is ordered by the Court that this cause be dismissed at the Cost of the Plaintiff, wherefore it is considered by the Court that the Defendants go hence and recover of the Plaintiff R E Flanniken and his

Spring Term Tuesday July 8th 1851

Securities on the injunction bond to wit Banyan Payne & Mathews and Ratcliffe Statt the costs of suit in this behalf expended for which Execution may issue.

857 J. T. Burton } Plaintiff } Order
J. B. Oldham } Defendant }
And now on this day come the parties by their attorneys and the motion to dismiss petition for certiorari being submitted was overruled by the Court and thereupon the plaintiff by his attorney excepted to said ruling, and thereupon the parties announced themselves ready for trial, and thereupon came a jury of twelve good and lawful men of Travis County to wit W. D. Basford foreman and eleven others who being duly sworn, heard the evidence adduced by the parties, the arguments of counsel and charge of the Court and retired to consider of their verdict, and thereupon said jury returned into Court the following verdict to wit "We, the jury, find for the defendant. It is therefore ordered by the Court that the said plaintiff take nothing by his said action, that the defendant go hence without day and recover of the said plaintiff J. T. Burton, all the costs of this suit, for which execution may issue.

578 C. G. Wood } Plaintiff } Order
E. R. Rawls } Defendant }
On this cause it is ordered by the Court that the Defendant have leave to file an amended answer,

939 John B. Banks } Plaintiff } Judgment
Wesley Smith } Defendant }
This day came the plaintiffs by attorneys and thereupon came a jury of twelve good and lawful men, to wit W. D. Basford and eleven others, Judgment by default having been rendered herein on the 4th day of the present

Spring Term Tuesday July 8/56

Term of this Court, and the Jury being duly sworn according to Law on their oaths do say "We the Jury find the allegations in the Plaintiffs Petition to be true and that the Plaintiff recover of the Defendant the Sum of one hundred and Forty Dollars and Eighteen Cents, W D Bapford Foreman"

It is therefore ordered, adjudged and decreed by the Court, that the Plaintiff have and recover of the Defendant Wesley Smith said Sum of one hundred and forty Dollars and Eighteen Cents, together with all costs in this behalf expended and it appearing to the Court that the Plaintiff is entitled to an Equitable lien upon the Block of Lots in the town of Webberville in said County, as described in said Petition as found by the Jury aforsaid, It is therefore ordered by the Court that said Block of Lots in the town of Webberville in said County fronting 250 feet on Washington Street and running back 250 feet to the South side of Webber Street between Center Street and known as block No 28 be sold to satisfy said Judgment interest & Cost and that Execution issue accordingly

Wm D Montgomery

And now on this day appeared in open Court Wm D Montgomery and presented his petition to the Court praying to be admitted to practice as an Attorney & Counsellor at Law in the several District and Superior Courts of the State of Texas, and the said Wm D Montgomery having presented to the Court sufficient evidence of his good Moral Character and favorable deportment, and also that the said Wm D Montgomery possessed a competent knowledge of the Law to entitle him to be admitted and practice as an Attorney and Counsellor at Law in

Spring Term Tuesday July 8th 1851

the Several District and inferior Courts of the State of Texas, It is therefore ordered adjudged and decreed by the Court that the said Wm J Montgomery be and is hereby admitted to practice as an Attorney and Counsellor at Law in the several District and inferior Courts of the State of Texas, upon the taking of the oath Prescribed by Law, and that the Clerk of this Court issue to him a License accordingly.

And thereupon it is ordered by the Court that Court do now adjourn until tomorrow Morning at 8 O Clock

Wednesday Morning July 9th 1851

Court met Pursuant to adjournment present the same as on yesterday, whereupon the following proceedings were had by said Court to wit

Joseph Newsham Ex. Parte

And the said Joseph Newsham having filed here in open Court his petition praying to be admitted to become a Citizen of the United States, and the Court being satisfied by the oaths of Thomas H Jeffery and William A Carr citizens of the United States that the said Joseph Newsham was known to them for the last five years as residing within the limits and under the jurisdiction of the United States and within one year in the State of Texas, that during that time he has behaved as a man of good moral character attached to the principles of the Constitution of the United States and well disposed to the good order and happiness of the same, and being also satisfied that the said Joseph Newsham has made his Declaration to become a Citizen of the United States in the District Court of the County of Travis State of Texas two years previous to the filing his said petition according to the act of Congress in such case made and provided, and the said Joseph Newsham having in open Court taken the oath prescribed by Law to support the Constitution of the United and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every

Spring Term Wednesday July 9th 1856

foreign Prince Potentate State or Sovereignty and particularly to Victoria Queen of Great Brittain of whom he was heretofore a subject

It is therefore ordered by the Court that the said Joseph Newsham be and is hereby admitted a citizen of the United States and that the Clerk of this Court issue to him a certificate accordingly

A. B. Cook } Plaintiff
767 John T Price Sheriff } Defendant } order

And now come the Parties by their attorney and thereupon it is ordered by the Court that each Party have leave to amend his pleadings in this cause

Jenny Renick } Plaintiff
632 S C Hanton } Defendant } dismissed

And now come the parties by attorneys and on Motion it is ordered by the Court that this suit be dismissed the Costs having been paid,

The State of Texas } Plaintiff
853 P Barnhill et al } Defendant } Decree

And now on this day comes the Plaintiff by the District Attorney and thereupon it is ordered by the Court that the Judgment heretofore rendered in this cause be set aside on payment of the Costs whereupon it is ordered by the Court that the plaintiff recover of the defendants Pleasant Barnhill D C Gwin and James Cusner the Cost of suit in this behalf for which execution may issue

The State of Texas } Plaintiff
852 gs Barnhill et al } Defendant } order

And now on this day comes the plaintiff by the District Attorney and on motion

Spring Term Wednesday July 9th 1851

it is ordered by the Court that the Judgment heretofore rendered in this cause be set aside on payment of Costs of Suit, and thereupon it is ordered by the Court that the plaintiff recover of the Defendants Pleasant Barnhill, D C Gwin and James Casner the Costs of Suit in this behalf for which Execution may issue.

855 The State of Texas } Plaintiff } Order
v
James Casner et al } Defendants }
And now on this day comes the plaintiff by the District Attorney and thereupon on Motion it is ordered by the Court that the Judgment Nisi heretofore rendered in this Cause be set aside on Payment of the Costs, Wherefore it is ordered by the Court that the plaintiff recover of the defendants James Casner Davis C Gwin and Darvil J Gwin the Costs of Suit in this behalf for which execution may issue.

856 The State of Texas } Plaintiff } Order
v
James Casner et al } Defendants }
And now on this day comes the plaintiff by the District Attorney and thereupon on Motion it is ordered by the Court that the Judgment Nisi heretofore rendered in this Cause be set aside on Payment of the Costs, Wherefore it is ordered by the Court that the plaintiff recover of the defendants James Casner Davis C Gwin and Darvil J Gwin the Costs of Suit in this behalf for which execution may issue.

857 The State of Texas } Plaintiff } order
v
C & Harrison et al } Defendants }
And now on this day comes the plaintiff by the District Attorney and thereupon on Motion it is ordered by the Court that the Judgment Nisi heretofore rendered in this Cause be set aside on payment of Costs, Whereupon it is ordered that the plaintiff recover of the Defendants C & Harrison, D Byars by and J Cunnings, the Costs of Suit in this behalf for which Execution may issue,

Spring Term Wednesday July 9th 1856

858 The State of Texas } Plaintiff } order
G W Scott et al } Defendants }
And now on this day comes the plaintiff by the District Attorney and thereupon on motion it is ordered by the Court that the Judgment Nisi heretofore rendered in this Cause be set aside on payment of the Costs, whereupon it is ordered by the Court that the plaintiff recover of the Defendants G W Scott, Sebron G Snead and Edward R Peck the Costs of suit in this behalf for which execution may issue,

859 The State of Texas } Plaintiff } order
J M Bennett } Defendant }
It is ordered by the Court that this cause be continued for service on Defendant Bennett until the next Term of this Court

860 The State of Texas } Plaintiff } order
J S Gillett et al } Defendant }
And now on this day comes the plaintiff by the District Attorney and thereupon it is ordered by the Court that the Judgment Nisi heretofore rendered in this cause be set aside on payment of the Costs. Wherefore it is ordered by the Court that the ~~Defendants~~ Plaintiff recover of the Defendants J Gillett Alexander A Barnes and John L Grumbles the Costs of Suit in this behalf for which execution may issue,

861 The State of Texas } Plaintiff } order
J L Moore et al } Defendants }
And now on this day comes the plaintiff by the District Attorney and thereupon it is ordered by the Court that the Judgment Nisi heretofore rendered in the Cause be set aside on payment of the Costs, and that the Plaintiff go hence

and recover of the Defendants J. L. Moore, Davis C Irwin and Darrel J Irwin the Costs of Suit in this behalf for which Execution may issue

1862 The State of Texas Plaintiff (Continuance
B J Lewis et al Defendants
It is ordered by the Court that this Cause be Continued for service until the next Term of this Court

1864 C D Robb Plaintiff (Continuance
J D Newsham et al Defendants
And now come the parties by attornies and by consent it is ordered by the Court that this cause be continued until the next Term of this Court

1865 J. A Kendricks admr Plff (Continuance
Geo W Glasscock Deft

1869 A N Morrow Plaintiff (Continuance
J M Turley Defendant
It is ordered by the Court that these causes be continued until the next Term of this Court

1872 L J Brownig Plaintiff (Cont'd for Service
S W Johnson Defendant
It is ordered by the Court that this Cause be continued until the next Term of this Court for the purpose of perfecting Service upon the Defendant, this suit having been brought by publication

1878 John Calvin Plaintiff (Assgt.
v
John F Cleveland Defendant
And now come the parties by attornies and announced themselves ready for trial, and thereupon the Defendant by his attorney withdraws his answer filed in this cause

Spring Term Wednesday July 9/54

and thereupon it appearing to the Court that there exists nothing in bar or preclusion of plaintiffs demand and that the cause of action is liquidated as shown by a note of hand, It is therefore ordered adjudged and decreed by the Court that the plaintiff John F Calvin recover of the defendant John Cleveland the sum of Two hundred and Nine 31/100 Dollars the amount of principal debt and interest up to this date with legal interest on said amount from date until paid together with all costs in this behalf expended for all which execution may issue,

James E Brady } Plaintiff }
9 29 John F Miller & Defendant & } order

And now on this day come the parties by attorneys and thereupon on Motion It is ordered by the Court that leave be given to defendant to amend his pleadings in this cause

Shawfskie & Lewis } Plff }
9 82 v } order
Ford Walker & Davidson & Deft &

It is ordered by the Court that leave be given to Plaintiff to amend his pleadings in this cause

And thereupon it is ordered by the Court that Court adjourn until tomorrow morning at 8 Oclock,

Thursday Morning July 10th 1854
Court met pursuant to adjournment present the Judge as on yesterday whereupon the following proceedings were had by said Court to wit

Spring Term Thursday July 10th 1851

Reuben D Wood } Plaintiff
v 51 Joseph W Robertson & Defendant & } Sealed

Henry P Hill } Plaintiff
v 882 A B Hamilton & } Defts & } Sealed
J W Chandler &

Henry P Hill } Plff
v 882 John G Trumbles & } Defts & } Sealed
A M C Hamilton &

It is ordered by the Court that the above Cause be placed at the head of the Docket,

Edes & Peardett } Plaintiff
v 196 Upton } Defendant & } Continued

It is ordered by the Court that the above cause be continued as upon affidavit of plaintiff

George Hancock } Plaintiff
v 645 John Doran & Defendant & } Continued

It is ordered by the Court that the above cause be continued until the next Term of this Court as upon affidavit of Plaintiff

E McDonnell } Plaintiff
v 875 Casper Stenfy & Defendant & } Continuance

It is ordered by the Court that this Cause be continued until the next Term of this Court,

Shelton Watson } Plaintiff
v 880 Wm S Smith & Defendant & } Cont'd under rule

It appearing that a rule for Costs has been entered in this Cause at a former day of the present Term of this Court

Spring Term Thursday July 10th 1851

and that the plaintiff has failed to comply with the rule, It is ordered adjudged and decreed by the Court that this Cause be continued under the rule until the next Term of this Court

883 Jeremiah Barnett / Plaintiff / Order
v
Banyan Payne et ab / Defendants /
And now on this day come the parties by attorneys and thereupon it is ordered by the Court that this cause be continued until the next Term of this Court for the purpose of making Parties and also that leave be given to the intervenors to amend their several pleadings in this cause

884 Julian Harvey / Plff / Dismissed
v
Mott & Co Circus / Defts /
And now come the Parties and thereupon it is ordered by the Court that the above cause be dismissed at the Cost of the defendants. Therefore it is ordered by the Court that the Plaintiffs recover of the Defendants B F Mott, Delany and Henry Burr partners trading under the firm name and Style of Mott & Co. the Costs of Suit in this behalf expended for which execution may issue;

886 David Ayres / Plaintiff / Contd
v
Douglas Brown / Defendant /
It appearing that a rule for Costs has been entered in this Cause at a former day of the present term of this Court and that the plaintiff has failed to comply with said Rule, It is therefore ordered adjudged and decreed by the Court that this cause be continued under the rule until the next Term of this Court

Spring Term, Thursday, July 10th 1856.

725 Harrison & Mitchell } Plaintiffs } Judgment.
Walter W. Stapp } Defendant }

It appearing to the Court that the Defendant has made default in this cause, and that the cause of action is liquidated between the parties It is ordered that the same be dismissed at Defts cost. And thereupon It is ordered adjudged and decreed by the Court that the Plaintiffs recover of the defendant, Walter W. Stapp all the costs of suit for which execution may issue, and that the land levied upon by the Sheriff by virtue of the writ of attachment issued herein be sold to pay the same.

359 William K. Redding, Plaintiff
Lewis E. Dyson et al Defendants } Decree

In this cause the Commissioners appointed at a previous day of this term to partition and set apart to the Plaintiff William K. Redding Four hundred acres of Land, including the same according to quality and quantity to be taken out of the following described portion of a League of Land granted to Robert L. Redding assignee of Thomas P. Wallace by patent bearing date the 28th of April 1847, which portion of said league is bounded as follows Beginning on the East or North East corner of No 4, Thence N 60 W 946 vrs to South Corner of W L Redding,
Thence N 30 E 1190 vrs to East Corner of Josiah Fisk
Thence S 60 E 791 vrs to north west line of No 82
Thence S 30 W 930 vrs to West Corner of No 82
Thence S 60 E 1000 vrs to South Corner of No 82
Thence S 30 W 1500 vrs to west corner of No 81
Thence S 60 E 1000 vrs to South Corner of No 81
Thence S 30 W 1400 vrs to N E line of No 27
Thence N 60 W 456 vrs to North Corner of No 27
Thence S 30 W 2400 vrs to E or N E Corner of No 9
Thence N 60 W 1424 vrs to North Corner of No 9
Thence S 30 W 460 vrs to the beginning. Said Commissioners having made the following report of said Partition

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Wm L Redding
v.
Jane E Tyson et al

We the undersigned commissioners appointed by the Honorable District Court now sitting in the County of Bravis to partition and set apart to the Plaintiff William R Redding Four hundred acres of Land according to quantity and quality to be taken out of the following described tracts to wit Beginning at the East and North East corner of No 4, Thence N 60° W 946 vrs to South Corner of W R Redding, Thence N 30° W 660 vrs to East Corner of Josiah Fisk, Thence S 60° E 791 vrs to North West line of No 82, Thence S 30° W 930 vrs to west corner of No 82, Thence S 60° E 1000 vrs to west Corner of No 82; Thence S 30° E 1500 vrs to west corner of No 81, Thence S 60° E 1000 vrs to South Cor of No 81, Thence N 60° W 456 vrs to North Corner of No 27, Thence S 30° W 2400 vrs to Cor No 8 Corner of No 9, Thence N 60° W 1744 vrs to the South Corner of No 9, thence S 30° W 460 vrs to the beginning being a part of Survey No 57 in the Name of Robert L Redding assignee of James P Wallace and having thoroughly examined the Same, and being satisfied of the value of the entering tract, have partioned and set apart for the Plaintiff William R Redding the following described tract to wit; Beginning at the N E Corner of said Survey at a Stone mound on the North west line of No 82 Thence N 60 W 980 vrs to a Stake in Prairie for the Corner of Fisks, thence S 30 W with Fisks line at 625 varas, little Walnut Creek 8000 vrs a branch, 940 vrs Same branch 2113 vrs a Stone Mound in Praerie, thence S 60° E 28 vrs a drain 1080 vrs another drain 1130 vrs a road 1780 vrs a live oak 10 in dia for corner from which another 10 in dia brs S 20° W 1½ vrs, thence N 30° E 1173½ vrs with the lines of Surveys No 61 & 58 to the S E corner of Wells labor, thence S 60° W 1000 vrs with said labor to the South west corner of Same, thence N 30° E 940 vrs crossing

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little Walnut Creek to the beginning, containing
four hundred acres according to quantity and
quality and value of the whole of the aforsaid
tract

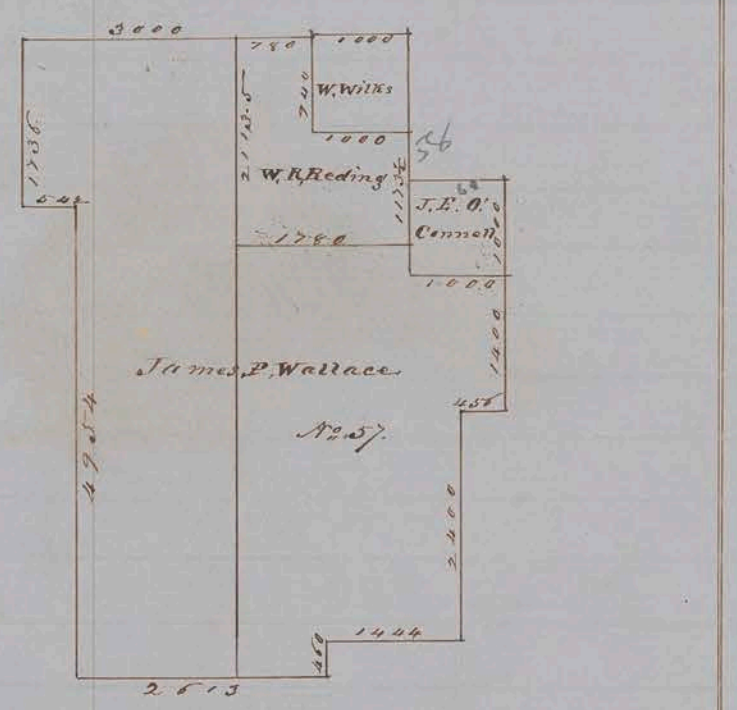
All of which is respect fully submitted
July 8th 1856

Wm P. De Normandie
J H Nowlin
D F Waddell

State of Texas
County of Travis } On this the 8th day of July 1856
before the undersigned personally appeared
Wm P. De Normandie J H Nowlin and D F Waddell
who being duly sworn according to Law say on
oath that the report contains a just fair and
equitable partition of said Land according to the
order and decree of said Court, according to the
best of my knowledge and belief

Sworn and Subscribed before me July 8th 1856

Frank Brown Clerk



Field notes of a Survey of
570 acres of Land made for
Wm R Redding by order of
the Hon District Court at the
Spring Session in the County
of Travis, said Survey is a part
of a League No. 57 Situated
East of the Colorado ~~Travis~~
about four Miles North and
East of the City of Austin
in the County of Travis

Beginning on a Stone mound, and corner of
Applegate league No 58, thence N 60° W 780 vrs to
a Stake in prairie for the Corner of this ~~No~~ 1, thence
S 30 W with this line at 625 vrs little walnut creek
800 vrs a branch 940 vrs same branch 2113½ vrs
a Stone Mound in prairie. Thence S 60° E 628 vrs a
drain 1080 vrs another drain 1130 vrs a road 1580 vrs
a drain 1760 vrs another drain 1780 vrs a live oak
10 in dia for Corner, from which another 10 in dia
brs S 20 W 1½ vrs. Thence N 30° E 1473 vrs with the
lines of Survey 61 58 to the South East Corner
of Wells labor, thence N 60° W 1000 vrs with said

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labor to the south west corner of same &c
thence N 30° E 940 vrs crossing little
Walnut Creek to the Beginning.
Given under my hand at Austin
this 8 July AD 1856
James R Pace
Dist Jor Dr Clk

And it appearing to the satisfaction of the Court
that said partition has been made in strict
conformity with the order of this Court, that
it is in all things correct and equitable
It is therefore ordered adjudged and
decreed by the Court that the aforsaid
partition be and the same is in all things
affirmed, It is further ordered adjudged
and decreed by the Court that the defendants
Jane E Tyson William Tyson, William M
Redding, Mary F Redding, Nancy Redding
Margaret L Redding, Nancy J Redding and
Catherine E Redding be and they are by virtue
of this decree divested of all right title
interest and claim in and to the aforsaid
five hundred acres of Land, partitioned
and set apart to the said William R Redding
according to the metes and bounds set out
in the field notes of the aforsaid report of
the aforsaid Commissioners, and the same is
by virtue of this decree fully and completely
vested in the said Plaintiff William
R Redding, It is further ordered adjudged
and decreed by the Court that the said
Plaintiffs Wm R Redding do have and
recover of and from the said defendants
William ~~R Redding~~ J Tyson Jane E
Tyson wife of the said William J, William
M Redding, Mary E Redding Nancy J Redding
Margaret L Redding, Nancy J Redding and
Catherine E Redding children of the said
Jane E Tyson all the Costs in behalf
of this partition expended for which
Execution shall issue against the said
William J & Jane E Tyson and be certified
to the County Court of County as
against said children of the said Jane

& Syston to be paid in due course of administration, And it is further ordered and adjudged by the Court that H. L. DeNormandie J. W. Rowlin and D. F. Waddill be allowed the Sum of four Dollars each for their services in said Partition and that James R. Pace be allowed the Sum of Seven 50/100 dollars for his services in surveying said land for the purpose of Partition, all of which said Sums of money to be taxed in the Bill of Cost in this Case to be paid as is provided for the other Costs herein,

874

Erasmus D. Jennings and Charles N. Henderson vs Thomas Case and Geo. W. Lauren } Plaintiffs & ~~Defendants~~ & Defendants } Decree

In the above entitled Cause this day came the parties by their Attorneys and the Same having come on for final hearing thereupon came a Jury of good and lawful men to wit B. D. Basford and eleven others who being duly empannelled and sworn and having heard the evidence adduced by the parties and the charge of the Court return their verdict in the words and the figures following "We the Jury find for the Plaintiffs that they recover of the defendants the Negro girl described in the petition and fix the value of said Negro girl at Six hundred Dollars" B. D. Basford foreman

It is therefore ordered adjudged and decreed that the title to the Negro girl Celia about 21 or 22 years old a Slave for life, being a Mulatto & having a wen or protuberance on her throat be and is hereby vested and confirmed unto the said Plaintiffs and that he deliver up the Slave within ten days after rendition of this Judgment and that in default thereof execution shall issue against said Case for said Amount of Six hundred Dollars

And it further appearing that the said Aggus McLauren intervened in this cause and filed

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a bond given Town of Law claiming the said Slave Celia as his own property, said bond being dated Feby 9th A.D. 1856 with Radcliffe Platt, Murdoch McLauren and Jesse F Burdett as Sureties and was a party to the trial of said Cause,

It is therefore ordered adjudged and decreed that the plaintiffs do have and recover the title and possession of said Slave from said McLauren or her value assessed in the alternative at Six Hundred Dollars and that said McLauren shall deliver up the said Slave to said plaintiffs or to the Sheriff of Davis County within ten days from the rendition of this Judgment or in default thereof Execution may issue against the said McLauren and his Sureties in said bond Ratcliffe Platt, Murdoch McLaurin and Jesse F Burdett for said sum of six hundred Dollars, with Eight per Cent interest thereon from date of said bond and it is further ordered that said Sherman Cage and Hugh McLaurin pay all Costs of this suit for which Execution may issue

831 J F Burdett } Plff } Decree
Jesse Rowe & Deft &

This day appeared the plaintiff by his Attorney and the said Defendant Jesse Rowe a Minor by John B Costa Esq appointed Guardian ad litem to represent the interests of said minor in this suit and said parties waived a Jury and submitted the Cause to the Court upon the Deed from all the other heirs of Jesse B Burdett Deceased to plaintiff for the land in controversy and the testimony in writing of Giles H Burdett subpoenaded and sworn to by said parties, whereupon on consideration of said testimony by the Court It is ordered adjudged and decreed that said plaintiff Jos F Burdett have and recover of said

defendant Jesse Rowe all the right title claim and interest that the said defendant has in and to the following discribed tract or parcel of Land situate lying and being in the County of Knox and discribed by the field notes thereof as follows to wit, Beginning at a Stone which Serves as one of the most north East corners of James O Rices Survey No 31 from which a Cotton wood 20 in dia Pkn + brs 330 E 40 vrs, thence 30° West 950 varas crossed a walnut at creek 1240 varas a Stone mound from which a live oak 10 in dia brs N 1° E 40 vrs thence S 60° E at 30 vrs the mouth of Walnut Creek 530 varas a Stake in the East margin of Walnut Creek bottom from which a black walnut 8 in dia mkd H brs S 81° W 7 vrs thence N 10° W 40 p vrs crosses a Spring branch about 12 vrs below the Spring 160 varas to a Stake & Mound, thence N 53° E 33 vrs to a huck berry 4 in dia for Corner thence S 57° E 300 vrs to a Stake in prairie thence S 28° 30' West 858 vrs to a Stone mound in prairie thence S 71° 30' E 1990 varas to a Stone mound in prairie thence N 30° E 1261 vrs to a Stone mound in a drain in prairie thence N 71° E 30' West 3060 vrs to a Stake at the North west angle of said petitioners farm thence S 84° W 113 vrs to the place of beginning

And it is further ordered adjudged and decreed by the Court that all the right title claim and interest of said defendant as one of the heirs of the Estate of Jesse Burdett dec be and the same is hereby devested out of said defendant and fully Completely and entirely vested in said plaintiff and his heirs It is further ordered and adjudged by the Court that said defendants have and recover of the plaintiff all costs of this Suit for which let execution do issue

It is further ordered by the Court that said John B Costa Esq Guardian ad litem as aforesaid be allowed a fee of ten dollars to be taxed in the bill of Costs

Spring Term Thursday July 10th 1856

1833

H A Burdett, Plaintiff
v
Jesse Rowe & Defendant & Decree

In the above cause on this day appeared the parties plaintiff, by his attorney and the said defendant Jesse Rowe a minor by his regularly appointed Guardian ad Litem John B Costa appointed by the Court to represent the interest of said Minor in this suit and the said parties waived a Jury and submitted the cause to the court upon the deed from all the other heirs of Jesse Burdett Deceased, to plaintiff for the Land in controversy, and the testimony in writing of Giles A Burdett subscribed and sworn to by said witness, whereupon consideration of said testimony by the Court, It is ordered adjudged and decreed that said plaintiff H A Burdett have and recover of said Defendant Jesse Rowe all the right title claim and interest that said defendant has ~~one~~ of the heirs of Jesse Burdett Deceased in and to the following described tract or parcel of land situate lying and being and lying in said County of Travis and described by the field Notes thereof as follows to wit 374 acres, being a part of Survey No 55 originally granted to Lucas Munds and James O Rice on Walnut Creek about 7 Miles to the North and East of the City of Austin, Beginning at a Stake on the East Bank of Walnut Creek in the North West boundary line of James O Rice Survey, No 31 & corner of Lucas Munds Survey thence N 30° E with the East boundary line of Thos J Mays Survey 1508 varas croping Walnut Creek twice, a Stake and Mound for the original west corner of said Munds Survey thence S 60° E croping a branch to the corner of an Eighty Six acre tract of land Sold by Isaac Harris to Jesse Burdett the same being a part of a Survey granted to Samuel Cushing a Stone Mound in the

prairie, thence N 30° E 333 varas to a Stake and Mound in the prairie, thence S 66° E 836 vrs to a Stake and Corner of Hunts C I Burdetts tract thence S 21° W 370 varas to a Stake in the prairie of H N I Burdetts field, thence with said field fence S 34° 31' W 950 vrs to a Stake on the west bank of a Draw in the prairie, thence S 66° E 30' W 993 varas to a Stake in said H N I Burdetts Spring branch about 20 vrs below the Spring thence down said branch with the meanders to where it intersects the timber of Walnut Creek bottom thence up said timber bottom with the meanders to the place of beginning.

And it is further ordered adyudged and decreed by the Court that all the right title claim and interest of the said defendant, as one of the heirs of the Estate of the said Jesse I Burdett Deceased be and the same is hereby devested out of said defendant and fully Complete by and entirely vested in said Plaintiff and his heirs

It is further ordered adyudged and decreed by the Court that said defendant have and recover of the Plaintiff H N Burdett all costs in this part expended for which Execution may issue, And it is also ordered by the Court that John B Costa Esqr Guardian ad litem as aforesaid be allowed a fee of Ten dollars to be taxed in the bill of Costs,

F W Chandler, Plaintiff, v. H N & G H I Burdett & Defendants, Order

In this case appeared the parties by attorney's and the case being regularly called for trial the Plaintiff Moved the Court to continue the cause to make Johnson a party defendant and objected to the hearing the motion to dissolve the Injunction upon the bill and answer before Johnson had been made a party which Motion and objection was overruled by the Court and the parties compelled to go to Trial upon the Motion to dissolve the injunction upon the bill and answer to which Judgment and ruling of the Court the

Spring Term Friday July 11th 1856

plaintiff excepted and asks that the exception be spread upon the minutes in the cause which is accordingly done

Samuel H Johnson } Plaintiff
v } Cont'd
Samuel H Keithley } Defendant

It appearing to the Court that a rule for Costs has been entered into at a former day of the present term of this Court, and that the plaintiff has failed to comply with the rule, It is ordered by the Court that this cause be Continued under the rule until the Next Term of this Court,

Elias D Barnett } Plaintiff
v } Judgment
Newell H Burdett } Defendant

And now on this day come the parties by attorneys and having announced themselves ready for trial It is thereupon agreed by the parties that a jury should be waived & that the case should be submitted to the Court, And thereupon the Court having examined the papers in the case and the pleadings of the plaintiff rendered a verdict in favor of the plaintiff for the sum of One hundred and Ninety dollars and thirty five Cents,

It is therefore ordered adjudged and decreed by the Court that the plaintiff Elias D Barnett have and recover of the defendant Newell H Burdett the said sum of One Hundred and Ninety Dollars and thirty five Cents, the amount of principal and interest due on the Note in Controversy to date with interest at the rate of ten per Cent from date until paid together with all Costs in this Suit for which Execution may issue,

And thereupon Court adjourned until tomorrow morning at 8 Oclock

Spring Term Friday July 11th 1856

Friday Morning July 11th 1856
Court met pursuant to adjournment pres-
ent the same as on yesterday whereupon
the following proceedings were had by
said Court to wit

879 Abel A Burdett } Plaintiff } Order
S W Huntley } & Defendant &

It is ordered by the Court that
leave be given to the Defendant to file an amend-
ed Answer in this Cause, and that the Case be
pu[t]ed to the heel of the Docket,

915 O M Swenson } Plaintiff } Judgt by Default
v
John Taylor et al & Defendant &

And now on this day come the defendants in this cause
and file withdraw their answer heretofore filed

* 891 Burnett vs Budrett ~~Bayne~~ & Received of Frank Brown the sum of Two Hundred Sixty-three 9/100 Dollars in full satisfaction of principal, interest, damages and costs in above case.
F W Chiesa
Atty for Plaintiff
Burnett

ment may
ing that the
in by agr
e of hand,
and decreed
Swenson have
Taylor, Sebron
berson the
Dollars the
amount of principal and interest due on said
Note to date with interest on said amount
from date until ~~paid~~ at the rate of 8 pr Cent
from date until paid, together with all Costs
in this behalf expended for which execution may
issue,

964 James E Brady } Plaintiff } Order.
v
George Hancock & Defendant &

It is ordered by the Court
that leave be given to Plaintiff to file an
amended petition in this Cause,

Spring Term Friday July 11th 1856

973 L D Carrington & Co Plaintiff
v
A F Marshall Defendant } Judgment

And now on this day come the defendants in this cause and withdraw their answer heretofore filed, and agree that a Judgment may be taken by default, And it appearing that the Cause of action is liquidated as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the plaintiffs have and recover of the defendant A F Marshall the Sum of Two hundred and fifty one 87/100 dollars the amt of principal and interest due on one of the Notes with anderest on said amount at the rate of 12 per Cent from date until paid and also the Sum of One hundred and fifteen 12/100 Dollars the amount of principal and interest due on the 2nd Note ~~from~~ up to date ~~until paid~~ with interest on said amount at the rate of 10 per Cent from date until paid together with all costs in this behalf for which execution may issue

1076 Nathaniel Townsend Plaintiff
v
A A Cook Defendant } Judgment

And now on this day appeared the Defendant in this Cause and withdrew his answer heretofore filed in this cause and agrees that a Judgment be taken by default, And it appearing to the Court that the Cause of action is liquidated as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the Plaintiff have and recover of the Defendant A A Cook the Sum of Two Thousand Fourhundred and twenty Eight 52/100 Dollars the amount of principal and interest due on said Note with interest at the rate of 12 per Cent from date until paid together with the costs of this suit in this behalf expended for which Execution may issue

Spring Term Friday July 11th 1856

1855 N A Wade } Plaintiff } Order
v
S. D. Hutchins } Dependant }

It is ordered by the Court that the Dependant have leave to file an amended answer in this cause

1890 J. W Chandler } Plff } Order
v
G & B Burdett etal } Defts }

It is ordered by the Court that leave be given to Plaintiff to file an Amended petition in this cause

870 R D McAuley } Plaintiff } Judgment
v
John Sharp etal } Defendant }

And now on this day appeared in open Court the parties by attornies and the motion of defendant for a continuance being considered was overruled by the Court, and thereupon the demurrer in this cause was overruled by the Court and thereupon the parties having announced themselves ready for trial and waiving a jury submitted the Cause to the Judgment of the Court and thereupon the plaintiff dismissed his suit as to all the defendants except Robert Marley and thereupon on inspection of the pleadings and the hearing of the evidence and arguments of Counsel It is ordered adjudged and decreed by the Court that the plaintiff recover of the defendant Robert Marley the Sum of Three hundred and twenty eight 90/100 Dollars, the amount of principal debt and interest due on said note with interest at the rate of twelve per Cent per annum from date until paid, together with all Costs in this suit expended for all which Execution may issue, and thereupon the Dependant gives notice in open Court of an appeal to the Supreme Court,

Spring Term Friday July 11th 1856

B. S. Whitaker:

And now on this day came and appeared in open Court B S Whitaker and petioned the Court to be admitted to practice as an attorney and Counsellor at Law in the several District & and superior Courts of the State of Texas, And the said B S Whitaker having produced to the Court good and satisfactory evidence of moral character and honorable deportment and having produced Licyse as an attorney and Counsellor at Law in the Circuit and all the superior Courts of Law and Equity in the State of Arkansas

It is therefore ordered adjudged and decreed by the Court that the said B S Whitaker be and is hereby admitted to practice as an attorney and Counsellor at Law in the several District and superior Courts of the State of Texas, upon his taking the oath prescribed by Law and that a License issue to him accordingly

Charles H. Fox, Ex parte

And the said Charles H Fox having here in open Court filed his petition praying to be admitted to become a citizen of the United States and the Court being satisfied by the oaths of William Cock and Thomas Collins citizens of the United States that the said Charles H Fox was known to them for the last five years as residing within the limits and under the jurisdiction of the United States, and within one year in the State of Texas, that during that time he has behaved as a man of good moral character attached to the principles of the constitution of the United States and well disposed to the good order and happiness of the same, And being also satisfied that the said Charles H Fox has made his declaration to become a citizen of the United States in the District Court of the County of Travis, State of Texas,

Spring Term Saturday July 12th 1851

two years previous to the filing of his said petition according to the act of Congress in such Case made and provided, And the said Charles A Fox having in open Court taken the oath prescribed by Law to support the Constitution of the United States, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince potentate State or Sovereignty whatever and particularly to the King of Prussia of whom he was before a Subject

W C Collingsworth Plaintiff
1887 v Order of Survey
John Caldwell Defendant

In this Case appeared the parties by Attorneys and by agreement of parties James A Pace the land Surveyor of the Travis Land District is hereby ordered to go upon the land described in the pleadings in the Cause and Survey and make a plot from the field notes set out in the plaintiffs petition as the land claimed of the plaintiff and to Survey and make a plot of the tract of land described in the Defendants answer and alleged by him to be the land sold to plaintiff that the survey be returned to this Court on or before the first day of the next Term of this Court and that this cause be continued.

And thereupon it is ordered by the Court that Court adjourn until tomorrow morning at 8 Oclock

Saturday Morning July 12th 1851
Court met pursuant to adjournment present the same as on yesterday, whereupon the following proceedings were had by said Court to wit

Saturday, Spring Term July 12th 1856

1026	Francis Winans	Plaintiff		
	v			order
	George Hancock	Defendant		
1027	John Oatman	Plaintiff		
	v			order
	George Hancock	Defendant		
1028	Pleasant Oatman	Plaintiff		
	v			order
	George Hancock	Defendant		
1029	John H Bunton	Plaintiff		
	v			order
	George Hancock	Defendant		
1030	Nuliane Oatman	Plaintiff		
	v			order
	George Hancock	Defendant		
1031	Deshu Bunton	Plff		
	v			order
	George Hancock	Deft		
1032	Paul Dells	Plaintiff		
	v			order
	George Hancock	Defendant		
1133	Seth Mabry	Plff		
	v			order
	George Hancock	Deft		

It is ordered by the Court that the parties plaintiff in the above causes have leave to amend,

888	Henry D Edwards	Plaintiff	
	v		
	Lucy Ann Edwards	Defendants	Divce
	Leonora Edwards		
	Sarah Jane Edwards		
	& Elizabeth Edwards		

And now on this day comes the said parties to this suit by their respective Attorneys, the said plaintiff by

Suid and Suid and the Defendants by John B Costa Guardian ad Litem who was appointed by this Court to defend the rights and interests of the said defendants and it appearing to the Court that each of the above named defendants had been personally served with procep in this Suit and the said Parties announcing themselves ready for trial. Whereupon came a Jury of twelve good and lawful men to wit J D Basford and Eleven others who being duly Sworn and after hearing the proofs and allegations of the respective parties and the charge of the Court retired to consider of their verdict, and after deliberation returned into Court the following Verdict to wit "We the Jury find the allegations in the plaintiffs petition to be true, and that it is not consistent with the interest of the heirs to make partition of said Land, and the Jury find from the evidence that said Land is worth fifteen Dollars per acre Signed J D Basford foreman."

It is therefore ordered adjudged and decreed by the Court that the Lands mentioned in the plaintiffs petition to wit being the Labor of Land granted to John C Brooks who had patent therefor and Sold and conveyed to said Plaintiff by Deed on the 17th day of June 1850 and particularly described as follows

Beginning on the N E Corner of Survey No 10 of one Labor at a Stone Corner from which a Cottonwood 18 inches in Diameter bears N35° E 15 vrs Marked + thence N 60° W 1000 vrs to a Stone Corner for the West Corner of Survey No 11 Thence N 30° E 1000 vrs to a Stone corner of the N Corner of Survey No 11, thence S 60° E 1000 vrs to a Stake on the Prairie for the East Corner of Survey No 11, Thence South 30° W 1000 vrs to the place of beginning. Said Lands being in the County of Travis & State of Texas, upon the Waters of Colorado River, be sold pursuant to Law It appearing, however to the Court by the finding of the Jury that the Same Cannot be partitioned consistent with the interests of the Minor heirs of the said Plaintiff and his said deceased wife Marie and it appearing further to the Court that said Lands are worth fifteen Dollars per Acre and not a larger Sum And it also appearing that the said Minor heirs children of the said Plaintiff are still unable to provide for and maintain themselves

and that the said Plaintiff the Natural Guardian is a proper and fit person to have the care and control of the property of said heirs, and that said property can be invested more to the benefit of said heirs, It is further ordered adjudged and decreed that in case the said Henry Edwards can dispose of the said Lands at a private Sale for an Amount equal to and for any greater Sum than fifteen Dollars per acre at private Sale then the said Edwards is hereby empowered to do so he first giving bonds in the Sum of Twenty five hundred Dollars payable to the said heirs or to their legal representatives with at least two good and Sufficient Sureties conditioned that the said Edwards will well and truly perform all the duties of his said Trust and that he will use all honorable care and diligence in investing the Money of the said children in real Estate for them and have the deeds for the Same duly recorded, or in the event of failure to do so that he will pay over to each of the said heirs their respective distributive Shares as they shall severally arrive at their Majority together with the usual rate of interest at 8 per Cent per annum from the time he shall receive such money's, and in case he shall not be able to dispose of said Lands as aforesaid, then the Same shall be Sold by the Sheriff of Travis County as in case of other land Sales under the Laws of this State in like Cases and it further appearing to the Court that the Lands herein described were the community property of the said Henry D Edwards and his deceased wife Lavina and that the said Edwards is intitled to the 1/2 thereof, It is further ordered by the Court that upon Sale of Lands that the Said Henry D Edwards do have and recover the one half of the avails thereof to him the said Henry D Edwards forever

and the other half is to receive and retain for the benefit of said heirs as aforesaid
It is further ordered adjudged and decreed that in Case said Sale Shall be perfected in either of said ways, that said Edwards Shall be entitled to recover the proceeds of said Sale by filing said Bond in this Court approved by the Chief Justice of Travis County and causing said bond to be Spread upon the records of said County Court for the benefit of said heirs, It is further ordered adjudged and decreed that in Case of the Sale by said Edwards by Private Sale that he said Edwards Make and execute a deed of Conveyance to such purchase therefor and that this decree be admitted to record in said County of Travis in the records of the County Clerk as a Muniment of Title as evidence of the right of the said Edwards to So convey
It is further ordered that said Edwards do upon the receipt of any Money or upon a Sale of said Lands indorse upon the bond herein provided for to be by him given, the amount of Money's received for the whole tracts of Land the number of Dollars per acre for which he sold the Same which shall also be a part of the said bond and admitted to record,
It is further ordered adjudged and decreed by the Court, that the said Henry L Edwards, pay all the Costs of this Suit in this behalf expended, for which execution may issue, and it is also ordered by the Court that John J Costa Guardian ad litem be and is hereby allowed the Sum of Ten Dollars, and that the Same be taxed as a part of the Costs in this Case

913 I P Anderson, Plaintiff / Decree
I L Cordova, Defendant

This day came and appeared the parties by their attorneys and by agreement the defendant withdraws his plea in abatement and by consent Judgment is

Spring Term Monday July 14th 1856

rendered in favor of plaintiff with Stay of Execution for Six Months from the date hereof It is therefor considered by the Court that the plaintiff recover of the defendant the Sum of Fourteen hundred and forty three Dollars and Ninety three Cents his debt and damages, which Sum shall draw interest at the rate of Ten per Cent per annum until paid that being the conventional interest expressed in the Notes and also that he recover all Costs by him aboyt this Suit expended and that he have Execution therefor at the expiration of Six Months from the date hereof,

And thereupon it is ordered by the Court that Court adjourn until Monday Morning at 8 O Clock

Monday Morning July 14th 1856
Court met pursuant to adjournment present as same as on Saturday whereupon the following proceedings were had by said Court to wit

1780 Enos S Look / Plaintiff / Judgment
S M W Hall / Defendant /

And Now on this day came the parties by attorneys and having announced themselves ready for trial. thereupon ~~a Jury~~ it was agreed that the case should be submitted to the Court and a Jury waived and thereupon the Court having examined the pleadings on each side rendered a ~~Verdict~~ judgment for the plaintiff and it appearing that the cause of action is liquidated as shown by two instruments of writing

It is therfor ordered adjudged and decreed by the Court that the plaintiff Enos S Look recover of the Defendant S M W Hall the Sum of One thousand Eight hundred

and twenty five 25/100 Dollars being the Amount of principal and interest due on the Notes to date with 8 per Cent interest due on said Notes from date until paid together with all the Costs in this suit for all which Execution may issue

895 J W & S A Garretson / Plaintiffs
D L Fillman / Defendant / Decree

And now on this day came the parties to the above cause by attorney and having announced themselves ready for trial thereupon Came a Jury of twelve good and lawful Men of Davis County to wit T B Basford and Eleven others who being duly tried empannelled and Sworn having heard the evidence adduced by the Parties the arguments of Counsel and charges of Court retired to consider of their verdict and returned into Court the following verdict to wit "We the Jury find for the Plaintiff the Sum of Eighty three Dollars T B T Basford Foreman It is therefore ordered adjudged and decreed by the Court that the Plaintiffs J W & S A Garretson recover of the Defendant D L Fillman the Sum of Eighty three Dollars it being the amount so found by said Jury to be due to the Plaintiffs J W & S A Garretson by said Defendant D L Fillman together with all the Costs of this suit for all which Execution may issue

(recover and / Defendant & Attorney / with ten per cent damages on said amount / and his securities to wit Charles H Collins and Thomas Freeman)

896 D L Coop / Plaintiff / Continuance
Joseph Newsham / Defendant

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

C Kyle use of / Plaintiff
J Detrick
899 James G Swisher / Defendant / Judgment

And now on this day came the parties to this cause and waiving a Jury Submitted the Case to the Court, and

Spring Term Monday July 14th 1856

The Court having examined the Papers and the Pleadings in the Cause rendered a ~~Judgment~~ in favor of the Plaintiff

It is therefore ordered adjudged and decreed by the Court that the plaintiff C Kyle who Sues for the use of J Deitrich do have and recover of and from the Defendant James G Smither the Sum of Three hundred and twenty three Dollars, it being the amount of Principal and interest due on the Note, with legal interest on said Note from date until paid together with all costs on this Suit expended for which execution may issue

900 Moses G Shipman / Plaintiff / Ord
The Unknown Heirs of Joseph Pependon / Defendant /

It is ordered by the Court that this Cause be continued until the Next Term of this court as by operation of Law

902 The State of Texas / Plff / order
J Deitrich admr &c / Deft /

It is ordered by the Court that this cause be placed at the Tail of the Docket,

903 George Hancock / Plaintiff / Decree
John H Conner / Defendant /

And now on this day came and appeared in open Court the plaintiff and defendant and having announced themselves ready for trial agreed to waive a Jury and submitted the Case to the Court, and the Court having examined the Papers in this cause and the Pleadings, rendered a ~~Judgment~~ judgment for the plaintiff, It is therefore ordered adjudged and decreed by the Court that the Plaintiff George Hancock have and

recover of the Defendant John A Conner the
sum of Three Hundred and twenty Nine 22/100 Dollars
being the amount of principal and interest due
on the Note to date with interest on said
note from date until paid, at the legal rate of
interest, together with all the Costs in this beh
alf expended for which Execution may issue

9 114 | W A Morris | Plaintiff | Judgment
W M Bryce
S T Newton and
Lucy Newton | Defendant

And now on this day comes
the Defendants and withdraws their answers here
tofore filed in this Cause and agree that a
Judgment may be taken by default and it
appearing to the Court that the Cause of action
is liquidated as shown by an instrument
of writing, It is therefore ordered adjudged
and decreed by the Court that the Plaintiff
have and recover of the Defendants W M
Bryce S T Newton and Lucy Newton the
Sum of Five Hundred and fifty Six 83/100 Dollars
it being the amount of Principal and interest due
on said note with legal interest on said
amount from date until paid together
with all Costs in this behalf expended for which
Execution may issue,

↓ 906 | George Hancock | Plaintiff | Judgment
Augustus Fore | Defendant

And now on this day come the Parties to this cause by
Attorney and waiving a Jury agree for the Cause to be sub
mitted to the Court, and the Court having examined the
Pleadings, ordered a Judgment in favor of the plain
=tiff, Wherefore it is ordered by the Court that the
Plaintiff George Hancock have and recover of the defen
dant Augustus Fore the Sum of Four hundred and
Ninety Eight 52/100 Dollars it being the amount of
Principal and interest due on said Note, with interest
at the rate of twelve per Cent per Annum from date
until paid together with all his Costs in this

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Suit expended for all which execution may issue

909 Saml P Bird } Plaintiff
v.
D Fulland et al } Defendants } Ended

It is ordered by the Court that the above cause be placed at the end of the Docket.

916 John Burnard } Plaintiff
v.
I A Kirndon et al } Defendants } Ended

It is ordered by the Court that this cause be placed at the end of the Docket.

917 A A Bardett } Plaintiff
v.
Caphy & J Burks ad } Defendants } Service

It is ordered by the Court that this cause be continued for Service on the defts. Capehy

933 W. O. Rogers, Adms } Plaintiff
v.
Geo L. Watson et al } Defendants } Order

It is ordered by the Court that the defendants in this cause have leave to amend their answers.

446 William Clark } Plaintiff
v.
A A Hopkins } Defendant } Order

And now come the parties by attorney and the Court proceeding to consider the motion filed by defendant for a new trial, Doth order that a new trial be granted and that said motion be sustained

716 Richard Wells } Plaintiff
v.
Thomas J. Pitt } Defendant } Order

It is ordered by the Court that the motion for a new trial by the plaintiff in this cause be overruled. And thereupon the said plaintiff by attorney in open Court gave notice of an appeal to the Supreme Court.

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995 I H Ware } Plaintiff } Order
Wm Gibson } Defendant }

It is ordered by the Court that the motion for a new trial filed by defendant in this cause be overruled, And thereupon the said defendant, by attorney, gives notice in open Court, of an appeal to the Supreme Court.

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday Morning July 15th A.D. 1856, at eight o'clock

Tuesday Morning, July 15th 1856

Court met at eight o'clk, pursuant to adjournment, Present the same as on yesterday. Whereupon the following proceedings were had by said Court as follows to wit.

X
1

Declaration of intention to become a citizen

The State of Texas
County of Travis } Robert Hartenstein being duly sworn according to Law in the District Court of the County of Travis in and for the State of Texas, doth declare that he was born in the year of our Lord One Thousand Eight hundred and thirty two in Saxony whence he emigrated in the year 1852 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 renounce forever all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty and particularly to the King of Saxony of whom he is now a Subject

Sworn and Subscribed in Open Court
this the 15th day of July A.D. 1856 Robert Hartenstein
Frank Brown Clk of
Said District Court

Spring Term Tuesday July 15th 1856

The State of Texas / Plaintiff
490 Joseph Lee / Defendant / Forfeited bond

The State of Texas / Plaintiff
508 V. Blunt Clements / Defendant / Forfeited bond

In this cause, this day came the District Attorney A. D. Chalmers who prosecutes for the State in this behalf, and the said Defendant Blunt Clements, being three times solemnly called came not, but made default: and it appearing to the Court that the said Defendant Blunt Clements as Principal and I. D. Ainsworth and Wm Wyatt as his securities had executed their joint and several bond, payable unto the State of Texas in the Sum of One Hundred Dollars on the 6th day of September 1855 conditioned that the said Defendant Blunt Clements make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the Eighth day of the first Monday in September 1855. to answer the indictment preferred against him by the Grand Juror of Travis County at the Fall Term A.D. 1854 of said District Court for an assault upon one Owen Adkins and there remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court. And the said Defendant Blunt Clements being three times Solemnly Called, and required to answer said Charge, came not, but wholly made default: and the said Securities, being also three times Solemnly called and required to bring with them into Court the body of said Defendant Blunt Clements, to answer said charge, which they wholly failed to do,

It is therefore Considered ordered adjudged and decreed by the Court that the said Bond of the said Defendant Blunt Clements and the said I. D. Ainsworth

and the said Wm Hyatt be and the Same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and Severally, the Sum of One Hundred Dollars the amount of ~~the~~ said Bond, and that Scire Facias do issue to each of them Severally, returnable to the next Term of this Court, Commanding them then and there to Shew Cause if any they can why this Judgment Should not be made final against them as aforsaid,

1533 The State of Texas / Plaintiff / Forfeit Bond
Marcus B Paper / Defendant /

In this Cause this day Came the District Attorney A A Chalmers who Prosecutes for the State in this behalf, and the Said Defendant Marcus B Paper being three times Solomnly Called Came not but made default, and it appearing to the Court that the said Defendant Marcus B Paper as Principal and S M Robertson and A Ford as his Securities, had executed their joint and Several bond payable unto the State of Texas in the Sum of One Hundred Dollars on the 13th day of June A D 1854 conditioned that the said Defendant Marcus B Paper make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the tenth Monday after the first Monday in April A D 1854 to answer the Indictment Preferred against him by the Grand Jurors of Travis County, at the Spring Term A D 1854 of said District Court for dealing Faro, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, and the said Defendant Marcus B Paper being three times Solomnly called, and required to answer said charge, Came not, but wholly made default; and the said Securities, also being three times Solomnly called and required to bring with them into Court the body of said defendant Marcus B Paper to answer said charge which

Spring Term Tuesday July 15th 1856

they wholly failed to do
It is therefore considered, ordered, adjudged
and decreed by the Court that the said bond
of the said Defendant Marcus B Kaper
and the said S H Robertson and the said
A Fore be and the Same is hereby forfeited
and that the State of Texas do have and recover
of and from them jointly and Severally the
Sum of One Hundred Dollars the Amount of
said Bond and that Scire Facias do issue
to each of them Severally returnable to the
next Term of this Court Commanding
them then and there to Shew Cause ~~why~~
if any they Can why this Judgment should
not be Made final against them as
aforesaid,

The State of Texas / Plaintiff / Forf'd Bond
534 Marcus B Kaper & Defendant &

In this cause this day came the District Attorney
A H Chalmers who prosecutes for the State on
this behalf and the said Defendant M
B Kaper being three times Solemnly called
came not but made default. And it appearing
to the Court that the said defendant
Marcus B Kaper as principal and
S H Robertson and A Fore as his Securities
had executed their bond and Several
bond payable unto the State of Texas
in the Sum of One Hundred Dollars
on the 13th day of June A D 1855 conditioned
that the said Defendant M B Kaper
make his personal appearance at the District
Court of said County of Travis to be begun
and holden at the Court House of said
County in the City of Austin on tenth
Monday after the first Monday in April
A D 1856 to answer the Indictment preferred
against him by the Grand Jurors of said
County at the Spring Term A D 1855 of said District Court
at Austin, and there remain from day to day
and from term to term of said Court and
that he do not depart thence without leave

of said Court, and the said Defendant Marcus B Raper being three times Solomnly Called ~~came not~~ and required to answer said charge came not but wholly made default. And the said Securities also being again three times Solomnly called and required to Bring with them into Court the Body of said Defendant Marcus B Raper to answer said charge which they wholey failed to do,

It is therefore considered, ordered adjudged and decreed by the Court that the said Bond of the said Defendant Marcus B Raper and the said J W Robertson and the said A Fore by and the Same is hereby forfeited and that the State of Texas do have and recover of and from them jointly and Severally the Sum of One Hundred Dollars the Amount of the said Bond and that Scire facias do issue to each of them Severally returnable to the next Term of this Court, commanding them then and there to shew Cause ~~why~~ if any they can why this Judgment should not be made final against them as aforsaid,

The State of Texas / Plaintiff
v
James Boyd & A G Polley / Defendant / Recog of witness.

↓ 618

And now on this day appeared in open Court W W O Stanfield and acknowledged himself to owe and be indebted unto the State of Texas in the Penal Sum of Three Hundred Dollars to be levied upon his goods chattels lands and tenements but to be void on condition that the said W W O Stanfield be and remain in attendance upon the present term of this Court and from term to term and from day to day of each term thereafter to testify and give evidence in a Certain Cause in our said Court wherein the State of Texas is Plaintiff and James Boyd and A G Polley are Defendants, and that he do not depart the Court without leave

Spring Term Tuesday July 15th 1856

611 The State of Texas / Plaintiff
v
John I Thorn / Defendant / order

And now on this day appeared in open Court the Securities of the defendant John I Thorn and delivered up the body of the said defendant John I Thorn to the custody of the Court. It is therefore ordered adjudged and decreed by the Court that the Sheriff of Travis County take into custody the body of the said defendant and that the said Securities be released from all liability on the recognizance

612 The State of Texas / Plaintiff
v
John I Thorn / Defendant / order

And now on this day appeared in open Court the Securities of the defendant John I Thorn and delivered up the body of the said defendant to the custody of the Court It is therefore ordered adjudged and decreed by the Court that the Sheriff of Travis County take into custody the body of the said defendant and that the said Securities be released from all liability on the recognizance

619 The State of Texas / Plff
v
James Boyd & H G Polley / Defts / Nol Pros

621 The State of Texas / Plff
v
James Boyd & H G Polley / Defts / Nol Pros

621 The State of Texas / Plff
v
James Boyd & H G Polley / Defts / Nol Pros

623 The State of Texas / Plff
v
James Boyd & H G Polley / Defts / Nol pros

And now on this day

Spring Term Tuesday July 15th 1856

comes the District Attorney A J Chalmers and enters a Nolle Prosequi in each of the above causes.

And thereupon It is ordered by the Court that Court do now adjourn until Wednesday Morning, July 16th 1856

Wednesday Morning, July 16th 1856

Court met at eight o'clock A M pursuant to adjournment Present the Same as on Yesterday. Whereupon the following Proceedings were had by said Court as follows to wit:

George Henry Nelle Ex parte

And now on this day came George Henry Nelle a Native of Germany and presented his petition praying to be admitted to become a citizen of the United States and he has declared here in open Court that it was bona fide his intention to become a citizen of the United States and to renounce forever all allegiance and fidelity to any foreign prince Potentate State or Sovereignty whatsoever and particularly to the King of Germany of whom he was at that time a Subject. And the said George Henry Nelle having on his Solemn oath Made proof thereof by competent testimony of J H Gaven and R Rufenstall citizens of the United States, that he had resided within the United States of America next preceding his arriving at the age of twenty One Years and continued to reside therein at the time of Making his said application, that including the third years of his Minority, he had resided within the limits and under the Jurisdiction of the United States five years and upwards and that during the three years next preceding it had been bona fide his intention to become a citizen of the United States and it appearing to the Satisfaction of the Court that during the said period of five years he had behaved as a person of good Moral character, attached to the principles of the Constitution of the United States and well disposed to the good order and happiness of the Same: and the said petitioner having declared on his Solemn oath before this Court that he will support the Constitution of the United States and that he absolutely

Spring Term Wednesday July 16th 1856

and utterly renounce and abjure all allegiance and fidelity to every Foreign Prince Potentate State and Sovereignty whatsoever and particularly to the King of Germany of whom he was before a Subject

It is therefore ordered and considered by the Court that the said George Henry Nelle be and is hereby admitted a citizen of the United States and that the Clerk of this Court issue to him a certificate accordingly,

X And thereupon it is ordered by the Court that Court do now adjourn until Thursday Morning July 17th 1856

Thursday Morning July 17th 1856

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

920 Travis Kelly } Plaintiff
Hall Medlin et al } Defendants } Appearance &c

And now on this day appeared the parties by their respective attorneys, and having announced themselves ready for trial, thereupon came a Jury of twelve good and lawful men of Travis county, who were duly elected by the parties, empannelled and sworn. And thereupon by order of the Court, upon the coming in of the plea of defendants setting up the title of Thomas J. Chambers to the land in controversy, the Jury were discharged and case continued.

And thereupon the parties respectively were allowed to amend their pleadings.

1064 William Jarvis } Plaintiff
Mary S. Jarvis } Defendant } Order to amend

It is ordered by the Court that the plaintiff have leave to file an amended petition.

490 The State of Texas } Plaintiff
Joseph C. Lee } Defendant } Order

It is ordered by the Court that an attachment issue for the within R H Peck, he having been duly subpoenaed by the Sheriff

Spring Term, Thursday, July 17th 1856

614 The State of Texas } Plaintiff
Jas Boyd & H. G Pally } Defendants } Nol. Pros.

624 The State of Texas } Plaintiff
Jas Boyd & H. G Pally } Defendants } Nol. Pros.

Attorney A K Chalmus who prosecutes for the State, and enters a Nolle Prosequi in each of the last two preceding causes. And thereupon It is ordered by the Court that the said defendants go hence without day

618 The State of Texas } Plaintiff
Jas Boyd & H. G Pally } Defendants } Judgment & Verdict.

And now on this day appeared the parties to this cause by attorney, and announced themselves ready for trial. And thereupon the defendants having plead not guilty to the Indictment there came a jury of twelve good and lawful men of Travis County to wit: E. H. Darter and eleven others, who being duly elected empanelled sworn, and having heard the evidence argument of counsel and charge of the Court, retired to consider of their verdict, And thereafter said Jury returned into Court the following verdict to wit: "We, the Jury, find the defendants not guilty. E H Darter, Foreman" And thereupon It is ordered by the Court that the said defendants go hence without day fully acquitted of said charge in said Indictment.

622 The State of Texas } Plaintiff
James Boyd & H. G Pally } Defendant } Recognizance.

And now on this day appeared in open Court James Boyd and H. G. Pally as principals, and John Boyd, Jas A. Burdett, Joseph M. N. Scrivner, Mleton T. Caperton, De Witt. C. Smith and Madison Reggle 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 of their goods and chattels, lands and tenements, But to be void upon condition that the said James Boyd and H. G. Pally be and personally appear at the next Term of the District Court of Travis county to be held at the Courthouse thereof in the city of Austin on the 4th Monday after the first Monday in September, A.D. 1856 then and there to answer the Indictment preferred against them

Spring Term, Thursday, July 17th 1856

by the Grand Jurors of Travis county at the Spring Term of the District Court of said county A. D. 1855, for "Forgery" and that they do not depart the Court without leave.

And thereupon It is ordered by the Court that the above stated case be set for Monday of the third week of next Court

622. The State of Texas } Plaintiff
Jas. Boyd & H. G. Pally } Defendant } Recog: of witness.

And now on this day appeared in open Court W. W. O. Mansfield and Benjamin F. Hooper and acknowledged themselves jointly & severally jointly to owe and be indebted unto the State of Texas in the sum of Five Hundred Dollars each, to be levied of their goods and Chattels, lands and tenements, But to be void upon condition that they personally appear at the next term of the District Court of Travis county to be held at the Courthouse thereof in the City of Austin on the tenth Monday after the first Monday in September A. D. 1856 then and there to testify on behalf of the plaintiff in the above entitled cause wherein The State of Texas is plaintiff and James Boyd and H. G Pally charged with Forgery, are defendants, and that they, the said witness, do not depart the Court without leave

772 The State of Texas } Plaintiff } Recognizance
John J. Blankenship, et als. } Defendants

And now on this day appeared in open Court John J. Blankenship as Principal and Samuel Jordan, David C. Heffington, Jas A. Burdett, Augustus Hope, James Truitt and Allison A. Blankenship as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of five thousand dollars to be levied of their goods and chattels, lands and tenements, But to be void upon condition that the said John J Blankenship be and remain in attendance upon the District Court of Travis county now in session, and from term to term and from day to day of each term thereafter, to answer the Indictment preferred against him by the Grand Jurors of Travis County at the Spring Term of the District Court of said county 1856 for burning the office of the Adjutant General of the State of Texas, and that he do not depart the Court without leave.

And thereupon It is ordered by the Court that the above cause be set for Tuesday week next

Spring Term, Thursday July 17th 1856

773 The State of Texas } Plaintiff
John F Blankenship et als } Defendant } Recognizance

And now on this day appeared in open Court John F Blankenship as Principal and Samuel Jordan, David C Heffington Joel A Bardett Augustus Hoxe James Smith and Allison A Blankenship as securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of Five Thousand Dollars, to be levied of their Goods and Chattels, lands and tenements, But to be void upon condition that the said John F Blankenship be and remain in attendance upon the District Court of Travis County now in session, and from day to day and from term to term thereafter, to answer the Indictment preferred against him by the Grand Jurors of Travis County at this the Spring term of the District Court of said county A D 1856, for "Arson", and that he do not depart the Court without leave

And thereupon It is ordered by the Court that the foregoing cause be set for this day week next.

722 The State of Texas } Plaintiff
v
Henry H Sublett & Defendant } Recognizance

And now on this day appeared in open Court Henry H Sublett as principal and S G Smith and W L Robards as Securities and acknowledged themselves jointly and severally justly to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars to be levied of their goods chattels lands and tenements. But to be void upon condition that the said Henry H Sublett be and remain in attendance upon the District Court of Travis County Now in Session and from day to day and from Term to Term Thereafter, to answer the Indictment preferred against him by the Grand Juror of Travis County at the Spring Term 1856 of said Court for Selling at Faro and that he do not depart the Court without leave.

And thereupon It is ordered by the Court, that Court adjourn until tomorrow Morning at 8 O Clock

Spring Term Friday July 18th 1856

Friday Morning July 18th 1856 Court met pursuant to adjournment present the same as on yesterday, whereupon the following proceedings were had by said Court, to wit.

And thereupon It is ordered by the Court that Court do now adjourn until Saturday Morning July 19th 1856

Saturday July 19th 1856

Court met at eight o'clock A. M. pursuant to adjournment. Present the same as on Saturday - Whereupon the following proceedings were had by said Court as follows To Wit:

682 James F. Brady } Plaintiff
vs } Judgment
Ichid Mc Ghastlee } Defendant

And now on this day come the parties by attorney and agree that Robert J. Jones, an attorney of this Court, shall act as Special Judge in the above cause. And thereupon the defendant, Edward McDowell moved to dismiss the case for want of jurisdiction, and the premises being seen and by the Court here fully understood, It is ordered that said case be dismissed, and the Judgment of the justice is annulled. It is further ordered by the Court that the defendant recover of the plaintiff the cost of this suit, for which execution may issue

And thereupon the said plaintiff gave notice in open Court, of an appeal to the Supreme Court.

And thereupon It is ordered by the Court that Court do now adjourn until Monday morning July 21st 1856.

Spring Term Monday July 21st 1851

Monday Morning July 21st 1851 Court met pursuant to adjournment present the Same as on Friday wherein upon the following proceedings were had by said Court to wit:

982 Shropshire & Davis Plaintiff } Order
v
Ford Walker & Davidson } Defendants }

It is ordered by the Court that leave be granted to Defendant Walker to file an Amended Answer in this Cause

915 S A Swenson Plaintiff
v
John Taylor
S G Sneed
John Hancock &
& Sterling Robertson } Defendants } Decree

And now on this day came the plaintiff by Attorney and the said Hancock Sneed and Robertson by Attorney and the said John Taylor being Solemnly called Came not but Made default and the parties plaintiff and the parties here served waiving a Jury the Issues were submitted to the Court and it being proven to the court that the contract was Joint and Several but that the consideration was Money loaned to the said John Taylor and that in Equity the Defendants Robertson Sneed and Hancock are but Securities

It is therefore ordered adjudged and decreed by the Court here, that the plaintiff recover of the Defendant John Taylor as principal and the said Sneed Robertson & Hancock as Securities the Sum of Four Hundred and Twenty Eight Dollars and Ninety Cts his debt and Interest together with all his Costs in and about this Suit expended for all which Execution may Issue, And It is further ordered adjudged and decreed that Execution issue against the said John Taylor directed to the Sheriff of Leon County and that No Execution issue against the Defendants until they have failed to point out sufficient property of the Plaintiff in said County and other Counties to Satisfy the debt

but so soon as it appears that the money cannot be made out of the said Saylor then execution may issue against the other Defendants

It is further ordered by the Court that the Judgment entered in this cause at a former day of the present Term of this Court to wit on the 11th day of July A D 1856 be and the Same is hereby set aside

1037 Adolphus G Nair } Plaintiff
v } Decree
Robert Greenbaud and Walter M Booth } Defendants & Intervenor

And now on this day come the parties by their Attorneys and the Defendants not waiving any plea or defence by them pleaded, the parties agree that because the presiding Judge in this cause is related to some of the parties interested, Robert J Downes shall try said cause as Special Judge, and it is agreed here that an order of Survey issue to A Luckett a Scientific Surveyor who shall after being duly Sworn Swear his chain carriers and flag Staff men and with all convenient dispatch proceed to make the Survey and run the lines in controversy and each and every line and lines which either party shall require to be run, and he will report the result of his Surveys with full plots of his work to the next Term of this court to which Term this cause is continued,

790 Walter M Booth } Plaintiff
v } Order
Horace L Upshur et al } Defendants

And now on this day comes the parties by their attorneys and the Defendants not waiving any plea or defence by them pleaded, the parties agree that because the presiding Judge in this cause is related to some of the parties interested Robert J Downes shall try said cause as Special Judge and it is agreed here that an order of Survey issue

Spring Term Monday July 21 1879

to L H Luckett a Scientific Surveyor who shall after being duly Sworn Swear his chain carriers and flagstaffmen and with all convenient dispatch proced to make the Surveys and run the lines in controversy and each and every line and lines which either party shall require to be run and he will report the result of his Surveys with full plots of his work to the next Term of this Court, to which Term this cause is continued,

893	John L Snud v. Thomas F McKinney	Plaintiff / Defendant	Dismissed

It is ordered by the Court that this cause be dismissed, the same having been settled at the mutual cost of the parties, by the arbitrators in No 855, of John L Snud v. M. A. Stanton

905	Abram L Smith v. W. A. Walker & L. Dillman	Plaintiff / Defendants	Continued

It is ordered by the Court that this cause be continued as upon the affidavit of defendants.

921	James P. Neal v. Geo. W. Glascock & D. L Roy	Plaintiff / Defendants	Judgment

And now came the parties to this cause by attorney, the plaintiff and the defendant Glascock, the defendant Roy having failed to answer. And thereupon It appearing to the Court that the defendant Roy having failed to answer, he having been duly summoned, and the defendant Glascock having withdrawn his demurrer heretofore filed, and that there exists nothing in bar or preclusion of plaintiffs' demand, whose action is founded upon a promissory note here produced to the Court, It is ordered, adjudged & decreed by the Court that the plaintiff, James P. Neal have and recover of the defendants, Dilding L Roy and George W. Glascock the sum of Four Hundred and Fifteen 50/100 Dollars, amount of principal and interest due on said note to this date, with legal interest on the same until paid, and all costs of this suit, for all which execution may issue

Spring Term, Monday, July 21st 1856.

922 Levi S. Chatfield } Plaintiffs
v. } Continuance
I. Douglass Brown, et al } Defendants

It is ordered by the Court that this cause be continued under the rule for security for costs.

925. Edward D. Hobbs, et al } Plaintiffs
v. } Continuance
Unknown Heirs of Wigginston } Defendants

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

926 Payne & Hannikan } Plaintiffs
v. } Continuance
Sherman Cuse } Defendant

It is ordered by the Court that this cause be continued upon affidavit of plaintiffs.

929 James S. Brady } Plaintiff
v. } Order
John D. Miller } Defendant

It is ordered by the Court that the plaintiff have leave to amend his pleadings.

931. A. Sprouls & Co. } Plaintiffs
v. } Judgment.
N. le. Raymond, et. al. } Defendants

And now come the parties to this cause by their attorneys and announced themselves ready for trial And submitted the cause to the Judgment of the Court waiving a Jury. And thereupon upon inspection of the pleadings and the hearing of the testimony It is ordered, adjudged and decreed by the Court that the plaintiffs, Samuel C. Sprouls, Philo C. Cochrun and John B. Meeker, surviving partners of the late firm of Harrad Sprouls & Co, have and recover of Nathaniel P. Raymond, as principal and William P. De Normandie as ~~security~~, endorser, the sum of Two Hundred and Thirteen 70/100 Dollars the amount of the principal and interest due on the note sued on to this date, with ~~legal~~ interest on said amount at the rate of ten per centum per annum from this date until the final satisfaction of the same, together with all the costs of this suit, for which execution may issue

Spring Term, Monday, July 21st 1856.

934 Peter K. Marshall } Plaintiff
v. } Judgment.
John T. Miller } Defendant

And now on this day come the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon the defendant withdraws his demurrer and answer filed, ~~and~~ the parties having submitted the cause to the Court, without the intervention of a Jury. And thereupon it appearing to the Court here, that there exists nothing in bar or preclusion of the demand of the said plaintiff, whose cause of action is liquidated as shown by an instrument of writing called a promissory note, It is ordered, adjudged and decreed by the Court that the plaintiff, Peter K. Marshall, have and recover of the defendant John T. Miller, the sum of One Hundred and Twenty Five 25/100 Dollars the amount of the principal and interest due on the note sued on to this date, with interest at the rate of eight per cent. per annum from this date, on said amount, until paid, together with all the costs of this suit, for which execution may issue.

935. Thomas & Franklin } Plaintiffs
v. } Judgment.
A. G. Compton } Defendant

And now come the plaintiffs by attorney, and claim a Judgment by default, And thereupon the said defendant being called, came not but made default. And it appearing that the said defendant has accepted service of plaintiffs petition and has failed to answer thereto, and it also appearing that the cause of action is liquidated, as shown by an instrument of writing, It is ordered, adjudged and decreed by the Court, that the plaintiffs, John Thomas and Richard S. Franklin, under their firm name of Thomas & Franklin, have and recover of the defendant, A. G. Compton, the sum of One Hundred and Sixty 70/100 Dollars, being the amount of principal and interest due on the note sued on to this date, with interest on said amount at the rate of eight per centum per annum from date until paid, together with all the cost of this suit, for which execution may issue

936 T. A. Morrow } Plaintiff
v. } Continuance
Banyan Payne } Defendant

It is ordered by the Court that this cause be continued upon affidavit of deft. Payne

Spring Term, Monday, July 21st 1856.

942 R H Pick & Co } Plaintiffs
v. } Judgment
Thomas Griffin } Defendant

And now came the parties to this cause by attorney, and announced themselves ready for trial. And waiving a Jury submit the cause to the Judgment of the Court. And thereupon the defendant withdraws his answer heretofore filed; and it appearing to the Court that the cause of action is liquidated as shown by an instrument of writing called a promissory note, and that there exists nothing in bar of plaintiffs' demand, It is ordered, adjudged and decreed by the Court that the plaintiffs, Richard H. Pick and Edward Pick under their firm name of R. H. Pick & Co. have and recover of the defendant, Thomas Griffin, the sum of Three Hundred and Thirty-Four 32/100 Dollars, being the amount of principal and interest due on the note sued on to this date, with interest thereon at the rate of twelve per centum per annum from date until paid, together with all the cost of this suit ~~from~~ for all which execution may issue.

948 D C & G R Freeman } Plaintiffs
v. } Judgment
W S Oldham } Defendant

And now comes the parties to this cause by attorney and announced themselves ready for trial and waiving a Jury submit the cause to the Judgment of the Court, and the Court having examined the pleadings in the cause renders a Judgment for the plaintiffs
It is therefore ordered adjudged and decreed by the Court that the plaintiffs D C Freeman and G R Freeman under their firm name of D C & G R Freeman have and recover of the Defendant W S Oldham the sum of One Hundred and forty one 12/100 Dollars the same being the amount of principal and interest due on said note ~~from~~ to date with interest at the rate of ten per centum per annum from date until paid together with all costs of this suit for all which execution may issue

Spring Term Monday July 21st 1851

946 George Hancock, Plaintiff / Judgment
W S Oldham & Defendant &

And now come the parties to this cause by attorney and announced themselves ready for trial and waiving a Jury submit the cause to the Judgment of the court and thereupon the Defendant with draws his plea heretofore filed, And thereupon the court having examined the papers in the cause it is ordered adjudged and decreed by the Court that the plaintiff George Hancock have and recover of and from the Defendant W S Oldham the Sum of ~~Two Hundred and twenty eight~~ 33/100 Dollars being the amount of principal and interest due on the note to date with interest at the rate of ten per cent per annum from date until paid together with all costs in this suit expended for all which execution may issue

947 George Hancock, Plaintiff / Judgment
S G Smith & Defendant &

And now come the parties to this cause by attorney and having announced themselves ready for trial and waiving a Jury submit the cause to the Judgment of the Court, And upon inspection of the pleadings in the cause It is ordered adjudged and decreed by the Court that the plaintiff George Hancock recover of the Defendant S G Smith the Sum of Two Hundred and Seventy four 96/100 Dollars the same being the amount of principal and interest due on said note from date until paid with Interest on said amount at the rate of ten per Centum per annum from date until paid, together with all costs in this Suit expended for all which execution may issue,

949 Richard Daniels, Plaintiff / Leave to Amend
John T Price & Defendant &

It is ordered by the Court that leave be granted to the Defendant to file an amended answer in this cause

Spring Term Monday July 21st 1856

949 Richard Daniels Plaintiff
v
John T Price Defendant } Costs Rule for Costs

And now comes the parties to this suit and on motion of Clerk it is ordered by Court that the plaintiff in the above Cause enter into bond and security for costs of suit on or before the 1st day of the next Term of this Court otherwise the same will be dismissed at his costs the attorney of plaintiff being present and notified It is also ordered by the Court that this cause be continued until the next Term of this Court as upon affidavit of defendant,

951 John Miles et al Plaintiff
v
John T Grumbles et al Defendant } Cont'd "

It is ordered by the Court that this cause be continued under the rule

957 F Deutreich Plaintiff
v
Ashford B McGill Defendant } Judgment—

And now comes the parties to this Suit by attorney and having announced themselves ready for trial Submit the cause to the Judgment of the Court having a Jury And thereupon on inspection of the pleadings and the hearing of the testimony It is ordered adjudged and decreed by the Court that the plaintiff F Deutreich have and recover of the Defendant Ashford B McGill the Sum of Seven hundred and Seven 65/100 Dollars the same being the amount of principal and interest due on the note to date, with interest at the rate of ten per Centum per annum from date until paid together with all costs in and about this Suit expended for which execution may issue,

And thereupon it is ordered by this Court that Court now adjourn until tomorrow morning at 8 O Clock

Spring Term Tuesday July 22nd 1856

Tuesday Morning July 22nd 1856 Court met pursuant to adjournment present the same as on yesterday whereupon the following proceedings were had by said Court to wit,

953 William Gibson, Plaintiff
L Fillman & Defendant } Leave to Amend

It is ordered by the Court that leave be granted to plaintiff to amend his pleadings in this Cause

958 L D Carrington, Plaintiff
S K Jennings & Defendant } Judgment

And now comes the plaintiff by Attorney in this cause and claims a judgment final by default, and it appearing to the Court that due service of the procis has been made and that Defendant has failed to file his answer within the time prescribed by Law, and it also appearing that the cause of action is liquidated as shown by an instrument of writing called a promisory note,

It is therfore ordered adjudged and decred by the Court that the plaintiff L D Carrington have and recover from the Defendant S K Jennings the sum of One Hundred and Twenty two 60/100 Dollars the same being the amount of principal and interest due on said note with legal interest on said note from date until paid together with all costs in this suit expended for all which execution may issue,

959 L D Carrington & Co, Plaintiff
S K Jennings & Defendant } Continuance.

By Consent it is ordered by Court that this cause be continued until the next Term of this Court

962 L D Carrington & Co, Plaintiffs
S K Jennings & Defendant } Continuance.

By Consent it is ordered by Court that this cause be continued until the next Term of this Court

D Spring Term Tuesday July 22nd 1856

933 William C Rieger Admr De Bonis Non of the Estate of Wm Baker Deceased } Plff
William H Walton George L Walton & John H Conner } Defts } Debt on Note

And now on this day come the parties by attorneys and the Demurrer filed by Plaintiffs to the amended Answer of Defendants coming on to be heard and the same being by the Court duly considered is sustained and thereupon the parties waive a Jury and submit the case to the Court and the plaintiff offers in evidence the Note sued on in this case which being sufficient evidence to the Court of the indebtedness of said defendants to said plaintiff for the sum of Nine hundred and fifty four 77/100 Dollars being the principal and interest due on said Note

It is therefore considered adjudged and decreed by the Court that the said plaintiff have and recover of and from the said defendants the said sum of Nine hundred and fifty four 77/100 Dollars for his debt and interest, with interest thereon at the rate of Eight per cent pr annum from the rendition of this Judgment until paid together with all his costs in this behalf laid out and expended for which execution may issue, And thereupon the Defendants by attorney give notice of an appeal to the Supreme Court,

1152 John A Green } Plaintiff
John B Banks et al } Defendants } Order

And now on this day come the parties to this cause by their attorneys and the motion to dissolve Injunction filed by the defendants being submitted to the Court, the Court ordered that the said Injunction be dissolved, except so far as it restrains the sale of Rina and child, described in plaintiffs bill

Spring Term Tuesday July 22nd 1851

461 R H McAlpin & Co } Plaintiffs
v } order
Cassidy & Finning } Defendants

And now on this day come the parties to this cause by their attorney's and the motion for new trial filed by Plaintiffs being submitted to the Court, the court ordered that the said motion be overruled, and thereupon plaintiffs give notice of appeal to the Supreme Court

560 Larkin F Price } Plaintiff
v } order
Michael Short } Defendant

And now on this day come the parties to this cause by attorneys and the Motion for a new trial filed by the Defendant being submitted to the Court, the Court ordered that the said Motion be overruled, and thereupon Defendant gives notice of an appeal to the Supreme Court

708 The State of Texas } Plaintiff
v } order
E R Peck } Defendant

And now on this day comes the parties to this cause by attorneys and the Motion for a new trial filed by the Defendant being submitted to the Court, the Court ordered that said Motion be granted,

863 Francis Kelly } Plaintiff
v } order
Joseph Warren } Defendant

And now come the parties by attorneys and the Motion for a change of Venue being argued, it is ordered by the Court that said Motion be refused,

876 Francis Kelly } Plaintiff
v } order
Joseph Warren } Defendant

And now on this day Comes the parties To this cause by attorneys and the motion to change Venue being argued by counsel, it is

Spring Term Tuesday July 22nd 1851

ordered by the Court that said Motion to change Venue be granted,

8910 F. W Chandler, Plaintiff
v
G B Burdett et al, Defendants } order

And now on this day come the parties to this Cause by Attorneys and the motion to dissolve the Injunction filed by the defendants being submitted to the Court, the Court ordered that said Motion be sustained and that the cause be continued for trial upon its merits

9145 J W Dawson Next friend &c, Plaintiff
v
J C Burdett et al, Defendant } order

And now on this day comes the parties to this cause by attorneys and the motion to dissolve the Injunction being filed by Defendants being submitted to the Court, the Court ordered that the motion be sustained as to ~~the~~ J. P. Washington & W Chandler & F Deitrich as to the land and that the case be dismissed as to them, they disclaiming any interest in the negroes, mentioned in the pleadings

457 John Marshall, Plaintiff
v
A M Hampton, Defendant } order

And now on this day Come the parties to this cause by attorneys and the motion for New Security on the Injunction bond filed by the plaintiff being submitted to the Court, the Court ordered said Motion to be granted,

8711 R D McAnally, Plaintiff
v
John Sharp et al, Defendants } order

And now on this day came the parties to this cause by attornies and the Motion for a New trial being argued and submitted

to the Court, the Court ordered said motion to be overruled and thereupon notice of appeal is given in open Court and it if further ordered that the Appeal Bond heretofore filed. Stand without being excepted to, as agreed by counsel.

E M Donnell } Plaintiff
C Stanfey } Defendant } Order

And now on this day come the parties to this cause by Attorneys and the Motion to dismiss Certiorari being submitted was overruled by the Court

And thereupon it is ordered that Court do now adjourn until tomorrow Morning July 23rd 1851 at 8 o'Clock

Wednesday Morning July 23rd 1851 Court met pursuant to adjournment present the same as on yesterday, whereupon the following proceedings were had by said Court to wit,

William Gibson } Plaintiff
L Fillman } Defendant } Decree

1953

On this day come the parties by attorneys and announced themselves ready for trial Whereupon a Jury of twelve good and lawful men were Sworn and empannelled to try the matter in issue in said case to wit E H Calhoun and Eleven others, who after hearing the pleadings and all the testimony adduced by the parties in said cause and arguments of Counsel, Charges of the Court retired to consider of their verdict and after having duly considered the pleadings and charges of Court returned into Court the following verdict to wit, "We the Jury find for the plaintiff in this Case and assess the damages at three hundred and fifty Dollars and the Defendant pay all the Costs of suit, E H Calhoun Foreman" Therefore it is ordered adjudged and decreed by the Court that the plaintiff recover from the Defendant the Sum of three hundred and fifty Dollars and the Costs of this Suit, for all which Execution may issue

Spring Term Wednesday July 23/56

The State of Texas / Willard C Walker & Thomas Walker } Plaintiff / Defendants } Recognizance

This day came and appeared in open Court S G Sneed one of the Securities of the defendant and delivered up the said defendant to the custody of the Court and thereupon the Court ordered that said defendant be delivered into the Custody of the Sheriff, and thereupon came and appeared in open Court Willard C Walker as principal and E K Pick, John S Grumbles and Owen O'Brien as securities and acknowledged themselves 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 and tenements, but to be void on condition that the said W C Walker be in attendance upon the District Court of Travis County Now in Sesion and from Term to term and from day to day of each Term thereafter to answer to the charge preferred against him by the Grand Jurors of Travis County at the Spring Term of the District Court of said County 1856 for Assault with intent to Kill and that he do not depart the Court without leave

535 John S Sneed / Marion Houston } Plaintiff / Defendant } Dismissed

And now come the parties and on motion it is ordered by the Court that this Case be dismissed from the Docket and that Defendant go hence and recover of the plaintiff John S Sneed all the Costs of this Suit for which Execution may issue

938 N W Burdett / A N Hopkins et al Trustees &c } Plaintiff / Defendants } Decree

And now on this day appeared in open Court the parties plaintiff and Defendant by their attorneys and the Demurrer being overruled the Case was

Submitted to the Court, and the Court having examined the pleadings in the Cause rendered a judgment for the plaintiff wherefore it is ordered by the Court that the plaintiff go hence and recover of the Defendants A T Hopkins Wm Robertson Cummings, J K Jennings Jr J Major and Isaiah Fisk the Sum of three hundred and fifteen Dollars being the amount of principal and interest due on said note from date with interest at the rate of ten Per cent from date until paid together with all Costs of Suit in this behalf expended for all which execution may issue,

956 Ernest Raven } Plaintiff
v } Continued
John Killelea } Defendant

It is ordered by Court that this Cause be continued by Consent until the next Term of this Court

957 Meredith Walton } Plaintiff
v } Decree
J Case J F Burdett et al } Defendant

And now on this day come the parties by Attorneys and suggest the death of the Defendant Jesse Burdett and this case is discontinued as to him and it appearing to the Court that the Defendant Cassidy is out of the Jurisdiction of this Court it is ordered by the Court that this Cause be discontinued as to him and that Judgment be taken as to the other Defendants, and it appearing to the Court that the cause of action is liquidated as shown by an instrument of writing Called a Note of hand,

It is ordered adjudged and decreed by the Court that the plaintiff Meredith Walton have and recover of and from the Defendants Sherman Case N W Burdett, T F Chapman and G W Davis the Sum of One thousand Eight hundred and twenty two 00 Dollars being the amount of principal and interest due on said Note, with legal interest on said Judgment from date until paid together with all costs in this suit expended for all which execution may issue

Spring Term Wednesday July 23 54

9710 L D Carrington & Co / Plaintiff
C & A Cook & C & A Darter / Defendants / Judgment

And now on this day come the parties to this cause by Attorney and announce themselves ready for trial and waiving a Jury submit the case to the Judgment of the Court and thereupon the defendant withdraws his plea heretofore filed and thereupon the Court upon inspection of the papers in the cause, It is ordered, adjudged and decreed that the plaintiffs L D Carrington & David Clark partners under firm Name and Style of L D Carrington & Co recover of the Defendants C & A Cook & C & A Darter the sum of Two hundred and Ninety Nine 75/100 Dollars the same being the amount of principal and interest due on the Note with interest on the same at the rate of 12 per Cent from the date of this Judgment until paid together with all costs of Suit for which execution may issue

972 L D Carrington & Co / Plaintiff
James G Swisher / Defendant / Judgt

And now on this day comes the plaintiff by Attorney and claims a Judgment final by default, and it appearing to the Court that due service of process has been made and that Defendant has failed to file his answer herein within the time prescribed by Law and it also appearing that the cause of action is liquidated as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the plaintiffs L D Carrington and David Clark partners under firm & Style of L D Carrington & Co recover of the Defendant James G Swisher the Sum of Four hundred and thirty 75/100 Dollars being the amount of principal and interest due on said Note with interest at the rate of Ten per Cent on said Note from date

of Judgment until paid together with all the costs
on this behalf expended for all which execution
may issue

974 M W Garrison / Plaintiff
Eggers & Boyce & Defendants / Dismissed

And now on this day come the
parties by attorneys and on Motion this Cause
is dismissed at the Cost of the Defendants wherefor
it is ordered that the Plaintiff go hence and
recover of the Defendants J K Eggers and Stephen
Boyce the Costs of Suit for which execution may issue

979 L D Carrington & Co / Plaintiffs
Josiah Fisk / Defendants / Judgment

And now on this day come the
parties to this Cause by attorneys and announced
themselves ready for trial and waiving a Jury
submit the Cause to the Judgment of the Court
and thereupon the Court ordered that the Demurrer
in this Cause be overruled and thereupon proof
of service on Defendant being made to the
Satisfaction of the Court, upon inspection of the
pleadings in the Cause the Court ordered that the
plaintiffs L D Carrington & David Clark partners
under the firm and Style of L D Carrington & Co
recover of the Defendant Josiah Fisk the Sum
of One Hundred and Sixty Nine 1/100 Dollars
being the Amount of principal and interest due
on the Note in Litigation with interest on said
Amount at the rate of ten per Cent from date
until paid together with all the Costs in this
Suit expended for all which execution may issue

803 James Wall / Plaintiff
Frank Brown ~~James~~ / Defendant / Decree
Sheriff of Thos B Carmichael

In this case appeared the
parties by their attorneys and waived a Jury
and submitted the Matters in controversy
to the Court after hearing the evidence introduced
by the parties and the arguments of Counsel

Spring Term Wednesday July 23rd 1856

It is ordered adjudged and decreed by the Court that the plaintiff James Wall do have and recover of and from the Defendants James O Rice Frank Brown as administrator of Thomas P Cartmell Deceased and Frank Brown in his individual right James O Rice Aaron Boyce ~~Aaron Boyce~~ William Boyce ~~William Boyce~~ John Boyce an equal undivided interest of Six Hundred and forty acres of land to be taken out of the following described tract of land containing twelve hundred and eighty acres. Situated in the County of Burnet formerly in the County of Williamson twelve hundred and eighty acres of land. on the waters of Berry's Creek. about four miles above where the upper line of Williamson County crosses the same Beginning at the South East corner of E Pruets Survey, and North East corner of J M Lanes League, a stone in prairie: from which a Live Oak bears. N 54° E twenty varas. a post oak + N 9° E 115 varas, Thence South 19° East with the East line of said League, three thousand and fifty four varas to a stone in the prairie at the N.W. corner of Caleb Willis Survey. Thence North 71° East with said Survey. twenty three hundred and sixty seven varas. to a stake at the South West corner of Pruets Survey from which a live oak bears North 88° West forty five varas. another bears South 89° West 40 varas. Thence N 19° W. three thousand and fifty four varas to a corner. Thence South 71° West two thousand three hundred and seventy six varas. to the Beginning

It is further adjudged and decreed that the Defendant James O Rice do have and recover of and from the Plaintiff James Wall and his co-defendants Frank Brown as administrator of Thomas P Cartmell Deceased, and Frank Brown in his individual right Aaron Boyce, William Boyce and John Boyce. an undivided interest of two Hundred and thirteen and five sixths acres in the aforesaid tract of twelve hundred and eighty acres. That the Defendant Frank Brown as Administrator of Thomas P Cartmell do have and recover of and from the Plaintiff James Wall and his co-defendants James O Rice Aaron Boyce William Boyce and

Spring Term Wednesday July 23rd 1873

John Boyce and undivided interest of one hundred and seventy seven and seven ninth acres of the aforsaid tract. for the use and benefit of the Estate of the said Thomas P Cartmell Deceased, that the Defendant Frank Brown in his undivided right do have and recover of and from the plaintiff James Wall and his Co Defendants James O Rice Frank Brown Administrator of the Estate of the said Thos P Cartmell and the said Frank Brown in his undivided right William Boyce and John Boyce an undivided interest of Seventy one and one Ninth acres of the aforsaid Tract of Land that the Defendant William Boyce do have and recover of and from the plaintiff James Wall and the other Defendants Jas O Rice & Frank Brown Administrator of the Estate of Thos P Cartmell Dec and the said Frank Brown in his individual right and Aron Boyce and John Boyce an undivided interest of Seventy one and one Ninth acres to be taken out of the aforsaid tract of Land and that John Boyce do have and recover of and from the plaintiff James Wall and the other Defendants Jas O Rice Frank Brown Admr of the Estate of Thos P Cartmell Dcd Frank Brown in his individual right Aron Boyce and Wm Boyce an undivided interest of Seventy one 7/9 acres out of the aforsaid tract of Land, such shares respective, said Land to be divided between said parties according to quality and quantity and the title of the respective Shares is by virtue of this Decree fully vested in said parties so that Six Hundred and Forty acres be vested in said Wall, 213 7/9 acres in the defendant Jas O Rice 177 7/9 acres be vested in Frank Brown as Administrator of the Estate of Thos P Cartmell Deceased for the use and benefit of said Estate and Frank Brown in his individual right thirty Five 7/9 acres, Aaron Boyce Seventy one 7/9 acres William Boyce Seventy One 7/9 acres

Spring Term Wednesday July 23rd 1856

and John Boyce Jeremiah Ogg acres, and by agreement of parties Benj Joseph Greenleaf Fisk and Allen Stroud — Webb any two of whom may act be appointed Commissioners to partion and set apart the aforsaid tract of Land between the aforsaid parties according to quantity quality and report the same to this Court instanter

Simon Draper — Plaintiff
871 v
Rebecca Jane Draper — Defendant — Judgment

This day came the parties by their attorneys and thereupon came a Jury of twelve good and Lawful Men to wit W T Caperton and Eleven others who being duly Sworn well and truly to try the issue joined upon their oaths Say "We the Jury find all the allegations contained in plaintiff original and Amended Petition to be true except the charges of abortion from her own person and committing violence on the person of the plaintiff

W T Caperton Forman

And the Court being satisfied that the allegations found to be true by the Jury as aforesaid are sufficient in Law to entitle the Plaintiff to a Divorce in this case. It is therefore considered by the Court and it is ordered adjudged and decreed that the said Simon Draper be and he is hereby divorced forever from the chains of Matrimony with the said Rebecca Jane Draper and it appearing to the Court from the finding of said Jury, that the said Simon Draper is better calculated than the Defendant to support maintain and educate their three children mentioned in Plaintiffs Petition to wit Albina Jane Simon Adalbert & Wellston Draper

It is therefore ordered adjudged and decreed by the Court that the said Simon have and control the possession of the said children and that the said Rebecca Jane be and She is hereby forever barred from taking or controlling the possession of said children in any manner whatever unless it be with the permission

and consent of the said Simon, And the jury having found that at the date of the seperation of the said Rebecca Jane from the Bed and board of the said Simon, that they together were possessed of com mumity property to the value of only Eighty five Dollars of which the said Rebecca Jane was entitled to one half thereof to wit the Sum of Forty two Dollars and Fifty ~~cts~~ cents, and the Court being satisfied that the said Rebecca Jane, from the finding of said Jury is responsible for the Costs in this behalf expended and that a very Small amount (if any) of said Forty two Dollars and Fifty Cents will remain after appropriating the Same to the payment of said Costs, It is therfore ordered adjudged and decreed that the said Simon pay all the costs in this behalf expended out of said Forty two Dollars and fifty cents the community interest of said Rebecca Jane as aforesaid and the balance if any he the said Simon shall appropriate to the maintenance Support and education of said children.

1727 Hamilton Chandler & Al } Plaintiff
George Hancock } Defendant } Decree

And now comes the parties to the above stated cause by their attorneys and waived a jury and Submitted the Cause to the Court and after hearing the evidence in said cause and the arguments of Counsel it is considered by the Court that the plaintiffs is entitled to a Judgment against the Defendant for the Sum of Eleven hundred and thirty Nine Dollars and Ninety three cents It is therefore ordered adjudged and decreed by the Court that the plaintiffs Andrew Hamilton Frederick W Chandler & Wm W Walton have and recover of and from the Defendant George Hancock the Sum of Eleven Hundred and thirty Nine Dollars and Ninety one cents with interest thereon at the rate of Eight per cent per annum until paid together with all the costs in this behalf expended for all which execution may issue

Spring Term Thursday July 24 1856

And Court adjourned until tomorrow Morning at 8 O Clock

Thursday Morning July 24th 1856
Court met pursuant to adjournment present the same as on yesterday, whereupon the following proceedings were had by said Court to wit

1823 John G Miller wife } Plaintiff
vs } Decree
Josiah Fisk } Defendant

And now on this day came the parties by attornies and the presiding Judge being interested in the cause parties agreed that Robert J Downes Esq should try it as Special Judge and thereupon came a jury to wit Daniel J Adams and Eleven others twelve good and lawful men of said County who being duly sworn and having heard the evidence returned into Court the following Verdict

We the jury find for the plaintiff and find the premises to be worth one hundred Dollars per year we find for three years and Six months making the aggregate Sum of three hundred and Eighty three 33/100 Dollars July 24/56
Daniel J Adams
Foreman

It is therefore considered by the Court that the Plaintiffs for the seperate use of said Catherine recover of said Defendant the said Sum of Three hundred and Eighty three 33/100 Dollars together with all their costs in and about this Suit expended for all which execution May issue

R. J. Downes Special Judge

Spring Term Thursday July 24 1884 227

Mary A Morris Plff
vs
Richard Payne et al Defts } Judgt by Default

And now comes the Plaintiff by attorney and claims a Judgment final by default and it appearing to the Court that due Service has been made and that the Defts have failed to file their answer within the time prescribed by Law, and it also appearing that the Cause of action is liquidated as shown by an instrument of writing

It is ordered by the Court that the Plaintiff Mary A Morris have and recover of and from the Defendants Richard Payne, James Phillips & A Cook the Sum of three hundred and fifteen Dollars and Seventeen Cents the Same being the Amount of Principal and interest due on said Note with interest at the rate of 8 per Cent on said Amount from date until paid together with all the Costs in this Suit for all which Execution may issue.

Issued 24 July 1884
Returned 24 July 1884 Executed
Judgt for Plff
Sept 18 1886

997

J G Norvell Plaintiff
vs
Wm M Walton et al Defendants } Judgt Nil dicit

And now come the parties By attorneys and having announced themselves ready for trial and waiving a jury submit the Case to the Judgment of the Court and thereupon the Defendant withdraws his answer heretofore filed and it appearing to the Court that the Cause of action is liquidated as shown by an instrument of writing called a Promissory Note, and that there is nothing in bar of Plaintiffs demand

It is therefore ordered adjudged and decreed by the Court that the plaintiff J G Norvell have and recover of the defendants Wm M Walton and M C Hamilton the Sum of one hundred and fifty three 50/100 Dollars being the amount of principal and interest due on said Note with interest at the rate of 8 per Cent from date until paid together with all the Costs in and about this Suit expended for all which execution may issue

Spring Term Thursday July 25/54

998 Wm P Mabin (Plaintiff) Order
vs
Jonas Dancer et ab (Defendant)
It is ordered by the Court that this cause be continued for Service on the Defendant Thomas

1004 I H Hutchins (Plaintiff) Judgt
vs
Thos Griffin (Defendant)
and now come the parties to this cause by attorney and announce themselves ready for trial and waiving a Jury submit the Cause to the Judgment of the Court and thereupon the Defendant withdraws his answer heretofore filed and it appearing that the cause of action is liquidated as shown by an instrument of writing
It is therefore ordered adjudged and decred by the Court that the plaintiff I H Hutchins recover of the Defendant Thomas Griffin the Sum of One hundred and twenty three 17/100 Dollars it being the Amount of principal and interest due on said Note with interest on said amount at the legal rate from date until paid together with all Costs in this behalf expended for all which execution may issue

1006 Edward Ten Eyck (Plaintiff) Judgment
vs
Thos Griffin (Defendant)
and now come the parties to this cause by attorney and announce themselves ready for trial and waiving a Jury Submit the case to the Judgment of the Court and thereupon the Defendant withdraws his answer heretofore filed, and it appearing to the Court that the Cause of action is liquidated as shown by an instrument of writing
It is therefore ordered adjudged and decred by the Court that the plaintiffs Edward Ten Eyck & I H Ten Eyck under their firm Name of E & I H Ten Eyck recover of the Defendant Thomas Griffin the Sum of one hundred and thirty Eight 89/100 Dollars being the principal

and interest due on said Note with interest at the legal rate from the date until paid, together with all Cost of Suit for all which execution may issue,

1008 ✓ George Hancock, Plff / R A Lane, Deft / Judgt

And now come the parties by attorneys and announce themselves ready for trial and waiving a Jury submit the Cause to the Judgment of the Court and thereupon the Demurrer of Defendants was overruled and it appearing that the cause of action is liquidated, It is ordered and decreed by the Court that the Plaintiff George Hancock have and recover of the Defendant R A Lane the Sum of One hundred and Eighty Seven 62/100 Dollars being the amount of principal and interest due on said Note with interest at the rate of 12 per Cent per Annum from date until paid together with all Costs in this behalf expended for which execution may issue,

1011 ✓ George Hancock, Plff / E S Johnson, Deft / Judgt Set aside

It is ordered by the Court that the Judgment heretofore rendered in this Cause at a former day of the present Term of this Court be and is hereby set aside

1012 ✓ George Hancock, Plff / A W Robertson, Deft / Judgt

And now come the parties by attorney and announce themselves ready for trial and waiving a Jury submit the Cause to the Judgment of the Court, and thereupon the Defendant withdraws his answer heretofore filed, and it appearing that the Cause of action is liquidated, It is ordered adjudged and decreed by the Court that the plaintiff recover of the Defendant A W Robertson the Sum of three hundred and forty 22/100 Dollars being the amount of principal and interest due on said Note with

Spring Term Thursday July 24th 1851

interest on said amount at the rate of 12 per Cent per annum from date until paid together with all Costs in this behalf expended for all which execution may issue

1014 George Hancock } Plff
v } Judgment
Thomas Griffin & Deft &

And now come the parties by attorneys & announce themselves ready for trial and waiving a Jury submit the cause to the Judgment of the Court and thereupon the Defendant withdraws his plea heretofore filed, and it appearing to the Court that the cause of action is liquidated, it is ordered adjudged and decreed that the plaintiff George Hancock recover of the Defendant Thomas Griffin the Sum of Two hundred and forty five 03/100 Dollars being the amt of principal and interest due on said note with interest at the rate of twelve per Cent from date until paid together with Costs of suit for all which Execution may issue;

this pd by us

1015 K S Lowe } Plff
v } Order
J Kirchberg & Deft &

By consent it is ordred By court that this cause be continued

1016 George Hancock } Plff
v } Judgt
A P Cook & Deft &

This pd. satisfied. See receipt on file
Brown Clk

And now come the parties by attorneys and announce themselves ready for trial and waiving a Jury submit the cause to the Judgment of the Court and it appearing that ~~there~~ upon inspection of the pleadings by the Court, the court regdered a Judgment for the plaintiff It is ordered that the plaintiff recover of the Defendant ~~the Sum~~ A P Cook the Sum of Four Thousand five hundred and forty four 50/100 Dollars being the principal and interest due

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the note in controversy with interest thereon at the rate of twelve per Cent from date until paid together with all Cost of Suit for which execution may issue /

Ingram & Roberts / Plff / Cont'd
1019 S Lockwood & Deft & /

It is ordered that this cause be continued until the next Term as upon Affidavit of Defendants

Geo H Cartright / Plff / Cont'd for Service
1021 v /
John T Porter & Deft &

It is ordered by Court that this cause be Continued for Service on the Defendant Porter

T S Rector / Plff / Decree
1022 v /
Sherman Case, d.d. & Deft &

And now on this day came the parties by attorneys and thereupon came a Jury of twelve good and Lawful Men to wit / Banyan Payne and Eleven others who being duly empannelled and Sworn having heard the evidence and charge of Court retired to consider of their verdict and returned into Court the following

" We the Jury find for the plaintiff and State that from the Note for three thousand Dollars the Credits amount to Two thousand seven hundred and fifty Dollars leaving a balance of five hundred and fifty Dollars and that the interest on all of the Several payments should be collected up to the time of said payment if such payments were made since the same fell due

/ Banyan Payne Foreman

It is therefore ordered adjudged and decreed by the Court that the plaintiff recover of the Defendant Sherman Case the Sum of Six hundred and fifteen 6/100 Dollars being the amount of principal and interest after deducting all

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proper Credits with interest on said amt at the rate of Eight per Cent per annum from date until paid together with all Costs of Suit for all which execution may issue,

6g8 The State of Texas } Plaintiff } Forfeited
W. G. W. Jarvis et al } Defendant } Recognizance

And now came the defendants W. G. W. Jarvis A. G. Landry and A. E. McClure by their attorney, and filed in Court a remittitur by the Governor of the Judgment final rendered at the last term of this Court upon the Judgment nii si takeo upon the forfeited appearance bond of the said defts. Jarvis. And thereupon, It is ordered by the Court that the said Judgment final be set aside and that the said defendants go hence without day fully discharged from all liability under said Judgment.

1022 F S Rector } Plff
v } Judgment
Sherman Cassidy et al } Defts

And now on this day came the parties by attorneys and dismissed their Suit as to the Defendants Thos Cassidy aged Sept Burdett, and thereupon came a Jury of twelve good and lawful men of Travis County to wit Banyan Payne & eleven others who being duly tried impannelled and Sworn heard the evidence arguments of Counsel and charge of the Court and retired to consider of their verdict and returned into Court the following "We the Jury find for the plaintiff and State that from the Note for Three thousand ~~Dollars four hundred and fifty Dollars~~ the credits amount to Two thousand four hundred and fifty Dollars leaving a balance of five hundred and fifty Dollars and that the interest on all of the Separate payments should be collected up to the time of said payments if such payments were made since the note fell due

Banyan Payne Forman

It is therefore ordered by the Court that the Plaintiff recover of the Defendants Sherman Case & Burnett N W Burnett J A Chapman Jeg W Davis & W Sublett & J A Burdett the Sum of Six Hundred and fifteen 66/100 Dollars beeng the amount of principal and interest due on the Note in controversy with interest on said amount at the rate of 8 per Cent per Annum after deducting all the proper credits together with all the Cost of Suit in this behalf expended for all which execution may issue

1023 Sampson & Penrick Plaintiff / Judgment
Joseph W Robertson Defendant

And now come the parties by attorneys and announce themselves ready for trial and waiving a Jury submit the cause to the Judgment of the Court and thereupon the Defendant withdraws his answer heretofore filed, and it appearing to the Court that the cause of action is liquidated as shown by two promissory Notes

It is therefore ordered adjudged & decreed by the Court that the plaintiffs recover of the Defendant Joseph W Robertson the Sum of three Hundred and Eighty 7/100 Dollars being the amount of principal and interest due on 2 Notes with interest on said amount at the rate of ten per Cent per annum from date until paid together with all Costs in this Suit expended for which execution may issue

1027 James D Frazer Plff / Judgment
John M Comer Defd

And now come the parties by attorneys and announce themselves ready for trial and thereupon waiving a Jury submit the cause to the Judgment of the Court and thereupon the defendant withdraws his answer heretofore filed and it appearing to the Court that the cause of action is liquidated as shown by a Note of hand

It is therefore ordered adjudged & decreed by the Court that the plaintiff recover of the Defendant John M Comer

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the Sum of Two hundred and twenty four Dollars being the amount of principal & interest due on said Note with interest on said amount at the rate of Eight per Cent from date until paid together with all the Cost of Suit for which execution may issue

John S Spence } Plff
v. } Judgment
Carleton & McGill } Defts

And now come the parties by attornies and announce themselves ready for trial and waiving a jury submit the cause to the Judgment of the Court and it appearing that the cause of action is liquidated as shown by an instrument of writing

It is therefore ordered adjudged and decreed by the Court that the plaintiff recover of the Defendants R & A Carleton & A McGill the Sum of Five Hundred and forty three 70/100 Dollars being the amount of principal and interest due on said note ~~from date~~ with interest on said amount at the rate of ten per Cent per Annum from date until paid together with all Costs in and about this Suit expended for which execution may issue.

Harrison Houston admr } Plaintiff
v. } Judgment
James Doyle } Defendant

This day came the parties by attornies and announced themselves ready for trial and waiving a Jury submit the cause to the Judgment of the Court and whereupon to the Court that the cause of action is liquidated

It is therefore ordered adjudged & decreed by the Court that the plaintiff recover of the defendant James Doyle the Sum of One hundred and fifty two 70/100 Dollars being the amount of principal and interest due on said Note with legal interest on said amount from date until paid together with all costs in this Suit expended for all which execution may issue

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1036 Marion A Houston admr Plff
A J H. Gill & Deft } Judgment

And now come the parties by attorneys and announce themselves ready for trial and waiving a jury submit the cause to the Judgment of the Court and it appearing that the Cause of action is liquidated as shown by an instrument of writing Called a promissory Note, It is ordered by the Court that the Plaintiff recover of the Defendant A J H Gill the Sum of Three Hundred and One 22/100 Dollars being the amount of principal and interest due on said Note with interest on said amount at the rate of 8 per Cent from date of Judgment until paid together with Costs of Suit for all which execution may issue

1041 Thos J Chapman Plff } Contd
Stone & Calvin Defts

It is ordered that this cause be continued for Service on Calvin and that leave be given to plaintiff to file Amended petition

1050 John M Gault Plff } Judgment
John D Conner & A J H Gill Defts

And now come the parties to this cause by attorney and announce themselves ready for trial and waiving a jury submit the cause to the Judgment of the Court and thereupon the Defendant withdraws his answer heretofore filed and it appearing that the cause of action is liquidated as shown by a Note of hand, It is therefore ordered by the Court that the plaintiff John M Gault recover of the Defendants John D Conner & A J H Gill the Sum of One Hundred and Seventy Five 75/100 Dollars being the amt of principal and interest due on said Note with interest at the rate of twelve per Cent from date until paid together with all Costs of Suit for which execution may issue

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1157 Simon Chapin Plff's
vs
A A Cook Defts } Judgment

And now on this day come the parties by attorney and waiving a jury submit the case to the Judgment of the Court and thereupon the Defendant withdraws his answer heretofore filed and it appearing that the cause of action is liquidated as shown by an instrument of writing,

It is therefore ordered adjudged and decreed by the Court that the Plaintiff recover of the Defendant A A Cook the Sum of One hundred and Forty Dollars and fifty Cents being the amount of principal and interest due on said Note with legal interest on said Amount from date until paid together with Cost of Suit for which execution may issue,

1154 J H W Bell Sheriff Plff
vs
Monroe & Mathews & Defts } Order

It is ordered by Court that this cause be continued for Service

1155 Eve A Jim Eyck Plff
vs
Augustus Fore & Defts } Judgment

And now come the parties by attorney and announce themselves ready for trial and waiving a jury submit the case to the Judgment of the Court and it appearing that the cause of action is liquidated

It is ordered that the Plaintiffs recover of the Defendant Augustus Fore the Sum of Four hundred and Eighty Five 92/100 Dollars being the amount of principal and interest due on the notes in controversy, with interest on said amount at the rate of ten per cent per Annum from date until paid together with all costs of Suit in this behalf expended for which execution may issue

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1159 James Buck &c Plffs
J A & N W Burdett & Defts } Order

By consent it is ordered by the Court that this cause be continued;

1160 J D Brown Plff
A M Cook & Defts } Judgment

And now come the parties by attorneys and announce themselves ready for trial and waiving a jury submit the case to the judgment of the Court and thereupon the Defendant withdraws his Plea heretofore filed and it appearing that the Cause of action is liquidated it is ordered that the Plaintiff recover of the Defendant A M Cook the Sum of One hundred and fifty Dollars and twenty Five Cents being the amount of principal & interest due on said Note with legal interest on said sum from date until paid for all which execution may issue,

1161 George Hancock Plff
Geo L Walton Deft } Judgment

And now on this day come the parties by attorneys and announce themselves ready for trial and waiving a jury submit the cause to the judgment of the Court, and thereupon the Defendant withdraws his answer heretofore filed, and it appearing that the Cause of action is liquidated, It is ordered by the Court that the Plaintiff recover of the Defendant George L Walton the Sum of One hundred and Nine 23/100 Dollars being the Amount of Principal and interest due on said Note, with interest at the rate of twelve per Cent from date until paid together with Cost of Suit for all which Execution may issue,

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George Hancock Plff
Josiah Fisk } Deft } Judgment

And now come the parties by attorney and announce themselves ready for trial, and waiving a jury submit the case to the Judgment of the Court and it appearing that the Cause of action is liquidated It is ordered adjudged and decreed by the Court that the plaintiff recover of the defendant Josiah Fisk the Sum of Eleven Hundred and thirty ⁹⁶/₁₀₀ Dollars being the amount of principal and interest due on said Note with interest on said amount at the rate of twelve per Cent per annum from date until paid together with Cost of Suit for which execution May issue,

W P Huggins et al } Plffs
vs } Order
J H Wolcomb & Deft

It appearing to the Court that the Rule for Security for Cost of Suit has not been complied with it is ordered that this cause be continued under the rule,

1069 S G Snead } Plff
vs } Decree
Thomas F Chapman & Deft

And now on this the 24th day of July 1856 during a regular Term of the District Court of Travis County came into Court the parties to the above entitled Cause and announced themselves ready for trial and thereupon came a jury of twelve good and lawful Men who being duly sworn to try the matters in Controversy elected after hearing the evidence adduced, the arguments of Counsel, and charge of Court, and returned into Court the following verdict, "We the jury find for the plaintiff the Sum of five hundred Dollars with legal interest from the 30th March 1856 and that the said Travis a lein upon the Judgment of the Court in favor of said defendant

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Signed D D Adams Forman

and it further appearing to the Satisfaction of the Court that said Judgment on which said Lein of five hundred ~~Dollars~~ secured by note was and is a Lein by reason of the professional Services as an attorney rendered by the said Sneed in said cause where Thos J Chapman was Plaintiff & Edward R Oliver was defendant that said Judgment was rendered at the Fall Term of the District Court of Travis County A D 1853 on the 30th September and that Joseph Lee by the terms of said Judgment was appointed by said Court Receiver with power under said Judgment, among other things to take possession of a Partnership tract of Land belonging at that time jointly to Thos J Chapman & Edward R Oliver and situated and described as follows viz 348 acres of Land Situated on the west side of the Colorado River in Travis County & bounded as follows Beginning at the lower corner of a tract containing about ten thousand acres conveyed by the assee of Dell alle to Albert D Horton on the West Bank of the Colorado river at a Cotton wood forty in dia from which another Cotton wood twenty four in dia Mkd L A bors S 50° W 10 vrs and another Cotton wood 16 in dia Mkd 2 L Brs S 320 E 2½ vrs thence up the river with its meanders N 76° 30" E 417 vrs to a Stake on the bank of the river for a Corner from which an ash 4 in in dia marked with a blaze brs S 13½° 30" E 8 vrs thence S 30° W to such a distance that run a line as run therefrom up to, and at right angles with the lower line of said Horton Survey and thence upon said lower line to the place of beginning will make the aforsaid quantity of three hundred & forty Eight acres, And it further appearing to the Court from the report of the receiver Joseph Lee filed in open Court on the 24 day of July A D 1856 that None of the personal property named and described in said Decree in favor of said Chapman had come to the possession of said Receiver, by having failed to obtain possession of the same, and that he sold on the 4th day of March A D 1854 as such Receiver

and as required by said Judgment by the above described property or tract of Land on which the said Sneed with the knowledge and by consent of the said Chapman had a lien for the said Sum of Five Hundred Dollars with interest and that the said Thos J Chapman was the purchaser of said Land at said Sale It is therefore Considered ordered adjudged and decreed that the said Sebron G Sneed do have and recover of & from the said Chapman the said Sum of Five hundred Dollars with interest from the 30th March 1854 and all his costs on this behalf expended and that the said plaintiff have a Special Fair on an undivided interest of one half of said tract of Land so purchased by said Chapman to Sell which to satisfy this Judgment an Execution may issue

1075 Asa Dorsey Plff v Wilcoby Ethridge & Deft & order

1076 Asa Dorsey Plff v James Smith & Deft & order

1077 Asa Dorsey Plff v James May & Deft & order

1078 Asa Dorsey Plff v David Waller & Deft & order

1079 Asa Dorsey Plff v Joseph Kubarth & Deft & order

1080 Asa Dorsey Plff v Joseph Dyches & Deft & order

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1081 Asa Dovey Plff
v
Elisha Allen Deft } order

1082 Asa Dovey Plff
v
Charles Campbell Deft } order

By consent it is ordered by the Court that the above causes be continued

1090 A H Lowery Plff
v
R A Binford Deft } Dismissed

It is ordered by court that this case be dismissed at Cost of defendant wherefore it is ordered that the plaintiff go hence and recover of the Defendant R A Binford the cost of Suit in this behalf expended for all which execution may issue.

1091 A H Lowery Plff
v
R A Binford & George Bowers Deft } Dismissed

It is ordered by the Court that this cause be dismissed at the cost of Defendants, wherefore it is ordered by the court that the plaintiff go hence and recover of the Defendants R A Binford & George Bowers the Cost of Suit in this behalf for which execution may issue.

1091 Charles Walker Plff.
v
Wm Runkle Deft } Dismissed

It is ordered by the Court that this Cause be dismissed at the Cost of the ~~Defendant~~ plaintiff, wherefore it is ordered that Defendant go hence and recover of the plaintiff Charles Walker the Cost of Suit in this behalf expended for which execution may issue,

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994 Thos L Haynie } Plff
W D Ezell } Deft } Decree

And now on this day came the parties to this cause by attorneys and announced themselves ready for trial and waiving a jury submit the cause to the judgement of the Court, and thereupon the Court sustained the Demurrer to defendants answer and rendered a judgment for the plaintiff Wherefor it is ordered by Court that the plaintiff recover of the Defendant W D Ezell the Sum of Four hundred and forty two 90/100 Dollars being the amount of principal and interest due on said Note after allowing all just credits with legal interest on said Amount from date until paid together with Cost of Suit in this behalf for which execution may issue

And thereupon it is ordered that Court do adjourn until tomorrow morning at 8 O Clock

Friday Morning June 25 1858
Court met pursuant to adjournment present Robert J Powers presiding Judge whereupon the following proceedings were had by said Spring Court to wit,

Pleasant L Alexander and } Plffs
Margaret Alexander his wife,
Cordins Hemphill and
Elizabeth Hemphill
Martha W Alexander &
Edwin Burns Alexander
as being of Edwin Burns
Alexander Deceased } Decree
v
1802 Samuel A Marerick } Dft

And now on this day come the parties by their attorneys and it is agreed of record here that the venue in this cause was regularly changed from the County of

because the interest of presiding Judge Thos J Devine
in the controversy and now because the Honorable
Thomas H Duval the presiding Judge of this Court
has been of counsel in the cause the parties
agreed of record here that the Honorable Robert
J Townes may try said case as Special Judge
And now the cause came on to be tried upon
the petition Demurrer Answer and Cross Bill as
well as upon the evidence adduced by the parties
and neither party requiring a Jury the issues of
Law and of fact were submitted to the Court
and the premises being heard and by the Court
here fully understood, It is therefore ordered
adjudged and decreed by the Court here, that the plain
tiffs take nothing by their Suit and as to said Suit
that the defendant go hence without day
And upon the Cross Bill the Court having examined
the record of the Probate Court of Bexar County the field
notes and Surveys the Pattents and deeds of the said
Maverick and considered the Law and facts of the case
It is therefore ordered adjudged and decreed by
the Court here that the Defendant be forever quieted
in his title to said Certificates and the Lands described
in the plaintiffs petition viz.
Certificate to No 265 first Class issued by the board of Land
Commissioners of Bexar County to Antonio Manchaca
for one League and Labor of Land which was conveyed
to Samuel A Maverick on the 9th day of June 1843
as appears from the administrators deed James H Glaire
of that date and also that he be quieted in his
title to the Land patented upon said Certificate
known as Pattent No 346 being Survey No 233 in
Section No 13 on the Las Moras Creek about 21 Miles above
its Junction with the Rio Grande and about 118 Miles
west from the City of San Antonio the field notes
whereof are fully set forth and described in said pat
ent No 346 which recites said certificate No 365 and
which pattent is dated on the 9th day of April A D 1852
And also pattent No 347 to Edwin Alexander assignee of
Antonio Manchaca for 13 Labors of Land situated
in Bexar District Kinney County known as Survey No
227 in Section No 13 on the Las Moras Creek about 15 Miles
above its Junction on the Rio Grande 121 Miles west
of the City of San Antonio. by virtue of said certificate

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No 265 the Field notes whereof are particularly set forth in said patent which is dated the 9th day of april 1852, And it is further ordered adjudged and decreed by the Court that the title of the said defendant in and to the following described certificate be quieted viz the headright certificate of Guadaloupe Guerrara for one League and Labor of Land No 322 issued by the board of Land Commissioners of Bexar County and also that he be quieted in his title to the land located by virtue of said Certificate and which has been surveyed and patented or which may hereafter be Surveyed and patented

And it is further ordered adjudged and decreed here that the said Defendant be forever quieted in his title to certificate No 340 for one league and Labor of Land issued to Canuto Diaz by the board of Land Commissioners of Bexar County. And also that he be quieted in his title to the Land located and Surveyed thereby viz Surveys No 71 and 70 as follows being Field Notes of Surveys 7,789,375 Square Varas of Land made for Jno. Sanuel D & Maverick Assignee of Canuto Diaz it being part of the land to which he is entitled by virtue of said Certificate No 340 aforesaid being Survey 71 in section 3 up Kinney County on the East Bank of the Rio Grande 6 miles from the mouth of the Las Moras Creek and 131 Miles West of San Antonio the field notes whereof are fully described in the Return of the District Surveyor to the General Land Office and Survey No 44 for 18 labors 210,265 Square Square varas made for Canuto Diaz by virtue of said Certificate said Survey is No 44 Situated in Bexar County on San Antonio River about 30

miles below the City of San Antonio the field notes whereof are fully described in the Copy from the Genera[l] Land office

And it is further ordered adjudged and decreed that the said defendant be quieted in his title to Certificate No 323 issued by the board of Commissioners of Bexar County for one third of a League of Land being Survey No 234 on Section No 18 situated in Kinney County on the Las Moras Creek about 19 Miles above its Junction with the Rio Grande and about 120 Miles West from the City of San Antonio the field notes whereof are fully described in the Copy from the Genera[l] Land office

And it is further ordered adjudged and decreed that this Decree operate as a confirmation of the ~~Decree~~ Sales by the administrator of said John McClain administrator of Edwin A Alexander Deceased and is decreed that the title of said plaintiffs is divested by the deeds of said administrator to said Maverick and by his being in possession of said Certificates

And it is further ordered adjudged and decreed that the said plaintiffs be perpetually enjoined from setting up or asserting title to the said certificates and all the Land appropriated or to be appropriated under them

And it is further ordered adjudged and decreed that the Defendant recover of the plaintiffs all their Costs in and about this Suit expended The Plaintiffs give notice of appeal and it is agreed that they may appeal without bond.

R J Townes Special Judge &c

1064 William Gannon Plff
v
Mary Gannon Deft } Decree

And now on this day came the parties to the above entitled cause by their attorneys and announce themselves ready for trial whereupon came a jury to wit C J Calhoun and eleven others twelve good and lawful men of Bexar County who after hearing the allegations & evidence of the respective parties and argument of Counsel retired under the charge of the Court to consider of their verdict and after due deliberation returned into Court the following to wit

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"We the Jury believe that all the allegations
" contained in the original and amended
" petition are true as proved by the testimony
" except the allegation which States that She
" appeared in a State of Nudity in the City
" of Austin, in relation to which there was
" no evidence produced
" (Signed) E. A. Calhoun Foreman"

And it appearing to the Court that the original and Amended petition contained Sufficient substantive allegations independent of the allegation, that the said defendant appeared in a State of Nudity in the Streets of Austin to entitle the said plaintiff to a Divorce & Proven and it appearing to the Court by the finding of the Jury that said allegations were true, It is therefore ordered adjudged and decreed by the Court that the bonds of matrimony heretofore existing between said William Gannon and Mary Gannon be forever dissolved that the said William Gannon be forever absolved from all obligations whatever to the said Mary Gannon created by the marriage of the said William to the said Mary and that the said William is hereby forever dissolved a vinculo Matrimonii from the said Mary

And it further appearing to the Court from the finding of the Jury that the said William Gannon have an infant Child named Mary Ann Gannon now in the custody of the said Defendant Mary and that the said Mary is not a Suitable person to nay and educate said Infant child

It is therefore ordered adjudged and decreed by the Court that the said William Gannon have the exclusive care custody, maintenance and education of said Infant Child Mary Ann Gannon, It is further ordered by Court that said Defendant Mary Gannon recover of the plaintiff William Gannon and the Security on his Cost Bond to wit S G Sneed all the Costs in and about this Suit expended for which execution may issue

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Pleyant D Alexander
& Margaret Alexander
his wife Douglass
Humphill & Elizabeth
Humphills his wife
Anita W Alexander &
Edwin Burns Alexander
as heirs of Edwin Alexander
Deceased

Pltffs

vs.

Decree

1038

Thos J Devine
Francis Grand

Deft
Intervenor

Deft
Intervenor

And now on this day come the parties by their attorneys and it is agreed of Record here that owing to the interest of Thos J Devine the Presiding Judge of Bexar the venue was regularly changed to Hays County and by Consent it was changed to Travis County and now the Presiding Judge Thomas H Duval being of Counsel in the Cause the Parties agree to try this cause before the Honorable Robert S Townes as Special Judge and Now by agreement the parties substituted a Copy of the Petition and the Defendant Devine filed his answer & Cross Suit and the said Francis Grand filed his plea of intervention, and neither party requiring a Jury the cause was submitted to the Court upon the pleadings Answer and Plea in reconvention and also upon the evidence adduced by the Parties and the premises being seen and by the Court fully understood, it is therefore considered ordered adjudged and decreed by the Court here that the plaintiffs take nothing by their said Suit and as to them that the defendants go hence without day, And upon the Cross Bill it is further ordered adjudged and decreed that the said Thos J Devine be forever quieted in his title to the headright certificate of said Edwin Alexander for 1280 acres of Land and that he also be quieted in his title to the Land located surveyed and patented or which hereafter may be patented by virtue of said certificate described as follows Viz No 149 Situated on the San Antonio River Bexar County about 8 Miles North west of the City of San Antonio

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Beginning at a Stake set for the South Corner of Survey N°89 from which a Musquite seven inches in diameter bears N 41° E 63 vrs a blackberry 6 in in dia brs S 80° E 200 vrs thence at 78° West 1146 vrs to a Stake and mound, thence South 41° 30" West 29 all Varas to a Stake and mound to the South Corner of Survey No 193 thence S 29° E 1715 vrs to a Stake from which a Post oak 6 in in dia brs S 16° E 61 vrs a Post oak 6 in in dia brs N 67° E 50 vrs thence South 65° 30' West 1400 varas to a Stake from which a live oak 20 in in dia brs N 19° W 21 19/20 vrs a musquite 15 inches in diameter bears N 89° E 14 20/25 vrs thence 24° 111" E 822 vrs to a Stone mound 63° 30" E 216 2 vrs to a Stake and mound on line of Survey N° 48, thence North 54° 30' E 22,38 varas to the place of beginning.

And this Decree shall operate as a confirmation of the Sale of said Certificate by James McClain as administrator of Elyon Alexander under and by authority of the Probate Court of Bexar County as set up in the Deed of said McClain to said Devine of the 6th June A D 1843 which deed is also confirmed and it is ordered adjudged and decreed that said Deed divested the title of the Defendants to said certificate and said Land

And it is further ordered adjudged and decreed that the said Plaintiffs be perpetually enjoined from setting up claim to or asserting title to said Land

And because the said Thomas J Devine on the 26th day of June A D 1854 conveyed an undivided half of said Land to the said Francis Giraud, It is therefore ordered adjudged and decreed that this Decree enure to the benefit of said Giraud

It is further ordered adjudged and decreed that the said Devine and Giraud recover of the said Plaintiffs all their Costs in and about this Suit laid out and expended for which execution may issue

And the Plaintiffs gave notice of an Appeal and it is agreed that they may Appeal without appeal bond,

Monday, Spring Term July 28th 1854

And thereupon it is ordered by the Court that Court do now adjourn until Monday morning July 28th at 8 Oclock

Monday July 28th 1854, Court met pursuant to adjournment present the Same as on Thursday Whereupon the following Proceedings were had by said Court to wit.

51 Reuben D Wood / Plff / Decree
J Joseph W Robertson & Deft &

And now on this day come the parties by their attorneys and the opinion and mandate of the Supreme Court being considered the plaintiff Says that he will not further prosecute this Case but elects to dismiss the Same and the Same being dismissed, Wherefore it is considered by the Court that the Plaintiff take nothing by his Suit and that the Defendant recover of the Plaintiff all his Costs in this Suit laid out & expended for which Execution may issue,

And it is further ordered adjudged and decreed that the Defendant as administrator of Geo W Dolson be quieted in his possession of the said Lot No 2 in Block 62 upon Congress Avenue and that said possession inure to the benefit of the heirs of said George W Dolson

Nichols & Cook / Plffs
✓ 877 I T Cleveland & Defts / Motion

And now on this day come the parties to this cause by their respective Attorneys And the motion to dismiss Duit being Submitted to the Court the Court ordered that said Motion be overruled,

W W Burdett / Plff
✓ 850 W P Butler & Deft / Motion

And now come the parties to this cause by Attorneys and the Motion to dismiss being Submitted to the Court, the Court ordered that said Motion be overruled,

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898 W B Lilly Pltff / Order
G W Boggess & Dfts &

And now come the parties by attorneys and the Motion to dissolve Injunction being Submitted to Court, the Court ordered that Said Motion be overuled and the Injunction be Perpetuated Whereupon the Defendant gives Notice of Appeal in open Court,

851 A J Buxton Pltff / Motion
v
D B Oldham & Dfts &

And now come the parties by attorneys, and the Motion for new trial being argued and Submitted to the Court, the Court ordered that Said Motion be overruled, and thereupon the Plaintiff gives Notice of Appeal to the Supreme Court

814 Erastus F Jennings Pltfs /
& Charles F Henderson /
v Motion
Sherman Case & Dft &

And now come the parties by attorneys and the Motion for New trial being argued and Submitted to Court the Court ordered that said Motion be overruled, and thereupon Defendant gives notice of an appeal in open Court,

781 Enos S Look Pltff / Motion
v
J M W Hall & Dft &

And now come the parties by Attorneys and the Motion to set aside the Judgment rendered in this cause at a Former day of the present Term of this Court, being argued and Submitted to the Court, Court ordered that Said Motion be overruled

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Theodore Stadler Ex Parte

And now on this day come Theodore Stadler a native of Saxony presented his petition praying to be admitted to become a Citizen of the United States and he having declared on oath here in open Court that it was bonafide his intention to become a Citizen of the United States, and to renounce forever all allegiance and fidelity to every Foreign Prince Potentate State or Sovereignty whatsoever and particularly to the King of Saxony of whom he was at that time a Subject, and the said Theodore Stadtler having on his Solemn oath declared and also Made Proof thereof by competent testimony of D M Stark and Frank Gildart citizens of the United States that he had resided within the United States of America Next Preceding his arriving at the age of twenty one years and Continued to reside therein at the time of Making his said application. that including the three years of his minority he had resided within the limits and under the Jurisdiction of the United States five years and Upwards, and that during the three years Next Preceding it had been bonafide his intention to become a citizen of the United States, and it appearing to the Satisfaction of the Court that during the said Period of five years he had behaved as a Person of good Moral Character, attached to the Principles and Constitution of the United States and well disposed to the good order and happiness of the Same and the said Petitioner having declared on his Solemn oath before this Court, that he will support the Constitution of the United States and that he absolutely and entirely renounces & abjures all allegiance and fidelity to every Foreign Prince Potentate State or Sovereignty and particularly to the King of Saxony of whom he was before a Subject.

It is therefore ordered by the Court that the said Theodore Stadtler be and is hereby admitted a Citizen of the United States and that the Clerk of this Court issue to him a certificate accordingly,

Spring Term Monday July 28th 1856

Francis Kelly / Plff / Motion
863 v
Joseph Warren & Defts &

And now on this day Come the parties by attorneys and thereupon the Motion to Change Venue being Submitted to Court said Motion was refused,

W D Ezell / Plff / Motion
1118 v
J McKean & Defts &

And now come the parties by attorneys and thereupon the Motion to Dismiss Certiorari being Submitted to the Court, the Court ordered that said Certiorari be dismissed at the Cost of Plaintiff & below, Therefore it is ordered that the Defendant J McKean recover of the Plaintiff W D Ezell the Cost of Suit in this behalf for all which execution may issue, And thereupon the plff gave notice of an appeal to the Supreme Court.

Lowery & Cope / Plaintiff / Motion
1088 v
J B Lowe & Defendants &

And now on this day come the parties by attorneys and the Motion to Strike the Cause off the Docket of this Term of the Court being Submitted to the Court, the Court order the same to be granted and that said Cause stand for trial at the Next Term of the Court,

Miller & Wife / Plaintiff / Motion
823 v
Josiah Fisk & Defendant &

And now come the parties by attornies and the Motion for New trial being Submitted to the Court the Court ordered that said Motion be overruled, And thereupon the defendant gives notice of an appeal to the Supreme Court R. J. Towns Special Deputy

Miller & Wife / Plff / Motion
823 v
Josiah Fisk & Defts &

And now on this day come the parties by attorneys and the Motion for Arrest of Judgment being Submitted to Court said Court ordered said Motion to be overruled and the atty gives notice of appeal to the Supreme Court

R. J. Towns Special Deputy

Spring Term Tuesday July 29th 1856

And thereupon it is ordered that Court adjourn until Tomorrow morning at 8 Oclock

Tuesday Morning July 29th 1856, Court Met Pursuant to adjournment present as the same as on yesterday whereupon the following Proceedings were had by said Court as follows to wit:

179 W C Hamilton Plff
vs
Wm G Bradford etal Defts Judgment

And Now on this day come the Parties to this cause by their Attorneys and announce themselves ready for trial, thereupon came a Jury, of twelve good and lawful men of Pulaski County, to wit D J Adams and eleven others who being Elected and Sworne heard the evidence adduced by the Parties, Arguments of Counsel & Charges of Court and having retired returned into Court the following Verdict to wit "We the Jury find for the Defendants this 28th July 1856

D J Adams foreman"

Whereupon it is ordered by the Court that the Defendants go hence without day, that the Plaintiff take nothing by his suit and that the Defendant recover of the Plaintiff W C Hamilton all the Cost of this suit for which Execution may issue,

106 Martin Moore Plff
vs
Wm G Bowles etal Defts Order

It is ordered by Court that this Cause be continued,

257 James C Stephenson & wife etal Plff
vs
James Craft Jr Admr etal Defts Order

By consent it is ordered that this cause be continued until the next Term of this Court

315 Nathaniel Amory etals Plff
vs
L C Cunningham etals Defts Order

It is ordered by Court that this Cause be continued until the next Term

Spring Term Tuesday July 29th 1856

316 John L Grumbles / Plff / Court
Gideon Wace et al / Deft /

By consent it is ordered by the Court that this cause be continued until the next Term of this Court

German Emigration Company for use &c / Plff / Contd
401 Stephen Crosby Comr / Deft /

It appearing to the Court that the rule for Costs entered in this cause at a former day of the present Term of this Court has not been complied with, It is ordered by the Court that this cause be continued under the rule,

Nathaniel Townsend / Plff / Cont'd
444 Wolman & DeFrate / Deft /

It is ordered by Court that this cause be continued until the next Term as upon affidavit of Defendant's

D & G Blakey Surviving Partners &c / Plff / Order
654 F S Key / Deft /

And now come the parties by Attorneys and thereupon it is ordered by Court that this cause be continued as upon application of plaintiff at his costs,

2 J Nichols & A S Cook / Plff / Order
877 J J Cleveland / Deft /

It is ordered that leave be given to Defendant to file amended answer,

Spring Term Tuesday July 29/5

709 Johnson & Keithley Plff
Wade A Morris & Dft } Judgment

And Now on this day come the parties by attorneys and announce themselves ready for trial, thereupon come a jury of twelve good and lawful men of Travis County to wit Wm Cunard and eleven others who being duly elected impannelled and sworn, heard the evidence adduced by the parties the arguments of Counsel and charges of Court and retired to consider of their verdict, and thereupon returned into Court the following, "We the Jurors find for the plaintiffs the Sum of Thirty five Dollars Wm Cunard Foreman"

Whereupon it is ordered adjudged and decreed by the Court that the Plaintiffs J W Johnson and J W Keithley under their firm Name of Johnson & Keithley recover of the Defendant Wade A Morris said Sum of Thirty Five Dollars and all costs of suit in this behalf expended for which execution may issue.

870 J A Burdett Plff
J W Keithley & Dft } Leave to amend

It is ordered by Court that leave be given to Plaintiff to file amended petition

892 D V Laro Plff
v } Continued
Mary Laro & Dft

It is ordered by the Court that this cause be continued under operation of Law

961 A R Carrington & Co Plff
v } Judgment
John Sinner & Dft

And Now on this day come the parties by attorneys and announce themselves ready for trial and waiving a jury submit the Cause to the judgment of the Court and thereupon the Defendant withdraws his plea heretofore

Spring Term Tuesday July 29th 1856

filed, And it appearing to the Court that the cause of action is liquidated,

It is therefore ordered adjudged and decreed by the court that the plaintiffs recover of the Defendant John H Conner the Sum of One hundred and thirty eight Dollars and Seventy five Cents being the amount of principal and interest due on said Note with interest on said Amount at the rate of ten Per Cent from date until paid together with cost of Suit in this behalf for all which Execution may issue,

963 L D Carrington & Co Plff
v
John H Conner Deft } Judgment

And now come the parties to this cause by attorney and announce themselves ready for trial and waiving a Jury submit the cause to the Judgment of the Court and thereupon the Defendant withdraws his plea heretofore filed and it appearing that the cause of action is liquidated and that there exists nothing in bar of Plaintiffs demand,

It is therefore ordered adjudged and decreed by the Court that the Plaintiffs recover of the Defendant John H Conner the Sum of One hundred and thirty Nine 22/100 Dollars being the amount of principal and interest due on said note, with interest on said amount at the rate of ten Per Cent from date until paid together with all costs in this behalf expended for all which execution may issue

1001 John B Neadspeth Plff
v
A N Hopkins Deft } Judgment

And now come the parties to this cause by attorneys and announcing themselves ready for trial, thereupon came a Jury of twelve good and lawful men of Travis County to wit D J Adams & Eleven others others who being duly elected empannelled and Sworn well and the plaintiff abatement being overruled by the Court

and Couty to try the Issue in controversy, heard the evidence addriced by the Parties the Arguments of Counsel and charges of Court rdered to consider of their verdict and returned into Court the following "We the Jury find for the Plaintiff and State that the amount due on both notes together with the respective interest on each amounts to the Sum of Two Hundred and Eighty Six Dollars & Ninety Nine cents D F Adams Foreman

It is therefore ordered by the Court that the Plaintiff recover of the Defendant the said Sum of Two Hundred and Eighty two Dollars and Ninety Nine Cents together with all costs in and about this Suit expended for all which Execution may issue,

1017 A H Lowery / Plff / Judgt Set aside
G Kirchberg & Deft &

On Motion it is ordered by the Court that the Judgment heretofore entered in this cause be set aside and this cause dismissed at the cost of the Plaintiff, wherefore this ordered that Defendant go hence and recover of the Plaintiff A H Lowery the Cost of Suit in this behalf for which execution may issue,

1067 Henry Foez / Plff / order
L Freeman & Deft &

It is ordered by the Court that this cause be continued as upon affidavit of Plaintiff,

1085 L D Carrington & Co / Plff / order
A J Hamilton & Deft &

And now on this day come the Parties by attorneys and announce themselves ready for trial and waiving a Jury submit the cause to the Judgment of the Court and it appearing to the Court that the cause of action is liquidated, it is therefore ordered adjudged and decreed by the Court that the Plaintiff recover of the defendant the Sum of Six

Spring Term Tuesday July 29th 1851

Hundred and twenty three Dollars and thirty Eight cents being the Amount of Principal and interest due on said note with interest on said Amount at the rate of ten per cent per Annum from date until Paid together with all cost of Suit for which Execution may issue

And thereupon Court adjourned until to morrow Morning at Eight O'clock

Wednesday Morning, July 30th 1851.

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

X

Patrick O'Gorman, Ex Parte.

And the said Patrick O'Gorman having filed here in open Court his petition praying to be admitted to become a Citizen of the United States, and the Court being satisfied by the oaths of A. Henricks and John Hoban citizens of the United States, that the said Patrick O'Gorman was known to them for the last five years as residing within the limits and under the Jurisdiction of the United States and within one year in the State of Texas that during that time he has behaved as a man of good moral character attached to the principles of the constitution of the United States and well disposed to the good order and happiness of the same and being also satisfied that the said Patrick O'Gorman has made his declaration to become a citizen of the United States in the District Court of the County of Travis State of Texas two years previous to the filing his said petition "according to the act of Congress in such case made and provided And the said Patrick O'Gorman having in open Court taken the oath prescribed by Law to support the constitution of the United States and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince Potentate State or Sovereignty and particularly to the Queen of England of whom he was before a Subject

Spring Term Wednesday July 30th 1856

It is therefore ordered adjudged and decreed by the Court that the said Patrick O Gorman be and is hereby admitted a Citizen of the United States and that the clerk of this Court issue to him a Certificate accordingly.

1053 Leander Brown / Plff / Judgment
v
Payne & Walton / Deft /

And now on this day come the parties to this Cause by attorneys and waiving a Jury Submit the Cause to the Judgment of the Court, and it appearing to the Court that there exists nothing in bar of the plaintiffs demand, and that the Cause of action is liquidated as shown by an instrument of writing called a Note of hand, It is therefore ordered adjudged and decreed by the Court that the plaintiff Leander Brown recover of the Defendants Wm H Payne and George L Walton the Sum of One hundred and five 13/100 Dollars the same being the Amount of Principal and interest due on said note, with legal interest from date until paid on said Note together with all Costs of Suit for all which Execution may issue,

1898 Lilly & Bo / Plff / Motion
v
Boggess & Pick / Defendant /

And now on this day come the parties by attorney and the Motion for a New trial being submitted to the Court, the Court ordered that said Motion be overruled,

1741 Irwin & Cole / Plaintiff / Continued
v
A & F Forehand / Defendants /

By consent this cause is continued until the Next Term of this Court

1758 H Pelham / Plff / Cont'd
v
C & Walton et al / Defts /

It is ordered by Court, that this cause be continued

Spring Term Wednesday July 30th 1856

771	A A Cook	Plff		
	v		Cont'd	
↓	John T Price	Deft		

It is ordered by Court that this cause be continued until the next Term as upon affidavit of plaintiff

	John Cook	Plff		
↓ 812	v		Cont'd	
	Oldham & Marshall	Defts		

By consent this cause is continued until the next Term of this Court,

	J C Flanikin	Plff		
↓ 829	v		Cont'd	
	Daniel McKenzie	Defts		

	Lewis W Burdett	Plff		
↓ 857	v		Cont'd	
	Wm Buttery	Defts		

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

	J J Nichols et al	Plff		
↓ 879	v		Order	
	J J Cleveland	Defts		

Ordered by Court that leave be given to plaintiff to file Amended Petition and Replication to Defendants answer,

	The State of Texas	Plff		
↓ 481	v		Judgment	
	Augustus Corse	Defts		

And now on this day come the parties to the forgoing cause the Plaintiff by the District Attorney and the Defendant by attorney and also in Proper Person, and thereupon the Defendant being arraigned withdraws his plea of not guilty and pleads guilty to the Indictment and the allegations therein contained whereupon came a Jury of twelve good and lawful men of Travis County to wit D J Adams and

Spring Term Wednesday July 30th 1851

down others who being duly Sworn and charged by the Court retired to consider of their Verdict and returned into Court the Following verdict to wit, "We the Jury fix the Term of Confinement in the Penitentiary for the Term of one year, D D Adams Foreman"

It is therefore ordered adjudged and decreed by the Court that said Defendant Augustus Corse be confined to hard labor in the State Penitentiary for the Term of one Year from this date and that the State of Texas do have and recover of and from the said Defendant Augustus Corse all of her Cost in this behalf and that Execution issue, therefor, and it is further ordered adjudged and decreed that the Clerk of this Court make out and certify according to Law, a Transcript of all the Record in this case and that the Sheriff of Travis County forthwith convey said Defendant to said Penitentiary of the State of Texas.

And thereupon it is ordered that Court adjourn until tomorrow Morning at 8 O Clock

Thursday Morning July 31st 1851

Court met pursuant to adjournment present the same as on yesterday whereupon the following proceedings were had by said Court in the words and figures following to wit:

Morgan C Hamilton	Plaintiff	
vs		
William Bradford & Jos A Gatlin Thos C Standley & Holland Stapley his wife, Alfred Gatlin, Thos J Mayfield and Susan M Mayfield his wife Thos Matthews & Louisa Matthews his wife, heirs at Law of William Gatlin Deceased	Defendants & Intervenors	Judgment

And now on this day came the respective parties by their attorneys and this cause came on to be heard and thereupon came a Jury to wit, ~~We the Jury find for the Defendant this 28th day of July 1851~~, D J Adams Foreman

and eleven others who being duly empannelled
Sworn and Charged, Hearing Heard the evidence
the argument of Counsel and the charge of
the Court, retired to consider of their verdict
and after due deliberation thereon Have returned
into Court the following verdict to wit
We the Jury find for the Defendant July 28/36
Adams foreman
Whereupon it appearing to the Court here from the pleadings
in the Cause Here and the Verdict of the Jury
aforesaid that the said intervenors are the legal
Heirs of the said William Gallin Deceased, that
on the 21st July 1820 There was Issued to said
William Gallin by the Secretary of War Bounty Land
Warrant No 9575 for 1920 acres of Land &c. called in
said Plea of intervention, that the same was placed
in the hands of William A Force then the Deputy Surveyor
of the Miland Land District to be by him located
and Surveyed for the said Heirs of William Gallin
Deceased, that said Land was located by said Deputy
Surveyor upon the land Claimed by Plaintiff
in this Suit and Surveyed the same, but before
making any return of said Survey the said William
A Force departed this life, and it further appearing
as aforesaid that after the death of said Force the said
certificate was placed in the hands of Matthias Welburger
the Deputy Surveyor of said Miland Land District &
Successor of said William A Force, who again Surveyed
said Land in Controversy under by virtue of said
Said Certificate in the year 1841, and it further
appearing to the Court that said Heirs of Wm Gallin
have from and thenceforth Continued to claim said
land by virtue of said location and Survey
And it further appearing to the Court as aforesaid that
said Plaintiff Morgan C Hamilton at the time
of making said location on said Land was full
Knowledge of the prior location and Survey thereof
by said Heirs of William Gallin Deceased, It is
therefore ordered by the Court that said William
Bradford and said Defendant in this Cause
go hence without day fully acquitted and
discharged, of this action, It is further
ordered adjudged and decreed by the Court
that said location and Survey made for

the said Heirs of William Gaston Deceased be and the same is hereby declared to be and is a valid location and Survey and is still a valid and subsisting location and Survey and constitutes an appropriation of said Land and that said Heirs are entitled to apatent thereon for the same and that said location patent and Survey of said Plaintiff were and are null and void and of no effect, It is further ordered adjudged & decreed that said intervenors as Heirs of said William Gaston do have and recover the said Land in controversy and that they and the said Defendant Brayford recover of said Plaintiff Morgan C Hamilton all their Costs &c for which execution may issue,

The State of Texas } Plff
Grey Clements & Deft } Recognizance

548

And now on this day came and appeared in open Court Grey Clements as Principal and Augustus Fore and Sol S Payne as Securities and acknowledged themselves severally & Each 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 and tenements but to be void on condition that the said Grey Clements be and remain in attendance upon the District Court of Travis County from Term to Term and from day to day of each Term thereafter to answer the Indictment preferred against him by the Grand Jurors of said County at the Spring Term 1853 of the District Court of said County for Exhibiting Monies and that he do not depart the Court without leave,

549

The State of Texas } Plff
Grey Clements & Deft } Recognizance

And now on this day appeared in open Court Grey Clements as Principal and Augustus Fore and Sol S Payne as Securities and acknowledged themselves severally 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 and tenements but to be void

Spring Term Friday Aug 1st 1856

upon condition that the said Grey Clements be and
remain in attendance upon the District Court of
Travis County now in Session and from day to day &
from term to term thereafter to answer the
Indictment preferred against him by the Grand
Juror of said County at the Spring Term 1855 of
the District Court of said County for "Forging" and
that he do not depart the Court without leave.

X

And Court adjourned until tomorrow Morning
at 8 Oclock.

Friday Morning Aug 1st 1856

Court met pursuant to adjournment present the
same as on yesterday, whereupon the following
proceedings were had by said Court to wit:

555 John Sneed, Plff / Judgment
vs
Marion Houston & Left &
Thomas F McKinney
Albert G Houston
John A Swisher and
James C Raymond

And now on this day came the
parties by their attorneys and the Arbitrators Robert
S Townes and George W Paschal the arbitrators mutually
chosen by the parties in this cause heretofore
returned into Court here their award, in words
and figures following

John Sneed
v 555 / Trespass to try title
Marion A Houston &

Thos F McKinney
v 595 / Forcible entry & detainer
John Sneed

John Sneed
v 503 / Injunction
Thos F McKinney

We the undersigned Robert
S Townes & Geo W Paschal the arbitrators selected
by the parties interested in this controversy
having heard the evidence the arguments of Counsel

do award as follows

1st That the Black Line described in the Field Notes and plots reported by Robert Craighead the Surveyor appointed by the arbitrators commencing at the Cotton wood corner upon the West Bank of Colorado River and terminating at the Stone Mound Marked D in the Prairie is the true Partition line run and marked by Morgan as the Partition line between Albert C Horton Thomas J. McKinney and Nathaniel Ware[illegible] and the deeds and Deeds called for upon said line as the Survey of Craighead are the objects proven by the Witness Henderson Upchurch to have been marked upon said line,

2nd That the Corner called for in the Deeds from Horton to Fusher and Raymond and from Fusher and Raymond to Freed and established by the aforesaid Friend upon this line, and the same calls were inserted the title Bond from Albert C Horton to said Friend and the Conveyance from Horton to Fusher and Raymond, was only a fulfillment of Hortons Covenant to convey according to the Calls in the Bond and Consequently the Deed dates back to the date of the Bond for the purpose of all the Covenants of warranty,

3rd That the Covenant of warranty by Fusher & Raymond to Freed was a guaranty to Sell all the ~~[illegible]~~ improvements and appurtenances upon the Land,

4th That Francks Commenced his improvements over the line under the purchase from McKinney under a mistake as to where the true line was, and continued to improve until shown the line by Friend that he continued with Friends permission to remove his improvements. But the conventional line agreed upon by Miller Brown & McKinney was an agreement founded in a mistake and the result of a want of diligence on each party, that Fusher & Raymond purchased without a Knowledge of this Conventional line but gave Francks assurance that he should not be molested on his improvements; that this assurance was acted upon by said Francks so far as to build a New Chimney and to continue to occupy the Land that the Sale by Raymond & Fusher was without Notice of any Conventional line, but with a Knowledge on Freeds part that said Francks was over the line and that there was a disposition to favor Franks and consequently the value of these improvements did not enter into the Consideration paid for the Land by Freed

Wherefore in Equity the vendee of Francks may be removed

Such of the improvements as ought be removed without injury to the freeholder, In the opinion of the arbitrators there is no obligation upon the parties at present interested to continue this conventional line which was founded on mistake and only partially acted upon They therefore award, 1st That Sneed recover to the black line run by Crenshaw and that his plot be recorded as a part of this award,

1st That the improvements are ~~[illegible]~~ of the value of Five Hundred Dollars and of the houses & fences were removed they would still have added to the land the value of Eighty Five Dollars, wherefore Sneed shall retain the improvements and the present years rent and pay to Thos F. McKinney One hundred Dollars, And the said Swisher & Raymond shall pay to the said Thos F McKinney One Hundred and Sixty Six and 66 2/3 / 100 Dollars and said McKinney shall loose the remainder of the Five Hundred Dollars

2nd This should have been a Suit to establish all the boundaries in which all the proprietors upon the line interested should have been cited, the equitable adjustments of the Cost is therefore difficult

As to the forcibly Entry and Detainer, & Injunction we award that each party pay his own Cost and the Clerk will Tax them accordingly

3rd Sneed has the right to recover all his costs in the District Court up to the Judgment rendered in favor of Sneed v Houston

3rd Sneed is to pay the Costs in the Supreme Court

~~4th The Cost in and about the arbitration to be~~

4th And as to the Cost of this arbitration it is awarded that said Sneed pay one fourth of the Costs And the said McKinney one fourth of the Costs And the said Swisher & Raymond one fourth of the Costs and the said Horton one fourth of the Costs And the Clerk will Tax the Costs under the direction of the Court as to Amounts

Given under our hands and Seals this 19th day of July 1851

R. H. Graves [Seal]
Geo W Paschal [Seal]

And neither party excepting to said award, Therefore it is ordered by the Court that said Award be made in all respects the Judgment of the Court touching the Matters therein, It is further ordered that the clerk proceed to tax the costs in accordance with said award and that he include the cost of the Surveyor and the arbitrators and report the Taxation to the next Term of this Court

July Ft 66 2/3

For Plat see Surveyors Report see pages 316, 317, 318, & 319.

Spring Term Friday Aug 1st 1856

Chandler & McFarland } Plff
v. } Judgment
Augustus Fore } Defr }

✓ No 738

On this case came the Parties by Attorneys and announced themselves ready for trial thereupon came a Jury of twelve good and lawful Men of Travis County to wit J.W. Kuckley and Eleven others who being duly empannelled and Sworn as the Law directs, after hearing the evidence introduced by the parties Plaintiff and Defendant, the arguments of Counsel, being charged by the Court retired to consider of their verdict and returned into Court the following. We the Jury find for the Plaintiff One hundred and fifty Dollars, J. W. Kuckley foreman

It is therefore ordered adjudged and decreed by the Court that the Plaintiffs Fred H Chandler and Isaac B McFarland, under the firm and Style of Chandler & McFarland do have and recover of and from the Defendant Augustus Fore the Sum of One Hundred and fifty Dollars with legal interest thereon from this date until paid with all Cost of Suit for which execution may issue,

679 M C Hamilton } Plaintiffs } Order
v.
Wm Bradford, et als. } Defendants }

And now come the parties by attorney, and thereupon It is ordered by the Court that the Judgment entered up on the 29th July on page 253 be set aside and held for naught, and the one entered up on page 261, July 30th be substituted therefor as the Judgment and decree of this Court in the foregoing entitled cause of M C Hamilton v Wm Bradford et als

879 Paul A Burdett } Plaintiff } Continuance
v.
S. W Kuckley } Defendant } &

It is ordered by the Court that this cause be Continued as upon Consent of parties

876 Francis Kelley } Plaintiff } Change of Venue Order
v.
Joseph Warren } Defendant }

And now on this day Come the parties to this Cause by their attorneys and the Court proceeding

Spring Term Friday August 1st 1856

to consider the motion filed by the Defendant for a change of Venue Doth ordr that Said Motion be Sustained And thereupon It is ordered by the Court that the Clerk of this Court certify to the District Court of County a complete transcript of the proceedings and entries and all of the original papers in the above entitled cause on or before the first day of the next term of said Court, as prescribed by Law

1881 Henry P. Hill } Plaintiff } Continuance
A. D. Hamilton et al } Defendants }

1882 Henry P. Hill } Plaintiff } Continuance
John J. Trimble et al } Defendants }

Last two proceeding It is ordered by the Court that the Causes be continued as upon consent of parties

1055 M. A. Wade } Plaintiff } Order to Amend.
J. A. Hutchins } Defendants }

This ordered by the Court that the plaintiff in this cause have leave to file an amended petition

And thereupon It is ordered by the Court that Court do now adjourn until Saturday August 2nd 1856

Saturday Morning August 2nd 1856.

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

863 Francis Kelley } Plaintiff } Certiorari
Joseph Warren } Defendant }

And now on this day comes the defendant by his attorneys and files an affidavit for a continuance of this cause. And the Court upon a consideration of the same doth ordr that said continuance be refused. And thereupon the exceptions of plaintiff to the application of intervention by Thomas J Chambers are sustained by the Court. And thereupon the parties having announced themselves ready for trial there came a Jury of twelve good and lawful men of Travis county, to wit: S. W. Keithley and eleven others.

who being duly elected, empannelled, sworn and charged. heard the evidence, argument of counsel and retired to consider of their verdict. And thereupon the said Jury returned into Court the following verdict, to wit: "We, the Jury, find the defendant guilty of the alleged forcible entry and detainer. S. W. Keithley, Foreman."

Whereupon, It is ordered, adjudged and decreed by the Court that the said defendant be ousted of the premises discribed in plaintiffs petition and that a writ of restitution issue to the Sheriff of Travis county commanding him to place the said plaintiff, Francis Kelley in possession thereof, the said premises being as follows, to wit: "Eight and one-third labors of land granted to Thomas Mays assignee of Daniel J. Gilbert, beginning at the South west corner of Survey No. 7 made for J. B. Spear, a stake on the bank of the river from which a hackberry marked X bears North 73° West 6 varas, and a round hole in the mountain cliff, on the west side of the Colorado river, sixty feet perpendicular, above the river, bears South 64° West; thence North 30 East with the line of J. W. Spear's survey seven thousand two hundred and twenty three varas, to a stone corner, from which a burr oak marked X bears South 40° E. 10 varas, and a Live oak marked X bears North 38 W. 5 varas; thence North 60° W. 1299 vs. to a mesquite stake from which a live oak marked X bears S. 30° W. 13 vs., and another marked X bears N. 22° W. 22 varas, thence South 3 west 3923 vs. along the foot of the mountains to the S. W. corner of said survey on the river a cypress 20 inches in diameter marked X standing in the centre of a large Spring; thence South 70° West thirty six hundred varas, with the meanders of the river to the place of beginning."

It is further ordered, adjudged and decreed by the Court that the plaintiff recover of the defendant, Joseph Warren and the securities on his replevin bond to wit: T. J. Chambers, Fred. Taffar & David Thomas all costs of this suit in this Court expended, and of the Court below, for which execution may issue

And thereupon It is ordered by the Court that Court do now adjourn until Monday, August 4th 1856, at eight o'clock A. M.

Spring Term, Monday, August 4th 1856.

Monday Morning, August 4. 1856

Court met at eight o'clock pursuant to adjournment present as on Saturday. Whereupon the said Court had the following proceedings, to wit.

And thereupon It is ordered by the Court that Court do now adjourn until Tuesday Morning, August 5th 1856

Tuesday Morning, August 5th 1856

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

John A. Green	}	Plaintiff	}
1052. v.			Decree
John B. Banks, et. al.	}	Defendants	}

This day coming on for hearing this cause upon the petition and answer of the parties, on motion to dissolve the Injunction heretofore granted, and the parties by their attorneys having announced themselves ready for trial upon said motion, Thereupon the Court having heard the argument of counsel and considered of the allegations of the petition and answer, ordered, adjudged and decreed, that the Injunction heretofore granted in this cause be and the same is hereby dissolved as to all things except as to the levy and sale of the negro girl Rina and her child; And it appearing to the satisfaction of the Court that there is no other equity in the plaintiffs' petition the same is dismissed as to all the other allegations therein contained. It is further ordered, adjudged and decreed, that the said defendant John B. Banks, be restrained from proceeding to sell the said negro girl Rina and her child levied upon as alleged in plaintiffs' petition until the decision of the Supreme Court has been rendered in the case of John B. Banks &c. Wesley Smith, defendant and John A. Green, trustee, claimant, taken by appeal to the said Supreme Court by the said John A. Green, and that the plaintiffs' petition in this cause be retained for that purpose alone.

It is further ordered, adjudged and decreed by the Court that the defendant John B. Banks have and recover of the plaintiff John A. Green, and the securities on his Injunction bond, to wit. Robert Green and F. W. Chandler, all the cost of this suit, for which execution may issue.

Spring Term, Tuesday, August 5th 1851.

877 ↓ Nichols & Cook } Plaintiffs } Order
J. T. Cleveland } Defendant }

It is ordered by the Court that the plaintiffs have leave to file a replication to the petition of intervention filed in this cause.

↓ 918 Giles N. Burdett } Plaintiff } Continuance
S. W. Keithley } Defendant }

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

↓ 960 Laura A. C. Marshall } Plaintiff } Continuance
Wiley Marshall } Defendant }

It is ordered by the Court that this cause be continued as upon by operation of law.

1002 ↓ Archibald H. Lowry } Plaintiff } Judgment.
A. H. Cook } Defendant }

And now comes the parties to this cause by their attorneys and announced themselves ready for trial. And thereupon the parties submitted the cause to the Judgment of the Court the defendant having withdrawn his answer heretofore filed. And it appearing to the Court that there exists nothing in bar or preclusion of plaintiffs' demand, and that the cause of action is liquidated, as shown by an instrument in writing called a promisory note, It is ordered, adjudged and decreed by the Court that the plaintiff, Archibald H Lowry have and recover of the defendant, A. H. Cook, the sum of One Hundred and Seventy one 16/100 Dollars, being the amount of principal and interest due on the note sued on to this date, with interest thereon at the rate of ten per cent. per annum from date until paid, together with all costs in and about this suit expended, for which execution may issue.

↓ 1010 George Hancock } Plaintiff } Judgment
E. S. Johnson } Defendant }

And now come the parties to this cause by their attorneys and announced themselves ready for trial, and waiving a Jury submit the cause to the Court. And thereupon upon inspection of the pleadings the Court proceeds to find in favor of the

plaintiff. And thereupon It is ordered, adjudged and decreed by the court that the plaintiff George Hancock have and recover of the defendant, Enoch S. Johnson, the sum of Three hundred and seventy one 7/100 Dollars, being the amount of the principal and interest due on the note sued on this date, with interest thereon at the rate of ten per centum per annum from date until paid, together with all his costs of suit, for which execution may issue

And thereupon It is ordered by the Court that Court do now adjourn until Wednesday Morning, August 6th 1856

Wednesday Morning, August 6th 1856.

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

772 The State of Texas } Plaintiff
John J. Blankenship, et. al } Defendants } Recognizance

And now on this day appeared in open Court Jonathan Rice and Henry J. Warren and acknowledged themselves justly to owe and be indebted unto the State of Texas in the sum of two hundred and fifty dollars, each, to be levied of their goods and chattels, lands and tenements, But to be void upon condition that they be and personally appear at the next term of the District Court of Travis county, to be held at the Courthouse thereof in the City of Austin on the tenth Monday after the first Monday in October 1856, then and there to testify on behalf of the plaintiff in the above cause wherein The State of Texas is plaintiff and John J. Blankenship, John Cummins and Charles D. Haley are defendants, and that they do not depart the Court without leave.

773 The State of Texas } Plaintiff
John J. Blankenship et al } Defendants } Recognizance

And now on this day appeared in open Court Jonathan Rice and Henry J. Warren and acknowledged themselves justly to owe and be indebted unto the State of Texas in the sum of Two Hundred and fifty dollars each, to be levied of their goods and chattels,

lands and tenements, But to be void upon condition that they be and personally appear at the next term of the District Court of Travis County to be held at the Courthouse thereof in the City of Austin on the 4th Monday after the first Monday in October, 1856, then and there to testify on behalf of the plaintiff in the above entitled cause wherein the State of Texas is plaintiff and John J. Blankenship, John Cummins and Charles L. Haley are defendants, and that they do not depart the Court without leave.

And thereupon It is ordered by the Court that Court do now adjourn until Thursday morning August 7th 1856.

Thursday Morning, August 7th 1856.

Court met at eight o'clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had by said Court as follows. Viz:

710 Joseph Warnslow } Plaintiff
M. T. Caperton } Defendant } Judgment.

And now on this day come the parties plaintiff and defendant, and announced themselves ready for trial (the former judgment rendered herein having been set aside and the cause reinstated on the docket) and having waived a jury submitted the matters in controversy to the Court and after hearing the testimony and argument of counsel, it is ordered, adjudged and decreed by the Court that the said plaintiff Joseph Warnslow do have and recover of and from the defendant Milton T. Caperton (the cause having been dismissed as to the party Andrew W. Caperton) the sum of two hundred and seventy one and 80/100 Dollars for his principal debt, and the further sum of thirty six and 23/100 Dollars by way of interest thereon since the 9th day of December one thousand eight hundred and fifty four, together with all costs of suit in this cause, as also in the case No. 924 of the defendant Milton T. Caperton against the said Warnslow for Injunction of the former judgment in this case and for re-hearing of the same, for all which execution may issue.

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

Spring ~~Fall~~ Term, Thursday, Augst 7th 1856.

1890 Frederick W. Chandler } Plaintiff
v.
G. A. Burdett, et al. } Defendants

And now on this day came the parties to this cause by their attorneys and announced themselves ready for trial. And thereupon came a jury of twelve good and lawful men of Travis County, to wit: D. J. Adams and eleven others who being duly elected, empannelled, sworn and charged, heard the evidence and argument of counsel and retired to consider of their verdict, the said plaintiff having previously dismissed his suit as to the defendant, S. W. Johnson, and the demurrer filed having been overruled. And thereupon said jury returned into Court, and the Court ordered that a mistrial be awarded. It is further ordered that said cause be continued

1007 Nathaniel Townsend } Plaintiff
v.
Benjamin Roach } Defendant } Decree.

This day came the parties by their attorneys, and the motion of the defendant to dissolve the injunction of plaintiff having been submitted to the Court at a previous day of this term, and this cause now coming on to be heard upon the petition and answer, and the same being submitted to the Court for his consideration, a jury being waived, it is therefore considered by the Court, and it is hereby ordered, adjudged and decreed that the said Nathaniel Townsend within forty ~~twenty~~ days from the date hereof, pay to the defendant Roach or to his attorney, the sum of twenty-four hundred and fourteen 36/100 Dollars, and one-half the interest, to wit: four per cent. per annum from the 24th day of May, 1856, upon said sum, and that the clerk tax the costs due upon the execution against said Townsend at the date of said injunction, and that said Townsend pay the same, together with interest thereon at the rate of eight per cent. per annum, from the 24th day of May, 1856, within twenty days from the date hereof. It is further ordered, adjudged and decreed that said Townsend within twenty days from the date hereof,

deliver to the said Roach or his attorney the release of the legacies contemplated by the terms of the agreement made and entered into between the parties on the fifth April, 1856, and referred to in the pleadings of this cause, and in case of the said Townsend complying with the foregoing terms of this decree, it is ordered, adjudged and decreed that the injunction herein be and the same is hereby forever perpetuated. But in case the said Townsend shall fail to comply with the foregoing terms, it is ordered, adjudged and decreed that execution issue against him and his securities in his said injunction bond, to wit: A. A. Cook & Co. Chandler and M. A. Taylor, for said sum of twenty-four hundred and fourteen 36/100 Dollars, and all costs due upon said execution be taxed as aforesaid, together with eight per cent. interest due upon said sum and costs from the 24th day of May, 1856, until paid.

It is further ordered, adjudged and decreed that when said execution shall be satisfied the said judgment rendered in favor of said Roach against said Townsend on the 29th day of May 1856, for $13.486.00 be and the same is hereby forever enjoined, and the terms and stipulations of said Contract entered into as aforesaid, on the 5th April, 1856, shall be regarded as complied with and forever binding upon both parties in judicature and thereout

It is further ordered, adjudged and decreed that each party pay his own costs in this behalf expended on and since the filing of the petition herein for injunction, and that execution issue therefor.

And thereupon It is ordered by the Court that Court do now adjourn until Friday Morning August 8th 1856

Friday Morning, August 8th 1856.

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

Spring ~~Term~~ Term, Friday, August 8th 1856.

916. John Bremond } Plaintiff
v.
John Burleson, John T. Cleveland, James H. Herndon & Juliet M. Herndon } Defendants

In the above entitled cause this day came the parties by their attorneys, and the demurrer of defendant to plaintiffs petition being considered by the Court, the same is overruled. Whereupon the matter of fact as well as of law being submitted to the Court after hearing the pleadings & evidence in said cause, the court is of opinion that the law is for the plaintiff.

It is therefore ordered, adjudged and decreed by the Court that the said plaintiff do have and recover from said defendants John T. Cleveland, and James H. Herndon principals, in the note sued on in this cause, the sum of three hundred and forty five 7/100 dollars, principal, and interest, and it appearing that said note was given as part purchase money for Lot No (5) five, in Block No (26) twenty-six, fronting the Courthouse square in said City of Austin, It is ordered, adjudged and decreed that an order of sale shall issue to sell the same for the satisfaction of this judgment

And it is further ordered, adjudged and decreed that said plaintiff do have and recover of said defendant John Burleson the said sum of three hundred and forty five 7/100 Dollars, and the further sum of thirty six 29/100 dollars, making together the sum of three hundred and eighty-one (381) 46/100 Dollars; and it is further ordered, adjudged and decreed that plaintiff recover of said defendants, John T. Cleveland, James H. Herndon and John Burleson, all costs of this suit, and that for all the money judgments aforesaid execution may issue.

And thereupon the defendant, James H. Herndon gave notice in open Court, of an appeal to the Supreme Court.

Spring ~~Fall~~ Term, Friday, August 8th 1856

909

Samuel Pearce Birt } Plaintiff
v.
Diana Gilliland, Nathaniel Gilliland, Mallens M Laren, Diana M. M Laren, Thaddeus Beck, James Emmeline Beck, James O. Rice, Nancy D. Rice, Alfred Keatting ham, & Sarah C. Keatting ham } Defendants

Dec'd

In this cause came the parties by their attorneys and being each and all of them duly represented by their attorneys, consent to the following Judgment and decree Whereupon It is ardued, adjudged and decreed by the Court that the plaintiff Samuel P. Birt, and defendants Nathaniel Gilliland, Diana M. ~~Gilliland~~ M. Laren, James Emmeline Beck, Nancy D. Rice and Sarah C. Cottingham, are the only heirs of James Gilliland, deceased, and as such equally entitled to inherit his estate, and that the defendant Diana Gilliland, as his widow, is entitled to all the rights accarded to her by said plaintiffs petition, and it appearing that partition of said estate has regularly been made in accordance with the above facts, and an agreement of said parties on record in Travis county by Aaron Burleson, John B. Banks and Reuben Horney, who partitioned the same, after a careful survey, as will appear by their report duly made, sworn to and subscribed in the following words and figures, to wit:

" The undersigned Commissioners acting under and by virtue of an article of agreement bearing date February the eleventh A.D. 1856 between Diana Gilliland, Nathaniel Gilliland, A. C. Cottingham, S.C. Cottingham, M.C. M Laren, D. M. M Laren, J. O. S. Beck, J. E. Beck, James O. Rice, Nancy D. Rice and Samuel Pearce Birt & which was entered in Travis county in Book K page 275, 6, 7 & 8, report ~ That in accordance with the powers conferred upon them by said article of agreement, they have proceeded to make after being duly sworn according to law a fair, just and impartial partition of all the property over which power was conferred to make partition by said agreement, and that for the purpose more accurately of fixing & defining the divisional lines of said partition, they employed the Surveyor, Horace L. Lackey to survey said land under their direction

Said commissioners have caused to be surveyed and set aside to James O. Rice and Nancy D. Rice [illegible]

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No 1 described in the field notes hereunto annexed (and which, with the report, in which they are contained is made a part of this report) as the first tract, and which contains four hundred and twenty eight acres. Said share is further described in said report as Division No 1 containing two separate tracts. They have set aside to James Pearce Bir five hundred and fifty-five acres of land on Brushy, in Williamson county, known as the west part of Joseph Marshall's headright: reference for a more full description of the same is here made to a decree of the District Court of Williamson county in favor of the heirs of James Gilliland for said land. They have also partitioned and set aside to the said Birt 320 acres of land in San Patricio county, and on the west side of the Nueces river, fronting on the same and more fully described as being James Gilliland's bounty land, granted to him by the Government of Texas.

They then set aside to C. & D. M. McLaurin that tract on the headright league of James Gilliland known & described in the field notes hereunto attached as Division No 2, containing three hundred acres, and Division No 2 containing two hundred and forty three (243) acres, as their share in said estate in accordance with the terms of said article of agreement. They then set aside and partitioned to T. C. S. Beck and J. C. Beck that tract on the headright of the said James Gilliland known as Division No 3. containing three hundred acres (300) and Division No 3 containing two hundred and forty-three (243) acres, as their interest under said agreement. They then set aside to Nathaniel M. Gilliland those tracts of land on the headright of the said James Gilliland described in said Surveyors field notes & report, hereunto attached as Division No 4, containing ninety-nine and one-third acres; Division No 4, containing one hundred and ninety-nine and one-fourth 199¼ acres, and Division No 4. containing two hundred and forty-three acres, as the said Nathaniel Gilliland's interest in the portion of said estate partitioned.

They have set aside to A. C. Cottingham and S. C. Cottingham all that land on the said Gilliland headright, known on said report of said Surveyor & described in his field notes as Division No 5, containing two hundred and twenty and three-fourths (220 3/4) acres; also, Division No 5 containing two hundred and forty three acres (243) also, a fraction containing four acres cut off from the land and between Mrs. Mary Moore's & Henry Jones'

surveys, as their share, of said partitioned land; also, one labor of land granted to James Gilliland situated on Gilliland's creek in Navis county

They have set aside to Mrs Dianah Gilliland all that land on the said headright known as Division No 6 containing two hundred and twenty five acres (225), and Division No 6 containing two hundred and forty three 243 acres as her share and interest in said estate under the terms of said agreement The Commissioners here insert the report of the surveyor Lucket containing the field notes of the above described tracts, as a part of this report

To Reuben Hornsby, Sen; Aaron Burleson and John B. Banks, Commissioners to divide the estate of James Gilliland, deceased

Gentlemen: Being chosen as Surveyor in the above case, by your instructions I proceeded, on the 7th March, 1856, to make the following survey of that part of the headright league of James Gilliland deceased, (situated in Navis county and fronting on the Colorado river) as belonging to the estate of said deceased, and found the part belonging to said estate to be in three separate tracts.

Report:

The first tract the field notes will read as follows:
Beginning at the original N. W. corner of said league. Thence S. 30 W. with the original west line 2800 vs. to Gilliland creek timber 3490 vs. to Gilliland creek 3840 vs. to a slew and prairie 5260 vs to Decker creek 5300 vs. to Austin & Basbof road 5844 vs. to the N. W. corner of the Thomas Moore tract of 350 a. Thence S. 60 E. with the north line of said Moore tract 100 to a corner in Decker creek.
Thence down Decker creek and with the north boundary of said Moore tract, with the meanders of said creek as follows: S. 7 W. 511 vs. S. 49 E. 100 vs. S. 86 E. 50 S 43½ E 52 vs. S. 85 E 37 vs S. 36½ E. 130 vs. S. 32 E 80 S 1¾ W. 64 vs. S. 68½ W. 370 vs. S. 14 E. 68 vs. S. 68 E. 130 vs. S. 46 E. 764 S. 47¾ W. 140 vs. S. 6 W. 50 S. 57¼ E. 160 vs. S. 29 E. 170 vs. S. 77 E. 48 vs. N. 28½ E. 50 vs. N. 2 W. 105. S. 44¾ W. 85 N. 14¼ E. 128 vs. N. 72 E. 224 vs. to a corner on bank of Decker creek on an Elm 12 in. in dia. Thence S. 60 E. 1100 vs. to Gilliland creek 410 vs. crop & a corner

Thence up said Gilliland creek with its meanders and west boundary line of Henry Jones tract to the crossing of the Austin & Basbof road of said creek

Thence up said creek N. 33 W. 160 to a corner of said Jones tract

Thence N. 30 E. with the west line of said Jones tract 547 vs. to a stone mound and N. W. corner of said Jones tract.

Thence S. 60 E. with the north line of said Jones tract 950 vs. to a corner on the original East line of said Gilliland League.

Thence N. 30 E. with the East line of said league 3157 vs. to the original N. E. corner of said League

Thence N. 60 W. with the North line of said League 2475 vs to the place of beginning, containing 2103 acres

Second Tract. The field notes will read as follows: Beginning at the N. E. corner of the Moore tract. Thence N. 30 E. 170 vs. to Gilliland creek 190 vs. across said creek a corner. Thence up said creek with its meanders to the north line of said Moore tract of 350 as. Thence S. 60 E. with the north line of said Moore tract 183 vs. to the place of beginning containing 4.7 acres.

The third tract. the field notes will read as follows: Beginning at the Southwest of the said Tho. Moore tract at a stake on the original west line of said Gilliland league. Thence S. 30 W. with said west line 1550 vs. to timber, 2660 vs. to a branch, 4060 vs. to another branch, 4350 vs. to the Colorado river and upper cor. on river of said league.

Thence down the river with its meanders to the upper corner of Henry Jones' tract. Thence N. 30 E. with the west line of said Jones tract 3075 vs. to a corner & ell of the Jones' tract. Thence N. 60 W. with a line of the Jones tract 100 vs. to a corner of Tho. Moore's tract of 350 as. & with the South line of the same 194 vs. to the place of beginning containing 1128 acres

The part of Gilliland league now owned by his heirs being 3235.7 acres

The third tract described in the foregoing field notes is divided in the following divisions, to wit:

Division No. 1. of 428 4/3 as.

Field notes will read as follows: Beginning at upper corner on the Colorado river of the Gilliland league; thence down the river with its meanders to the upper corner of said river of H. Jones' tract. Thence N. 30 E. with the west line of said Jones tract 1020 vs. to a stake from which an Box Elder 10 in. in dia. brs. S 68 W. 2 vs & an Elm 6 in. in dia. brs. N. 30 E. 1 va. both marked X

Thence N. 60 W. 1940 vs. to a stake on the

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west line of said league from which an Elm 8 in. in dia. brs. N. 34 1/2 E. 11/2 vs & a ditto 5 in. in dia. brs. S. 45 E. both marked X
Thence S. 30 W. 314 vs to the place of beginning

Division 2 of 300 acres.

Field notes will read as follows: Beginning at the N. W. corner of No. 1 on the west line of the Gilliland league. Thence S. 60 E. with the north line of said No. 1, 1940 vs. to a stake in the East line of H. Jones' tract from which a Bot Elder 10 in. in dia. brs. S. 68 W. 2 vs & an Elm 6 in. in dia. brs N. 30 E in ra. Thence N. 30 E with the East line of said Jones' tract 872 9/10 vs. to a stake from which a hackberry 6 in. in dia. brs. S. 60 W. 10 vs. & a hackberry 12 in. in dia. brs. S. 25 W. 4 vs. Thence N. 60 W. 1940 vs. to the west line of said league to a stake in prairie. Thence S. 30 W. with said west line 872 9/10 vs. to the place of beginning (bearing marked X)

Division No. 3 of 300 acres.

Field notes read as follows:

Beginning at the N. E. corner of No. 2 on the East line of H. Jones' tract

Thence N. 30 E. with the East line of said Jones' tract 872 9/10 vs. to a Hackberry 7 in. in dia. brs. S. 85 1/2 E. 2 1/2 vs. & a Stake 6 in. in dia. brs. N. 81 W. 2 1/2 vs.

Thence N. 60 W. 1940 vs. to the West line of said Gilliland league a stake in the prairie Thence S. 30 W. with said west line 872 9/10 vs. to a stake in the prairie. Thence S. 60 E. with the north line of No. 2 1940 vs. to the place of beginning (bearings marked X)

Division No. 4 of 99 1/3 acres

The field notes will read as follows:

Beginning at the N. E. corner of No. 3 at a stake from which a hackberry 7 in. in dia. brs: S. 85 1/2 E. 2 1/2 vs. & a ~~stake~~ ditto 6 in. in dia. brs. N. 1 W. 2 1/2 vs.

Thence N. 30 E. with the East line of H. Jones' tract 290 vs. to a corner at a stake and ca. of Jones' survey from which a hackberry 4 in. in dia. brs: S. 74 1/2 E. 1 1/2 vs. & a ditto 7 in. in dia. brs. N. 72 W. 5 vs.

Thence N. 60 W. with the line of the old of Jones' tract & South line of Tho. Moore tract 1940 vs. to a stake in the prairie and on the west line of said league and S. W. corner of Tho. Moore tract.

Thence S. 30 W. with the west line of said League 290 vs. to a stake in the prairie.

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Thence S. 60 E. with the north line of No. 3 1940 vs. to the place of beginning. bearings marked X.

The first tract described in the foregoing field notes is dued as follows: part being arable and the rest post oak land.

The field notes of Division No 4 of arable land of 199 1/4 acres will read as follows: Beginning at the N.W. corner the Moore tract of 330 a. on the west line of Gilliland league a stake. Thence N. 30 E with said west line croping the Austin & Basbrap road, and Decker creek, at 1592 vs. a stake from which an Elm 2 in. in dia. brs. N. 7 E 10 1/2 vs. & a hackberry 2 in. in dia. brs. N. 30 E. 12 1/2 vs. Thence S. 60 E. 689 vs. to a stake in the prairie. Thence S. 30 W. 1662 vs. to Decker creek & a corner. Thence up said creek with its meander to a corner of said Moore tract. Thence N. 60 W. 100 vs. with the north line of said Moore tract to the place of beginning

The field notes of Division No. 5 of arable land of 220 3/4 acres will read as follows:

Beginning at the N. E. corner of No 4 at a stake in the prairie. Thence S. 60 E. 647 vs. to Gilliland creek & a corner. Thence down said creek with its meanders to where the North line of said Moore tract, croses said creek a corner east bank of said creek.

Thence N. 60 W. croping said creek 410 vs. with said north line to Decker creek corner on an Elm 12 in. in dia. Thence up said Decker creek with its meander & north line of said Moore tract to the S. E. corner of No 4.

Thence N. 30 E with East line of No 4 1662 vs. to the place of beginning.

Division No 6 of arable land of 225 acres & division No 6 of post oak of 243 as. I will include in one set of field notes as they lie contiguous and both set apart to Mrs. Gilliland: they will read as follows:

Beginning at the N. W. corner of No 4 of arable land at a stake from which a hackberry 2 in. in dia. brs. N. 30 E. 12 1/2 vs. & an Elm 2 in in dia. brs. N. 7 E 10 vs. Thence N. 30 E. with the west line of Gilliland league 760 vs. to Gilliland creek 4252 vs. to the N. W. corner of said League. Thence S. 60 E. with the northern line of said league 1101 vs. to a stone mound from which a mesquite 11 in. in dia. brs. N 67 1/2 W. 21 1/2 vs.

Thence S. 30 W. croping Gilliland cr 3420

vs. to a corner on a Hackberry 2 in. in dia. and blazed on four sides Thence S. 60 E. craping Gilliland creek three times 1124 vs. to the West line of H. Jones' tract a stone mound, from which a hack tree 4 in in dia. brs. S. 54 W. 3 vs. & a Hackberry 3 in. in dia. brs. N. 63 1/2 W. 5 vs. Thence S. 30 W. with the west line of H. Jones' tract 284 vs. to Gilliland creek a corner. Thence down said creek S. 33 E 160 vs. to the Austin & Bastrop craping.

Thence down said creek with its meanders to the N. E. and upper corner on Gilliland creek of No. 5. of arable land.

Thence N. 60 west the North lines of No. 5 & 4. 1336 to the place of beginning

Division No. 1, 2, 3, 4 & 5 in the Past oaks, each contain 243 acres. Field nals are as follows.

Division No. 1. Beginning at the N. E. corner of H. Jones' tract on the East line of Gilliland league. Thence N. 30 E. 3157 vs. to the N. E. corner of said league.

Thence N. 60 West with the North line of said league 433 9/10 vs. to a stake from which a mulberry 9 in. in dia. brs. N. 82 W. 30 vs. & a past oak 12 in. brs. S. 22 E. 4 1/10 vs.

Thence S. 30 W. 3157 vs. to a stake from which an Elm 9 in. in dia. brs. N 21 1/2 E. 9 vs. & ditto 7 in. in dia. brs. S. 60 E. 30 vs. Thence S. 30 W. with North line of H. Jones' 433.6 vs. to the place of beginning

Division No. 2.

Beginning on S. W. corner of No. 1. Thence N. 30 E. with west line of No. 1 - 3157 vs. to north line of Gilliland League & N. W. corner of No. 1, at a stake from which a mulberry brs. N. 82 W. 30 vs. & a past oak brs. S. 22 E. 41 vs.

Thence N. 60 W. 433.6 vs. to a stake from which a past oak 8 in. in dia. brs. S. 7 3/4 W. 10 vs. & a ditto 12 in. in dia. brs. N. 60 W. 9 vs. Thence S. 30 W. 3157 vs. to a stone mound on North line of H. Jones' tract, from which a past oak 17 in. in dia. brs. S. 88 1/2 E. 4 vs. - & a ditto 12 in. in dia. brs. N. 10 W. 8 vs.

Thence S. 60 E. 433.6 vs. to the place of beginning

Division No. 3.

Beginning at the S. W. corner of No. 2 at a stone mound. Thence N. 30 E. with the west line of No. 2, 3157 vs. to N. W. corner of No. 2, on South line of said league. Thence N. 60 W. 407 vs. to a stone mound from which a past oak 12 in. in dia. brs. S. 50 1/2 E. 7 vs. & a ditto 15 in. in dia. brs. N. 76 W. 10 vs.

Thence S. 30 W. 3420 vs. craping Gilliland creek to North line of Mrs Gilliland; block No. 6. estate

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Thence S. 60 E. with north line of Mrs Gilliland's tract No. 6. 324 vs. to a stone mound on East line of A. Jones's tract & N.E. cor. of No. 6 of arable land Thence N. 30 E 263 vs to N. W. corner of Jones's tract. Thna S. 60 E. 82.8 vs. to the place of beginning.

Division No. 4

Beginning at the S. W. corner of No 3 on N. line of Mrs. Gilliland's. Thence N 30 E with west line of No 3, craping Gilliland creek 3420 vs to a corner on north line of Gilliland league & N. W. corner of No 3, a stone mound. Thence N. 60 W. to a stone mound on north line of said league from which an Elm 10 in. in dia. brs. S. 54½ E. 6 vs. a cotton wood 14 in. in dia. in a branch 2 vas. distance Thence S. 30 W. 3420 vs. to a stake from which a Hackberry 12 in. in dia. brs. N. 28 E. 1/10 vs. & a Ditto 12 in. in dia. brs. S. 47¼ E. 3 vs. Thence S. 60 E. 401 vs. to the place of beginning

Division No. 5.

Beginning at the S. W. corner of No. 4 Thence N. 30 E. with the west line of No. 4 3420 vs. to north line of said league & N. W. corner of No 4 a stone mound Thence N. 60 W. with the north line of said league 401 vs. to a stone mound. Thence S. 30 W. 3420 vs. to a Hackberry blazed on four sides 3 in. in dia. Thence S. 60 E. 401 vs. to the place of beginning

For a more definite explanation I refer to the accompanying plot which I make part of this report All of which I respectfully submit

L. H. Luckett, Surveyor.

The Commissioners here insert the plot made by the Surveyor as a part of their report.

Spring Term, Friday, August 8th 1856.

The Commissioners report that the above and foregoing partition as described in the J.

Spring Term, Friday, August 8th 1856.

The Commissioners report that the above and foregoing partition as described in the field notes and plat above insisted as well as the interest of the said Birt, has been made and given with strict reference to the said agreement made between the several legatees of the said James Gilliland, and that they have in said partition set aside to each distributee the interest stipulated for in said agreement. They further report that they have in above described partition, divided and partitioned all the land belonging to the succession of the said James Gilliland, and which they were required to partition by said agreement. All of which the said Commissioners whose names are hereunto subscribed respectfully report & submit

Aaron Burleson
Reuben Hornsby
J. B. Banks

I, John B. Easla, Chief Justice for the County of Travis, State of Texas, do hereby certify that Aaron Burleson, and Reuben Hornsby, who signed the above report in my presence, and sworn to the same before me on the 26th day of June, 1856, and also, the said John B. Banks signed and sworn to the above report before me, July 8th 1856

(L. S.)

Given under my hand and the seal of my office at Austin this the 8th day of July 1856

John B. Easla,
Chief Justice Travis County

It is therefore ordered, adjudged and decreed, that said partition be made the decree of this Court, and that the titles be vested in said parties respectively in accordance therewith, and divested from said parties as to all such parts of said estate as are not set apart by said report to such distributee or distributees, and that the cash be equally divided between said heirs and widow, one seventh to each, for which execution may issue.

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow morning Saturday, August 9th 1856

Spring Term, Saturday, August 9th 1856

Saturday Morning. August 9th 1856.

Court met at Eight o'clock Pursuant to adjournment. Present the Same as on Yesterday. Whereupon the following Proceedings were had by Said Court as follows to wit:

Declaration of Intention to become a Citizen.

The State of Texas } I. Kraus being duly sworn according to
County of Travis } law in the District Court of the County of Travis in and for the State of Texas, doth declare that he was born in the year of our Lord one thousand eight hundred and thirty-three in Prussia, whence he emigrated in the year 1853, to the United States of America, and has selected the State of Texas as the place of his intended settlement, and he further declares, that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas and renounce forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia, of whom he is now a subject.

Sworn to and subscribed in open Court } I. Kraus.
this the 8th day of August A.D. 1856 }
Frank Brown, Clerk of said District Court

Declaration of Intention to become a Citizen

The State of Texas } Charles Krohn being duly sworn according to
County of Travis } law in the District Court of the County of Travis, in and for the State of Texas, doth declare that he was born in the year of our Lord one thousand eight hundred and seventeen, in the Kingdom of Prussia, whence he emigrated in the year 1847, to the United States of America, and has selected the State of Texas as the place of his intended settlement, and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounce forever all allegiance and fidelity to every foreign prince, potentate, State or Sovereignty whatsoever, and particularly to the King of Prussia, of whom he is a subject

Sworn to and subscribed in open Court this the 9th day of Aug. A.D. 1856 Frank Brown, Clerk of our said District Court } Carl Krohn

1095 John A. Green } Plaintiff
vs } Judgment
A.B. McGill, et. al. } Defendants

And now on this day comes the plaintiff and claims a judgment final by default. And it

Spring Term, Saturday, August 9th 1856.

appearing to the Court that the defendants have acknowledged due and legal service of plaintiffs petition and waived all objection to the same, and it appearing that they have also failed to answer said petition, and that the cause of action is liquidated, as shown by an instrument of writing called & from sony note produced by the said plaintiff on the trial hereof, It is therefore ordered, adjudged and decreed by the Court that the plaintiff John A Green have and recover of the defendants, A. B. McGill, Geo. Hancock, and Nilson Merrell the sum of Two Thousand Five Hundred and Seventy-Eight 29/100 Dollars being the amount of the principal and interest due on the note sued on to this date, with interest thereon at the rate of eight per cent. per annum from the date of this judgment to the final satisfaction of the same together with all his costs of suit, for all which execution may issue

1097 S. S. Nichols } Plaintiff
v. } Judgment.
W. P. De Normandie } Defendant

And now on this day comes the plaintiff by his attorney, and claims a judgment final by default. And thereupon it appearing to the Court that the defendant has acknowledged service of plaintiff's petition and waived all objection to the date of the filing of the same, and that the the said defendant has failed to answer to the same, and it further appearing that the cause of action is liquidated as shown by defendants promisory note here produced It is therefore ordered, adjudged and decreed by the Court that the plaintiff S. S. Nichols do have and recover of the defendant, W. P. De Normandie, the sum of One hundred and Seventy 51/00 Dollars being the amount of principal and interest due on the note sued on to this date, with interest thereon at the rate of eight per cent. per annum from the date of this judgment until the final satisfaction of the same, together with all his costs in this behalf expended, for all which execution may issue.

Spring Term, Saturday, August 9th 1856.

1098 Cowperthwait, DeSilver & Butler } Plaintiffs
v } Judgment
W. P. De Normandie } Defendant

And now on this day come the plaintiffs by their attorneys and claim a judgment by default. And it appearing to the Court that the defendant has acknowledged due and legal service of plaintiffs petition and that he has failed to answer to the same, and that the cause of action is liquidated as shown by an instrument of writing called a promissory note, it is therefore ordered, adjudged and decreed by the Court that the plaintiffs Kalin Cowperthwait, Charles De Silver and John Altam H. Butler, under their firm name of Cowperthwait, De Silver and Butler, have and recover of the defendant, W. P. De Normandie, the sum of One Hundred and Ninety-Eight 62/100 Dollars being the amount of the principal and interest due on the note sued on to this date, with interest thereon at the rate of eight per annum from the date of this judgment until the final satisfaction of the same, together with all costs of this suit, for all which execution may issue.

1758 J. M. Pelham } Plaintiff
v } Judgment
C. C. Walton et al. } Defendants

And now on this day come the parties to this cause by attorney, the minor defendants being represented by John B. Costa, Esq. an attorney of this Court. And thereupon it is ordered by the Court that the continuance heretofore ordered be set aside. And thereupon the parties waived a jury and submitted the cause to the judgment of the Court. And upon the submission of the evidence and inspection of the pleadings the Court proceeds to find in favor of the plaintiff. And thereupon it is ordered, adjudged and decreed by the Court that the plaintiff J. M. Pelham recover of the defendants, Caroline C. Walton, Nancy R. Walton, Alice Walton and Emma Walton the sum of One hundred and thirty-eight dollars being the amount of principal and interest due on the note sued on to this date, with legal interest thereon from date until paid, and all cost of suit for which execution may issue.

Spring Term, Monday August 11th 1856

1096 Comperthwait, Divilver & Butler } Plaintiffs
v. } Judgment
Hamilton, Chandler & Co } Defendants

And now on this day come the parties to this cause by their attorneys and claim a judgment final by default. And it appearing to the Court that due and legal service of plaintiffs' petition has been acknowledged by the defendants and that they have failed to answer to the same, and that the cause of action is liquidated as shown by an instrument of writing called a promissory note

It is therefore ordered, adjudged and decreed that the plaintiffs, Julius Comperthwait, Charles De Silver and Jonathan Butler, under their firm name of Comperthwait, Divilver & Butler, have and recover of the defendants A. J. Hamilton, F. M. Chandler and W. M. Walton, the sum of Thirteen Hundred and Eighty, Three 36/100 Dollars, being the amount of principal and interest due on the note sued on to this date, with interest thereon at the rate of eight per centum per annum from date until until paid together with all cost of this suit, for all which execution may issue.

And thereupon It is ordered by the Court that Court do now adjourn until Monday morning, August 11th 1856

Monday Morning, August 11th 1856

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

74

Thomas F. Chapman } Plaintiff
v.
Edward R. Oliver } Defendant

Upon the hearing of the motion of plaintiff duly filed, docketed and served upon the attorneys of record of defendant, and of the exhibits, (likewise on file,) read in support thereof, it is further ordered adjudged and decreed that the same be sustained, and that the plaintiff may sue out writs of execution for the aggregate amounts specified in said original decree, crediting the same by what has heretofore been made, and for all the cost of this suit, to the following counties to wit:

Red River, Fort Bend, Guadalupe and Hays and to any other counties of the State of Texas that it may be necessary to issue such writs to in order to effect the enforcement of said original and of this further decree, and that the Sheriffs to whom such writs may be directed shall proceed to levy advertise and sell according to law and to pay over the proceeds of the sale of any of the property specified in said original decree or of any other property of defendant Oliver that may be found, after deducting their lawful costs, to the Receiver in this cause, to be disposed of in accordance with said original decree and with such further order as may be made by this Court It is further ordered that the Receiver in this cause do file an additional Report on or before the second monday of the next term of this Court

R. J. Townes Special Judge P.T.

453. John Wahrenberger } Plaintiff
James S. Gillett and D W Bicknell } Defendants } Judgment.

And now on this day come the parties by their attorneys, and neither party requiring a jury, and Thomas H. Duval, having been of counsel in this cause the issues were by consent of parties submitted to the Honorable Robert J. Townes, as Special Judge. And the Court having heard the evidence upon the petition and cross cause finds that there is a balance due the plaintiff for rent from the said defendant of the north half of lot number four in block number sixty-nine (S. No 4. Bl. No. 69) upon Congress Avenue of one hundred and fifty dollars after deducting all payments and offsets. And it also appears that the plaintiff has replevied said lot, and neither plaintiff or defendant has replevied the chattels contained in the Sheriffs return

It is therefore further ordered, adjudged and decreed that the said plaintiff be quieted in his possession of said lot; and it is further ordered, adjudged and decreed by the Court that the Sheriff take from George W. Scott, his present possession or office the property reported to have been distrained, to wit: 1 barrell part full of Peach whiskey;

1 barrell empty;
1 barrell pickles;
6 tumblers;
8 chairs;

Spring Term, Monday, August 11th 1856

1 snake; 1 glass-covered sugar-case; 1 pitcher; 36 pieces crockery-ware; 7 Knives and forks; 1 stove; 2 stone jars; 1 pr. andirons; 1 can of oil; 1 tea kettle; 1 pr waffle irons; 1 gridiron; 1 frying pan; 1 cotton, 1 blanket, & 1 chest; 1 washstand; 1 table cloth; 2 looking glasses; 1 clock; 9 decanters; 11 tumblers; 7 tea spoons; 1 sugar dish; 10 doz. bottles wine; 2 doz. empty bottles; 3 large stone jugs; 1 five gal. demijohn wood wine in it; 1 ten gallon Kegg; 2 wash tubs; 2 water buckets; 1 quart measure and 1 funnel; 1 demijohn & about 2 gals honey; ½ barrel wine; part of a barrel rectified whiskey; 3 lamps; And that he sell the same and report his proceedings to this Court.

It is further ordered by the Court that the plaintiff recover of the defendants, James S. Gebbs and D W Pickett all his costs of suit for which execution may issue

726

Ellen Dural } Plaintiff
Andrew M. Davidson } Defendant } Judgment.

When this cause was called for trial the parties appeared by their respective attorneys and announced themselves ready to try the same, and by agreement waived their right of trial by jury and submitted the cause to Judge Robert F Jones (the Hon. Thomas H. Dural, the Judge of this District having been of counsel in said cause) And the Court having heard the evidence in the cause and being satisfied that the plaintiff established her demand, and that her negro girl in question was worth the sum of eight hundred and fifty dollars ($850.00) and that she was killed by James M. Mann while in the employ of said defendant, as his servant, It is therefore considered, ordered, adjudged and decreed by the Court here that the said plaintiff Ellen Dural recover of the said defendant, Andrew M. Davidson, the said sum of eight hundred and fifty dollars ($850.00) with interest thereon at the rate of eight per cent. per annum from the date hereof till paid, together with her costs in this behalf expended, including the costs of deposition, for all which execution may issue

Spring Term, Monday, August 11th 1856.

403

James Park } Plaintiff
Wm Oldham
David Oldham
Gideon G Pace
J Johnson } Defendants } Judgment

And now at this term come the parties in the above entitled cause by their attorneys, and the cause having come on for a final trial, thereupon came a jury of lawful men of Travis County, to wit, C. F. Caldwell and eleven others, who being duly elected, empanelled and sworn, after hearing the evidence and charge of Court returned the following verdict, to wit: "We, the Jury, find for the plaintiff as regards the land in controversy, and that said land as occupied by Gideon Pace and D B Oldham respectively is valued at five dollars per acre exclusive of all improvements. We further find that said Pace and Oldham were purchasers in good faith, and therefore entitled to pay for their improvements that were made upon their places previous to the commencement of the suit. It appears from the evidence that Gideon Pace ~~evidence~~ improvements were worth thirteen hundred and ninety dollars it appears that three hundred rails had been cut off said tract, deducting the timber that made said rails valued at five dollars, leaves thirteen hundred and eighty-eight dollars. As David Oldhams improvements were worth eleven hundred and seventy dollars deducting one hundred dollars leaves one thousand and seventy dollars. For such respective sums are find for the defendants. C. F. Caldwell, Foreman."

It is therefore ordered, adjudged and decreed by the Court that the plaintiff do have and recover of said defendants the land sued for in plaintiffs petition, and described as follows: fifteen hundred acres of the Theodore Bissell headright league in Travis county on the waters of Onion creek, beginning at the northeast corner of league No. (18) eighteen; thence South 30° West (2636) twenty six hundred and thirty six varas to a stake and corner, thence North 60° West thirty-two hundred (3200) varas to a stake and corner in the west boundary line. Thence North 30° East 786 varas to Williamson's creek running East twenty six hundred and thirty six varas to the N. W. corner of said league. Thence South 60° East 2700 varas to Williamson's creek 3200 varas to the place of beginning.

It is further ordered and adjudged that said plaintiff, on payment to the defendant, Gideon G. Pace,

and David B. Oldham the amounts of thirteen hundred and eighty-eight (1388) dollars and eleven hundred and seventy (1170) dollars, the value of their improvements afsesed by said jury a writ of possesion may issue for said land against each and all of said defendants.

It is further ordered and decreed that if said plaintiff shall fail within twelve months to pay the said afsesed value of said improvements, then the defendants O. S. Pace and D. B. Oldham aforesaid shall have six months in which to pay for said land at its afsesed value to the extent of their several claims, and be vested with title thereto, and in case of failure to do so, writs of possesion shall issue absolutely

It is further adjudged and decreed that the defendants, Williamson S. Oldham, David B. Oldham Green G. Pace and J. Johnson pay all the cost of this suit, for which execution may issue

M. T. Caperton } Plaintiff
v. } Order
Joseph Warmsley } Defendant

9710

This cause coming on to be heard upon the bill and answer, it is ordered, adjudged and decreed by the Court that the Judgment rendered in this Court on the fourteenth day of January A D 1856, in favor of the defendant, Joseph Warmsley against the plaintiff Milton T. Caperton be hereby opened, annulled, vacated and set aside and the plaintiff M T Caperton is allowed and permitted to file his answer in said cause, and that said cause be tried de novo to all which judgments and ruling the defendant, Joseph Warmsley by his counsel excepts, and asks that the same be entered and made a part of the record in said cause, which is accordingly done.

J. M. W. Hall } Plaintiff
v. } Judgment
Geo. W. Crabtree } Defendant

867

And now on this day came the parties by their attorneys, a Jury being waived and the issues herein being submitted to the Court, It is considered by the Court, and it is hereby ordered, adjudged and decreed that the plaintiff J. M. W. Hall, have and recover of the defendant, George

W. Crabtree the possession of the three horses named and described in plaintiffs' petition as follows; one gray horse, about seven years old called "Timore"; one Dunn horse, about ten years old called "Jupiter"; and one Trick Poney (spotted) about seven years old, called "Beppo"; and the Sheriff of Travis county is hereby required to deliver to the plaintiff the said horses, and that they be and remain his property destitute of any incumbrance in behalf of said Crabtree whatever. It is further ordered, adjudged and decreed that the deed of trust from William B. Reynolds to said Crabtree bearing date the 14th October 1854, be and the same is hereby held for naught so far as the same may in any manner affect the property hereinbefore described

It is further ordered, adjudged and decreed that in defaut of said horses being delivered into the possession of said Hall according to the terms of this decree, plaintiff have and recover of said Crabtree the sum of Six hundred Dollars, the value of said horses, and that he have execution therefor, and that the plaintiff have and recover of the defendant, George W. Crabtree, all costs by him about this suit in this behalf expended, and that execution issue therefor. And that said Hall be authorized to sell said property according to the terms of the deed of trust from Reynolds to him

1080 Joseph S. Lake } Plaintiff } Continuance
v.
Thomas F. McKinney } Defendant }

And now on this day come the parties to this cause by their attorneys, and by consent it is ordered by the Court that the same be continued at the cost of the defendant.

Thomas Sterne } Plaintiff }
1083 v. } } Judgment.
F. W. Chandler } Defendant }

And now on this day come the parties to this cause by their attorneys, and announced themselves ready for trial, and waiving a jury submit the cause to the Judgment of the Court. And upon the hearing of the matters in controversy and inspection of the pleadings, It is ordered, adjudged and decreed by the Court that the plaintiff take nothing by his said action, that the defendant go hence without day and recover of the said plaintiff Thomas Sterne, all costs in and about this suit laid out and expended, for which execution may issue

And thereupon It is ordered by the Court that Court do now adjourn until to morrow morning, Tuesday, Aug. 12. 1856

Spring Term, Tuesday, August 12th 1856.

Tuesday Morning, August 12th 1856.

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

No 1042 Joel A. Burditt } Plaintiff } Decree
v.
Julia A. Burditt } Defendant }

And now on this day come the parties by their attorneys, and thereupon came a jury, to wit: B. D. Basford and eleven others, twelve good and lawful men of the County of Travis, who being sworn well and truly to try the issues in said cause, and having heard the evidence, and the argument of counsel and the charge of the Court, returned into Court here the following verdict, to wit: "We, the jury, find the allegations in the plaintiffs petition to be true. B. D. Basford, Foreman." It is therefore considered, ordered, adjudged and decreed by the Court here, that the bonds of matrimony solemnized between the said plaintiff and ~~defendant~~ on the first day of September A. D. 1854 be dissolved, and that the said plaintiff be ~~dissolved~~ divorced from the bonds of matrimony with his said wife

And now the Court proceeds to hear evidence as to the child born of said marriage, Joel A. Burditt, Jr., and it is ordered adjudged and decreed that the said Julia A. Burditt be allowed to keep the custody and control of said child, but the said Joel A. Burditt shall have the right at reasonable and proper times, as often as once every three months, to visit and see said child

It is therefore ordered and adjudged by the Court that the said Julia A. Burditt as a maintenance for herself and child, have and recover of said Joel A. Burdett the sum of two hundred and sixteen dollars, which said amount shall be paid to the clerk of this Court by said Joel A. subject to the order of said Julia A. by quarterly payments of thirty-six dollars for each and every quarter of three months. And on failure of the said Joel A. Burdett so to pay said allowance it shall be the duty of said clerk to issue an execution as in ordinary judgments for money, to be levied of the Goods and Chattels

The principal in this case is dead per receipt on file. Feb. 25. 1857. J. Burnett Clk.

lands and tenements of said Jas A. Burdett, for such amount so allowed said Julia A. as may not be so paid in by said Jas A.

It is further ordered, and decreed by the Court that said Jas A Burdett pay all cost of this suit, for which execution may issue.

7354

Susannah Smith	Plaintiff	Decree
v.		
Adolph Smith	Defendant	

And now on this day came the parties to this cause by their attorneys, the defendant being represented by Wm Byrd Esqr, an attorney of this Court, and announced themselves ready for trial. And thereupon came a Jury of lawful men of Travis county to wit: C. F. Cadenhead and eleven others who being duly elected, empannelled, sworn and charged, and having heard the evidence, retired to consider of their verdict: And thereupon said Jury returned into Court the following verdict to wit: "We the Jury, find the allegations in Plaintiffs petition and ~~amended petition~~ contained to be true C F. Cadenhead, Foreman." Whereupon It is ordered, adjudged and decreed by the Court here that the bonds of matrimony existing between the said Susannah Smith and Adolph Smith be and the same are hereby dissolved, and that the said Plaintiff be divorced from the bonds of matrimony with her said husband.

And thereupon it appearing to the Court that by deed of conveyance executed on the 2d February, 1854 by Ferdinand Wilhelm and ~~Elizabeth~~ Elizabeth Wilhelm, his wife, to the defendant, Adolph Smith which is of record in the office of the Recorder of Travis county in book H. p. , there belong to the said Susannah and Adolph Smith Lots Nos. two (2) and three (3) in Block No forty nine (49) in the city of Austin, which said city lots are community property of the said Pltff. and deft. It is ordered by the Court that the Sheriff of Travis county proceed to sell the said Austin city lots to the highest and best bidder for cash, on the 1st Tuesday in October, A D 1856, after giving twenty days notice of the sale thereof in some newspaper published in the city of Austin; and out of the proceeds thereof satisfy the costs of this suit, and then divide the remainder between the Pltff and deft. equally, by paying the same to them or their attorneys; And ordered, further, that the Sheriff execute a deed of conveyance of said property to the purchaser

of the same and file his vouchers with the Clerk of this court

It is further ordered by the Court that William Byrd be allowed the sum of dollars, as atty. for defendant in this cause, to be taxed in the bill of costs

969. James M Haynie } Plaintiff
v. } Judgment
M. D. Egell } defendant

This day came the plaintiff by attorney and the defendant having made default and failed to file his answer to plaintiff's petition within the time required by law. And it appearing to the Court that the plaintiff has brought his suit upon a promissary note, alleging that the same was given for part of the purchase money of a certain tract of land sold by the said plaintiff to the said defendant, which is described by metes and bounds, in plaintiffs' petition - thereupon came a Jury of good and lawful men of Dorris county, to wit: I. H. Herndon and eleven others, who being duly sworn and charged do say "We, the Jury find for the plaintiff the sum of four hundred and thirty-five dollars as principal and twenty-one 09/100 dollars as interest, and that the land is subject by lien for said amount - whole amount $456.09. Signed I. H. Herndon, Foreman."

It is therefore ordered, adjudged and decreed by the Court that the plaintiff, James M. Haynie have and recover of the defendant, M. D. Egell, the sum of four hundred and fifty-six 09/100 Dollars, with legal interest from this date until paid, and that an order of sale issue to the Sheriff of Dorris county, commanding him to sell the following land described in Plaintiff's petition, for the satisfaction of said Judgment, to wit:

" Being a part of a league of land originally granted to Oliver Bucknow, beginning at a stone mound in the original west line of said survey, and S. W. corner of a survey made of I. Lee; thence S. 30° West 1364 varas to a stone mound in the west line of said league from which a post oak 10 in. in diameter marked X bears S. 41° East 9 varas; thence S. 60° East 986 varas to a stone mound; thence

North 30° East with J. W. Darlington's line 1364 varas to a stone mound + stake on the S. boundary line of Lee survey - thence North 60° West 986 varas to the beginning, containing two hundred and forty acres, + lying and being in the County of Travis + State of Texas. And upon petitioners asking that the said that execution issue in favor of said plaintiff for whatever amount remaining unpaid after the sale of said land, together with all the costs of this suit.

994 Thomas J. Haynie } Plaintiff
v. } order
W. D. Lyell } Defendant

And now on this day come the parties to this cause by attorney, and submitted to the Court the motion for a new trial filed by defendant. And thereupon it is ordered by the Court that the said motion be overruled.

679 Wm Hamilton } Plaintiff
v. } order
Wm Bradford, et als } Defendants

And now on this day come the parties to this cause by their attorneys, and submit the motion for a new trial heretofore filed by the plaintiff. And thereupon, the Court, upon a consideration of the same, doth order that the said motion be overruled. And thereupon the said plaintiff by attorney, gave notice, in open Court, of an appeal to the Supreme Court.

403 James Park } Plaintiff.
v. } order.
W. S. Oldham, et. als. } Defendants.

And now come the parties to this cause by their attorneys, and the Pff. submitted to the Court his motion for a new trial for the causes therein set forth and heretofore filed. And after considering the same, the Court doth order that the said motion be overruled. And thereupon the said plaintiff, in open Court, gives notice of an appeal to the Supreme Court.

Spring Term, Tuesday, August 12th 1856.

709 — Johnson & Keithley } Plaintiffs
v.
W. A. Morris } Defendant } order.

It is ordered by the Court that the matin for a new trial filed by defendant in this cause be overuled. And thereupon the said defendant, by attorney, gives notice, in open Court, of an appeal to the Supreme Court

863 — Francis Kelley } Plaintiff
v.
Joseph Warren } Defendant } Order

It is ordered by the Court that the matin for a new trial filed by defendant in this cause be overuled. And thereupon the said defendant, by attorney, gives notice in open Court, of an appeal to the Supreme Court.

738 — Chandler & Mc Farland } Plaintiffs
v.
Augustus Fore } Defendant } Order

It is ordered by the Court that the matin for a new trial filed by defendant in this cause be overuled. And thereupon the said defendant by attorney, gives notice, in open Court, of an appeal to the Supreme Court.

890 — D. W. Chandler } Plaintiff
v.
G. H. Burdett. et. als. } Defendants

And now on this day come the parties to this cause by their attorneys, And submitted to the Court the matins to annul the verdict, by defts. and to render Judgment on the same by plaintiff, the said matins having heretofore been filed by the said parties. And thereupon upon the hearing of the said matins and the argument of counsel, It is ordered, adjudged and decreed by the Court that the said matin to render Judgment on the said verdict be overuled, and that said verdict be annulled, set aside, and held for naught.

Spring Term, Wednesday, August 13th 1856.

710 ✓

Joseph Warnslow } Plaintiff
v. } Order
W. D. Leaperton } Defendant

It is ordered by the Court that the motion for a new trial filed by ~~plaintiff~~ defendant in this cause be overruled.

646 ✓

Tho. A. Moore's Admr's } Plaintiffs
v. } Order
Robert T. Moore, et. als. } Defendants

On motion of Alexander W. Terrell, Guardian ad litem for the minor defendants in this cause, it is ordered by the Court that Judgment nunc pro tunc, as of the 28th January, 1856, be rendered, and for the fees of the said guardian ad litem. And thereupon it is ordered by the Court that the said A. W. Terrell be allowed the sum of twenty-five dollars per each of the minor heirs, being five in number, making the sum of One hundred and twenty-five dollars, and that the Clerk tax the same in the bill of costs.

738 ✓

Chandler & McDaniel } Plaintiffs
v. } Order
Augustus Dane } Defendant

And now come one of the plaintiffs, to wit: Frederick W. Chandler, and make affidavit, as required by law, for the issuance of execution upon the adjournment of Court. And thereupon it appearing to the Court that said affidavit complies with the statute in such cases made and provided, It is ordered by the Court that the Clerk issue execution on the Judgment heretofore rendered in this cause

840 ✓

R. Satchell } Plaintiff
v. } Judgment
Frank Brown Clk } Defendant

In this case appeared the parties plaintiff and defendant by their attorneys and waived a Jury and submitted the matters in controversy to the Court. And the same having been fully considered by the Court, It is ordered, adjudged and decreed by the Court that a peremptory mandamus be and the same is hereby awarded against the defendant, Frank Brown, as Clerk of the District Court of Travis County, and he, the said defendant, Frank Brown is hereby commanded, without delay, to make out a certified transcript of the Record in the cause of Evans & Carman vs. the plaintiff

Spring Term, Wednesday, August 13. 1856.

Rufus Mitchell, rendered in this Court at the Spring term 1855, and certify the same to the Supreme Court of the State,
It is further ordered, adjudged and decreed by the Court that defendant pay all the costs of this suit for which execution may issue

And thereupon it is ordered by the Court that Court do now adjourn until Wednesday morning August 13th 1856

Wednesday Morning, August 13. 1856

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

871 Simon Draper } Plaintiff
v.
Rebecca J. Draper } Defendant } Order

On motion of the defendant's attorneys the decree is amended by adding to the end thereof as entered on pp. 224 & 225, as follows: And it is further ordered, adjudged and decreed by the Court that said Rebecca Jane Draper do have and receive of and from the said Simon Draper the sum of Seventy Dollars as and for her reasonable alimony pendente lite from filing petition up to the final decree in this cause, for which execution may issue

955 Wm Gibson } Plaintiff
v.
S. Fellman } Defendant } Order

And now come the parties to this cause by their attorneys and announced ~~themselves~~ and submitted to the Court the motion heretofore filed by defts for a new trial. And the Court considering the same, doth order that the said motion be sustained, and that this cause stand continued until the next term of this Court.

890 F. W. Chandler } Plaintiff
v.
G. H. Burdett et. al } Defendant } Order

It is ordered by the Court that the motion of plaintiff to render Judgment on the

Spring Term, Wednesday, Aug. 13. 1856.

verdict returned by the Jury in this case, be and the same is hereby overruled. And thereupon the said plaintiffs, by attorney, gives notice, in open Court, of an appeal to the Supreme Court.

890	T. O Chandler v. G. H Burdett et al's	Plaintiff Defendants	Order

It is ordered by the Court that the motion of defendants to annul the verdict returned by the Jury in this cause, be and the same is overruled and that said verdict be held for naught, and thereupon the said plaintiffs, by attorney, gives notice, in open Court, of an appeal to the Supreme Court.

896	Francis Kelley v. Joseph Warren	Plaintiff Defendant	Order

And now on this day comes Francis Kelley, by his attorney, and filed his motion, under oath, setting forth that Joseph Warren, of the county of Travis, did wilfully and maliciously refuse to permit Francis Kelley by his legally authorized agent, to enter the field and premises which the said Warren was restrained and commanded by an injunction heretofore issued from this Court, in violation of the order and decree now in force, and further, refused the said Kelley, from taking brick from the said field and premises as he was heretofore enjoined and commanded. The clerk is therefore ordered to issue a notice to the said Warren to be and appear before this Court on Thursday morning, 14th instant, at eight o'clock, and show cause, if any he may have, why an attachment should not issue against him."

772	The State of Texas v. John J. Blankenship, et. al.	Plaintiff Defendants	

And now on this day appeared in open Court George W Barnard and L. T. Packer and acknowledged themselves each to owe and be indebted unto the State of Texas in the sum of One hundred and twenty-five dollars each, to be levied of their goods and chattels, lands and tenements, But to be void upon condition that they ~~said~~ be and personally appear before the Hon. District Court of Travis county, on the tenth Monday after the first Monday in October, A. D. 1856, then and there

Spring Term, Wednesday, August 13th 1856.

to testify on behalf of the plaintiff in the above and foregoing entitled cause, and that they do not depart the Court without leave

773 The State of Texas } Plaintiff
John J. Blankenship et al } Defendants

And now on this day appeared in open Court George Barnard and L. F. Packett, and acknowledge themselves each bound and be indebted unto the State of Texas in the sum of One hundred and twenty five dollars to be levied of their goods and chattels, lands and tenements, but to be void upon condition that they be and appear before the Honorable District Court of Travis county on the tenth Monday after the first Monday in October, 1856, then and there to testify on behalf of the plaintiff in the above and foregoing entitled cause, and that they do not depart the Court without leave

772 The State of Texas } Plaintiff
J. J. Blankenship et al } Defendants

773 The State of Texas } Plaintiff
J. J. Blankenship, et al. } Defendants

It appearing to the Court that W. D. Oliphant a witness on behalf of the plff. in the two last preceding causes has been duly subpoened and has failed to attend this Court as such witness, thereupon, on motion of the District Atty. it is ordered by the Court that writs of attachment issue for the said witness to Travis county returnable to the next term of this Court.

And thereupon it is ordered by the Court that Court do now adjourn until Thursday morning August 14th 1856

Spring Term, Thursday August 14th 1856

Thursday morning August 14th 1856
Court met at eight o'clock pursuant to adjournment
Present the same as on yesterday whereupon the following
proceedings were had by said Court as follows, to wit:

L. D. Carrington & Co	Plaintiffs	
v 983 N. W. Johnson & A. H. Cook	Defendants	

And now on this day came the parties by
their attorneys, and this cause coming on to be heard upon
motion to dissolve the injunction heretofore granted, and the
argument of counsel being heard and considered by the Court,
It is ordered, adjudged and decreed by the Court, that the
injunction heretofore granted in this cause be and the same
is hereby dissolved, and that the plaintiffs recover of the
defendants the cost of the injunction and of this motion.

John Marshall	Plaintiff	
v 547 J. W. Hampton's Admr	Defendant	Decree

In this case appeared the parties plaintiff
and defendant, by their attorneys, and announced themselves
ready for trial, and waived a jury and submitted the matters
in controversy to the Court. After hearing the evidence introduced
by the parties plaintiff and defendant, and the argument of
counsel, and having fully considered the same, It is ordered,
adjudged and decreed by the Court that the plaintiff John
Marshall, take nothing by his suit, that the defendant
James H. Hutchins, administrator of the estate of Joseph W.
Hampton, deceased, go hence without day. It is further
ordered, adjudged and decreed by the Court that the defendant
James H. Hutchins, as administrator of the estate of Joseph
W. Hampton, deceased, do have and recover off and from
the plaintiff, John Marshall, the sum of fourteen hundred
and sixty-five 6/100 dollars, for his principal debt and
interest up to this date, with interest thereon at the rate
of ten per cent. per annum from this date until paid,
together with all costs of this suit laid out and expended,
for which execution may issue. And thereupon the said plaintiff
gave notice, in open Court, of an appeal to the Supreme Court.

E. W. Maner - Ex Parte.

And now on this day appeared in open Court the committee here-
tofore appointed and reported favorably as to the qualifications

Spring Term, Thursday, August 14th 1856

of E. M. Maner to practice as an attorney and counsellor at law, And Thereupon it appearing to the Court that said Maner has produced to the Court good and satisfactory evidence of good moral character and honorable deportment, It is therefore ordered by the Court that the said E. M. Maner is hereby admitted to practice as an attorney and counsellor at law in all the District Court and inferior Courts of the State of Texas, and that a License issue accordingly.

715 W. L. Robards } Plaintiff
v.
D. S. Kalman } Defendant } Order nunc pro tunc

It appearing to the satisfaction of the Court that at its Fall term, 1855, this cause coming on to be heard upon plaintiffs demurrer to defendants answer thereto filed, the following ruling of the Court was made thereon. "It is ordered, adjudged and decreed by the Court that the plaintiffs demurrer to defendants answer be sustained as to so much of said answer as seeks to go behind the judgment in favor of Augs. McNeill against the said Kalman, and to set up matter which was adjudicated therein; and as to the remaining portions of said answer, the said demurrer be overruled, and this order having been omitted in the minutes it is ordered that the same now be entered as of that term.

1100 Caroline Fowler } Plaintiff
v.
Wm Fowler } Defendant

And now on this day come the parties to this cause by their attorneys, and by consent of the said parties it is ordered by the Court that this cause be dismissed at defendants cost And thereupon it is ordered by the Court that the plaintiff remit of the defendant William Fowler all the costs of this suit, for which execution may issue, and that this cause be dismissed

Spring Term, Thursday, August 14th, 1856.

1067 Henry Faby } Plaintiff
L. Tellman } Defendant } Dismissed

And now come the parties to this cause by their attorneys, and submitted to the court the motion of defendant to strike out the amended petition filed in this cause, And thereupon it is adjudged by the Court that said motion be refused.

965 James O'Brady } Plaintiff
o } Judgment
Geo. Hancock } Defendant

And now on this day come the parties to this cause by their attorneys, and the cause was submitted to the Court upon the motion to dissolve the Injunction heretofore granted. And upon the argument of counsel and inspection of the pleadings, and the Court being fully satisfied of the premises, It is ordered, adjudged and decreed by the Court that said injunction be dissolved ~~motion be sustained~~. And thereupon it is further ordered adjudged and decreed by the Court that the defendant go hence without day, that the said plff take nothing by his said action, and that the defendant recover of the Plaintiff, and the securities on his Injunction bond to wit: Wm O'Connell, all the costs of this suit, for which execution may issue.

Cook & Nichols } Plaintiffs
o } Decree.
J. T. Cleveland, et al } Defendant

In the above entitled cause come the parties by their attorneys, and John Hallett and William Cumston withdraw their plea of intervention. And the parties, Abner Cook and Emily J. Nichols, plaintiffs and John T. Cleveland and Charles D. Cleveland, defendants, by their attorneys, waived a jury and submitted the matters in controversy to the Court, who, after having heard the evidence, and the argument of counsel, gave his opinion in writing as follows, "Cook & Nichols v. J. T. Cleveland, et al. In my opinion the evidence of the wife and daughter of the defendant is not admissible in this case. But even if it were, and thereby the fact was established that the defendant wrote to Chas D. Cleveland "in the Spring of 1853" to advance money to W. H. Cleveland so as to

Rec'd from J. Price Stamps to Sum of $5.00 in the Judgment in favor of Cook & Nichols vs J. T. Cleveland et al
877. W. Stevens Clk

enable him to leave California, and return to his father, yet there is no proof that any such money was ever advanced to W. H. Cleveland on the credit of the father. The note of $1000 does not prove it, because by that's prima facie, credit is given to Wm H Cleveland alone. And there is no evidence of advice or draft upon the father, nor is there any evidence or proof showing that the letter was ever received or acted upon by Charles D & Wm H Cleveland. There is, therefore, no proof of any consideration for the bill of sale. Even if the money had been advanced, and there was sufficient proof of that fact, still the usurious intent charged on the note could constitute no equity as against creditors, who had based their security upon the faith of the property. My opinion, further, is that no actual change of possession or of the use of the property was proven to have taken place. And in the absence of proof of a bona fide purchase, the landlord had a right to rely upon his remedy as given by the statute. I consider the proof about damages as unsatisfactory. But the defendant not having shown what amount of the property unavoidably perished, or what was left upon the premises, it is deemed proper to charge him $200. More would be charged, but for the inferior quality of the property generally and its perishable character. A decree will therefore be rendered for plaintiff for rent $898.66
Damages 200.00
$1098.66
And that the Bill of Sale of defdt. to Chas. D. Cleveland be cancelled, &c.

And whereas, it appearing to the Court that of said sum of money the sum of eight hundred and ninety and 66/100 dollars is due and owing for rent due said plaintiff by the defendant, John T. Cleveland, and it further appearing that they have had obtained for the rent so due them the following described property, as the property of said defendant, John T. Cleveland, to wit: one water cart & harness; one water tank; two large maps; four long benches; one hall clock, one basket champagne wine; two glass lanterns; one office stool, one cigar box, one monthly register, one

parlor office, two outside lanterns, twelve brass candlesticks, one large coffee boiler, two well buckets, & rope; one shaw cutter, three water buckets, wheelbarrow; one slate, two only four plates, two sugar bowls; one soup tureen; one counter & oil cloth, one dinner bell; 25 hatters; one Spring beer; 15 yds. oil cloth, 4 brown mules, one dun Spotted Spanish mare; one waggon and harness for four horses; one buggy and harness & about twenty bushels of corn; one piano forte;

And whereas, it also appears that of the property so disclaimed the said defendant Charles D Cleveland, has set up claim, in his own right, to the four brown mules of the value of eighty dollars, each to the waggon and harness for four horses valued at seventy five dollars; buggy and harness valued at one hundred and twenty five dollars; one dun spotted Spanish mare valued at sixty dollars; a lot of corn, about ten bushels, valued at ten dollars, has executed his replevy bond, on file in this case for said property so claimed by him, and taken the same out of the possession of the Sheriff, Now, therefore, it is ordered adjudged and decreed by the court, that said plaintiffs, Abner H. Cook and Lydia J. Nichols, have and recover of the defendant, John T Cleveland, the said sum of two hundred dollars, for their damages, for which execution may issue against him. It is further ordered, adjudged and decreed by the Court that said plaintiffs have and recover of the said defendants John T Cleveland and Charles D. Cleveland, jointly and severally, the sum of five hundred and ninety dollars, the value of the property so claimed by said Charles D Cleveland, as aforesaid. which last named sum may be discharged as against the said Charles D. Cleveland, by the said John T, or the said Charles D Cleveland delivering into the possession of the Sheriff of said Davis county the said property so claimed by said Charles D Cleveland, as aforesaid, at any time within ten days from the final adjournment of this Court, and for such portions of said property so claimed by said Charles D. as may be delivered by him or the said John T Cleveland, into the possession of said Sheriff, a credit shall be allowed by said Sheriff on said last named sum in favor of said Charles D Cleveland for the amount at which the portion of said property so delivered up may be valued at by this judgment and decree and the Sheriff shall proceed to sell the property so delivered up to him, if any, after

Spring Term, Thursday, August 14th 1856.

giving ten days' notice of the time and place of the sale in writing pasted up at three or more public places in said county of Travis, to the highest bidder for cash, and the proceeds arising from such sale, after deducting the costs of the same, shall be applied by said Sheriff as a credit on the Judgment against the said John T. Cleveland for the adjudged to be due said plaintiffs. But, if the said John T. Cleveland and the said Charles D. Cleveland should fail to deliver up said property so claimed by said Charles D. to the Sheriff of Travis county, within the time hereinbefore required, then the Clerk of this Court shall issue execution against the said John T. Cleveland and the said Charles D. Cleveland for said sum of five hundred and ninety dollars, or such portion thereof as may not be discharged, as to the said Charles D. Cleveland, by delivery of said property, so claimed by him, to the Sheriff as herein directed; and said Clerk shall issue execution against said John T. Cleveland for such portion, if any, of said last named amount, as may not be satisfied by the sale of property delivered into possession of said Sheriff by said John T. or the said Charles D. Cleveland, as before directed

And it is further ordered, adjudged and decreed by the Court that said plaintiffs have and recover of the defendant John T. Cleveland the further sum of three hundred and eight 66/100 Dollars the balance due them for rent, as aforesaid, and that the Sheriff of Travis county proceed to sell the remainder of said property so distrained, as aforesaid, after giving ten day's notice of the time and place of such sale, in writing pasted up at three or more public places in said county, to the highest bidder for cash, and the money arising from said sale, after paying cost of sale, to be applied first to the payment of said last named amount and next to the said Judgment against John T. Cleveland for two hundred dollars, if the same be not otherwise satisfied, and the balance, if any, to be paid by said Sheriff to said John T. Cleveland, but should said property so distrained and not claimed by said Charles D. not sell for an amount sufficient to pay said last named sum of money, then the Clerk of this Court shall issue execution

against the said John T. Cleveland for said amount remaining unsatisfied by sale of said last named property It is further ordered, adjudged and decreed that said plaintiffs. have and recover of the deft. John T. Cleveland all the costs by them had, laid out and expended at this instance; and that they have and recover of said Charles D. Cleveland all cost by them had, laid out and expended at his instance, for which executions may issue

Thomas J Chapman } Plaintiff
74 v
Edward R Oliver } Defendant

And now comes the Receiver heretofore appointed at a former term of this Court, and made his Report and filed his account, and thereupon it is ordered by the Court that the said Receiver be allowed the sum of Seventy five dollars, the amount of his account and that the clerk tax the same in the bill of cost.

List of the Grand Jury at Spring Term, 1856, Travis County District Court

No	Names	No. of Days	Amount
1	George Hancock	8	12.00
2	W O Martin	8	12.00
3	John Hamilton	8	12.00
4	George W. Glasscock	8	12.00
5	Gustavus Kirchberg	8	12.00
6	Geo. W. Davis	8	12.00
7	James M. Tinsley	8	12.00
8	Jack Miner	8	12.00
9	Matthew Brown	8	12.00
10	John M. Jayet	8	12.00
11	Thomas O. Rowe	8	12.00
12	James Manor	8	12.00
13	L. L. Browning	8	12.00
14	Chas. J. Compton	8	12.00
15	John Baker	8	12.00
16	Dennis Nash	8	12.00
17	Abner P. Blocker	8	12.00
18	John Meek	8	12.00
19	R. C. Flannikin	8	12.00
20	Joseph Hornsby	8	12.00
	160 Days at 1.50 pr diem		$240.00

Spring Term, Thursday, August 14th 1856.

Petit Jury

		Days	Amt
1	Washington Anderson	12	$ 18.00
2	Hugh McBride	12	18.00
3	Jason C. Cusics	12	18.00
4	Wm C Montgomery	12	18.00
5	P. K. Marshall	3	4.50
6	S W. Goodrich	12	18.00
7	C. W Deisoy	18	27.00
8	Henry D. Edwards	12	18.00
9	David B. Oldham	3	4.50
10	David Bowen	13	19.50
11	F le Steyart	18	27.00
12	John G. Talley	17	25.50
13	Isaac Hammett	6	9.00
14	John Kahman	12	18.00
15	B D Basford	41	61.50
16	Wm Eustard	18	27.00
17	J T Plumley	42	63.00
18	Joseph Kahman	3	4.50
19	Wm O'Connell	24	36.00
20	John Horan	28	42.00
21	Wm Fowler	9	13.50
22	Thomas F Chapman	4	6.00
23	A N. Hopkins	9	13.50
24	C G Reed	12	18.00
25	A B Timmons	37	55.50
26	Wm Gengo	27	40.50
27	L. D. Carruthers	12	18.00
28	W. D Rayland	4	6.00
29	J C Tannehill	2	3.00
30	Marcus Huling	33	49.50
31	Banyan Payne	33	49.50
32	Stephen Davis	30	45.00
33	Wm Robertson	3	3.00
34	S W Dunson	19 (Mch 30/57 Given to O'Connell)	28.00
35	James A Mankins	4	6.00
36	Daniel J Rood	8	12.00
37	A. H. Lowry	12	18.00
38	James Reed	17	25.50
39	D W Bostick	16	24.00
40	Albert Barnett	1	1.50
41	B H Darter	20	30.00
42	Wm Kennedy	21	31.50
43	S W Kennedy	21	31.50

Spring Term, Thursday, August 14th 1856.

44	O H Beckam	12		$18 00
45	Francis Kelley	9		13.50
46	Z J Adams	30		45 00
47	R P Daniels	19		28.00
48	L Fellman	1		1.50
49	John Nimbrand	8		12 00
50	W G Blakey	19		28 00
51	L R Rap	1		1.50
52	J L King	15		22.50
53	D Innis	3		4.50
54	M. D. Caperton	1		1.50
55	C W Hamilton	4		6.00
56	John M Hamilton	11		16.50
57	A. M. Cox	3		4.50
58	Joseph Warnlow	1		1.50
59	D. L. Denistan	9		13.50
60	James C Brady	22		33 00
61	W. D. Davidson	5		7.50
62	J Brents	1		1.50
63	John Thurman	1		1.50
64	J. H Vernon	1		1.50
65	A. Cauys	1		1.50
66	Charles Shepherd	1		1.50
67	J. S Burton	1		1.50
68	John S. Perry	1		1.50
69	Sherman Cake	1		1.50
70	Mark Brigers	1		1.50
71	John Phillips	1		1.50
72	John J Grimsley	1		1.50
73	W C Bennett	1		1.50
74	Frances Dilrick	1		1.50
75	Asa McKenzie	1		1.50
76	James Smith	1		1.50
77	John F. Reed	1		1.50
78	Leander Brown	1		1.50
79	P. W. Noland	2 days at last term,		3.00

Grand Total 1023 Days amtg to $1.534.50

I John T. Price, Sheriff of Travis county do hereby certify that the above is a true and correct list and statement of the Grand and Petit Jury that served at this Spring term A.D. 1856 of the District Court of Travis county and the number of days each one served and the amount respectively that each one is entitled to for the same. Given under my hand August 15th 1856

Examined and approved by me this 16th day of Aug. 1856
Jno H Duval Judge 3d D.

John T. Price, Sheriff Travis Co

Spring Term, Thursday, August 14th 1856.

The State of Texas } I Frank Brown, Clerk of the
County of Travis } District Court in and for the
County and State aforesaid, hereby certify that the
following is a correct Statement of Fines imposed
and Jury Fees receivable in criminal cases disposed of
at the Spring term of said District Court, 1856, as
well as fines imposed and jury fees receivable in
cases heretofore decided and appealed to the Supreme
Court, and affirmed, and mandates returned to the
District Court, as follows, to wit:

Cases returned from Supreme Court

				Fine	Jury Fee
No. 273	The State of Texas	v.	C. S. Mann	$10.00	$ 5.00
284	" " " "	"	J. M. N. Hall	10.00	5.00
588	" " " "	"	C. A. Harrison	37.50	5.00
	Fine v. Jasper Warren for contempt			50.00	

Cases decided at Spring Term, 1856.

507	The State of Texas	v.	Geo. W. Scott	10.00	5.00
529	" " " "	v.	James S. Gilles	10.00	5.00
599	" " " "	"	Theophilus Anderson	10.00	5.00
182	" " " "	"	W. G. N. Towers	10.00	5.00
638	" " " "	"	Cap Callahan	$10.00	5.00
585	" " " "	"	C. A. Napkins	10.00	5.00
256	" " " "	"	N. P. DeNormandie	12.50	5.00
458	" " " "	"	J. F. Crosby	13.00	5.00
729	" " " "	"	Sam F. Newell	10.00	5.00
730	" " " "	"	Sam F. Newell	10.00	5.00
747	" " " "	"	James R. Jackson	10.00	5.00
748	" " " "	"	James R. Jackson	10.00	5.00
				$224.00	$75.00

Test. Frank Brown Clk

Examined and approved in open Court
this 16th August 1856 Tho H Duval
Dist. Judge 2d Dist

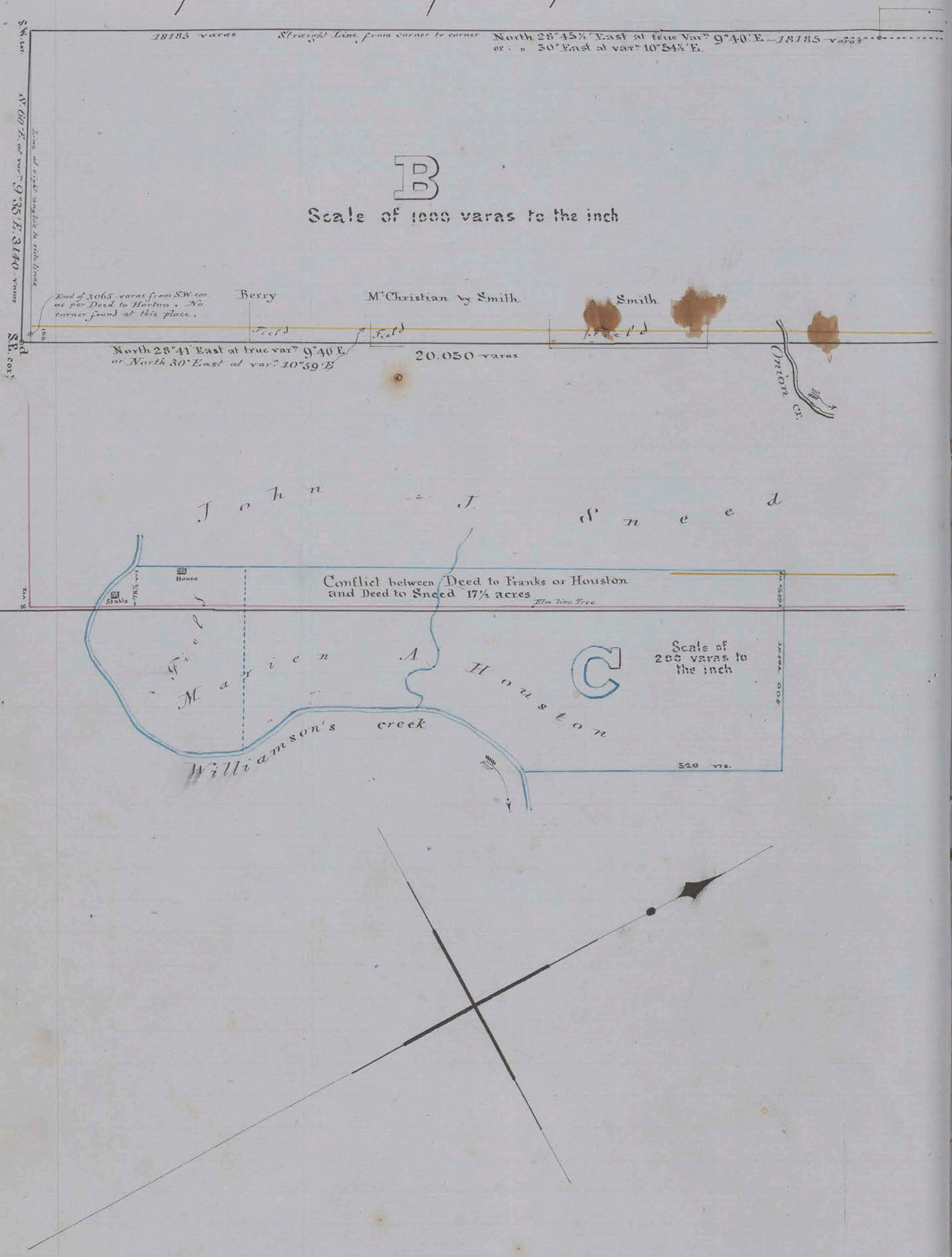
Spring Term, Friday, August 15th 1856.

And thereupon It is ordered by the Court that Court do now adjourn until Friday morning August 15. 1856

Friday Morning, August 15th 1856

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

Friday Morning Angust 15th 1856



Travis County June 21/56
R. Creuzbaur.

Fall Term, Friday, August 15th 1856.

Old marked Line

Colorado river

3116 varas

W 7 1/2 A M

corner 8 vrs to Westward of Black line

10 ots

John J. Sneed

S. B. Lewis

Mrs. Crosswaith

Creuzbaur

Field

Elm 6 vrs to West. of black line

Upon this yellow line, all Division corners are made North of Williamson's cr., except Sneed's

Two Live Oaks about 6 vrs. to West. of straight line.

This black line is the straight line from cor. d to the river corner

Marien A Houston

Elm 10 vrs West. Hackberry 18 vrs W.

Mulberry one vr to East. of black line; mark on the same not very distinct

W. D. Miller

Pecan 5½ vrs to Westward of black line.

A

Scale of 400 varas to the inch

This line makes the tract exactly 3065 vrs. wide, — no corner found at f.

Line from cor. d to river corner

This line is at right angles with the side lines

S. 86° E. 98 vrs

N. 4° E. 70 vrs

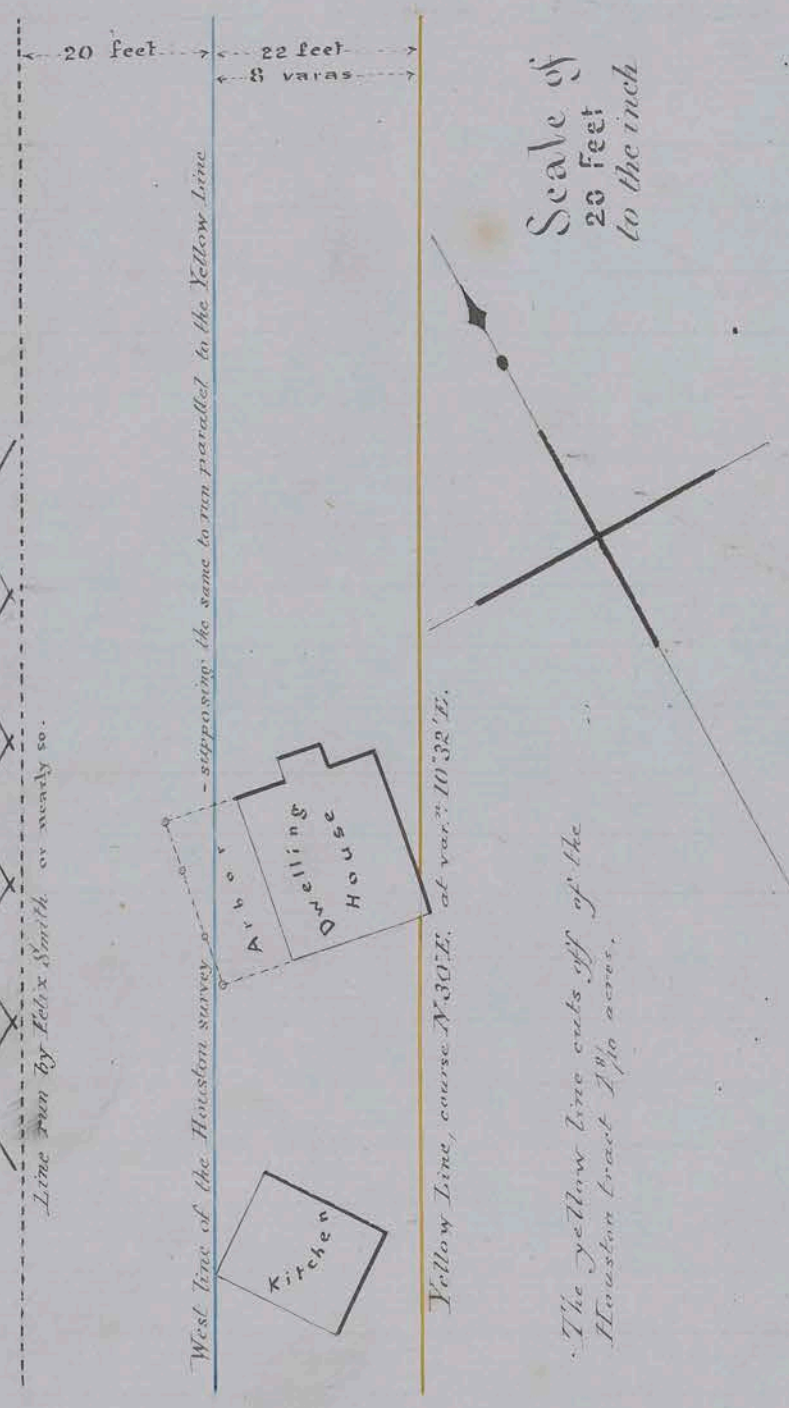
S.W. corner

S.E. corner

80 75

Travis County
June 21st 1856
R. Creuzbaur

Fall Term, Friday, August 15th 1856



Why is there a difference in the lines, as run by Felix Smith, and the undersigned? - both — having the same beginning, and aiming at the same result?

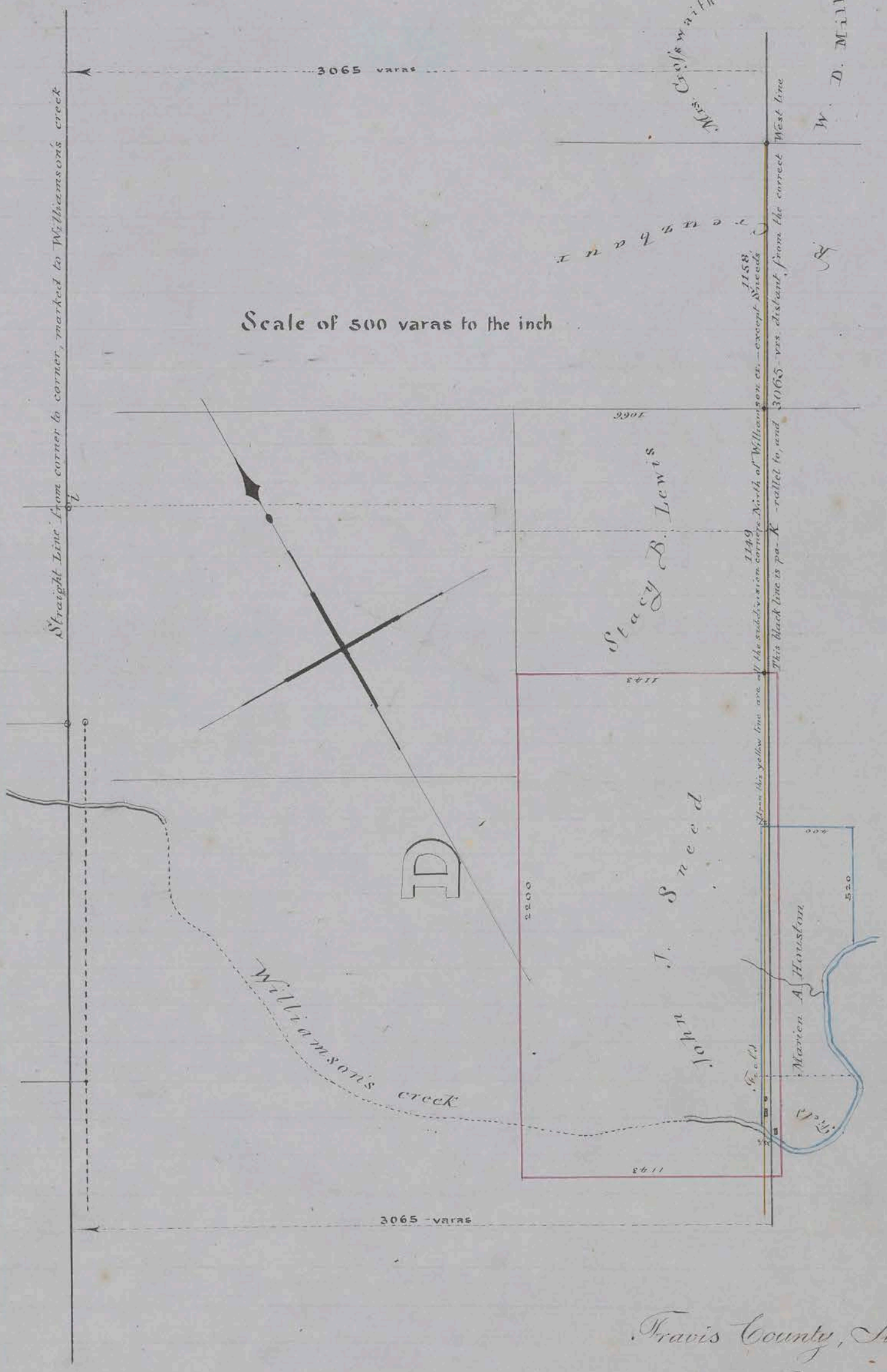
As I have noted in my report (of date June 21/56 in the cause of Sneed vs. Houston) a — small section of a long line, — on account of the diurnal variation, as well as for other causes, — can- -not safely be taken as an index to the course of the whole line. And to apply this: Mr. Smith calculated (as I am informed by Mr. Cox) the course of the line, by the direction of half a — mile thereof. I calculated the course of the same, by nearly 3¾ miles of the line, — namely, — from the river corner to S^t. B. Lewis's N.E. corner, — which comprises the whole length, through which — the yellow line is distinctly marked.

On that ground I claim that the line as by me run, is nearest correct.

June 25th 1856

Robert Creuzbaur

Fair Term, Friday, August 15th 1856.



Travis County, June 21st 1856

R. Creuzbaur

Fall Term Saturday. August 16th 1856.

Court thereupon It is ordered by the
Court that Court do now adjourn until
Saturday morning August 16. 1856

Saturday Morning. August 16th 1856.

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

The State of Texas } I. Francis Brown, Clerk of the Dis-
County of Travis } trict Courts in and for the County and
State aforesaid hereby certify the following to be a
correct list of the Civil Cases disposed of at the
Spring Term of the Travis District Court 1856, on which
a jury fee is receivable, as follows, to wit:

No of Case	Style of Case			Amount
94	W. S. Mufitt	v.	John M. Gastley	$ 3.00
367	John C. Hyde	v.	Francis Kelley	3.00
463	James Park	v.	W. Goldsmith et al	3.00
408	R. M. McElvain & Co	v.	M. Lilley	3.00
437	Kingsbill Price & Co	v.	Hugh L. Nelson	3.00
453	John Waltenberger	v.	Fellows & Bicknell	3.00
461	R. M. McElvain & Co	v.	Cassidy & Simmins	3.00
530	Ward	v.	Pachal et al	3.00
547	Marshall	v.	Hampton	3.00
560	L. T. Price	v.	M. Short	3.00
577	J. M. Hampton	v.	J. M. M. Hall	3.00
648	Oldham	v.	Mathews et al	3.00
699	M. Hamilton	v.	Wm. Bradford et al	3.00
685	Brady	v.	M. Donnell	3.00
709	Johnson & Kirkley	v.	H. A. Morris	3.00
715	W. L. Richards	v.	Fayro & Holman	3.00
716	Richd Wells	v.	Thos. J. Pitt	3.00
717	J. S. Bunce & Co	v.	A. G. Compton	3.00
718	J. S. Bunce & Co	v.	A. G. Compton	3.00
725	Harrison & Mitchell	v.	W. M. Shapley	3.00
726	Allen DeVal	v.	A. M. Davidson	3.00
727	Hamilton & Co	v.	Gen. Hancock	3.00
738	Chandler & McFarland	v.	A. Fyne	3.00
739	Freeman	v.	J. Blanton	3.00
743	W. A. Smith	v.	R. N. Allen	3.00
754	J. Smith	v.	G. Smith	3.00
758	J. M. Pelham	v.	C. C. Watts et al	3.00

Fall Term, Saturday, August 16th 1856.

760	Taylor	v.	Taylor	3.00
770	Ardeman	v.	McGhee et al	3.00
780	C. J. Cook	v.	J. M. W. Hall	3.00
781	J. D. Gidding	v.	T. G. Compton	3.00
782	Freeway et al	v.	McGhee et al	3.00
793	J. W. Chandler	v.	J. Case, et. al.	3.00
794	J. W. Chandler	v.	Burdett et. al.	3.00
796	J. W. Chandler	v.	Burdett et. al.	3.00
802	Alexander	v.	Maverick	3.00
803	Metter & wife	v.	Hyde	3.00
827	C. Raven	v.	J. Fidler	3.00
830	Clark	v.	Cassidy et. al.	3.00
831	J. A. Burdett	v.	J. Rowe	3.00
833	H. N. Burdett	v.	J. Rowe	3.00
840	R. Gethell	v.	Frank Pennell	3.00
851	J. Burton	v.	D. B. Oldham	3.00
863	L. Kelley	v.	J. Warren	3.00
867	J. M. W. Hall	v.	Jno. W. Crabtree	3.00
868	J. D. Cleveland	v.	Kay & Co	3.00
870	R. D. McAnelly	v.	J. Sharp et. al.	3.00
871	Simon Draper	v.	R. J. Draper	3.00
874	C. F. Jennings	v.	Sherman Case, et. al.	3.00
877	Cook & Nichols	v.	Cleveland	3.00
878	John Calvin	v.	J. D. Cleveland	3.00
888	H. D. Edwards	v.	Edwards et al	3.00
891	Barnett	v.	Burdett	3.00
895	Garretsons	v.	Hellman	3.00
898	Lilly	v.	Boggs & Peck	3.00
899	Kyle, use &c	v.	Fisher	3.00
901	Compton	v.	Hughes	3.00
903	Hancock	v.	Conner	3.00
904	Norris	v.	Pryce, et. al.	3.00
906	Hancock	v.	Fore	3.00
907	Hancock	v.	Matthews	3.00
909	Burt	v.	Gilliland et al	3.00
911	Make	v.	Ferguson	3.00
913	Henderson	v.	De Cordova	3.00
914	Marshall	v.	Rutherford	3.00
915	Ferguson	v.	Taylor et al	3.00
916	Dumond	v.	Hendon et al	3.00
919	Billingsley	v.	Slaughter etal	3.00
921	Neal	v.	Roy & Glasscock	3.00
923	Stone	v.	Cook	3.00
927	Oldham	v.	Sneed & Sneed	3.00

Fall Term, Saturday, August 16th 1856.

930	Sprouels Heo	v.	Mauteurs	3.00
931	Sprouels Heo	v.	Mauteurs et al	3.00
933	Rayer	v.	Walton etal	3.00
934	Marshall	v.	Miller	3.00
935	Thomas & Franklin	v.	Compton	3.00
937	Freeman	v	Jennings et al	3.00
938	Pindell	v.	Hopkins etal	3.00
939	Banks	v	Smith	3.00
940	Hardeman	v.	Kyanks etal	3.00
942	Peck & Co	v.	Griffin	3.00
946	Hancock	v.	Oldham	3.00
947	Hancock	v.	Reed	3.00
948	Freeman	v.	Oldham	3.00
951	Dietrich	v.	McGill	3.00
952	Smith & Straughorn	v	Martin	3.00
953	Sanner, Admr	v.	Burnetton Guard & Gray	3.00
957	Walton	v	Rydell etal	3.00
958	Carrington	v.	Jennings	3.00
961	Carrington & Co	v.	Conner	3.00
963	Carrington & Co	v	Conner	3.00
965	Brady	v.	Hancock	3.00
966	Carrington & Co	v.	Lane	3.00
969	Haynie	v	Gill	3.00
970	Carrington & Co	v.	Cox et al	3.00
971	Carrington & Co	v.	O Bannon	3.00
972	Carrington & Co	v.	Lusher	3.00
973	Carrington & Co	v.	Marshall	3.00
975	Carrington & Co	v.	Fitzgerald	3.00
976	Carrington & Co	v.	Newton	3.00
977	Hughes	v.	Blanton etal	3.00
978	Howath	v.	Hall et. al	3.00
979	Carrington & Co	v.	Fisk	3.00
981	Griffin	v.	Eastham	3.00
984	Ayerson	v.	Tyne et. al.	3.00
985	Carrington & Co	v.	Johnson	3.00
987	Smith Admr	v.	Christian etal	3.00
989	Hyne & Co	v.	Pitt	3.00
992	Sampson & Hewicks	v.	Sapleu	3.00
994	Haynie	v.	Gill	3.00
995	Ware	v.	Gibson	3.00
996	Morris	v	Payne et. al	3.00
997	Harrell	v.	Payton et al	3.00
999	Sprouls & Co	v	Dunn	3.00
1001	Headspeath	v.	Hopkins et al	3.00

Fall Term, Saturday, August 16th 1856

1002½	Lowry	v.	Cook	3.00
1002½	Lowry	"	Jennings	3.00
1004	Hutchins	v.	Gibbs	3.00
1006	Dye Cycks	v.	Gibbs	3.00
1007	Townsend	v.	Roach	3.00
1008	Hancock	v.	Lane	3.00
1009	Hancock	v.	Winn	3.00
1010	Hancock	v.	Johnson	3.00
1011	Hancock	v.	Caston	3.00
1012	Hancock	v	Robinson	3.00
1014	Hancock	v.	Gibbs	3.00
1016	Hancock	v.	Cook	3.00
1020	Make	v.	Rutherford	3.00
1022	Rector	v.	Case et. al.	3.00
1023	Simpson & Hancock	v.	Robinson	3.00
1024	Frazier	v.	Conner	3.00
1025	Spence	v.	Carleton & McGee	3.00
1034	Houston, Admr	v.	Doyle	3.00
1035	Houston "	v.	Mathews	3.00
1036	Houston "	v	McGee	3.00
1038	Alexander	v	Devine	3.00
1042	Burdett	v.	Burdett	3.00
1046	Townsend	v.	Roach	3.00
1048	C & A. Dye Cycks	v.	Hellman	3.00
1049	C & A. Dye Cycks	v.	Laughlin & Cox	3.00
1050	Garret	v	Conner & McGee	3.00
1051	Chapin	v.	Cook	3.00
1053	Winn	"	Walton & Payne	3.00
1056	Dye Cycks	v.	Fore	3.00
1060	Winn	v.	Cook	3.00
1061	Hancock	v.	Walton	3.00
1062	Hancock	v.	Fisk	3.00
1064	Gannon	v.	Gannon	3.00
1068	Engler	v.	Durbin	3.00
1069	Syed	v.	Chapman	3.00
1083	Shine	v.	Chandler	3.00
1084	Smith, Admr	v.	Dubois	3.00
1085	Cunningham & Co	v.	Hamilton	3.00
1095	Quin	v.	McGill et al	3.00
1096	Campbell & Co	v.	Hunter & Chandler	3.00
1097	Pickab	v	De Normandie	3.00
1098	Campbell & Co	v.	De Normandie	3.00

Dist: Evans Brown Cook DC JC $471.00

The foregoing examined and approved as correct, this 16th August 1856

Tho. H. Duval Judge 1st Dist

Fall Term, Saturday, August 16. 1856

The State of Texas }
County of Travis }

I Frank Brown, clerk of the District Court in and for the County and State aforesaid, do hereby make the following Report.

That at the above stated term of said Court there was received by me the sum of Five Hundred and Forty Six Dollars as Jury Fees in Civil and Criminal Cases disposed of at said term and the said sum of money, authorized by law to be by me distributed among and between the Jurors who served at said term as pro rata pay for said services, and that after deducting 2½ per cent. from said amount of ~~two~~ Five Hundred and Forty Six Dollars, allowed to me by law, the amount and sum of Five Hundred and Thirty Two 50/100 Dollars remained to be distributed as aforesaid, and that in accordance with the List of Jurors returned at said term there are ninety-nine Jurors, who served in the aggregate One Thousand and Twenty Four Days, at the rate of one dollar and fifty cents per day, making in the aggregate the sum of Fifteen Hundred and Thirty Six dollars and that the pro rata pay of said Jurors amounts to the sum of 52 cents per day, and that certificates have been duly issued to said Jurors, severally, for the aggregate amount due them, and that the said pro-rata due each Juror, severally, has been allowed, paid and the same deducted severally, from the aggregate amount due each Juror, and the amount remaining unpaid stipulated therein as will appear by reference had thereto

Frank Brown Clk
D C T C

Spring Term, Saturday August 16 1856

715 W. L. Roberds } Plaintiff } Order
J. S. Holman } Defendant }

It is ordered by the Court that the motion for new trial in this case be overruled. And thereupon the defendant, by attorney gives notice, in open Court, of an appeal to the Supreme Court.

565 The State of Texas } Plaintiff }
v.
G B Mace } Defendant }

527 The State of Texas } Plaintiff }
v.
Pet Cook } Defendant }

528 The State of Texas } Plaintiff }
v.
Pet Cook } Defendant }

And now on this day come the defendants in the last preceding three causes and file affidavits setting forth their inability to pay the fine and costs heretofore adjudged against them in the said causes and pray to be discharged from custody. And thereupon it is ordered by the Court that said defendants be discharged from custody.

827 E. Rauer } Plaintiff }
J. Kleiber } Defendant } Order

It is ordered by the Court that the motion for new trial filed in this cause be sustained and allowed, and that this cause be continued until the next term of this Court. And, further, that the plaintiff have leave to file an amended Petition.

Spring Term Saturday August 16th 1856.

876 Francis Kelly
vs
Joseph Warren

It is ordered by the Court that the motion for rule to show cause, be granted, and the rule to be heard at Chambers on some day to be designated by the Court.

Examined and Approved, and It is ordered by the Court that Court do now adjourn until the next regular term in course as prescribed by law, this Seateenth day of August, A. D. 1856.

Thos. H. Duval
Dist Judge 2nd Dist

The State of Texas v. C. M. Kemphill. Habeas Corpus.
Bond for Charges, &c.

Know all men by these presents, that we, W. A. Kemphill A. W. Terrell, F. W. Chandler and A. J. Hamilton are held and firmly bound unto Frank Brown, clerk of the District Court of Travis county, in the just and full sum of ten thousand dollars for the payment whereof, well and truly to be made, we hereby bind ourselves, our and each of our heirs, executors and administrators, jointly and severally, firmly by these presents. Witness our hands and seals, this 2nd day of September, A. D. 1856. The condition of the above obligation is such, that whereas, on the petition of Cornelius M. Kemphill, of Bastrop county, a writ of Habeas Corpus has been applied for, to bring the body of said Kemphill before the Hon. Thomas H. Duval, judge of the Second Judicial District of the State of Texas at the city of Austin. Now if the said Cornelius M. Kemphill shall well and truly pay all such charges as may be awarded against him on the trial of said Habeas Corpus, and moreover that he shall not escape by the way, then this obligation to be void, otherwise to remain in full force

(Endorsed) Ex Parte
C M Kemphill Bond for
charges &c Filed 2d Sept 1856
Frank Brown Clerk D C T C

W. A. Kemphill
A. B. Kemphill
A. W. Terrell
F. W. Chandler
A. J. Hamilton

Sept'r 13th 1856.

Ex Parte - Cornelius M. Kemphill - Habeas Corpus.

In obedience to the writ of Habeas Corpus heretofore granted, the prisoner, C. M. Kemphill, charged with the crime of murder, was brought before the Judge of the Second Judicial District of the State of Texas, at the Courthouse in the city of Austin, by the Sheriff of the County of Bastrop, on Monday, the 8th day of September, A. D. 1856, and thereupon, at the request of the counsel, both of the State and the prisoner, the witnesses for both side, were placed strictly under the rule, and J. H. Mansfield and W. W. Walker were duly appointed and sworn as bailiffs to take charge of them - And thereupon the warrant for the arrest of said Kemphill, the Sheriffs' return and other papers connected therewith having been read, the Judge proceeded to the examination of the witnesses, and such examination having been continued from day to day until this the 13th day of September, A. D. 1856, the same was then finally closed. And thereupon it was considered, ordered and adjudged, that upon the prisoner giving bond with sufficient security, in the sum of fifteen thousand dollars, conditioned that he would make his personal appearance at the next term of the District Court to be holden in and for the county of Bastrop, &c, he should be admitted to bail, and discharged from all further custody until that time. And the said prisoner then giving bond and security, in the sum aforesaid, and the same being approved by the Judge; it was ordered that he be released from confinement, which was done accordingly.

It was further considered and ordered that the said C. M. Kemphill pay the legal charges of his transportation from Bastrop to the city of Austin, and all costs and charges legally and properly attending this proceeding, except witness fees, which are to abide the final event of any trial that may be had against the said Kemphill in the District Court of Bastrop county, for the crime of murder aforesaid, and that the Clerk of the District Court of Travis county tax the costs and charges allowed by this Judgment and issue execution therefor, according to law.

Dist. Judge 2d Jud. Dist.

The State of Texas } Be it remembered, that on this the 9th day of
County of Travis } October, 1856. there was drawn according to law
in the city of Austin, Travis county, Texas, by Frank Brown clerk of the
District Court of Travis county, and James M. Swisher. By his deputy,
Augustus Schwartz, clerk of the county court of Travis county, in the
presence of John D. Travis an acting Justice of the Peace of Travis
county, the following named persons to serve as Jurors at the Fall
Term of the District Court thereof, within and for said county and
State aforesaid, A.D. 1856, as follows to wit:

No.	Names.	No.	Names.
1	George Nesner.	19	George D. Glasscock.
2	Francis T. Duffau.	20	Quilla I. Nichols.
3	A. A. Caux	21	Eugene M. Cain.
4	William B. Smith.	22	James Rogers
5	William Custard.	23	John G. Mathews.
6	Martin Moore	24	John T. Haynes
7	William A. Hamilton.	25	Alfred Smith.
8	James Dacy	26	E. M. Hurst
9	William A. Carr.	27	Francis Dieterich
10	R. M. Johnson	28	James Manor
11	Alfred Van Eyck	29	Aaron Burleson.
12	Thomas H. Tinney	30	Augustus B. Slaughter.
13	H. B. Hamilton	31	Abner P. Blocker.
14	Peyton W. Rowlin	32	Louis Horst.
15	D. H. Oldham.	33	Thomas P. Washington.
16	Richard Pick	34	Giles H. Burditt.
17	L. D. Carrington.	35	John C. Campbell.
18	Francis Brichta	36	Hall Medlin.

John T. Graves J. P.

Frank Brown Clk
D. C. T. C.
Jas. M. Swisher, Clk C C TC
By Augs. Schwartz Dep. Clk

Fall Term, Monday, November 24th 1856.

The State of Texas } Be it Remembered, That at a Term of the
County of Travis } District Court begun and holden at the
City of Austin, within and for the County and State aforesaid, on the
24th day of November A D 1856 (being the Seventh Monday after the
first Monday in October A D 1856) Present the Hon. Thomas S.
Lipscomb, Judge of the Second Judicial District of the State of Texas;
Thomas Pilgrim, Clerk of the District Court of Travis County, and John
J. Price, Sheriff. Whereupon the following proceedings were had by
said Court to wit:

The Venire having heretofore been drawn according to
law, and the same being duly issued, executed and returned according to law
into Court, the Court ordered the Sheriff to make proclamation of the names
of those appearing upon said Venire; and of the Names of those appearing
upon said Venire, the following were drawn to ~~xxx xxx~~ Constitute the
Grand Jury for and during the present Term of the Court, they Court having
appointed Thomas P. Washington to act as Foreman of said Grand Jury ~~xxx~~,
~~xxxxx~~ ~~xxxx~~ as follows, to wit:

1 Thomas P. Washington, Foreman;
2 P. W. Howlin
3 John C. Campbell
4 Hall Miller
5 Emilio J. Nichols
6 Sugar M. Cain
7 Abner S. Rheen;
8 John G. Makem
9 John F. Hayny
10. O. H. Oldham
11. Lewis Horst
12. Richard H. Peck
13. George D. Glasscock
14. Abner L. Cook
15. Alfred Smith
16. A. B. Slaughter
17. Francis Richter
18. Aaron Rinehart

And thereupon the above named Persons were duly sworn according to law
to act as the Grand Jury for the County of Travis and State of Texas, for and
during the present Term of this Court.

And thereupon the Court having charged the said Grand
Jury as to their duties, they were ordered to retire upon a discharge
of their Same, under the Charge of Charles W. McAnelly, a Constable
of Austin City and Bailiff to said Grand Jury, he being duly sworn as
such Bailiff by the Court.

And thereupon the remainder of these persons who were ~~in~~ attendance
drawn upon the regular Venire and who were not drawn on
the Grand Jury, were ordered to be in attendance on to-morrow
morning to serve as Petit Jurors.

Fall Term, Monday, November 24th 1806.

Order for Parties to Amend.

It is Ordered by the Court that in all cases now pending upon the Docket, the parties have leave to amend their pleadings at any time during the first few days of the present Session of this Court, without regard to the character of the Amendments, subject, however, to such exceptions as may be taken to the same, and to such Terms as the Court may think proper to impose

Order fining Veniremen.

And thereupon It is Ordered by the Court that the following Named persons who were Summoned on the regular Venire and who failed to answer to their Names when called, be fined in the Sum of Fifty Dollars each, to wit:- George Kesner, Wm. Custard, Martin Moore, ~~Henry Davis~~, Alfred Jennings, James Rogers, E. McKnight, James Manor, Giles A. Burdett, and that Scire Facias do issue to each of them returnable to the next term of this Court Commanding them then and there to appear, and Show Cause, if any they may have, why Said Judgment final should not be entered against them

1138 ↓

B. O. & Susan C. Payne } Plaintiffs
Josiah T. Dunn } Defendant } Order

And now comes A. J. Hamilton, one of pffs's attys and suggests to the Court the death of B. O. Payne, one of the pffs. And thereupon It is Ordered by the Court that the representative of the said B. O. Payne be made a party pff to this suit, and that the same be continued

1658 ↓

John W. Shrimp } Plaintiff
v.
Joseph Newsham } Defendant } Order

It is Ordered by the Court that this cause be continued as by consent of the parties to the same

1737 ↓

Chandler & McFarland } Plaintiff
v.
John T. Grambler } Defendant } Judgment

And now comes the pffs. by attorney and move the Court to dismiss this cause at ~~the~~ their cost. & ~~cost of~~ And thereupon it is Ordered by the Court that the ~~Plaintiffs~~ Defendant recover off and from the ~~defendant~~ Plaintiffs ~~& John W. Grimbles~~ ~~Chandler and Lucas B McFarland~~ all their costs in and about this suit expended for which execution may issue, and that said cause be dismissed from the Docket.

Fall Term, Monday, November 24th 1856

✓ 678 — Francis Dutterich } Plaintiff
James O. Rice } v. Defendant } Continuance

By agreement of the parties to this cause, It is Ordered by the Court that the same be continued as upon the affidavit of defendant.

936 ✓ — Ferrell & Morrow } Plaintiff
Ramsay & Payne } v. Defendants } Rule for Costs

And motion of defendants It is ordered by the Court that the plaintiff enter into bond and security for the costs of this suit on or before the first day of the next Term of this Court otherwise the same will be dismissed at his cost, the Attorney for the said plaintiff being present and notified

959 — L D Carrington & Co } Plaintiff
J. K. Jennings } v. Defendant } Judgment

And now come the parties to this cause by their Attorneys and consent that the same be dismissed at the Cost of defendant, And thereupon It is ordered by the Court that the plaintiff recover from the defendant J K. Jennings, all the Costs in this suit expended, for which execution may issue and that the said cause be dismissed from the docket.

1041 ✓ — Thomas D. Chapman } Plaintiff
J. Stone & John Calvin } v. Defendant } Order

It is ordered by the Court that this cause be Continued for Service on the defd Calvin.

✓ 1088 — Lowry & Cole } Plaintiffs
P B Lowe } v. Defendant } Order

On motion of defendant It is ordered by the Court that the plffs. enter into bond and security for the Costs of this suit on or before the first day of the next term of this Court, Otherwise the same will be dismissed at their cost, the plffs. attorney being present and notified

Fall Term, Monday, Nov. 24th 1856.

1102 John M. Dickens } Plaintiff
v. } Judgment
Cushieon ake } Defendant

And now comes the Plaintiff by attorney and runs the suit to dismiss this cause at his cost. And thereupon it is ordered by the Court that the above cause be dismissed from the Docket, and that the defendant recover of the ~~defendant~~ plaintiff John M. Dickens, all his cost in this suit expended, for which execution may issue

1111 Charles S. West } Plaintiff
v. } Order
Thomas Johnson, Sr. ale } Defendants

It is Ordered by the Court that this cause be continued by operation of law, the same being a suit in which some of the parties were summoned by publication.

And thereupon it is ordered by the Court that Court do now adjourn until to-morrow Morning at 9 o'clock.

Tuesday Morning, November 25th 1856.

Court met at Nine O'Clock pursuant to adjournment. Present the same as on Yesterday. Whereupon the following proceedings were had by said Court as follows to wit:

401 James Craig's Trustees, &c } Plaintiffs
v. } Judgment.
Stephen Crosby, Exor &c } Defendant

It appearing to the Court that at the last Term a Rule was entered requiring the Plaintiffs in this Cause to enter into Bond and Security for the costs of this Suit. And it further appearing to the Court that the said Plaintiffs have failed to comply with said rule within the time prescribed by law, and that said Plaintiffs Attorney was in Court and notified of said Rule. It is Ordered, adjudged and decreed by the Court that the above entitled cause be dismissed from the Docket, and that the Defendant recover of the Plaintiffs ~~costs in the Circuit Court and the Court of Appeals~~ all the costs of this Suit, for which execution may issue.

4 Dec. Certified

Fall Term, Tuesday, November 25th 1856

213	R. D. McAnelly v. Simon Tondon	Plaintiff Defendant	Continuance

It is Ordered by the Court that this Cause be Continued Generally

1414	Nathaniel Townsend v. Hahman & De Trunks	Plaintiff Defendants	Continuance

On motion of the plaintiff by his attorney. It is Ordered by the Court that this Cause be Continued generally

637	M. T. Johnson Admr v. Stephen Crosby Comr	Plaintiff Defendant	Continuance

By Consent of the parties to this Cause, It is Ordered by the Court that the same be Continued.

910	Corporation of Pastroph v. Alfred Smith	Plaintiff Defendant	Order

And now comes the Defendant by attorney, and on his Motion It is Ordered by the Court that he have leave to file an Amended answer

910	The Corporation of Pastroph v. Alfred Smith	Plaintiff Defendant	Order

And now come the attorneys representing the plaintiff and ask leave of the Court to file an amended petition. And thereupon It is Ordered by the Court that said Motion be granted.

1126	John C. Cunningham v. Samuel H. Tims, et al.	Plaintiff Defendants	Ordered

It is Ordered by the Court that the plaintiff have leave to amend his Pleadings in this Cause

Order Setting Criminal Docket

And thereupon It is Ordered by the Court that the Criminal Docket be set for ~~trial~~ Hearing on next Monday Week, being the 8th day of December A. D 1856.

Hall Term, Wednesday November 26th 1856.

And thereupon It is ordered by the Court that T. H. Turney be fined in the Sum of Twenty Dollars for not being in his place as the Petit Jury when Called by the Sheriff in the Cause now pending before the Court, and that Scire Facia do issue to him returnable to the next Term of this Court Commanding him then and there to appear and shew Cause if any he may have, why this Judgment shall not be made Final Against him.

Ord re fining T. H. Turney. Nov. 26. 1856 This Ord was set aside

And thereupon It is Ordered by the Court that Court be Now adjourned until to-morrow (Wednesday) morning, November 27th 1856, at Nine O'clock.

Wednesday November 26th 1856.

Court met at Nine O'clock A.M. pursuant to adjournment. Present the Hon. Thos. H. Duval, Judge of the 9th Judicial District, Emmet Pinney, Clerk of said Court, and John T. Price, Sheriff.

Whereupon the following Proceedings were had by said Court to wit:

42 1/2 lb.

William Clark	Plaintiff	Verdict
vs.		and
A. Dorn & N. Hopkins	Defendant	Judgment.

And now on this day, Came the parties to this Cause by their Attorneys and Having Announced Themselves ready for Trial, there Came a Jury of twelve Good and Lawful Men of Travis County, to wit: W. A. Hamilton and eleven Others, who being duly tried, empannelled and Sworn, Heard the Evidence introduced by the Parties, the Argument of the Counsel, and being Charged by the Court, retired to Consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit:—

"We, the Jury, agree to render Judgment in favor of the Plaintiff" "for the Sum of $321 W. A. Hamilton, Foreman."—

Whereupon It is Ordered, adjudged and decreed by the Court that the Plaintiff, William Clark, have and recover of the defendants, Andrew J. Hopkins the Sum of Three Hundred and Twenty Dollars, found by the Jury aforesaid, together with all his Costs in and about this Suit expended for which execution may issue.

Fall Term, Wednesday, November 26th, 1856.

1603 Robert Mills } Plaintiff
v. } Continued
Albert Rust } Defendant

It is Ordered by the Court that this cause be Continued generally

1649 Shepard & Hutchins } Plaintiff
v. } Continuance
Fielding S. Ray } Defendant

It is Ordered by the Court that this cause be Continued as upon affidavit of plaintiffs

1623 Jno. W. White } Plaintiff
v. } Continuance
Case & Payne } Defendant

It is Ordered by the Court that this cause be Continued generally

1654 H.G. Blakey, Surv: Jackson } Plaintiff
v. } Judgment
H. S. Ray } Defendant

On this day the above entitled cause being called by the Court, and the plaintiff neither appearing in person or by attorney to prosecute the same, It is ordered by the Court that the said Cause be dismissed for want of prosecution

And thereupon It is Ordered by the Court that the Defendant, nearer of the Plaintiff, Hartwell G. Blakey Surviving partner of the firm of Blakey & Blakey, and the Securities on his Cost Bond, to wit: R.S. Daniels and John B. Caton, all his Cost in and about this suit expended for which execution may issue

1719 Ann Rand Wife } Plaintiff
v. } Intervention
Thomas G. Collins } Defendant

It is ordered by the Court that Ann M. Hatch be allowed to intervene in this Cause, and that the same be Continued Generally

Edward Kondeck a Declaration Declaration of Intention to become a Citizen

The State of Texas } Edward Kondeck a being duly sworn according to law,
County of Travis } in the District Court of the County of Travis, in and for the State of Texas doth declare that he was born in the Year of our Lord one thousand eight hundred and Nineteen in Hungary, whence he emigrated

Fall Term, Wednesday, November 26th 1856

in the Year 1830, 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 Protectorate of Great Britain of whom he is now a Subject.

Edward Kondelka

Sworn to and Subscribed in open Court this the 26 day of Nov. A.D. 1856 Francis Brown Clerk of said District Court.

Order Issuing J. H. Conner & A. B. Dawson

And thereupon It is Ordered by the Court that John H. Conner and A. B. Dawson be fined in the Sum of Twenty-Five Dollars each for failing to attend at Fall Terms of this Court, duly Summoned by the Sheriff, and that Scire Facias Do issue to Each of them returnable to the Next Term of this Court, Commanding them then and there to appear and Show Cause, if any they can, why this Judgment Shall not be made final against them.

732	D. C. & G. R. Freeman	Plaintiffs	Judgment.
	vs.		
	Cravens & Beale	Defendants	

And now on this day came the parties to this cause by their attorneys, And it appearing to the Court that an alias and plurius citation was issued in this Cause against the Defendants Cravens, and duly returned not Served, On motion of Plaintiffs by their Attorneys this Cause was dismissed as to the said Cravens. And thereupon came a Jury of Good and Lawful men, to wit: J. W. Kinkley and Eleven others And the pleadings and proof having been read and submitted the Jury retired to Consider of their Verdict, and returned into Court their verdict in this Case saying "We the Jury, find for the plaintiffs the Sum of Four Hundred and Eighty Dollars, the debt mentioned in the note sued, with interest at ten per cent. per Annum from the tenth day of March, 1855, until paid.

It is therefore Considered by the Court that the plaintiffs have and recover of the defendant John Beal, the said sum of Four Hundred and Eighty Dollars, with interest thereon at the rate of ten per cent. per annum from the 10th day of March 1855, until paid, Also their Costs by them about their suit in this behalf expended, and that they have execution therefor.

Fall Term, Wednesday, November 26th 1856.

741 ✓

D. C. Irwin & O. K. P. Cole, for use, &c. } Plaintiffs } Verdict
v. } and
R. N. & A. T. Forehand } Defendants } Judgment.

And now on this Day Came the parties to this cause by their attorneys, and announced themselves ready for trial And thereupon came a Jury of twelve good and lawful men of Irwin County to wit: W. A. Hamilton and eleven others, who being duly sworn tried and empannelled, heard the evidence and arguments of Counsel, and receiving the Charge of the Court retired to consider of their verdict. And thereupon said Jury returned into Court the following Verdict to wit: "We, the Jury find for the Defendants, W. A. Hamilton, Foreman."

Whereupon It is Ordered, adjudged and decreed by the Court that the said plaintiffs take Nothing by this suit, that the defendants Go hence without day, and recover of the said plaintiffs D. C. Irwin and O. K. P. Cole all costs about this suit, for which execution May issue.

766 ✓

A. H. Lowery } Plaintiff } Continuance
v.
Cassidy & Finning } Defendants }

On motion of plaintiff, It is ordered by the Court that this Cause ~~may~~ be Continued.

767 ✓

A. H. Cook } Plaintiff } Continuance.
v.
John T. Pace & Shff } Defendant }

It is Ordered by the Court that this cause be continued as upon the motion of plaintiff.

1865

B. D. Hendrick, Admr } Plaintiff } Intervention
v.
Geo. W. Glascock } Defendant }

It is ordered by the Court that the heirs of Burton be allowed to Intervene in this cause, to wit: B. D. Hendricks, Susan Hendrick, Martin J. Burton, W. C. Dawson and Martha Dawson

1879.

Saml. A. Burdett } Plaintiff } Order
v.
S. H. Hinkley } Defendant }

It is Ordered by the Court that the ~~plaintiff~~ defendant Saml. A. Burdett have leave to amend his pleadings.

Fall Term, Friday, November 28th 1856

921 Payne & Flannikin } Plaintiffs
v. } Judgment
Thurman Case } Defendant

An motion It is Ordered by the Court that this Cause be dismissed from the Docket at plaintiffs Cost. And Thereupon It is Ordered, adjudged and decreed by the Court that the Defendant go hence without day, and recover of the plaintiffs Payne and Payne and R.C. Flannikin all his Costs in this behalf expended for which execution may issue

And thereupon It is Ordered by the Court that Court do now adjourn Until Friday Morning November 28th 1856 at nine O'clock

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Friday Morning Nov. 28th 1856

Court met at Nine O'clock Pursuant to Adjournment. Present the Same as on Wednesday Whereupon the following Proceedings were had by Said Court, As follows to wit:

1129 R H. Pick } Plaintiff
v. } Judgment
Joseph A. Smith } Defendant

And now on this day comes the plaintiff by his attorneys and claims a Judgment final by default And It appearing to the Satisfaction of this Court that the defendant has been duly Served with process and has failed to answer within the time prescribed by law, and it further appearing that the Cause of action is liquidated, as shown by a promissory note

It is Therefore Ordered adjudged and decreed by the Court that the Plaintiff R H Peck have and recover of the Defendant Joseph A. Smith the Sum of Three Hundred and nine 62/100 Dollars. being the amount of his Principal debt and interest due to this date with interest thereon at the rate of ten Percent. Per annum from this date until the final satisfaction of the same, together with all his Costs of suit, for which execution may issue.

1132 L D Carrington & Co } Plaintiffs
v. } Judgment
Ford & Davidson } Defendants

And now on this day come the

Fall Term, Friday, November 28th A.D. 1856.

Plaintiffs by attorney and claim a Judgment final by default And it appearing to the Court that the cause of action is liquidated as shown by an instrument of writing; that the defendants have failed to answer within the time prescribed by law, and that they have been duly served with process.

It is therefore Ordered, adjudged and decreed by the Court that the Plaintiffs, L D Carrington and David Clark, under their firm Name of L D Carrington & Co. have and recover of the Defendants John S Ford and Wilson P Davidson, under their firm Name of ~~L D Carrington & Co.~~ Ford & Davidson the sum of Two Hundred and Ninety Six 42/100 Dollars being the amount of principal, and interest due on the note sued on to this date, with interest thereon at the rate of Ten per Cent. per annum from the rendition of this Judgment until satisfied, and all cost of this suit, for which execution may issue

1133. L D Carrington & Co } Plaintiffs
v. } Judgment.
John S. Ford } Defendant

And now come the plaintiffs by attorney, and claim a Judgment final by default. And it appearing to the Court that the defendant has been duly served with process, and has failed to answer within the time prescribed by law, and it also appearing that the cause of action is liquidated, as shown by an instrument of writing called a promissory note. It is therefore Ordered, adjudged and decreed by the Court that the plaintiffs, L.D. Carrington and David Clark under their firm Name of L D Carrington & Co have and recover of the Defendant, John S. Ford the sum of One Hundred and Sixty-Four 70/100 Dollars, being the amount of principal debt and interest due on the note sued on to this date, with interest thereon at the rate of ten per cent per annum from the date of this Judgment until its final satisfaction, together with all costs in and about this suit expended for which execution may issue.

1119 John W. Prim, Admr } Plaintiff
v. } Judgment.
W. C. Collinsworth & } Defendants
L. S. Freind

And now comes the plaintiff by attorney, and claims a Judgment final by default. And it appearing to the Court that due service of the process in this cause has been made; that said defendants have failed to answer within the time prescribed by law, and that the cause of action is liquidated as shown by an instrument of writing, called a promissory note. It is therefore Ordered, adjudged and decreed by the Court that the plaintiff, as Admr of Saml Craft, dec'd, recover of the defendants, W.C. Collinsworth and L. S. Freind the sum of One Hundred and Eighty-Eight 25/100 Dollars, being amount of principal and interest due on the note sued on to date, with, with legal interest until paid, and all costs of this suit, for which execution may issue

Fall Term, Friday, November 28th 1851.

1136 John T. Price, Sheff } Plaintiff
v. } Judgment.
Thomas Griffin, et als. } Defendants

And now on this day comes the plaintiff by attorney, and claims a Judgment final by default. And it appearing to the Court that due service of the process has been made and that said defendants have failed to answer within the time prescribed by law; and that the cause of action is liquidated as shown by an instrument of writing commonly called a note of hand

It is therefore ordered adjudged and decreed by the Court that the plaintiff have and recover of the defendants, Thomas Griffin, A. B. Marshall, Owen O'Brien and Samuel Stone the sum of Six Hundred and Three 85/100 Dollars, being the amount of principal debt and interest due on the note sued on to this date, with legal interest thereon until paid, and all costs of this suit, for which execution may issue

1054 D. D. & W. D. McGehee } Plaintiffs
v. } Judgment.
Monroe & Matthews } Defendants

And now come the parties plaintiffs by their attorneys, and claim a Judgment by default. And it appearing to the Court that the defendants have been duly served with process and have failed to answer within the time prescribed by law; and that the cause of action is liquidated, as shown by an instrument of writing called a promissory note,

It is therefore Ordered, adjudged and decreed by the Court that the plaintiffs D. D. McGehee and W. D. McGehee have and recover of the defendants, J. A. Monroe and James A. Matthews, the sum of Three Hundred and Fifty Six 85/100 Dollars, being the amount of principal debt and interest due on the note sued on to this date, with interest thereon at the rate of ten per cent per annum from this date until paid, and all the costs of this suit, for which execution may issue.

1170 James A. Raymond } Plaintiff
v. } Judgment.
Joseph H. Robertson } Defendant

And now comes the plaintiff by attorney, and claims a Judgment finally by default. And it appearing to the Court that the defendant has been duly served with process, and that he has failed to answer within the time prescribed by law; and that the cause of action is liquidated as shown by an instrument of writing called a promissory note,

It is therefore Ordered, adjudged and decreed by the Court that the plaintiff James A. Raymond have and recover of the defendant Joseph H. Robertson the sum of Six Hundred and Twenty Five 85/100 Dollars, being the amount of principal and interest due on the note sued on to this date, with legal interest until paid, and all costs of suit, for which execution may issue.

Fall Term, Friday, November 28th 1856.

1169 John Beemond } Plaintiff
v. } Judgment.
A.B. McGill, et al } Defendant

And now on this day comes the plaintiff by attorney and claims a Judgment final by default. And it appearing to the Court that the defendants have been duly served with process and have failed to answer within the time prescribed by law, and that the cause of action is liquidated, as shown by an instrument of writing called a promissory note.

It is therefore ordered, adjudged and decreed by the Court that the plaintiff have and recover of the defendants, A. B. McGill John F. Conner, and George S. Robin on the sum of Two Hundred and Forty-Three 25/100 Dollars, being the amount of his principal debt and interest on the note sued on to this date with ten per cent. interest thereon from this date until paid, together with all his costs of suit, for which execution may issue.

1145. S. O. Nelson & Co } Plaintiffs
v. } Judgment
C. C. Richardson, et al } Defendants

And now come the plaintiffs by attorney and claim a Judgment finally by default. And it appearing to the Court that the defendants have been duly served with process and have failed to answer within the time prescribed by law; and that the cause of action is liquidated as shown by an instrument of writing

It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, Stephen O. Nelson, Allison Rawlsmah, Henry C. Walker and Thomas O. Nelson, under their firm name of S.O. Nelson & Co., have and recover of the defendants, Caroline C. ~~Wachon~~ Richardson, Wm. M. Wachon and Geo. L. Wachon, the sum of One Thousand and Eighty-Three 25/100 Dollars, being the amount of principal debt and interest due on the note sued on to this date with interest thereon at the rate of eight per cents per annum from this date until paid, and all cost of suit, for which execution may issue.

1116 Burkhart & Shepard } Plaintiffs
v. } Judgment.
W. B. McGehee, et als } Defendants

And now on this day came the plaintiffs in this cause by their attorneys and claim a Judgment final by default. And it appearing to the Court that due service of the process in this cause has been made, and that said defendants have failed to answer within the time prescribed by law; and it further appearing to the Court that the cause of action is liquidated, as shown by an instrument of writing called a promissory note,

It is therefore ordered, adjudged and decreed by the Court that the plaintiffs, George A. Burkhart and Dillon S. Shepard, under their firm name of Shepard & Burkhart, have and recover of the defendants Thurman Runnells, Wm. H. Knowles and Wm. B. McGehee, the sum of One Hundred and Seventy-Six 50/100 Dollars, principal and interest to date, with ~~two~~ ten per cent. interest thereon until paid, and all the costs of this suit for which execution may issue.

Fall Term, Friday, November 28th 1856.

1130 Wm S. Kidd } Plaintiff
v. } Judgment.
S. K. Jennings Jr. } Defendant

And now comes the plaintiff by attorney and claims a Judgment finally by default. And it appearing to the satisfaction of the Court that the defendant has been legally served with process and has failed to answer within the time prescribed by law; and it appearing that the action of plaintiff is based on a promissory note in writing produced in open Court,

It is therefore Ordered, adjudged and decreed by the Court that the plaintiff, Wm S Kidd have and recover of the defendant, S K Jennings Jr. the sum of One Thousand and Forty-Six 74/100 Dollars, being the amount of his principal debt and interest due on the note sued on to this date, with interest thereon at the rate of Ten per cent. per annum from the date of the rendition of this Judgment until its final satisfaction, together with all his costs of suit, for which execution may issue.

1115 Ernst Raven } Plaintiff
v. } Judgment.
Ford & Davidson } Defendants

And now on this day comes the plaintiff by attorney, and claims a Judgment final by default. And it appearing to the Court that the defendants have been duly served with process and have failed to answer within the time prescribed by law, and that the cause of action is liquidated as shown by two promissory notes, It is therefore ordered, adjudged and decreed by the Court that the plaintiff, Ernst Raven have and recover of and from the defendants, John S. Ford and Wilson T. Davidson, under their firm name of Ford & Davidson the sum of Three Hundred and Ten 27/100 Dollars, being the amount of his principal debt & interest due on the notes sued on to this date, with legal interest thereon until paid, together with all his costs of suit, for which execution may issue.

1135. R. M. Johnson & Co } Plaintiffs
v. } Judgment.
Ford & Davidson } Defendants

And now on this day come the plaintiffs by attorney and claim a Judgment final by default. And thereupon, It appearing to the Court that the defendants have been duly served with process and have failed to answer within the time prescribed by law, and have wholly made default. And it further appearing that plaintiffs' cause of action is based on a promissory note produced here in open Court,

It is therefore Ordered, adjudged and decreed by the Court, that the plaintiffs, R. M. Johnson, John P. Gordon and Robert M. Wilcox, under their firm name of R. M. Johnson & Co., have and recover of the defendants, John S. Ford and Wilson T. Davidson, under their firm name of Ford & Davidson the sum of One Hundred and Eighty-Nine 43/100 Dollars being the amount of their principal debt and interest due on the note sued on to this date, with interest thereon at the rate of ten per cent. per annum from date until paid, together with all the costs of this suit, for which execution may issue.

Fall Term, Friday, November 28th 1873

1125 R R Brown } Plaintiff
v. } Judgment
John Trussell } Defendant

And now on this day comes the plaintiff by attorney, & claims a Judgment final by default. And it appearing to the Court that the defendant has been duly served with process and has failed to answer within the time prescribed by law and that the cause of action is liquidated as shown by an instrument of writing called a promissory note It is therefore Ordered adjudged and decreed by the Court that the plaintiff R R Brown recover of the defendant, John Trussell, the sum of Three Hundred and Fifty-Nine 24/100 Dollars, being the amount of principal and interest due on the note sued on to this date, with ten per cent. interest thereon until paid and all costs of suit, for which execution may issue.

1177 Edward Clark } Plaintiff
v. } Judgment.
I. T. Gardner et al. } Defendants

And now comes the plaintiff by attorney, and dismisses his suit as to the defendants I. T. Gardner, and M. C. Sherdell, And thereupon It is Ordered by the Court that said defendants go hence without day, and that said defts. take nothing as to them. And thereupon plaintiff asks Judgment against the defts A. M. Davidson. And thereupon it appearing to the Court that the defts A. M. Davidson has been duly served with process and has failed to answer within the time prescribed by law, but wholly made default, and that the cause of action is liquidated as shown by defendants promissory note produced in open Court.

It is therefore Ordered, adjudged and decreed by the Court that the plaintiff, Edward Clark, have and recover of the defendant, A. M. Davidson the sum of One Hundred and Sixty-Six 20/100 Dollars, being the amount of principal debt and interest due on the note sued on to this date, with ten per cent. interest thereon from date until paid, together with all the costs of this suit, for which execution may issue.

1141 L. D. Carrington & Co } Plaintiffs
v. } Judgment.
W. K. Brown } Defendant

And now on this day come the plaintiffs by their attorneys and claim a Judgment final by default. And it appearing to the Court that the defendant has been duly served with process and has failed to answer within the time prescribed by law and that the cause of action is liquidated as shown by defendants promissory note

It is therefore Ordered, adjudged and decreed by the Court that the plaintiffs, L. D. Carrington and David Clark under their firm name of L. D. Carrington & Co. have and recover of the defendant, W. K. Brown, the sum of Four Hundred & Eighty-Six 25/100 Dollars, being amt of principal and interest to date, with twelve per cent. interest thereon until paid, and all costs, for which execution may issue

Fall Term, Friday, November 28th 1856.

1138 A. A. & S. N. De Chames Admrs } Plaintiffs
v. } Judgment
Kerrow & Cook } Defendants

And now come the plaintiffs by attorney and claim a Judgment final by default. And it appearing to the Court that the said Defendants have been duly served with process as prescribed by law, and that they have wholly made Default by failing to answer, and it also appearing that the cause of action is liquidated as shown by an instrument of writing

It is therefore Ordered, adjudged and decreed by the Court that the plaintiffs, A. A. De Chames and S. N. De Chames, Admrs of Jamel B. Morris dec'd, have and recover of the defendants, Andrew J. Kerrow and Abner H. Cook under their firm Name of Kerrow & Cook, the sum of Two Hundred Dollars and Fifteen Cents, being the amount of their principal debt and interest to date, with interest thereon at 10 per cent. per annum until paid, and all costs, for which execution may issue.

1140 M. C. Hamilton } Plaintiff. } Judgment.
v.
Wm K. Brown } Defendant.

And now comes the plaintiff by attorney and claims a Judgment final by default. And it appearing to the Court that the defendant has been duly served with process as the law prescribes, and that he has wholly made default. And it further appearing that the cause of action is liquidated as shown by an instrument of writing

It is therefore Ordered, adjudged and decreed by the Court that the plaintiff, have and recover of the defendant, Wm K. Brown, the sum of Two Hundred and Eighty-Three 93/100 Dollars, being the amount of principal and interest due on the note sued on to this date, with interest thereon from date (twelve per centum per annum) until paid, together with all his costs, for which execution may issue,

1128 Carl Henze } Plaintiff } Judgment.
v.
G. Kirchberg } Defendant

And now comes the plaintiff by attorney and claims a Judgment final by default. And it appearing to the Court that the defendant has been duly served with process and has failed to answer within the time prescribed by law and that the cause of action is liquidated as shown by defendants promissory note produced here in open Court It is therefore ordered, adjudged and decreed by the Court that the plaintiff, Carl Henze, have and recover of the defendant, Gustavus Kirchberg, the sum of One Hundred and Seventy-Three 93/100 Dollars being the amount of his principal debt and interest up to this date, with legal interest thereon until paid, and all costs of this suit for which execution may issue.

Fall Term, Friday, November 28th 1856.

1137

M. O. Dimon } Plaintiff
v. } Judgment.
W. D. Barton } Defendant

And now on this day comes the plaintiff by attorney and claims a Judgment final by default. And it appearing to the Court that the Cause of action is liquidated as shown by an instrument of writing called a promissory note; that said defendant has failed to answer within the time prescribed by law and has wholly made default

It is therefore Ordered, adjudged & decreed by the Court that the plaintiff, M. O. Dimon have and recover of the defendant ~~M. O. Dimon~~ W. D. Barton the sum of One Hundred and Nineteen 90/100 Dollars being the amount of his principal debt and interest up to this date with interest thereon at the rate of ten per centum per annum from date until paid, together with all his costs of suit, for which execution may issue.

1153

Wm. P. Cardwell } Plaintiff
v. } Judgment.
A. N. Hopkins, et als } Defendants

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see book 444
Barnes, Clk

And now on this day comes the plff. by attorney, and claims a Judgment final by default. And it appearing to the Court that the defendants have been legally summoned and have wholly made default; and that plffs. cause of action is liquidated as shown by an instrument of writing. It is therefore Ordered, adjudged and decreed by the Court that the plaintiff Wm. P. Cardwell have and recover of the defendants, A. N. Hopkins D. D. Nichols J. A. Burditt and R. T. Smith the sum of Seven Hundred and Ninety Seven 20/100 Dollars, being the amount of principal debt and interest due on the note sued on to this date, with interest thereon at the rate of ten per centum per annum from date until paid, and all his cost, for which execution may issue.

647

N. W. Burditt } Plaintiff
v. } Judgment and Verdict
William Fowler } Defendant

And now on this day came the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon came a jury of twelve good and lawful men of Travis county, to wit. William A. Hamilton and eleven others, who being duly empannelled, tried and sworn, heard the evidence, argument of counsel and the charge of the Court, and retired to consider of their verdict, and thereupon said jury returned into Court the following verdict, to wit: "We, the jury find for the plaintiff three hundred and eighty-five dollars. William A. Hamilton, Foreman."

Whereupon It is Ordered, adjudged and decreed by the Court, that the plaintiff, N. W. Burditt recover of the defendant, William Fowler, the sum of Three Hundred and Eighty-Five Dollars, so found by the jury aforesaid, together with all costs of this suit, for which execution may issue.

Fall Term, Friday, November 28th 1856.

571 C. C. Mason } Plaintiff
v. } Judgment
J. T. Cleveland } Defendant

And now on this day came the parties to this cause by attorney, and waiving a Jury agree to submit the cause to the Court. And thereupon upon the introduction of the evidence and the Argument of the Counsel the Court finds in favor of the plaintiff for the full amount of the note sued on in this case, with interest to date, after deducting the credit endorsed on said note. And thereupon It is ordered adjudged and decreed by the Court that the plaintiff, C. C. Mason, receiver of the defendant, John T. Cleveland, the sum of Five Hundred and Nineteen Dollars, balance of principal and interest due on said note to date, with legal interest until paid, and all costs of suit, for which execution may issue.

719 Lewis Rose & Wife } Plaintiffs
v. } Continuance
T. C. Collins } Defendant

It is ordered by the Court that the order continuing this cause generally, heretofore, at this term entered, be set aside, and that the same be continued as per agreement filed

714 A. W. Lowery } Plaintiff
v. } Continuance
Cassidy & Finnin } Defendants

It is ordered by the Court, that the continuance by the Court of this cause at the present term, be set aside, and the same be continued as per affidavit of defendant.

812 John Haak } Plaintiff
v. } Judgment
Oldham & Marshall } Defendant

And now come the parties to this cause by their attorneys and announced themselves ready for trial. And thereupon came a Jury, viz: W. A. Hamilton and eleven others, who being duly tried, empannelled and sworn, heard the evidence, argument of counsel and charge of the Court, and having retired returned into Court the following verdict, to wit: "We, the Jury, agree to render verdict for plaintiff for the sum of $25.00 William A. Hamilton, foreman."

Whereupon, It is ordered, adjudged and decreed by the Court that the pff. John Haak, receiver of the defendants, John Marshall & W. T. Oldham, under the firm name of Marshall & Oldham, the sum of twenty-five dollars, and all costs, for which execution may issue.

Fall Term, Friday November 28th 1856.

814 John McKean } Plaintiff } Continuance
Timothy McKean } Defendant }
It is ordered by the Court that this cause be continued generally

827 Cyrus Raven } Plaintiff } Order
John Killen } Defendant }
It is ordered by the Court that the defendant be allowed to amend.

832 Minus C. Ruddell } Plaintiff } Order
vs. } Defendant }
Isfe Rowe
It is ordered by the Court that this cause be continued generally.

865 B. D. Hendrick, Admr } Plaintiff } Held
vs. } Defendant }
Gen W. Blaircock
It is ordered by the Court that the above cause be placed at the head of the Docket.

889 J. W. Johnson } Plaintiff } Order
vs. } Defendant }
J. W. Kirtley
It is ordered by the Court that the plaintiff have leave to amend

998 Wm P. Martin } Plaintiff } Order
vs. } Defendant }
Jonas Dancenfal
It appearing to the Court that the defendant have wholly failed to answer within the time prescribed by law; and that the cause of action is ascertained. It is ordered by the Court that a writ of inquiry be awarded.

1043 Wm O'Connell, et al } Plaintiffs } Judgment
vs. } Defendant }
L D Carrington, et al
And now come the plaintiffs and dismiss their suit as to the defendant, W. O. Martin. And

Fall Term, Friday, November 28th 1856.

the cause It is ordered by the Court that the defendant, W. O. Martin
go hence without day. And thereupon ~~This cause~~ the said Heffs.
ask Judgment against the defendant Carrington. And the
Heffs appearing to the Court that the said Carrington has
failed to answer within the time prescribed by law, and that he
has been duly served with process, and has wholly made default.
Whereupon It is Ordered, adjudged and decreed by the Court
that the plaintiffs. Wm O'Connell and John A Pulliam recover of
the defendant, A. D. Carrington, the sum of Two Hundred
and Twenty-Three 65/100 Dollars ($223.65) principal and interest on
the note sued on to date, with interest at the rate of eight per
cent per annum thereon from date until paid, and all costs of suit,
for which execution may issue

1105 The State of Texas } Plaintiff
v. } Order
R. Clements, et. al } Defendants

It is Ordered by the Court that this cause be
continued for service on the defendants.

1106 The State of Texas } Plaintiff
v. } Judgment Final
M. B. Raper, et. al. } Defendants

It appearing to the Court that on the 15th July, 1856, Judgment
nisi was entered against the defendants in this cause, viz: M. B. Raper, J. W.
Robertson and A. Hore, for the sum of One Hundred Dollars, on forfeited
appearance bond executed by the said Raper as principal, and the said Robertson
and Hore as securities, ~~conditioned that~~ to answer the charge of Dealing Faro
preferred against the said Raper by the Grand Jury of Travis County at
the Spring Term, of the District Court of Travis county, 1856; and it further
appearing to the Court that each of said defendants have been duly
and legally served with writs of Scire Facias to appear and show
cause, if any they might have why said Judgment nisi should
not be made final against them, and that they have failed
to answer within the time prescribed by law, and wholly made
default. It is therefore Ordered, adjudged and decreed by
the Court that the said State of Texas have and recover of
the said defendants, M. B. Raper, J. W. Robertson and
A. Hore the sum of One Hundred Dollars, the amount of
the Judgment nisi aforesaid, together with all the costs of
this suit, for which execution may issue.

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1107 The State of Texas v. M. B. Raper, et. al. } Plaintiff / Defendants } Judgment.

It appearing to the Court that on the 15th July, 1856, judgment nisi was entred against the defendants Raper, Roberts on & Pope for the sum of One Hundred Dollars on a forfeited appearance bond executed by the said Raper as principal, and the said Roberts on and Pope as securities to answer the charge of Betting at Faro, preferred against the said M. B. Raper at the Spring by the Grand Jury of Travis county at the Spring Term of the District Court of Travis county, 1855. And it further appearing to the Court that each of said defendants have been duly and legally served with writs of Scire Facias to appear and show cause, if any they might have, why said Judgment nisi should not be made final against them and that they have failed to answer within the time prescribed by law, and wholly made default. It is therefore Ordered, adjudged and decreed by the Court that the said State of Texas have and recover of the said defendants, M. B. Raper, J. H. Roberts on, and A. Pope the said sum of One Hundred Dollars the amount of the Judgment nisi aforesaid, together with all the costs of this suit, for which execution may issue.

1108 Newell H. Burdett v. Mina C. Burdett } Plaintiff / Defendant } Order

It appearing to the Court that the defendant has been legally served with process and has failed to answer within the time prescribed by law, and wholly made default. And it further appearing that the cause of action is unsettled, it is ordered by the Court that a writ of enquiry be awarded

1112 Abner Lee v. Th. J. Moore } Plaintiff / Defendant } Order

It appearing to the Court that the defendant has been legally served with process and has failed to answer within the time prescribed by law, and wholly made default. And it further appearing that the cause of action is unliquidated, It is ordered by the Court that a writ of inquiry be awarded

1120 Brown & Miller v. E. O. Warren & Jeff. Warren } Plaintiffs / Defendants } Judgment.

It is ordered by the Court that the plaintiffs have leave to amend. And thereupon, came the parties by attorney, and agree and consent that Judgment may be rendered for the amount due on the obligation sued on in this case And thereupon It is ordered, adjudged and decreed by the Court that the plaintiffs, John N Brown and Robert Miller, under their firm name of Brown & Miller have and recover of the defendants, E. O. Warren and Jeff. Warren, the sum of

Fall Term, Friday, November 28th 1856.

Two Hundred and Fifteen 00/100 Dollars, being amount due to this date, with legal interest thereon until paid, together with all the costs of this suit, for which execution may issue.

And thereupon It is ordered by the Court that no execution shall issue on the above Judgment until the first March, 1857.

1121 — F. Dietrich } Plaintiff
v. } Order
Hellebus & Bingaman } Defendants

It is ordered by the Court that this cause be dismissed from the Docket, the costs having been paid, and the subject-matter settled.

1127 — William Clifton } Plaintiff
v. } and Or
Thomas Rowe } Defendant

The defendant having made default in this case It is ordered by the Court that a writ of inquiry be awarded, the subject-matter being unliquidated.

1142 — A. D. Taylor } Plaintiff
v. } Judgment.
A. G. Compton } Defendant

And now comes the plaintiff by attorney and demands a Judgment by default. And it appearing to the Court that the defendant has been duly served with process and has failed to answer, but wholly made default. And it further appearing that the cause of action is liquidated, as shown by an instrument of writing

It is therefore Ordered, adjudged and decreed by the Court that the plaintiff, A. D. Taylor have and recover of the defendant A. G. Compton, the sum of Two Hundred and One 44/100 Dollars, being the amount of his principal debt and interest to date, and all costs, for which execution may issue.

1035 — M. A. Houston, Admr } Plaintiff
v. } Judgment
James H. Mathews } Defendant

And now come the parties to this by their attorneys, and thereupon It is ordered by the Court that the Judgment rendered at the last term be set aside and held for naught, and that the following be rendered instead thereof, as follows. to wit, (after deducting the sum of Sixty-Four 64/100 Dollars, being defendants set-off to plffs dem and) that the plaintiff, as the Admr of Lara Houston, deceased, recover of the defendant, James H. Mathews, the sum of One Hundred and fifty-seven 31/100 Dollars, principal and interest to date, and legal interest thereon until paid, and all costs of this suit, for which execution may issue

Hall Term, Friday, November 28th 1851.

1151 Jasper K. Holiday } Plaintiff } Order
v.
M. A. Barker } Defendant }

It is Ordered by the Court that the plaintiff in this cause have leave to amend

1162 Arthur G. Wavell } Plaintiff } Order
v.
E. M. Pease, Gov. } Defendant }

It is Ordered by the Court that this cause be continued for Service

1168 John L. Peay } Plaintiff } Order
v.
W. D. Barton } Defendant }

It appearing to the Court that the defendant has been duly served with citation and has failed to answer and has wholly made default, and it further appearing that the cause of action is unliquidated, It is ordered by the Court that the plaintiff recover according to the prayer of his petition and that a writ of inquiry be awarded

1173 John J. McChristian } Plaintiff } Order
v.
Jas. M. W. Scrivner } Defendant }

It is Ordered by the Court that this cause be continued for Service.

1179 Geo. L. Burnett } Plaintiff } Order
v.
W. H. Johnson et al } Defendants }

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

1181 Geo. Hancock } Plaintiff } Judgment
v.
Levi Shackelford } Defendant }

And now comes the plaintiff, by attorney and asks a Judgment final by default. And it appearing to the Court that the said defendant has acknowledged service of plaintiff's petition and waived the time for answer allowed by law and consented that the said cause should stand for trial at this term of the Court, It is therefore ordered, adjudged and decreed by the Court that the plaintiff, George Hancock recover of the defendant, Levi Shackelford the sum of Two Hundred and Three 00/100 Dollars, principal and interest to date, with twelve per cent. interest thereon until paid, and all costs of this suit, for which execution may issue

Fall Term, Friday November 28th 1856.

1182 Marshall & Aldham } Plaintiff
v. } McAdams
Edward Clark, Secy of State } Defendant

And now on this day come the parties to this cause by their attorneys and announced themselves ready for trial. And waiving a Jury submit the cause to the Court. And thereupon upon inspection of the pleadings and the Court doth order that the said demurrer of the defendant be sustained; that plaintiffs bill be dismissed, and that defendant recover of the plaintiffs, John Marshall and William S. Aldham all the cost of this suit, for which execution may issue. And the plaintiffs gave notice in open Court of an appeal to the Supreme Court.

S. H. Kuchley
R. Burchard
B. Payne &
Jas. Hall

And thereupon It is Ordered by the Court that S. H. Kuchley, Thomas Burchard, ~~Benajah Payne~~ and James Hall be fined the sum of thirty dollars each, for failing to attend on the Court as Petit Jurors after being summoned by the Sheriff and that Scire Facias issue to each of them returnable to the next term of this Court, Commanding them then and there to appear and show cause, if any they may have, why this Judgment should not be made final against them.

And thereupon It is Ordered by the Court that Court do now adjourn until to-morrow Morning at Nine Oclock

Saturday Morning, November 29th A.D. 1856.

Court met at Nine oclock A.M. pursuant to adjournment. Present the Hon. Thomas P. Duval, Judge of the Second Judicial District; Frank Brown, clerk of said Court, and John T. Ives, Sheriff.

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

And now on this day came and appeared in open Court the Grand Jury for the County of Travis, duly elected, empannelled and sworn as the law prescribes, and through their Foreman, Thomas P. Washington, presented to the Court the following Bills of Indictment, and consented that the same might be amended by the Court in matters of form, but not in matters of substance, as follows, to wit:

774 The State of Texas } Plaintiff } Betting at a game called Pool-at-Ten-Pins.
v.
Joseph Dew & John S. Ford } Defendants

775 The State of Texas } Plaintiff } Buying corn from a negro slave
v.
Ephraim Blair } Defendant

776 The State of Texas } Plaintiff } Betting in a game called Ten Pins
v.
Charles H. Rondeaux } Defendant

Fall Term, Saturday, November 29th 1856

1777	The State of Texas v. Wash. Hill, Thos. Anderson & Co. Pack	}	Plaintiff Defendants	} Betting at Faro
1778	The State of Texas v. William T. Patterson	}	Plaintiff Defendant	} Selling Liquor to Slave
1779	The State of Texas v. Thomas Bowles	}	Plaintiff Defendant	} Betting at Ten Pins.
1780	The State of Texas v. Britt Robinson & John Stone	}	Plaintiff Defendants	} Playing Poker in a public house
1781	The State of Texas v. Jack Robinson, Jack Polk & Charles C. Irwin & Isaac Cathcart	}	Plaintiff Defendants	} Betting at a game called Pool at Ten Pins
1782	The State of Texas v. James Jackson	}	Plaintiff Defendant	} Exhibiting Faro
1783	The State of Texas v. Mark Raper	}	Plaintiff Defendant	} Exhibiting Faro
1784	The State of Texas v. Pet. Coake	}	Plaintiff Defendant	} Betting at Pool at Ten Pins
1785	The State of Texas v. James M. W. Hall	}	Plaintiff Defendant	} Permitting Faro Bank exhibited in his house
1786	The State of Texas v. James M. W. Hall	}	Plaintiff Defendant	} Exhibiting gaming table called Pool at Ten Pins
1787	The State of Texas v. James M. W. Hall	}	Plaintiff Defendant	} Permitting Faro Bank exhibited

Fall Term, Saturday, November 29th 1856.

788	The State of Texas v. James M. H. Hall	Plaintiff Defendant	Permitting Faro to be exhibited &c
789	The State of Texas v. Casey	Plaintiff Defendant	Buying Corn from Slave.
790	The State of Texas v. Theophilus Anderson	Plaintiff Defendant	Betting at Faro
791	The State of Texas v. Mac Maroni	Plaintiff Defendant	Exhibiting Faro
792	The State of Texas v. Sherman Case	Plaintiff Defendant	Cutting Timber
793	The State of Texas v. Buck Bennett	Plaintiff Defendant	Exhibiting Faro
794	The State of Texas v. Th. Bowles, Th. Andrus & Jack Pack	Plaintiff Defendants	Betting at Pool at Ten Pins
795	The State of Texas v. George Robinson	Plaintiff Defendant	Permitting Faro to be exhibited &c
796	The State of Texas v. S. G. Sneed, Sr	Plaintiff Defendant	Branding Yearling
797	The State of Texas v. S. G. Sneed, Sr.	Plaintiff Defendant	Branding Calf
798	The State of Texas v. Seaborn G. Sneed, Sr	Plaintiff Defendant	Branding Calf

Fall Term, Saturday, November 29th 1856.

1799 The State of Texas } Plaintiff } Branding Yearling
v.
S. G. Snead, Jr. } Defendant }

And thereupon the said Grand Jury suggested to the Court that there was further business before them. And the Court ordered the said Grand Jury to retire upon a further discharge of their duties

1150 John T. Miller, S. H. Kuchley & W. A. Perry, under the firm name of John T. Miller & Co } Plaintiffs } Verdict and Judgment.
v.
John F. Morriss } Defendant }

And now at this day come the plaintiffs by their attorneys, in the above entitled cause, and it appearing to the Court that due and legal service has been perfected on the said defendant John F. Morris, and that he has failed to answer said suit within the time prescribed by law and saith nothing in bar or preclusion of said plaintiffs cause of action, but wholly makes default. And thereupon it appearing that the matters and things in said plaintiffs' petition alleged are true, and that the said defendant did promise and undertake as therein stated, by reason whereof the said plaintiffs ought to recover of the said defd. the damages sustained in said cause. And thereupon because the damages are unknown and unliquidated, a writ of inquiry was awarded, And thereupon came a Jury of lawful good and lawful men, to wit: James M. Long and eleven others, who being duly empannelled and sworn as required by law, and having heard the pleadings, the evidence and the argument of Counsel, retired under the charge of the Court to consider of their verdict, And thereupon returned into the Court the following, to wit; "We, the Jury, find for the plaintiff $315- damages. three hundred and fifteen dollars.

J. M. Long, Foreman."

And thereupon, It is ordered, adjudged and decreed by the Court that the said plaintiffs, recover of the defendant, John F. Morriss, the sum of three hundred and fifteen dollars, and all the costs of this suit, for all which execution may issue.

John Krans

John Krans Ex Parte.

And the said John Krans having filed here in open Court his petition praying to be admitted to become a citizen of the United States, and the Court being satisfied by the oaths of S. Kirchberg and H. Kreuzer citizens of the United States, that the said John Krans was well known to them for the last five Years as residing within the limits and under the jurisdiction of the United States, and within One Year in the State of Texas, that during that time he has behaved as a man of good moral character attached to the principles of the Constitution of the United States

Sworn

and well disposed to the good order and happiness of the same; and being also satisfied that the said John Krans has made his declaration to become a citizen of the United States in the District Court of the County of Comal, State of Texas two years previous to the filing of his said petition, according to the Act of Congress in such case made and provided. And the said John Krans having in open Court taken the Oath prescribed by law to support the Constitution of the United States, and that he doth absolutely and entirely renounce and abjure forever, all allegiance and fidelity to every Foreign Prince, Potentate, State or Sovereignty whatsoever and particularly to the Duke of Nassau, of whom he was before a subject. It is therefore Ordered by the Court that the said John Krans be and is hereby admitted a citizen of the United States, And that the Clerk of this Court issue to him a certificate Accordingly

827

Ernst Raven	Plaintiff	Verdict	
v.		and	
John Killiba	Defendant	Judgment.	

And now on this day come the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: W. A. Hamilton and eleven others, who being duly elected, empannelled sworn and tried, heard the evidence, argument of counsel and charge of the Court, and retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, agree to render verdict for the plaintiff for the sum of $453 74/100" "Dollars, less the interest due on the notes. W. A Hamilton, Foreman." Wherefore, It is ordered, adjudged and decreed by the Court that the plaintiff Ernst Raven recover of the defendant John Killiba, the sum of Three Hundred and Sixty-Seven 74/100 Dollars as found by the Jury aforesaid, and all cost of this suit, for which execution may issue

841

John Redmond	Plaintiff	Order.	
v.			
J. K. Herndon, et al.	Defendant		

It is Ordered by the Court that this cause be continued for Service on the 7th Inst. Juliet M. Herndon.

849

R. C. Hannicken	Plaintiff	order	
v.			
Daniel McKenzie	Defendant		

It is Ordered by the Court that this Cause be continued for Service on the defendant McKenzie

850

Newell H. Burdett	Plaintiff	Order	
v.			
William Rutledge	Defendant		

It is Ordered by the Court that this cause be continued generally

Fall Term, Saturday, November 29th 1856.

864 ✓ — I & T. Robb vs Joseph Thompson — Plaintiffs / Defendant — Continuance

It is Ordered by the Court that this cause be continued on affidavit of defendant

1139 ✓ — Henry H. Raglin vs Sarah C. & A. G. Kimbell — Plaintiff / Defendants — A. C. & S.

On the hearing of the motion filed by the plaintiff in the above entitled and numbered cause, and on inspection of the several papers files in said cause and referred to in support of said motion, It is ordered by the Court that N. C. Raymond, Esq., be appointed Receiver therein to take possession of, hire out, and render an account of the several slaves mentioned in the petition of the plaintiff during the pendency of this suit and subject to the orders of this Court, upon his executing his bond with two good and sufficient sureties to be approved by the Clerk of this Court in the penalty of Six Thousand Dollars. Said Receiver is authorized and fully empowered to receive from said plaintiff and receipt for all evidences of indebtedness to defendant whether by note or account, in his hands on account to said slaves, and to proceed to collect the same as he may deem advisable, by suit or otherwise.

On suggestion of the Sheriff, made in open Court, leave is granted him to make forthwith an amended return upon the attachment and brief Statement issued in this cause, which amended return being made, It is ordered that this cause be continued to perfect service, unto the next regular term of this Court at which the Receiver aforenamed is directed to file his Report in writing showing all his actings and doings in the premises.

866 — A. B. Hanton vs S. H. Johnson — Plaintiff / Defendant — Verdict and Judgment

And now on this day come the parties to this cause by their attorneys and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, to wit: W. A. Hamilton and eleven others, who being duly elected, tried, empannelled and sworn, heard the evidence argument of Counsel, and charge of the Court and retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We the Jury, agree to render a verdict in favor of plaintiff for the sum of 231 87/100 Dollars. W. A. Hamilton, Foreman."

Whereupon, It is ordered, adjudged and decreed by the Court that the plaintiff, A. B. Hanton, recover of the defendant S. H. Johnson, the Sum of Two Hundred and Thirty-One 87/100 Dollars as aforesaid, and all costs of this suit, for which execution may issue.

And thereupon It is ordered by the Court that Court do now adjourn until Monday Morning, Dec. 1st 1856

Fall Term, Monday, December 1st 1856

Monday, December 1st 1856.

Court met at nine o'clock A.M. pursuant to adjournment. Present the Same as on Saturday last.

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

869 A W Morrow } Plaintiff
v. } Judgment.
James M. Turley } Defendant

And now come the plaintiff and asks a Judgment of the Court against the said defendant. And thereupon the said defendant being called, came not. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: James S. Gillett and eleven others, who being duly empannelled and sworn, heard the evidence and the charge of the Court, and retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury find for the plaintiff the sum of One Hundred "and Twenty-One Dollars and Fifty-Three and one-third Cents, principle "and interest. James S Gillett, Foreman."

Wherefore, It is ordered, adjudged and decreed by the Court that the plaintiff, A W Morrow have and recover of the defendant J. M. Turley, the sum of One Hundred and Twenty One 53 1/100 Dollars, so found by the Jury aforesaid, together with all the costs of this suit, for which execution may issue.

874 R. T. Brownrigg } Plaintiff } Verdict
v. } and
S. W. Johnson. } Defendant } Judgment.

And now come the parties to this cause by their attorneys, and the motion of defendant coming on to be heard to dismiss the attachment issued, And it appearing to the Court that the Oath for said attachment being insufficient, It is Ordered that the said attachment be dismissed. And thereupon the parties having announced themselves ready for trial. Then came a Jury of twelve good and lawful men of Travis county, to wit: R. A. Haverkamp James S. Gillett and eleven others, who being duly elected, empannelled, sworn and tried, heard the evidence, argument of counsel, and charge of the Court, and retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiff two hundred and twenty-five dollars. Charles Sidwell, Foreman."

Whereupon, It is Ordered, adjudged and decreed by the Court that the plaintiff, R. T. Brownrigg have and recover of the defendant, S. W. Johnson, the sum of Two Hundred and Twenty-Five Dollars so found by the Jury aforesaid, together with all the cost of this suit, for which execution may issue.

Fall Term, Monday, December 1st 1856.

196 Silas K. Bardett } Plaintiff } Continuance
William Custard } Defendant }

It is Ordered by the Court that the above entitled cause be placed at the heel of the Docket.

645 George Hancock } Plaintiff } Judgment.
John Horan } Defendant }

And now on this day came the parties to this cause by their attorneys, and suggest to the Court that the subject matter of the Same has been settled, and agree that the same be dismissed at the plaintiffs Cost. And thereupon, It is Ordered, adjudged and decreed by the Court that the above entitled cause be dismissed from the Docket, and that the Defendants recover of the plaintiff George Hancock, all the costs of this suit, for which execution may issue.

875 E. McDonnell } Plaintiff } Judgment
Caspar Stenpay } Defendant }

And now on this day came the parties to this cause by their attorneys, and announced themselves ready for trial, Whereupon came a Jury of twelve good and lawful men of Davis county, who were duly elected, empannelled and sworn. Thereupon the plaintiff takes a non-suit. Wherefore, It is ordered, adjudged and decreed by the Court that the above cause be dismissed from the Docket, that the defendant go hence and recover of the plaintiff, Edward McConnell, all his Costs of suit, for which execution may issue.

876 Francis Kelley } Plaintiff } Change of Venue
Joseph Warren } Defendant }

It is ordered by the Court that the Venue of this cause be changed to Wahaunsee county, to which Court It is ordered that the Clerk transmit a correct transcript of all the proceedings had in said cause, together with all the Original papers, on or before the first day of the next term of said Court.

879 Jack A. Burdett } Plaintiff } Rule for Costs
S. W. Kirtley } Defendant }

And now comes the defendant and asks for a rule for security for costs against the said plaintiff. And thereupon It is Ordered by the Court that the plaintiff enter into bond and security for the cost of this suit on or before the first day of the next term of this Court, otherwise the same will be dismissed at his cost, the attorneys of the plaintiff being present in open Court and notified.

Fall Term. Monday, December 1st. 1856.

879 — Saml A. Burdett, Plaintiff / S. H. Kirtley, Defendant — Continuance

It is ordered by the Court that this Cause be Continued under the rule for Security for costs.

881 — Sheldon Watson, Plaintiff / Wm S. Smith, Defendant — Judgment.

It appearing to the Court that at the last term a rule for Security for costs was entered against the said Defdt requiring him to enter into bond and Security for the costs of this suit and that notice of said rule was given in open Court to said plaintiffs' attorneys, and It also appearing that said Rule has not been complied with It is ordered adjudged and decreed by the Court that said cause be dismissed from the Docket, and that the Defendant recover of the plaintiff. Sheldon Watson all his Costs of suit, for which execution may issue.

881 — Henry P. Hill, Plaintiff / vs. / A. J. Hamilton & H. H. Chandler, Defendants — Continuance

882 — Henry P. Hill, Plaintiff / vs. / John J. Immelds & M. C. Hamilton, Defendants — Continuance

It is Ordered by the Court that the last two preceding Causes be Continued Generally

883 — Jeremiah Bamett, Plaintiff / vs. / Rayan Payne, et al, Defendants — Order

It is ordered by the Court that this cause be Continued, and that plaintiff have Leave to file a Demurrer to the petition of intervention and plea to answer.

886 — David Ayers, Plaintiff / J. Douglas Brown, Defendant — Continuance

It is Ordered by the Court that this cause be Continued on the affidavit of the defendant.

Fall Term, Monday, December 1st 1856.

887 | William C. Collinsworth | Plaintiff | Continuance
v.
John Caldwell | Defendant

It is ordered by the Court that the above cause be Continued Finally

889 | Samuel H. Johnson | Plaintiff | Judgment.
v.
Samuel H. Keithley | Defendant

It appearing to the Court that a rule for security for costs was entered against the plaintiff in this cause at the last term of this Court, and notice thereof given to the attorneys of the said plaintiff, And it further appearing that the said plaintiff has failed to comply with said rule It is therefore ordered adjudged and decreed by the Court that this cause be dismissed from the Docket and that the defendant recover of the plaintiff, Samuel H. Johnson all the Costs of this suit, for which execution may issue.

890 | Frederick H. Chandler | Plaintiff | Continuance.
v.
Giles A. Burditt, et. al. | Defendants

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

892 | D. V. Lare | Plaintiff | Continuance
v.
Mary Lare | Defendant

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

900. | Moses G. Shipman | Plaintiff | Judgment.
v.
Heirs of Defendant | Defendant

And now comes the plaintiff by attorney and asks the Court to dismiss this cause at his cost. And thereupon It is ordered adjudged and decreed by the Court that this cause be dismissed from the docket, and that the defendants recover of the plaintiff, Moses G. Shipman, all the costs of this suit, for which execution may issue.

928 | John B. Banks | Plaintiff | Judgment
v.
T. M. Seiver | Defendant

And now on this day came the parties, and it appearing to the Court that Service had been perfected on the said defendant by publication, And he not appearing to answer the petition of the said plaintiff It is ordered adjudged

and decreed by the Court that in default of the appearance of the said defendant, the said plaintiff have and recover of the said defendant the sum of Three Hundred and Forty-One Dollars and Forty-Eight Cents principal and interest on the notes sued on in this cause, together with all costs in this behalf expended. And it further appearing to the Court that from the face of the said notes sued in this cause that the same were given for the purchase money of a tract of Land from said plaintiff lying in the town of Hebbeville in said County, described in said notes as containing thirteen acres and lying on the South side of Water street in said town of Hebbeville. And it appearing that said notes had long since been due and owing, and said plaintiff having prayed in his petition for a foreclosure of the vendors lien in said cause. It is therefore further ordered, adjudged and decreed by the Court that the Shriff of Jim Wells County proceed to sell said land after giving due notice thereof to the highest ~~and~~ bidder for cash, and that the proceeds thereof be applied first to the satisfaction of this Judgment, that plaintiff recover all his costs, for all which execution may issue.

896

D. L. Crosby	Plaintiff	Verdict
Joseph Newsham	Defendant	and Judgment

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 Jim Wells County, to wit: S. W. Kerbley and Eleven others, who being duly tried, elected, empannelled & sworn, and heard the evidence, Argument of Counsel and Charge of the Court, and retired to consider of their verdict. And thereupon said Jury returned into Court the following Verdict, to wit: "We the Jury find for the plaintiff, Forty dollars and fifty Cents. S. W. Kerbley, Foreman."

Whereupon, It is Ordered, Adjudged and decreed by the Court that the plaintiff, D. L. Crosby have and recover of the Defendant Joseph Newsham & the securities on his Certiorari Bond, to wit: Stephen Davis and Daniel S. Adams the sum of Forty Dollars and Fifty Cents, so found by the Jury aforesaid, together with all the Costs of this suit, and ten per centum damages on said sum of Forty 50/100 Dollars, for all which execution may issue

And Thereupon It is Ordered by the Court that Court do now adjourn until to-morrow Morning at Nine o'clock

Fall Term, Tuesday, December 2nd 1856.

Tuesday Morning, December 9th A.D. 1856.
Court met at Nine O'clock pursuant to adjournment. Present the same as on Yesterday Whereupon the following Proceedings were had by said Court, as follows, to wit.

916	Corporation of Bastrop	}	Plaintiff	} Continuance
	Alfred Smith	v.	Defendant	

It is ordered by the Court that this Cause be cont.

917	N. N. Burdett	}	Plaintiff	} Judgment
	Cassidy & Burleson	v.	Defendants	

And now comes the plaintiff by attorney and claims a Judgment final by default. And thereupon It appearing to the Court that the defendants have been duly served with process and have failed to answer within the time prescribed by law; and it further appearing that the cause of action is liquidated as shown by an instrument of writing called a promissory note

It is therefore Ordered, adjudged and decreed by the Court that the plaintiff, N. N. Burdett have and recover of the defendants, Thomas Cassidy and A. R. Burleson, the Sum of Three Hundred and Forty-Four Dollars and fifty Cents, principal and interest due on the note sued on to this date, with eight per cent. interest thereon until paid, together with all the cost of this suit, for which execution may issue.

918	Silas N. Burdett	}	Plaintiff	} Order
	S. N. Kerchley	v.	Defendant	

It is ordered by the Court that the defendant have leave to amend

905	Hiram S Smith	}	Plaintiff	} Verdict and Judgment.
	Wacker & Tellman	v.	Defendants	

And now on this day came the parties to this Cause by their attorneys and announced themselves ready for trial. And thereupon Came a Jury of twelve good and lawful men of Travis County, to wit: W. A. Hamilton and eleven others, who being duly elected, tried, empannelled and sworn, heard the evidence, argument of counsel, and charge of the Court, and retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find a verdict for the plaintiff for the sum of One Hundred and Sixty-Nine Dollars. W. A. Hamilton, Foreman." Whereupon, It is Ordered, adjudged and decreed by the Court, that the plaintiff, Hiram S Smith recover of the defendants, S. Tellman and W. C. Wacker, the sum of One Hundred and Sixty-Nine Dollars, and all the cost of this suit, for which execution may issue.

Fall Term, Wednesday, December 3rd 1856.

And Thereupon It is Ordered by the Court that Court Do now Adjourn until Wednesday Morning at Nine O'clock, Dec'r 3rd 1856.

Wednesday, December 3rd A. D. 1856.

Court met at Nine O'clock A. M. pursuant to adjournment. Present the Hon. Thomas H. Duval, Judge; Young Winn, Clerk, and John T. Tivey Sheriff. Whereupon the following proceedings were had by said Court to wit:

The State of Texas }
County of Travis } And now on this Day Came and appeared in open Court the Grand Jury for Travis County, duly Elected, Empannelled and Sworn, for and during the present Term of the District Court of Travis County, and through their Foreman, Thomas P. Washington, presented to the Court the following Bills of Indictment and Requested that the Court might act on them in Matters of Form, Not acting Matters of Substance, as follows, to wit:

810	The State of Texas v. Joseph Armshaw	Plaintiff / Defendant	Perjury.
811	The State of Texas v. P. Klein	Plaintiff / Defendant	Killing Swine.
812	The State of Texas v. Robert Richardson	Plaintiff / Defendant	Grand and Petty
813	The State of Texas v. Linnet Mayfield	Plaintiff / Defendants	Branding Cattle
814	The State of Texas v. John S. Grambles	Plaintiff / Defendant	Grand
815	The State of Texas v. Lizzie Mayfield and Sebron J. Sneed	Plaintiff / Defendants	Branding Cattle

Fall Term, Wednesday December 3rd 1851.

816	The State of Texas v. Sinnit Musgett	Plaintiff Defendant	Branding Cattle
817	The State of Texas v. Sinnit Musgett	Plaintiff Defendant	Branding Cattle.
818	The State of Texas v. Benard Dimpleman	Plaintiff Defendant	Driving Steer out of Range
809	The State of Texas v. Sinnit Musgett	Plaintiff Defendant	Branding Cattle
810	The State of Texas v. Henry Hopkins	Plaintiff Defendant	Carrying away Timber

And thereupon said Grand Jury suggested to the Court that there was no further business before them. Whereupon It is Ordered by the Court that said Grand Jury be discharged finally.

778	The State of Texas v. William T. Patterson	Plaintiff Defendant	Recognizance

And now on this day came and appeared in open Court William T. Patterson as principal, and Thomas Freeman and Thomas J. Randolph 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, for the payment of which well and truly to be made, ~~we bind ourselves~~ to be levied of their Goods and Chattels, Lands and Tenements. But to be void upon condition that the said William T. Patterson be and remain in attendance upon the District Court of Travis county now in Session, and from term to term, and from day to day of each term thereafter, to answer the Indictment preferred against him by the Grand Jurors of Travis County at this the Fall Term of the District Court of Travis county, 1851, for selling to a certain slave named Morris, the property of one Fielding Rector, intoxicating liquor, without the written consent of said slaves master, mistress or overseer, and that he do not depart the Court without leave

Fall Term, Wednesday, December 3rd 1856

866 A. B. Vanton } Plaintiff
v.
S. W. Johnson } Defendant } Amended Judgment.

It is ordered by the Court that the Judgment entered in this Cause on the 29th November be amended so as to read as follows: That the plaintiff recover of the defendant, S. W. Johnson the Sum of Two Hundred and Thirty-One 87/100 Dollars, and that the property levied on by the Attachment issued in this Case be sold to satisfy this Judgment as follows, to wit: Three Hundred and Thirteen 1/2 acres of Land being apart of a third of a League of Land granted to David G. Byron, and sold by D. M. Blackwell, Constable of the City of Austin as the property of D. Douglas Runnels, situated in Travis county upon Pecan Bayou, and is an undivided half of said tract so sold by Blackwell to one S. W. Johnson.

929 James E. Brady } Plaintiff
v.
John T. Miles } Defendant } Continuance

On application of the plaintiff It is Ordered by the Court that this cause be continued

936 Terrell A. Morrow } Plaintiff
v.
Banyan Payne } Defendant } Judgment.

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, who were duly elected, empannelled and sworn. Whereupon defendants plea to the Jurisdiction of the Court was withdrawn from the Jury and submitted to the Court. Whereupon upon the argument of Counsel the Court doth order that said plea be sustained and case be dismissed from the docket. And thereupon It is Ordered by the Court that the defendant receiver of the plaintiff, Terrell A. Morrow, and his security to wit: A. H. Chalmers all the cost of this suit, for which execution may issue.

941 John C. Greyson, et. als. } Plaintiffs
v.
Josiah Fisk, et. als } Defendants } Order

By agreement of the parties in this cause It is ordered that ~~Robert~~ the same may be tried before Robert T. Jones as Special Judge.

And thereupon It is Ordered by the Court that Court do now adjourn until to-morrow Thursday Morning at 9 o'clock

Fall Term, Thursday, December 4th 1856.

Thursday Morning, December 4th A.D. 1856.

Court convened at nine O'clock pursuant to adjournment. Present the Same As on Yesterday. Whereupon the following proceedings were had by said Court as follows. to wit:

772	The State of Texas v. J. J. Blankenship, et al.	Plaintiff / Defendants		Order

773	The State of Texas v. J. J. Blankenship, et al.	Plaintiff / Defendants		Order

It is Ordered by the Court that the two last preceding Causes be set for trial for next Monday week the 15th December, A.D. 56

865	R. D. Hendrick, Admr Geo H. Flaspeck	Plaintiff / Defendant		Order

It is Ordered by the Court that the Plaintiff have leave to amend.

922	Levi S. Chadwick v. J. Douglass Brown et al	Plaintiff / Defendant		Order.

It is ordered by the Court that this Cause be Continued on the affidavit of the Plaintiff

945	S. W. Dunson, Pros. et al. v. J. A. M. Pro. Dickey, et al.	Plaintiffs / Defendants		Cont'd

It is Ordered by the Court that this Cause be Continued.

1214	Susan L. & Thos. W. Ward v. A. G. Gaston & Thos. W. Scales	Plaintiffs / Defendants		Judgment

And now on this day came the parties to this cause by attorney, and announced themselves ready for trial. Whereupon came a Jury of twelve good and lawful men of Travis County, to wit: W. A. Hamilton & Eleven others, who being duly elected, empannelled, sworn, heard the evidence, and receiving the charge of the Court, rendered in Court the following verdict, to wit: "We, the Jury, find for the plaintiffs $3450.00 W. A. Hamilton, Foreman." Whereupon this ordered, adjudged and decreed by the Court that the plaintiffs recover of the defendants, A. G. Gaston and Thomas W. Scales the said sum of Three Hundred & Seventy-five Dollars, and all their costs, for which execution may issue.

Fall Term, Thursday, December 4th 1856.

949 R. D. Davis } Plaintiff } Cont'd
John T. Price, Sheff. } Defendant }

It is Ordered by the Court that this Cause be Continued

950 John Miles et. al } Plaintiffs } Cont'd
John J. Grumbles, et. als. } Defendants }

It is ordered by the Court that this Cause be Continued as on the Affidavit of the Defendant William Grumbles.

954 James H. Gillespie, Admr } Plaintiffs } Cont'd
& } Defendants }
A. H. Capurton, et al

It is Ordered by the Court that this Cause be Continued for Service on the Defendants.

777 The State of Texas } Plaintiff } Recognizance
& } Defendants } of
Hill Anderson & Peck } Kill

And now on this day came and appeared in Open Court, the defendant Washington D. Hill, and acknowledged himself justly to owe and be indebted unto the State of Texas in the sum of One Hundred Dollars, to be levied of his Goods and Chattels, Lands and Tenements, But to be void upon Condition that the said Washington D. Hill be and remain in attendance upon the District Court of Travis County now in Session, and from term to term and from day to day of each Term thereafter, to answer the Indictment preferred against him and the Anderson and Edward R. Peck, by the Grand Jurors of Travis County at this the Fall Term of the District Court of said County, A.D. 1856, for "Betting at Faro" and that he, the said Hill, do not depart the Court without leave.

781 The State of Texas } Plaintiff } Recognizance
& } of
Robinson Peck, Travis } Defendants } John A. Peck, Jr.
and Cochran

And now on this day came and appeared in Open Court John A. Peck Jr. the defendant & Peck in this cause, as principal, and John A. Peck, Senior and Washington D. Hill as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas in the Sum of One Hundred Dollars, to be

Fall Term, Thursday, December 4th 1856.

levied of their Goods and Chattels, Lands and Tenements, But to be void upon Condition that the said Jack Pack, Junior be and remain in attendance upon the District Court of Travis County now in session, and from term to Term, and from day to day each Term thereafter, to answer the Indictment preferred against him by the Travis Terms of Travis County at this the Fall Term of the District Court of said County, A.D 1856 (and Jack Robinson, Charles C. Travis and Hosta Cachran,) for betting at a certain unlawful game called "Pool at Ten Pins," and that he, the said Jack Pack, Junior, do not depart the Court without leave.

781

The State of Texas	Plaintiff	Recognizance
v.		of
Robinson, Pack, Travis & Cachran	Defendants	Jack Robinson

And now on this day came and appeared in open Court Jack Robinson, one of the defendants in the above entitled cause, as principal, and John Horan as Security and acknowledged themselves jointly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars to be levied of their Goods and Chattels, Lands and Tenements, But to be void upon Condition that the said Jack Robinson be and remain in attendance upon the District Court of Travis county now in session, and from term to term, and from day to day of each Term thereafter, to answer the Indictment preferred against him and Jack Pack, Charles C. Travis and Hosta Cachran ~~at this the 4~~ by the Grand Jurors of Travis county, at this the Fall Term of the District Court of said County, A.D. 1856, for Betting at a certain unlawful Game called "Pool at Ten Pins, and that he, the said Jack Robinson, do not depart the Court without leave.

810

The State of Texas	Plaintiff	
v.		Recognizance of Defendant.
Henry Hoffmire	Defendant	

And now on this day came and appeared in open Court the defendant Henry Hoffmire as principal and John Haak and Charles Rifenstall as Securities, and acknowledged themselves jointly and severally jointly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied of their Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Henry Hoffmire be and remain in attendance upon the District Court of Travis county now in session, and from term to term, and from day of each term of said Court thereafter, to answer the Indictment preferred against him the said Henry Hoffmire, by the Grand Jurors of Travis county, at this the Fall Term of the District Court of said County, A.D. 1856 for carrying away lumber from off of a certain tract of land not his own, but the land of one Thos. Ebell, without first having the consent of the owner, and that he, the said Henry Hoffmire, do not depart the Court without leave

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

Fall Term, Friday, December 5th 1856.

Friday, December 5th 1856.

Court Convened at Nine O'clock, A.M. pursuant to adjournment. Present the Hon. Thomas A. Duval, Judge of the Second Judicial District: Frank Brown, Clerk of said Court; and John T. Price, Sheriff of Travis County.

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

801

The State of Texas } Plaintiff }
v. } Recognizance
Charles Klein } Defendant } of Defendant

And now on this Day Came and appeared in open Court the Defendant, Charles Klein, as principal, and Jacob Hornberger and John Wahrenberger as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the Sum of One Hundred Dollars, to be levied of their Goods and Chattels, Lands and Tenements, Nisi to be void upon Condition that the said Charles Klein be and remain in attendance upon the District Court of Travis County now in Sejun, and there remain from day to day, and from term to term, and from day to day of each Term of said Court thereafter, to answer the Indictment Preferred Against him, the said Charles Klein, by the Grand Jurors of Travis County, at this, the Fall Term of the District Court of said County, A.D. 1856, for wilfully and maliciously Killing certain Swine, the property of one Kerahs Grooms, and that he do not depart the Court without leave.

883

Jeremiah Barnett } Plaintiff }
v. }
Banyan Payne, }
James H. Matthews, }
Robert E. Flannikin, } Defendants } Order.
Abner Matthews }
}
Seth Thomas & }
William Rodgers } Intervenors

And now on this Day Came the said Plaintiffs Plaintiffs and Defendants, as well also the said intervenors. And it appearing the parties Sherman Case and Rachael Case, his wife, Have been personally served with Citation and a Copy of petitioners petition of intervention Pursuant to Law; And it further appearing that the said Sherman Case and Rachael Case, his wife, Have wholly failed to appear by demurrer, plea or answer in this Cause. It is therefore, Upon motion of the attorneys of the said intervenors, that their default be and the same is hereby ordered against them and that judgment be entered against them accordingly, and that all the allegations in the said petition of intervention be taken as confessed as to them.

Fall Term. Friday. December 5th A.D 1856.

782 The State of Texas } Plaintiff
James Jackson } Defendant } Recognizance of Defendant.

And now on this Day Came and appeared in Open Court James Jackson, As Principal, and William M. Fowler and Kasey Johns as his Securities, and acknowledged themselves jointly and severally jointly to owe and be indebted unto the State of Texas in the Sum of One Hundred Dollars, to be levied of their Goods and Chattels, Lands and Tenements, But to be void upon Condition that the said James Jackson be and remain in attendance upon the District Court of Travis County now in Session, and from term to term, and from day to day of each term of said Court thereafter to answer the Indictment preferred Against him the said Jackson, by the Grand Jurors of Travis County, at this the Fall Term of the District Court of Said County, A.D. 1856 for Exhibiting for Gaming a Certain unlawful Game called Faro, and that he do not depart the Court without Leave.

781 The State of Texas } Plaintiff } Recognizance of the defendant
v. } Charles E. Travis.
Robinson, Pack, Travis & Calhoun } Defendants }

And now on this day came and appeared in open Court one of the defendants in this Cause, to wit: Charles E. Travis, and acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied of his Goods and Chattels, Lands and Tenements, But to be void upon Condition that the said Charles E. Travis be and remain in attendance upon the District Court of Travis county now in session and from term to term and from day to day of each term thereafter, to answer the Indictment preferred against him, together with Jack Robinson, Jack Pack and Foster Calhoun, at this the Fall Term of the District Court of Travis county, A.D 1856, by the Grand Jurors of said County, for Betting at a certain unlawful Game called Pool-at Ten Pins, and that he, the said Charles E. Travis, do not depart the Court without leave.

And thereupon it is Ordered by the Court that Court do now adjourn until Monday Morning, December 8th 1856.

955 William Gibson } Plaintiff
v. }
L. Fellman } Defendant }

And now at this day came the parties to this Cause by their attorneys, and announced themselves ready for trial. ~~Whereupon came a Jury of the good and lawful Men of Travis County, to wit~~ And thereupon came a Jury of twelve good and lawful men of Travis county, to wit T. J. Randolph, Martin Moore, John Holman, James M. Sims, R. L. Truitt, R. W. Johnson, Wm Piper, E. P. Hill, T. J. Moore, J. G. Sally, William B. Smith, and Sidney P. Penn

Fall Term, Monday, December 8th A.D. 1856.

~~when~~ ~~Coming duly elected~~, ~~Empannelled~~, Sworn and Charged by the Court, ~~retired~~ who were duly tried, elected, empannelled and sworn as prescribed by Law. And thereupon defendants plea in abatement coming on to be heard, the same was argued by the Counsel and submitted to the Court. And thereupon the Court overruled said plea. Whereupon the parties plaintiff and Defendant submitted their evidence in the cause to the Jury, and the Court having thereupon charged the said Jury as to the law of the case, the parties by their said attorneys agreed that the Jury should bring in their verdict, sealed to the Clerk or Sheriff, and by them or either of them ~~said~~ handed to the Court.

Whereupon It is Ordered by the Court that Court do now adjourn until Monday Morning, December 8th 1856

Monday Morning, December 8th A.D. 1856.

Court Convened at Nine O'clock pursuant to adjournment. Present the same as on Friday last. Whereupon the following proceedings were had by said Court, As follows, to wit:

955. William Gibson, Plaintiff / L. Fellman, Defendant } Verdict and Judgment.

And now on this day Again Came the parties to the above entitled Cause by their Attorneys. And thereupon defendants Counsel objected to the reading of the Verdict of the Jury in this case, which objection was overruled by the Court, to which ruling defendants excepted. And thereupon the Seal was broken, and the verdict of the said Jury read in open Court as follows, to wit: "We the Jury, find for the plaintiff the sum of Three Hundred and Fifty Dollars. T. J. Randolph, Foreman."

And thereupon It is Ordered, adjudged and decreed by the Court that the said Plaintiff, William Gibson have and recover of and from the Defendant, L. Fellman, the sum of Three Hundred and Fifty Dollars, damages, so found by the Jury aforesaid, together with all his cost in and about his suit by him Out and expended, for which execution may issue.

X

Carl Richardt Declaration

The State of Texas } Carl Richardt being duly Sworn According
County of Travis } to law, in the District Court of the County of Travis
in and for the State of Texas, doth declare that he was born in the Year
of our Lord One Thousand Eight Hundred and Nine, in the Kingdom of Prussia,
where he living until the Year 1854, to the United States of America,
and has selected the State of Texas as the place of his intended settle-
ment, and he further declares that it is bona fide his intention to become a
citizen of the United States and of the said State of Texas, and renounce
forever all allegiance and fidelity to every Prince, Potentate, State or Sovereignty
whatsoever, and particularly to the King of Prussia, of whom he was late a subject.

Fall Term, Monday, December 8th A.D. 1856

Karl Reichardt

Sworn to and Subscribed before me in Open Court, this the 8th day of Dec. A.D. 1856 Frank Brown Clerk of said District Court.

And thereupon the Hon. John Hancock arose and presented to the Bar, arose and presented to the Court the following Resolutions:

"Whereas We have this morning received the Melancholy Intelligence of the "death of the Hon: Abner S. Lipscomb, one of the Associate Judges of the Supreme Court of the State of Texas. Therefore,

"Resolved, That in Respect to the Memory and Name of the Deceased, that the "Members of the Bar request that this Court stand adjourned until to-Morrow "Morning at Nine O Clock"

"Resolved Further, That the Members of this Bar will meet the "Members of the Bar of the Supreme Court and of the United States District "Court in the Supreme Court Room, at Eleven O'clock, this Day, to take "such action as may be Deemed Proper On this melancholy occasion."

Whereupon It is Ordered by the Court, that in Respect and Memory of the Deceased, this Court do now Stand adjourned until to-morrow, Tuesday Morning, December the 9th 1856, at Nine O'clock.

Tuesday Morning, December 9th A.D. 1856.

Court met at Nine O'clock, Pursuant to adjournment. Present the Hon: Thomas H. Duval, Judge of the Second Judicial District of the State of Texas; Geo. W. Jones, District Attorney of the Second Judicial District; Frank Brown, Clerk of the District Court of Travis County and John T. Price, Sheriff. Whereupon the following proceedings were had by said Court, as follows, to wit:

783 The State of Texas } Plaintiff
v. } Recognizance
Mark Rapier } Defendant

And now on this Day came and appeared in Open Court Mark Rapier as Principal, and T. J. Randolph and D. S. Mayfield as securities, and acknowledged themselves jointly and severally, Justly to owe and be indebted unto the State of Texas in the Sum of One Hundred Dollars, to be levied of their Goods and Chattels, Lands and Tenements, But to be void upon Condition that the said Mark Rapier be and remain in attendance upon the District Court of Travis County now in Session, and there remain from day to day, and from term to term thereafter, to answer the Indictment preferred against him the said Mark Rapier by the Grand Juras of Travis County at this the Fall Term of the District Court of Travis County A.D. 1856, for Exhibiting a gaming bank for gaming called Faro, and that he do not depart the Court without leave.

Fall Term, Tuesday, December 9th 1856

And thereupon George W. Jones, Esq., District Attorney of the Second Judicial District of the State of Texas, arose and presented to the Court the following Resolutions in relation to the Hon. A.S. Lipscomb, Deceased, late Associate Justice of the Supreme Court, and moved the Court that they be entered on the Minutes, which Motion was granted and Order made accordingly, as follows, to wit:

"Resolved, That the Members of the Bar and Officers of this Court deplore with the most sincere regret the death of the Honorable Abner S. Lipscomb one of the Associate Justices of this Court."

"Resolved, That in his death the State has sustained the loss of one of her purest citizens, this Court of one of its main pillars, the Legal Profession of one of its most distinguished members and Society of one of its brightest Ornaments."

"Resolved, That we hold in the greatest esteem the learning, ability, integrity and talents in duely he brought to the discharge of his duties upon the bench, as well as the purity of character and social virtues he displayed in private life, and that for his memory we entertain the brightest veneration."

"Resolved, That as a token of the respect we entertain for his exalted public and private worth, as well as for his memory, we will wear the usual badge of mourning for the residue of the Term of this Court."

"Resolved, That the Chairman and Secretary of this meeting transmit a Copy of these Resolutions to the family of the Deceased, with the assurance of our deep Sympathy and Condolence with them in their bereavement."

"Resolved, That William Alexander be requested to present these Resolutions to the Supreme Court, and S.D. Hay U.S. District Attorney, to present the same to the United States District Court and George W. Jones, District Attorney present them to the District Court of Travis County, and ask that they be spread upon the Minutes of their proceedings."

343

Richard Wells, Admr	}	Plaintiff	} Judgment.
v.			
John Webster	}	Defendant	}

And now on this day came the plaintiff by his Attorney and the defendant being solemnly called, came not but made default. And it appearing to the Court that the said Defendant is a non resident of the State of Texas, and that he has been regularly served with process therein by publication in the manner prescribed by Statute. And the said plaintiff having proved by

Competent testimony the material allegations in his petition. It is therefore ordered, adjudged and decreed by the Court that all right, title and interest which the Defendant John Webster now has or heretofore had in and to a certain headright Certificate for one third of a League of Land No 686, issued by the Board of Land Commissioners for Bexar County to said John Webster, and that the title thereto be vested in the heirs of the said Fleming J. Wells deceased.

It is further Ordered by the Court that the Bill of Costs in this case be certified to the Probate Court of Gonzales county as an established and legal debt claim against the Estate of the said Fleming J. Wells, deceased.

894 Frederick W. Chandler } Plaintiff } Verdict
v. and
Samuel W. Johnson } Defendant } Decree.

In this Case appeared the parties by their attorneys, and announced themselves ready for trial Thereupon came a Jury of twelve good and lawful men of Travis county, to wit: W. A. Hamilton and eleven others, who being duly tried, empannelled and sworn according to law, after hearing the evidence introduced by the parties plaintiff and Defendant, the argument of Counsel and charge of the Court, retired to Consider of their verdict, and returned into Court the following verdict, to wit: "We, the Jury, find our verdict for the plaintiff for one undivided half of the tract of land. W. A. Hamilton, Foreman."

It is therefore Ordered, adjudged and decreed by the Court that the plaintiff, Frederick W. Chandler, do have and recover of and from the Defendant Samuel W. Johnson one undivided half of the Six hundred and Twenty Seven acres of land situated, lying and being on Pecan Bayou in Travis County it being Six hundred and twenty-seven acres of land, a part of a third of a League of Land Granted to David G. Burnam, it being the tract that was sold by J. M. Blackwell, as Constable of Travis County, on the first Tuesday in October 1855, as the property of J. D. McLaughlin and deeded by said Blackwell as Constable to the Defendant Samuel W. Johnson. And the defendant, Samuel W. Johnson is hereby divested of all right, title, interest and claim in and to the undivided half of the aforesaid Six hundred and Twenty Seven Acres of land and the title is hereby finally vested in the plaintiff, Frederick W. Chandler. It is further Ordered, adjudged and decreed by the Court that the plaintiff, Frederick W. Chandler do have and recover of and from the Defendant Samuel W. Johnson all costs of this suit, for which execution may issue.

883 Jeremiah Barnett } Plaintiff } Judgment
v.
Ranson Paynes et. als. } Defendants

In this Case appeared the parties plaintiff, Defendants, and the Intervenors and announced themselves ready for trial. Thereupon Came a Jury of twelve Good and lawful men of Travis county, to wit: W. A. Hamilton and eleven others, who were duly tried, empannelled

and sworn according to law. After hearing the evidence introduced by the parties, Plaintiff, Defendants and Intervenors, the argument of counsel, and being charged by the Court, retired to consider of their verdict, and returned into Court the following verdict, to wit: "We, the jury find for the Intervenors the sum of One Thousand and Seventy-Three 50/100 Dollars, principal and interest. N. C. Hammett, Foreman."

It is therefore Ordered, adjudged and decreed by the Court that the Intervenors William Rodgers and Seth Thomas do have and recover of and from the defendants, Bayn and Payne, J. H. Mathews, Robert C. Flannikin and Abner Mathews, the sum of One Thousand and Seventy-Three 23/100 Dollars for their principal debt and interest up to this Date, with interest thereon at the rate of ten per cent. per annum until paid, with all costs of this suit in this behalf expended, for which execution may issue. It is further Ordered that the Money Collected on said Judgment be paid to the Intervenors Pro Rata, according to the amount of their respective Claims.

It is further Ordered, adjudged and decreed by the Court that the defendants Sherman Case and Rachael Case his wife, be and they are hereby divested of all right, title, interest and claim in and to the two notes for one thousand Dollars, each executed on or about the 10th day of January, 1855, by the defendants, Bayn or Payne, J. H. Mathews, Robert C. Flannikin and Abner Mathews, one due the first day of January, 1857, the other due the first day of January 1858, and the right, title and interest of said notes as against all the parties to this suit is fully vested in the said William Rodgers and Seth Thomas, to be appropriated to the payment of this Judgment against the Defendants Sherman Case, to be paid Pro Rata when collected. And the said William Rodgers and Seth Thomas are by virtue of this Decree vested with full power to demand, sue for and receipt for the amount of said notes and interest in their Names.

111 The State of Texas } Plaintiff
v. } Cont'd
Reuben Jackson } Defendant

132 The State of Texas } Plaintiff
v. } Cont.
Black Thompson } Defendant

113 The State of Texas } Plaintiff
v. } Murder
M. Redman } Defendant

Fall Term, Tuesday, December 9th 1856.

142	The State of Texas v. C. C. Travelstead	}	Plaintiff Defendant	} Larceny
146	The State of Texas v. C. C. Travelstead	}	Plaintiff Defendant	} Larceny
152	The State of Texas v. C. C. Travelstead	}	Plaintiff Defendant	} Larceny
153	The State of Texas v. B. H. Thompson	}	Plaintiff Defendant	} Murder
141	The State of Texas v. George W. McCoy	}	Plaintiff Defendant	} Assault with intent to Kill
163	The State of Texas v. Joseph Hodges	}	Plaintiff Defendant	} Horse Stealing
143	The State of Texas v. William Kelley	}	Plaintiff Defendant	} Cutting Timber
144	The State of Texas v. J. M. Morris	}	Plaintiff Defendant	} Murder
148	The State of Texas v. William Barnet	}	Plaintiff Defendant	} Swindling
530	The State of Texas v. Wilburn Foster	}	Plaintiff Defendant	} Exhibiting Pass
570	The State of Texas v. Wilson Green	}	Plaintiff Defendant	} Gaming

Fall Term, Tuesday, December 9th A. D. 1856.

571 The State of Texas } Plaintiff
Wilson Green } Defendant } Gaming

It is Ordered by the Court that the last preceding Sixteen Causes &c Continued Generally.

393 The State of Texas } Plaintiff
Wm. F. Hill } Defendant } Betting at Faro

394 The State of Texas } Plaintiff
Wm. F. Hill } Defendant } Betting at Faro

It is Ordered by the Court that the last two preceding Causes be Continued, and that Capias issue for the Defendant Hill to Cochran County.

398 The State of Texas } Plaintiff
Thomas J. Moore } Defendant } Exhibiting "A. B. C."

It appearing to the Court that Thos Jefferson Anderson has been duly Subpoened by the Sheriff as a witness in behalf of the Plaintiff in the above entitled Cause and that he has wholly failed to appear when Called It is Ordered by the Court that he be Fined Fifty Dollars, and that Scire Facias issue to him Commanding him to appear at the next Term of this Court, and show Cause, if any he may have, why Judgment final should not be entered against him.

Ordered, Further, that writ of attachment issue to Travis and Bexar Counties for said witness.

399 The State of Texas } Plaintiff
Thomas J. Moore } Defendant } Exhibiting "A. B. C."

On motion of the District Attorney, It is Ordered by the Court that this Cause be Continued

479 The State of Texas } Plaintiff
Terry O'Neal } Defendant } Playing Cards

516 The State of Texas } Plaintiff
John Wilson } Defendant } Assault & Battery

It is Ordered by the Court that the last two preceding Causes be Continued for Service.

Fall Term, Tuesday, December 9th A.D. 1856.

508 The State of Texas } Plaintiff
v. } Affaust and Battery
Blunt Clements } Defendant

It is ordered by the Court that the bond of the Defendant taken by the Sheriff of Bamet county, for his appearance at this Court, be quashed, and that Capias issue for him to said County, and that this Cause stand Continued

523 The State of Texas } Plaintiff
v. } Affault and Battery.
William Cruze } Defendant

The death of the defendant being suggested to the Court, It is Ordered that this Cause be Dismissed from the Docket.

531 The State of Texas } Plaintiff
v. } Playing Cards, &c.
Atwell and Shaton } Defendant

It is ordered by the Court that this cause be continued and that Capias issue to Starr County for the defendant Shaton.

576 The State of Texas } Plaintiff
v. } Murder.
Inman B. Beck } Defendant.

581 The State of Texas } Plaintiff
v. } Affaust and Battery.
William Sawyer } Defendant

It is ordered by the Court that the last two causes be continued, for service, and that Capias issue for the Defendant Sawyer to Williamson County.

591 The State of Texas } Plaintiff
v. } Cutting Timber
Ambrose Bradley } Defendant

593 The State of Texas } Plaintiff
v. } Permitting Card playing, &c.
Josiahus Meeks } Defendant

It is ordered by the Court that the last two preceding Causes be continued, and that Capias issue for each of said defendants

And thereupon, It is Ordered by the Court that Court do now adjourn until Wednesday Morning, December 10th 1856, at Nine O. Clock.

Fall Term, Wednesday, December 10th 1856

Wednesday Morning, December 10th 1856.

Court met at Nine o'clock pursuant to adjournment. Present the Same As on Yesterday. Whereupon the following proceedings were had by said Court as follows, to wit:

601 The State of Texas / Burrell D. Lewis } Plaintiff / Defendant } Playing Cards, &c

It is ordered by the Court that a Capias be issued instantly, for the Defendant returnable forthwith.

613 The State of Texas / Frank Hurley } Plaintiff / Defendant } Assault, &c

Came on to be heard This now Comes the District Attorney and enters a Nolle Prosequi in this Case, And Thereupon It is Ordered by the Court that said Cause be dismissed from the Docket, and that the Defendant go hence without Day

611 The State of Texas / John T. Thrift } Plaintiff / Defendant } Forgery

It is Ordered by the Court that this Cause be set for trial on to morrow Morning

613 The State of Texas / William Holman } Plaintiff / Defendant } Forgery

It is Ordered by the Court that the above cause be continued for Juries

615 The State of Texas / William Cruze } Plaintiff / Defendant } Assault with intent to Kill, &c

And now Comes the District Attorney and suggests to the Court the Death of the Defendant Cruze Whereupon It is Ordered by the Court that this Cause be dismissed from the Docket.

622 The State of Texas / Boyd and Polly } Plaintiff / Defendant, } Forgery

It is Ordered by the Court that this Cause be set for trial on next Wednesday

Fall Term, Wednesday, December 10th 1856.

626 The State of Texas } Plaintiff } Marking and
v. } } Branding
Henry Lohmann } Defendant } Cattle

And now come the parties to this cause by their attorneys and announced themselves ready for trial. And thereupon defendants demurrer to the Indictment coming on to be heard, the same was argued, and being submitted, was overruled by the Court. Thereupon came a Jury of twelve good and lawful men of Travis county, to wit. A. C. Horne Sr. and eleven others, who being duly tried, elected, empannelled and sworn, heard the evidence, argument of counsel, and being charged, retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, find the Defendant not guilty. Andrew C. Horne, Sr. Foreman." Whereupon, It is considered by the Court that the said Defendant go hence without day, fully acquitted of said charge.

641 The State of Texas } Plaintiff } Assault
v. } }
Joseph Davis } Defendant }

And now comes the District Attorney, and suggests to the Court the death of the Defendant, Whereupon It is ordered by the Court that the above Cause be dismissed from the Docket.

625 The State of Texas } Plaintiff } Forgery
v. } }
William A. Bates } Defendant }

627 The State of Texas } Plaintiff } Forgery
v. } }
Charles D. Haley } Defendant }

629 The State of Texas } Plaintiff } Betting at Faro
v. } }
Robt. Hughes } Defendant }

634 The State of Texas } Plaintiff } Horse Stealing
v. } }
Owen Jones } Defendant }

It is ordered by the Court that the last four preceding causes be continued for Term.

And Thereupon It is ordered by the Court that Court do now adjourn until Thursday Morning, December 11th 1856. at Nine O clock.

Fall Term, Thursday, December 11th 1856

Thursday Morning, December 11th 1856.

Court Convoked at Nine o'clock pursuant to adjournment. Present the Hon. Thomas H. Duval, Judge of the Fourth Judicial District. Frank Brown, Clerk and John T. Price, Sheriff.

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

611 — The State of Texas / John T. Thorn — Plaintiff / Defendant — Forgery

And now comes the Defendant and Submits to the Court this affidavit for the Continuance of this cause until the next term of the Court. And the same being Submitted and argued, It is ordered that said cause be continued under said application

And thereupon It is Ordered by the Court that writs of attachment issue for Jasi Mora and James R. Arnold, witnesses for the defendant, to Nacogdoches County

612 — The State of Texas / John T. Thorn — Plaintiff / Defendant — Perjury

It is Ordered by the Court that the above Cause be Continued as an affidavit of defendant.

632 — The State of Texas / William A. Bates — Plaintiff / Defendant — Forgery

It is Ordered by the Court that the above entitled Cause be Continued Generally.

633 — The State of Texas / G. B. Moore — Plaintiff / Defendant — It is Ordered by the Court that an attachment issue for the H. J. Blakey a witness on behalf of the Defendant.

635 — The State of Texas / Mrs. Jones & Wm. Jones. — Plaintiff / Defendant. — Horse Stealing.

637 — The State of Texas / Ned Robert, et al. — Plaintiff / Defendant — Playing Cards &c.

Fall Term, Thursday, December 11th 1856.

✓647	The State of Texas v. Daniel Payne, et al	Plaintiff Defendants	Permitting card playing, &c
✓655	The State of Texas v. Henry Vines	Plaintiff Defendant	Affray & Battery
✓662	The State of Texas v. Ned Roberts, et al	Plaintiff Defendants	Playing Cards &c
✓663	The State of Texas v. Bob Turner	Plaintiff Defendant	Cattle Stealing
✓669	The State of Texas v. Henry Vines	Plaintiff Defendant	Affray & Battery
✓671	The State of Texas v. Wiley Marshall & Jeff. Fretwell	Plaintiff Defendants	Affray with intent to Kill

It is ordered by the Court that the last preceding eight Causes be Continued for service on the Defendants.

✓639	The State of Texas v. John Christian, et al	Plaintiff Defendants	It appearing to the Court that J. M. Graham has been duly Subpoened by the Sheriff as a witness on behalf of the plaintiff in this Cause, and has failed to attend It is ordered by this Court that he be fined fifty Dollars, and that Scire Facias issue to him returnable to the next Term of this Court Commanding him then and there to appear and Show Cause if any he may have, why this Judgment Should not be made final against him

Ordered, that an attachment issue for said witness.

And thereupon It is ordered by the Court that ~~Jesse England and Robert Smith~~ be fined in the Sum of Fifty Dollars ~~each~~ for failing to attend as ~~witness~~, and that Scire Facias issue to ~~them~~ returnable to the next Term of this Court commanding ~~them~~ then and there to appear and Show Cause if any they may have, why this Judgment should not be made final against ~~them~~.

Robert Smith
~~Jesse England~~

Ordered, that said fine be set aside.

Fall Term, Thursday, December 11th 1856.

675 The State of Texas } Plaintiff
v. } Verdict.
Owen O'Brien } Defendant

And now on this Day came the parties by their attorneys, and having announced themselves ready for trial, thereupon came a Jury of good and lawful men of Ponola County, to wit: J. W. Keithley and eleven others, who being duly tried, empannelled, sworn and charged, retired, after having heard the evidence, and thereupon returned into Court the following verdict, to wit: "We, the Jury, find the Defendant not guilty." J. W. Keithley, Foreman."

Whereupon, It is ordered by the Court that the defendant go hence without Day, fully acquitted of said charge

673 The State of Texas } Plaintiff } Affault &c
v. } Defendant
Wiley Marshall

668 The State of Texas } Plaintiff } Obstructing Officer
v.
Wiley Marshall & } Defendants
Joseph Davis

671 The State of Texas } Plaintiff } Affault & Battery
v. } Defendant
Joseph Davis

667 The State of Texas } Plaintiff } Affault &c
v. } Defendant
Wiley Marshall

665 The State of Texas } Plaintiff } Affault & Battery
v. } Defendant
Wiley Marshall

The Death of the defendants having been suggested to the Court It is ordered by the Court that the above cause be dismissed from the Docket.

671 The State of Texas } Plaintiff } Affault & Battery
v.
Wiley Marshall & } Defendants
Jeff. Truhill

It is ordered by the Court that the above cause be dismissed from the Docket as to the defendant Marshall

Fall Term, Thursday, December 11th, 1856.

672 The State of Texas } Plaintiff
v. } Affidavit, &c
Wiley Marshall } Defendant

The death of the Defendant being suggested to the Court It is ordered that this cause be dismissed from the Docket.

1648 The State of Texas } Plaintiff
v. } Playing Cards, &c
Geo. Jamels, et als. } Defendants

661 The State of Texas } Plaintiff
v. } Playing Cards, &c
Alfred Collingham, et al. } Defendants

On motion of the District Attorney. It is ordered by the Court that the last two preceding causes be continued.

660 The State of Texas } Plaintiff
v. } Affidavit with intent to Kill
C. A. Hopkins } Defendant

It is ordered by the Court that this cause be continued on the affidavit of the Defendant.

And thereupon Appeared in open Court Samuel W. Keithley and acknowledged himself justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied of his Goods and Chattels, Lands and Tenements. But to be void upon condition that the said Samuel W. Keithley be and personally appear at the next term of the District Court of Travis County, to be held at the Courthouse thereof in the City of Austin on the Seventh Monday after the first Monday in April, A.D. 1857, then and there to testify on behalf of the plaintiff in the above entitled cause wherein The State of Texas is plaintiff, and C. A. Hopkins, charged with an affidavit with intent to Kill and Murder, is Defendant, and that he appear from term to term and from day to day of each term thereafter, and that he do not depart the Court without leave thereof.

666 The State of Texas } Plaintiff
v. } Affidavit with intent to Kill
James V. Ross } Defendant and Murder.

It appearing to the Court that the witness Edward Chrisham has been duly subpoened on behalf of the plaintiff in the above entitled cause and has failed to attend. It is ordered by the Court that he be fined twenty-five dollars and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and show cause, if any he may have, why this Judgment should not be made final against him.

Ordered, further, that an attachment issue for said witness.

Fall Term, Friday, December 12th 1856.

And thereupon It is Ordered by the Court that Court do now adjourn until to-morrow (Friday) Morning, at Nine O'clock

Friday Morning, December 12th 1856.

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

Henry Fogett

And now comes Henry Fogett and prays the Court to be admitted to practice as an attorney and Counsellor at Law in the District and Inferior Courts of this State. And thereupon It is Ordered by the Court that the examination of the said Applicant be heard on next Tuesday; and that the Committee to make said examination shall be George W. Jones Esq, Josiah Wisk, Esq., and Charles S. West, Esq.

679 The State of Texas } Plaintiff } Permitting Faro, &c
Owen O'Brain } Defendant }

And now come the parties to this cause by attorney, and also the Defendant in proper person, and having announced themselves ready for trial, thereupon came a Jury of twelve good and lawful men of Travis County, to wit: S. W. Kirtley and seven others, who being duly elected, empannelled and sworn and charged, and having retired, returned into Court the following verdict, to wit: "We, the Jury, find the Defendant not guilty. S. W. Kirtley, Foreman." Whereupon, It is Ordered by the Court that the Defendant go hence without day, fully acquitted of said charge.

684 The State of Texas } Plaintiff }
v. } Cutting Timber, &c
John Rook } Defendant }

And now come the parties and having announced themselves ready for trial, thereupon came a Jury of twelve good and lawful men of Travis County, to wit: A. O. Horne and eleven others, who being duly tried, elected, empannelled, sworn and charged retired, and having considered, returned into Court the following verdict, to wit: "We, the Jury, find the Defendant not guilty. A. O. Horne, Sr. Foreman." Whereupon, It is Considered by the Court that the Defendant go hence without day, fully acquitted of said charge.

Fall Term, Friday, December 12th A.D. 1856.

707	The State of Texas v. Benjamin Hinds	}	Plaintiff Defendant	} Verdict and Judgment.

And now come the parties to this cause, by attorney and also the Defendant in proper person, and having announced themselves ready for trial, thereupon came a Jury of twelve good and lawful men of Travis County, to wit: A. C. Horne Sr; S. H. Kelsey, Radcliff Platt, Marcus Haling, E. Bastick, T. J. Randolph, C. C. Lynch, N. Johns John Holman, Elisha Pruitt, Joseph Holman and William Custard, who being duly elected, empannelled, sworn and charged, and hearing the evidence retired to consider of their verdict. And thereupon said Jury returned into Court the following verdict, to wit: "We, the Jury, "find the Defendant guilty, and assess the fine at Fifty Dollars A. C. Horne, "Sr. Foreman."

Whereupon, It is ordered, adjudged and decreed by the Court that the State of Texas do have and recover of the defendant, Benjamin Hinds, the sum of Fifty Dollars so found by the Jury aforesaid, by them with all her Cost aforesaid, and that he remain in the custody of the Sheriff until the same are paid.

680	The State of Texas v. Daird Bright	}	Plaintiff Defendant	} Exhibiting a Faro Bank.
683	The State of Texas v. Wm. Ryan	}	Plaintiff Defendant	} Exhibiting a Faro Bank.
685	The State of Texas v. Antone Stebgin	}	Plaintiff Defendant	} Assault & Battery.
694	The State of Texas v. Rio Grande Robertson	}	Plaintiff Defendant	} Exhibiting a Monte Bank, &c
695.	The State of Texas v. Daird Bright	}	Plaintiff Defendant	} Exhibiting a Faro Bank &c
696	The State of Texas v. Robert C. White	}	Plaintiff Defendant	} Exhibiting a Gaming Bank, &c

Fall Term, Friday, December 12th 1856.

697	The State of Texas v. Peal & Terrell	Plaintiff / Defendants	Com Stealing	
699	The State of Texas v. Dutch Pete	Plaintiff / Defendant	Exhibiting a Monte Bank.	
700	The State of Texas v. Dutch Pete	Plaintiff / Defendant	Exhibiting "D I"	
701	The State of Texas v. Dutch Pete	Plaintiff / Defendant	Exhibiting a Faro Bank &c.	
702	The State of Texas v. Dutch Pete	Plaintiff / Defendant	Exhibiting a Gaming Bank, &c.	
705	The State of Texas v. Asper Bayles	Plaintiff / Defendant	Betting at Faro.	
706	The State of Texas v. David Bright	Plaintiff / Defendant	Exhibiting a Faro Bank, &c.	

It is ordered by the Court that the last preceding thirteen causes be continued for service.

800	The State of Texas v. Joseph Newsham	Plaintiff / Defendant	Perjury. Recognizance of Defendant.	

And now on this day came and appeared in open Court the Defendant in this cause, to wit. Joseph Newsham, as Principal, and Andrew J. Hopkins and James Sims, 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 of their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Joseph Newsham be and remain in attendance upon the District Court of Travis county now in Session, and from time to time, and from day to day of each term thereafter, to answer the Indictment preferred against him the said Joseph Newsham by the Grand Jurors of Travis county at the the Fall Term of the District Court of Travis county, 1856, for "Perjury" and that he, the said Joseph Newsham, do not depart the Court without leave.

Fall Term, Friday, December 12th A.D. 1856.

795. The State of Texas } Plaintiff
George Robinson } Defendant } Recognizance of Deft.

And now on this day came and appeared in open Court the Defendant, George Robinson, as principal, and Perry W. Humphries and Samuel F. Sowell as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied of their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said George Robinson be and remain in attendance upon 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 preferred against him, the said George Robinson by the Grand Jurors of Travis county at this the Fall Term of the District Court of Travis County, 1856, for "Permitting a certain unlawful bayx for gaming called Faro, to be exhibited in his house," and that he, the said George Robinson, do not depart the Court, without leave.

789 The State of Texas } Plaintiff
v.
Casey, whose Christian name to the Grand Jurors is unknown. } Defendant } Recognizance

And now on this day came and appeared in open Court the Defendant Casey, whose Christian name to the Jurors Grand Jurors is unknown, as principal, and T. J. Randolph and A. B. Paxton, as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied of their respective Goods and Chattels, Lands and Tenements. But to be void upon condition that the said Casey, whose Christian name to the Grand Jurors is unknown, be and remain in attendance upon the District Court of Travis county now in sesion, and there remain from term to term, and from day to day of each term thereafter, to answer the Indictment preferred against him by the Grand Jurors of Travis county, at this the Fall Term of the District Court of Travis county, 1856, for "Buying a certain quantity of corn, to wit: twenty bushels, of the value of fifty cents per bushel, from a certain slave named Ed, the property of one George W. Glasscock, without the written consent of said slave's master," and that he, the said Casey, do not depart the Court without leave.

784. The State of Texas } Plaintiff
v.
Pet Cook } Defendant } Recognizance of Defendant.

And now on this day came and appeared in open Court the Defendant Pet Cook, as principal, and John Horan and John J. Gramblin as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Hundred

Dallars, to be levied of their upon Goods and Chattels, Lands and Tenement. But to be void upon condition that the said Pet Cook be and remain in attendance upon the District Court of Travis county now in Sesion, and there remain from day to day, and from day to day of each term, and from term to term thereafter, to answer the Indictment prefered against him the said Pet Cook by the Grand Juors of Travis County at this the Fall Term of the District Court of Travis County, A.D. 1856 "For Betting at a certain unlawful game calls "Pool at Ten Pins." and that he, the said Pet Cook, do not depart the Court without leave.

7 811

The State of Texas } Plaintiff
v.
Bute Robinson & John Stone. } Defendant

} Recognizance of Bute Robinson

And now on this day came and appeared in open Court one of the Defendants in the above entitled cause, to wit: Bute Robinson as principal, and James Casner and Alfred Cottingham as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied of their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Bute Robinson be and remain in attendance upon the District Court of Travis county now in Sesion and there remain from day to day and from term to term and from day to day of each term thereafter to answer the Indictment prefered against him and one John Stone by the Grand Juros of Travis county at the Fall Term of the District Court of Travis county, A. D. 1856 "For playing for money with cards at a certain unlawful game called "Poker" in a House for retailing spirituous liquors Kept by one, J. M. H. Hall and that he, the said Bute Robinson, do not depart the Court without leave.

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow Morning, Saturday, December 13th 1856, at nine O'clock

Saturday Morning, December 13th 1856

Court convened at Nine O'clock Pursuant to adjournment. Present the Hon: Thomas H. Duval, Judge of the Second Judicial District of the State of Texas, and of said Court; Frank Brown, Clerk of said Court; and John T. Price, Sheriff of Travis County.

Whereupon the following Proceedings were had by said Court, As follows to wit:

Fall Term, Saturday, December 13th 1856.

1059 James Ricks & Co } Plaintiffs
v. } Order
I. A. & A. W. Burdett } Defendants

And now comes the Plaintiffs by attorney, and suggest to the Court the death of the Defendant Newell W. Burdett, and ask that his representative be made a party when known, which motion is allowed by the Court, and ordered accordingly.

1658 The State of Texas } Plaintiff
v. } Stabbing Mc Millan
Ned, a Slave. } Defendant

And now on this day comes the Defendant and files his affidavit for a Continuance of this cause until the next Term of this Court. And the same being submitted to the Court, and the arguments of counsel with reference thereto being heard by the Court, It is ordered by the Court that said application be overruled.

658 The State of Texas } Plaintiff
v. } Stabbing Mc Millan.
Ned, a Slave } Defendant

It is ordered by the Court that the writ of Thomas H. Glascock be fired in the sum of fifty Dollars for failing to attend as a witness on behalf of the plaintiff in the above entitled cause, and that Scire Facias issue to him returnable to the next Term of this Court, commanding him then and there to appear and Show Cause, if any he may have, why this Judgment Should not be made final against him.

set aside ck

658 The State of Texas } Plaintiff
v. } Maliciously stabbing a
Ned a Slave } Defendant } Free white person named Mc Millan

And now at this day comes the plaintiff by the District Attorney, and also the Defendant by attorney, and also in his own proper person, and the Defendant thereupon hearing the Indictment read to him, and the allegations therein contained says he is "Not guilty."

686 The State of Texas } Plaintiff
v. } Playing Cards &c.
William H. Eddy } Defendant

The death of the Defendant Eddy being suggested to the Court It is ordered by the Court that the above entitled cause be stricken from the docket.

Fall Term, Saturday, December 13th 1856.

687 The State of Texas } Plaintiff } Permitting Mantle to
v. } } be exhibited in his
John Karan } Defendant } & Kause.

And now come the parties by attorney, and having announced themselves ready for trial, thereupon came a Jury of twelve good and lawful Men of Travis County, to wit: S. W. Keithley and eleven others, who were duly elected, empannelled and tried, and thereupon the said Jury having heard defendants plea of not guilty, and the evidence and the charge of the Court, retired and brought into Court the following verdict, to wit: "We the Jury find the Defendant not guilty. S. W. Keithley, Foreman."

Whereupon, It is Ordered by the Court that the defendant go hence without day, fully acquitted of said charge.

713 The State of Texas } Plaintiff } Betting at Faro
v. } } &
Thomas P. Ochiltree } Defendant }

In this cause this day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf; and the said Defendant Thos. P. Ochiltree being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant Thos. P. Ochiltree, as principal, and Wm. B. Ochiltree and R. Hotchkiss as his Securities, had executed their joint and several bond, payable unto the State of Texas in the sum of One Hundred Dollars, dated the Fourth day of October A. D. 1856, conditioned that the said Defendant Thos. P. Ochiltree make his personal appearance at the District Court of said county of Travis to be begun and holden at the Courthouse of said county in the City of Austin, on the Seventh Monday after the first Monday in October, A. D. 1856, to answer the Indictment preferred against him by the Grand Jurors of Travis County at the Spring Term, A. D. 1856, of said District Court, for 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, and the said Defendant Thos. P. Ochiltree being three times solemnly called, and required to answer said charge, came not, but wholly made default; and the said securities also being again three times solemnly called, and required to bring with them into Court the body of said defendant Thos. P. Ochiltree, to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court that the said bond of the said Defendant Thos. P. Ochiltree and the said Wm. B. Ochiltree and the said R. Hotchkiss be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One Hundred Dollars, the amount of said bond, and that Scire Facias do issue to each of them severally,

returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

Declaration of Intention to become a Citizen.

The State of Texas } John Ulrich Unthreck being duly sworn ac-
County of Travis } cording to law, in the District Court of the County of Travis, in and for the State of Texas, doth declare that he was born in the Year of our Lord one thousand eight hundred and 24, in Switzerland, whence he emigrated in the Year 1851, to the United States of America, and has selected the State of Texas as the place of his intended Settlement, and he further declares that it is bona fide his intention to become a citizen of the United States, and of the said State of Texas, and renounce forever all allegiance and fidelity to every Foreign Prince Potentate, State or Sovereignty whatsoever, and particularly to the President of Switzerland of whom he is now a subject. John Ulrich Unthreck
Sworn to and Subscribed in open Court, this the 13th day of Dec. A.D. 1856 Frank Brown Clerk of said District Court

659

The State of Texas } Plaintiff } Affidavit and Bailment.
v.
James Burditt } Defendant }

In this cause this day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf, and the said defendant James Burditt being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant James Burditt as principal, and O. M. Bigham as his surety, had executed their joint and several bond, payable unto the State of Texas in the sum of One Hundred Dollars, dated the twenty-second day of ~~December~~ September, A.D. 1856, conditioned that the said defendant James A. Burditt make his personal appearance at the District Court of said County of Travis to be begun and holden at the Courthouse of said County in the City of Austin on the ~~eighth~~ Seventh Monday after the first Monday in October, A.D. 1856, to answer the Indictment preferred against him by the Grand Jurors of Travis County at the Fall Term, A.D. 1855, of said District Court, for an Affray and Battery, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court, and the said Defendant James Burditt being three times solemnly called and required to answer said charge, came not, but wholly made default, and the said Securities also being again three times solemnly called and required to bring with them into Court the body of said Defendant James Burditt, to answer said charge, which ~~they~~ he wholly failed to do

Fall Term, Saturday, December 13th 1856.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said Bond of the said Defendant James Burdett and the said O. H. Bigham be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally the sum of One Hundred Dollars the amount of said Bond. and that Scire Facias do issue to each of them severally, returnable to the next term of this Court, commanding them then and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

704 The State of Texas } Plaintiff
Thomas Bowles } Defendant } Forfeiture

In this cause this day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf; and the said Defendant Thomas Bowles, being three times solemnly called, came not, but made default; and it appearing to the Court that the said Defendant Thomas Bowles, as principal, and John S. Ford and Robt Barr as his securities had executed their joint and several bond payable unto the State of Texas in the sum of One Hundred Dollars dated the 16th day of October A.D. 1856 conditioned that the said Defendant Thomas Bowles make his personal appearance at the District Court of said county of Travis to be begun and holden at the Court House of said county in the City of Austin on the Seventh Monday after the first Monday in October A.D. 1856, to answer the Indictment preferred against him by the Grand Jurors of Travis county at the Spring Term A.D. 1856, of said District Court, for Betting at a Gaming Table at Tin Pan, and there remain from day to day, and from Term to Term of said Court, and that he do not depart thence without leave of said Court, and the said Defendant Thomas Bowles being three times solemnly called and required to answer said charge, came not, but wholly made default; and the said Securities, also being again three times solemnly called and required to bring with them into Court, the body of said Defendant Thomas Bowles, to answer said charge, which they wholly failed to do.

It is therefore Considered, ordered, adjudged and decreed by the Court, that the said bond of the said Defendant Thomas Bowles and the said John S. Ford and the said Robt. Barr be, and the same is hereby forfeited, and that the State of Texas do have and recover of, and from them jointly and severally, the sum of One Hundred Dollars, the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

And thereupon It is ordered that Court do now adjourn until Monday Morning, at Nine o'clock

Fall Term, Monday, December 15th 1856.

Monday Morning, December 15th 1856.

Court convened at nine o'clock pursuant to adjournment. Present the Same as on Saturday last.

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

The State of Texas	}	Plaintiff.	}
v 462 John H. Cocks	}	Defendant.	} Forfeiture

In this cause this Day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf, and the said Defendant John H. Cocks, being three times Solemnly called, came not, but made default. And it appearing to the Court that the said Defendant John H. Cocks as principal, and James M. Litten and Jesse C. Tannehill as his Securities, had entered into their Recognizance in open Court in the sum of One Hundred Dollars, on the tenth day of May, A.D. 1855, said Recognizance being then and there conditioned that the said Defendant John H. Cocks be and remain in attendance upon the District Court of Travis County then in session, and from term to term, and from day to day of each term thereafter and that he do not depart the Court without leave, to answer the Indictment preferred against him by the Grand Jurors of Travis county at the Fall Term, A.D. 1854 of said District Court, for failing to Perform his duties as an Overseer of a Public Road, and the said Defendant, John H. Cocks being three times Solemnly called and required to answer said charge, came not, but wholly made default; and the said Securities also being again three times Solemnly called and required to bring with them into Court the body of said defendant John H. Cocks, to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said ~~Recognizance~~ of the said Defendant John H. Cocks, and the said James M. Litten and the said Jesse C. Tannehill be, and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and Severally, the sum of One Hundred Dollars, the amount of said Recognizance, and that Scire Facias do issue to each of them Severally, returnable to the next Term of this Court, commanding them then and there to Shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

The State of Texas	}	Plaintiff	}
v 648 Ed. Gamble, et als	}	Defendants	} Forfeiture of Recognizance

It appearing to the Court that on the 24th June, 1856, at the last term of this Court, the bond of three of the Defendants in this cause, to wit: J. W. Casner and D. C. Beck was forfeited, and that the entry of said forfeiture does not appear upon the Minutes of this Court, It is ordered that the same be entered nunc pro tunc, as follows, to wit:

Fall Term, Monday, December 15th 1856.

"In this cause this day came the District Attorney, Alexander H. "Chalmers, who prosecutes for the State in this behalf and the said "Defendants, J. H. Casner and T. C. S. Beck being three times solemnly "called, came not, but made default; And it appearing to the Court "that the said Defendants as principals, and W. T. Davis and John A. "Mabery as their securities, had executed their joint and several bond, "payable unto the State of Texas in the sum of One Hundred Dollars dated "the 2d" day of April, A.D. 1856 conditioned that the said Defendants "make their personal appearance at the District Court of said County "of Travis to be begun and holden at the Courthouse of said county of "Travis in the City of Austin on the 10th Monday after the first Monday in "April, A.D. 1856, to answer the Indictment preferred against them "by the Grand Jurors of Travis county at the Fall Term A.D. 1855, of "said District Court, for playing at a game with cards called Faro "upon which money was bet, in a house for retailing spirituous liquors "and there remain from day to day and from term to term of said Court "and that they do not depart thence without leave of said Court, and the "said Defendants being three times solemnly called and required to answer said "charge, came not, but wholly made default, and the said securities also "being again three times solemnly called and required to bring with them into "Court the body of said Defendants, J. H. Casner and T. C. S. Beck, to answer "said charge, which they wholly failed to do."

"It is, therefore considered, Ordered, adjudged and decreed "by the Court that the said bond of the said Defendants Casner & Beck and "the said Securities, W. T. Davis and John A. Mabery be, and the same is "hereby forfeited and that the State of Texas do have and recover of and "from them jointly and severally, the sum of One Hundred Dollars "the amount of said bond, and that Scire Facias do issue to each of them "severally returnable to the next term of this Court, commanding them then "and there to shew cause, if any they can, why this Judgment should "not be made final against them as aforesaid."

The State of Texas } Plaintiff } Playing cards for Money in a House for
648. vs. } & Retailing Liquors
Jas. Jamale, et. als } Defendants }

And now on this day came and appeared in open Court the defendants Casner and Beck by their attorneys, and moved the Court to set aside the said forfeiture against them and their said securities, to wit: W. T. Davis and John A. Mabery, heretofore entered against them, and be permitted to enter into Recognizance for their appearance to answer the charge in the indictment in said cause. And thereupon, It is ordered by the Court that said motion be granted. Whereupon the District Attorney gives notice in open Court, of an appeal to the Supreme Court.

Fall Term, Tuesday, December 16th 1856.

803 James Wall } Plaintiff
v. } Ord'r
Frank Brown, Admr. &c. } Defendants

In this case upon motion of all the parties and it appearing to the Satisfaction of the Court that the Commissioners appointed at the last Term of this Court to partition the land in controversy and by agreement of the Parties It is Ordered, adjudged and decreed by the Court that Levi Asher and John Sock be and they are hereby appointed Commissioners in Connection with others to partition and Set apart said land between said parties plaintiffs and Defendants in conformity to the Original Judgment and Decree in this cause. It is further ordered that any two of said Commissioners may act in said partition, and report the same to this Court instanter.

601 The State of Texas } Plaintiff
v. } Recognizance of Defendant.
Burnell J. Lewis } Defendant

And now on this day came and appeared in open Court the defendant Burnell J. Lewis, as principal, and A. A. Blankenship and William R. Johnson as securities, and acknowledged themselves jointly and severally justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied of their respective Goods and Chattels, Lands and Tenements. But to be void upon condition that the said Burnell J. Lewis be and personally appear before the Honorable District Court of Travis county to be begun and held at the Courthouse thereof in the City of Austin on the Seventh Monday of the the first Monday in April, A. D. 1857, then and there to answer the Indictment preferred against the said Burnell J. Lewis by the Grand Jurors of Travis county at the Spring term of the District Court of said county, A.D. 1853, for playing at a game with cards called Draw Poker for money in a House for retailing spirituous liquors, and that he do not depart the Court without leave.

And Thereupon It is ordered by the Court that Court do now adjourn until To Morrow, Tuesday Morning, December 16th 1856, at Nine O'clock

Tuesday Morning, December 16th 1856.

Court convened at Nine O'clock pursuant to adjournment. Present Hon: Thomas H. Duval, Judge of the Second Judicial District, Frank Brown, Clerk and John J. Trice, Sheriff. Whereupon the following proceedings were had by said Court as follows to wit:

Fall Term Tuesday December 16th 1856.

1772	The State of Texas v. John J. Blankenship, John Cummins and Charles D. Haley	Plaintiff / Defendants	Burning the office of the Adjutant General

And now on this day comes the plaintiff in this cause by the District Attorney, and enters a Nolle Prosequi as to the Defendant John J. Blankenship. And thereupon It is ordered by the Court that said defendant go hence, and that this cause be dismissed from the docket as to him. And thereupon It is ordered by the Court that said cause be Continued as to the defendants Cummins and Haley

1773	The State of Texas v. John J. Blankenship, John Cummins & Charles D. Haley	Plaintiff / Defendants	Arson.

It is ordered by the Court that the above cause be continued as to the defendant Cummins, on his affidavit.

1774	The State of Texas v. Thomas Bowles	Plaintiff / Defendant	Betting at Ten Pins

And now on this day came and appeared in open Court the defendant, Thomas Bowles, as principal, and E. Casey and Shelby W. Charles as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied upon their respective Goods and Chattels, Lands and Tenements. But to be void upon condition that the said Thomas Bowles, defendant, be and remain in attendance upon the District Court of Travis county now in session, and from day to day, and from term to term thereafter, to answer the indictment preferred against him, the said Thomas Bowles, by the Grand Jurors of Travis county, at this the Fall Term of the District Court of Travis County, 1856, for "Betting at a certain game called Ten Pins" and that he, the said Thomas Bowles, do not depart the Court without leave thereof

And thereupon, It is ordered by the Court that Court do now adjourn until to-morrow, Wednesday morning December the 17th 1856, at nine o'clock

Fall Term, Wednesday, December 17th 1856.

Wednesday, December 17th 1856.

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

676	The State of Texas v. Owen O'Brien	Plaintiff / Defendant	Allowing Faro &c
677	The State of Texas v. Owen O'Brien	Plaintiff / Defendant	Permitting a Gaming Bank &c
678	The State of Texas v. Owen O'Brien	Plaintiff / Defendant	Permitting card playing, &c
691	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting "21" &c
692	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting a Gaming Bank &c
693	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting faro, &c

On motion of the District attorney, It is ordered by the Court that the last preceding six causes be continued

688	The State of Texas v. John Horan	Plaintiff / Defendant	Permitting, &c

And now come the parties, and having announced themselves ready for trial, thereupon came a Jury of good and lawful men of Travis county, to wit: A.O. Horne and eleven others, who being duly tried, elected, empanelled & sworn, having heard the evidence, and being charged by the Court, brought into Court the following verdict, to wit: "We, the Jury, find the defendant not guilty. A.O. Horne, Fr. Foreman."

Whereupon, It is ordered by the Court that the defendant go hence without day, fully acquitted of said charge.

Fall Term, Thursday, December 18th 1856.

And thereupon, It is ordered by the Court that Court do now adjourn until Thursday Morning, December 18th 1856, at nine o'clock.

Thursday Morning, December 18th 1856.

Court convened at nine o'clock pursuant to adjournment. Present the Hon: Thomas H. Duval Judge of the Second Judicial District of the State of Texas, Frank Brown, Clerk, and John S. Price, Sheriff of Travis County.

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

773 The State of Texas } Plaintiff }
v. } Arson
John J. Blankenship, et al. } Defendant }

And now on this day come the plaintiff by attorney, and also the defendant Blankenship by attorney, and in proper person, and announced themselves ready for trial. And thereupon, It is ordered by the Court that the said defendant be allowed to sever, and that his trial proceed separately from the other defendants. Whereupon came a jury of twelve good and lawful men of Travis county, to wit: A. O. Horne, Sr., F. S. Mayfield, T. Bostick, J. C. Hampton, M. C. Huling, R. Platt, Thomas Cann, Ben. Hewicks, E. E. Synch, Joseph Holman, John Holman & E. Prewitt, who being duly tried, elected, empannelled & sworn, heard the evidence adduced by the respective parties, and the arguments of counsel thereon; and thereupon the said jury receiving the charge of the Court, retired to consider of their verdict. And thereupon said jury returned into open Court the following verdict, to wit: "We, the jury, find the defendant John J. Blankenship, not guilty." Andrew O. Horne, Sr. Foreman."

Whereupon, It is ordered, adjudged and decreed by the Court that the defendant John J. Blankenship, go hence without day, fully acquitted of the charge contained in the Indictment in this cause.

And thereupon, It is ordered by the Court that the ~~defendant~~ Court do now stand adjourned until to-morrow Morning at nine o'clock.

Fall Term, Friday, December 19th 1856.

Friday Morning, December 19th 1856.

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

622 ✓

The State of Texas v. James Boyd & H G Pally	}	Plaintiff Defendants	} Forgery

And now comes the District Attorney, and enters a Nolle Prosequi in the above entitled cause. And thereupon, It is ordered by the Court that said cause be dismissed from the Docket, and that said defendants go hence without day, and cleared from their recognizance.

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow Morning, Saturday, Dec, 20th 1856, at Nine O'clock

X

Saturday Morning December 20th 1856.

Court convenes at Nine o'clock pursuant to adjournment, Present the Hon: Thomas H. Duval, Judge &c, Frank Brown Clerk and John T. Price, Sheriff

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

1876 "

Francis Kelley v. Joseph Warren	}	Plaintiff Defendant	} Injunction

And now on this day came the parties to the above entitled cause by their attorney, and upon motion of the defendant heretofore filed, It is ordered by the Court that the Order for a change of Venue entered and made at the last Term of this Court be amended nunc pro tunc by inserting the County of Williamson, and that the Venue of said cause be changed to said county.

1123 ✓

Frederick Holt v. Horatio Storms	}	Plaintiff Defendant	} Certiorari

And now on this day came the parties to this cause by attorney, and the motion of defendant to dismiss ~~this~~ suit, coming on to be heard, and the same being argued and submitted to the Court, It is considered by the Court that said motion be overruled.

Fall Term, Saturday, December 20th 1856.

690 The State of Texas } Plaintiff } Permitting Chuck a Luck
v.
John Horan } Defendant }

And now on this day came the parties to this cause by their attorneys, and announced themselves ready for trial; and defendant pleads not guilty to the Indictment. Thereupon came a Jury of twelve good and lawful men of Travis county, to wit: Elisha Pinnell and eleven others, who being duly elected, empannelled & sworn, and having heard the evidence & argument of counsel, and being charged by the Court, retired, and brought into Court the following verdict, to wit: "We, the Jury, find the Defendant not guilty. Elisha Pinnell, Foreman." We, the Jury, find. Whereupon It is considered, and ordered by the Court that the said Defendant go hence without day, fully acquitted of said charge.

770 The State of Texas } Plaintiff } Swindling
v.
Phineas R. Olivy, et. al, } Defendant }

It is ordered by the Court that this cause be continued on the affidavit of the Defendant Olivy.

775 The State of Texas } Plaintiff } Recognizance
v.
Ephraim Blair } Defendant }

And now on this day came into open Court the Defendant Ephraim Blair, as principal, and Franklin Johnston and John L. Peay as securities, and acknowledged themselves jointly and severally, justly to owe and be indebted unto the State of Texas the sum of One Hundred Dollars to be levied of their respective Goods and Chattels, Lands and Tenements, But to be void upon condition that the said Ephraim Blair be and remain in attendance upon the District Court of Travis county now in session and from day to day and from term to term thereafter, to answer the Indictment preferred against him the said Blair by the Grand Jurors of Travis county, at this the Fall Term of the District Court of Travis county, A.D. 1856, for buying a certain quantity of corn, to wit: twenty bushels, from a certain slave named Ed, the property of one George W. Glasscock, and that he do not depart the Court without leave.

And Thereupon It is ordered by the Court that Court do now adjourn until Monday Morning, December 22d 1856, at Nine O'clock.

Fall Term, Monday, December 22nd A.D. 1856.

Monday Morning, December 22nd 1856.

Court convened at Nine O'clock pursuant to adjournment. Present the Same as on Saturday, the 20th instant. Whereupon the following Proceedings were had by said Court, as follows, to wit:

1148 Thomas Blair } Plaintiff
Sidon H. Harris } Defendant } Attachment

And now comes into Open Court the plaintiff by attorney, and asks the Court to dismiss this cause from the Docket, the Costs having been paid. Whereupon, It is Ordered by the Court that said Cause be dismissed from the Docket, the Defendant not having Answered.

1166 R. H. Peck } Plaintiff
S. T. Hopkins } Defendant } Breach of Contract.

It is ordered by the Court that the Defendant be allowed to withdraw his plea of General denial heretofore filed in this Cause, and to plead in abatement.

1143. Fred. W. Chandler } Plaintiff
I. W. Huddleston, Sh'ff. } Defendants } Debt.

It is ordered by the Court that the plaintiff have leave to amend his petition in this cause.

1170 James Sims } Plaintiff
W. C. & Thomas Walker } Defendant } Order.

It is ordered by the Court that the Defendant W. C. Walker, have leave to amend.

1157 Charles E. Travis } Plaintiff
F. F. Duffau } Defendant } Damages.

It is ordered by the Court that the plaintiff Duffau have leave to amend.

615 The State of Texas } Plaintiff
G. B. Moore } Defendant } Affray with intent to Kill and Murder

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

Fall Term, Monday, December 22nd A.D. 1856

ready for trial. And the Defendant pleading not guilty - There-
upon Came a Jury of twelve good and lawful men of
Travis County, to wit: S.B. Moore and Eleven others,
who being duly elected, Empannelled, Sworn and Charged,
heard the Evidence and Argument of Counsel, and rendered
the following Verdict, to wit: "We, the Jury, find the Defendant
not guilty. S.B. Moore, Foreman."

Whereupon, It is ordered by the Court that
the Defendant go hence without day, fully acquitted of
said charges.

710	The State of Texas v. George New.	Plaintiff Defendant	}	Betting at Monte.

It is ordered by the Court that this cause be
Continued for Service.

718	The State of Texas v. Edward R. Pick	Plaintiff Defendant	}	Betting at Faro.

And now on this day came the parties to
this Cause by their attorneys, and the Demurrer of the plaintiff
to Defendants plea coming on to be heard, and the same being argued
and submitted to the Court, the Court doth Overrule said Demurrer
And thereupon, It is ordered by the Court that said cause be
dismissed from the Docket, and Defendant go hence.

714	The State of Texas v. William B. Silly	Plaintiff Defendant	}	Betting on "Seven up"
715	The State of Texas v. William B. Silly	Plaintiff Defendant	}	Playing Cards &c
716	The State of Texas v. William B. Silly	Plaintiff Defendant	}	Exhibiting a Faro Bank

The death of the Defendant Silly being sug-
gested to the Court, It is ordered that the last three preceding
causes be dismissed from the Docket

717	The State of Texas v. Tilman Weaver	Plaintiff Defendant	}	Continued by the State.

Fall Term, Monday, December 22nd 1856

719 The State of Texas } Plaintiff
v. } Affidavit with intent to Kill, &c.
Bunyan Payne } Defendant

And now on this day came the parties to this cause by their attorneys, and announced themselves ready for trial. Thereupon came a jury of good and lawful men, who being duly elected, empannelled, sworn and charged, and hearing the evidence, brought into Court the following verdict, to wit: "We, the Jury, find the defendant not guilty. L B Moore, Foreman"

Whereupon, It is ordered by the Court, that the said Defendant go hence without day, fully acquitted of said charge.

720 The State of Texas } Plaintiff
v. } Affidavit with intent
W. C. & Thomas Walker } Defendant

It is ordered by the Court that this cause be continued on the affidavit of the Defendant W. C. Walker.

And thereupon came into open Court Andrew D. Young Wood, Thomas M. Bastick and Hasea Johnson & acknowledged themselves each to owe and be indebted unto The State of Texas in the sum of One Hundred Dollars, to be levied of their Goods and Chattels, Lands and Tenements, But to be void upon condition that they be and appear at the next term of the District Court of Travis county to be held at the Courthouse thereof in the City of Austin on the Seventh Monday after the first Monday in April, 1857, and from Term to Term thereafter, to testify in behalf of the plaintiff in the above entitled cause wherein The State of Texas is Plaintiff, and W. C. Walker & Thomas Walker, Charged with an Affidavit with intent to Kill and Murder are Defendants, and that they do not depart the Court without leave.

722 The State of Texas } Plaintiff
v. } Betting at Faro
Henry W. Sadler } Defendant

It is ordered by the Court that this cause be dismissed from the Docket, and that the Defendant go hence, the District Attorney having entered a Nolle Prosequi herein.

533 The State of Texas } Plaintiff
v. } Forfeiture
Edward Bennett, et al. } Defendants

It is ordered by the Court that the forfeiture heretofore entered in this cause be set aside and held for naught.

It is ordered that Court adjourn until to-morrow morning

Fall Term, Tuesday, December 23rd A.D. 1856.

Tuesday Morning, December 23rd 1856.

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

✓ 578	The State of Texas v. Buck Bennett	}	Plaintiff Defendant	} Verdict

And now come the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon the Defendant plead guilty to the charges contained in the Indictment. Thereupon came a Jury of good and lawful men of Travis county, to wit: M. Huling and eleven others, who being duly elected, empannelled, sworn and charged, and hearing the evidence, brought into Court the following verdict, to wit: "We, the Jury, find the Defendant guilty, and assess the Damages at ten Dollars. Marcus Huling, Foreman"

Whereupon, It is ordered by the Court that the said State of Texas recover of the Defendant Buck Bennett, the sum of Ten Dollars, so found by the Jury aforesaid, together with all the costs of this prosecution, and that he remain in the custody of the Sheriff until said fine and costs are paid.

✓ 731	The State of Texas v. × Watson	}	Plaintiff Defendant	} Continued for Service
✓ 732	The State of Texas v. × Watson	}	Plaintiff Defendant	} Continued for Service
✓ 735	The State of Texas v. R. E. Turner	}	Plaintiff Defendant	} Continued for Service
✓ 736	The State of Texas v. John Horan	}	Plaintiff Defendant	} Allowing Mute Back, &c

And now on this day came the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: M. C. Huling and eleven others, who being duly tried, elected, empannelled, sworn

and charged, and hearing the evidence, brought into Court the following verdict, to wit: "We the Jury, find the Defendant not guilty. Marcus Hedley, Foreman."

Whereupon, It is ordered by the Court, that the said Defendant go hence without day, fully acquitted of said charge.

✓ 740	The State of Texas v. Henry W. Sublett	Plaintiff / Defendant	Betting at Pool

✓ 741	The State of Texas v. Henry W. Sublett	Plaintiff / Defendant	Betting at Faro

And now comes the District Attorney, and enters a Nolle Prosequi in the last preceding two causes. Whereupon, It is ordered by the Court that said causes be dismissed from the Docket, and that said Defendants go hence.

✓ 745	The State of Texas v. Arthur F. Lott	Plaintiff / Defendant	Playing Cards, &c

✓ 749.	The State of Texas v. William Hyatt	Plaintiff / Defendant	Exhibiting Faro

It is ordered by the Court that the last two preceding causes be continued for service, and that Capias issue to Smith County for the Defendant Lott.

✓ 751	The State of Texas v. G. Robinson	Plaintiff / Defendant	Permitting Faro, &c

And now on this day came the parties to this cause by their attorneys, and announced them ready for trial. Thereupon came a Jury of twelve good and lawful men of Texas, county, to wit: L. B. Mann and eleven others, who being duly elected, empannelled, sworn and charged, and having heard the evidence, brought into Court the following verdict, to wit: "We the Jury find the defendant not guilty. L. B. Mann, Foreman."

Whereupon, It is ordered by the Court that the said defendant go hence without day, fully acquitted of said charges.

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

Fall Term, Wednesday, December 24th 1856.

Wednesday Morning, December 24th 1856

Court convened at nine o'clock pursuant to adjournment. Present the Hon: Thomas H. Duval, Judge of the Second Judicial District of the State of Texas, Travis Thum, clerk of said Court, and John T. Price, Sheriff of Travis County

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

1878. | N. A. Hopkins } Plaintiff } Certiorari
v.
H. L. Upshur } Defendant

And now on this day came the parties to the above entitled cause by their attorneys, and announced themselves ready for trial. And thereupon the parties waived a Jury, and submitted the cause to the Court. And the evidence being heard and the cause argued by the counsel, and the same being submitted It is ordered by the Court that the plaintiff take nothing by his said suit, that the Defendant go hence and recover of the plaintiff, Andrew A. Hopkins, all the costs of this suit, for which execution may issue.

257 | James C. Stephenson et. al. } Plaintiffs } Partition &c.
v.
Samuel Craft et. al. } Defendants

And now on this day John A. Green filed his report, and upon consideration thereof, It is ordered that the said Green pay to George W. Paschal, the attorney of the plaintiffs two-fifths of the balance in his hands, and that he pay to Wm. Byrd, attorney for Richard Lloyd and wife one-fifth; and that he pay to John W. Brown, the administrator of Samuel Craft, one-fifth, the interest of Wilford Barton as a credit on the recovery of Craft against Barton; and that he pay to John B. Costa, Guardian ad litem for the use of their Guardian the interest of Craft's children, and that when the balance is collected he account in the same manner. Said Green is allowed ten per centum commissions upon the amount collected.

4148 | M. B. McGehee, et. al. } Plaintiffs } Partition of the Est. of C. L. McGehee.
v.
John W. Phillips, et. al. } Defendants

And now on this day come the parties by their attorney, and James H. Gillespie, administrator and Receiver in this case, having made his Report to this Court of his acts in the

Fall Term, Wednesday, December 24th 1856.

premises, and said Report having been by the Court, with consent of parties submitted to John B. Costa to be examined, and audit said Report and to make partition among the distributees of said Estate what may be found in the hands of said Gillespie; and the said Costa having performed the duties imposed on him reported the following partition, to wit:

" To the Honorable the District Court of Travis county now in session, Dec 3d 1856"
" The undersigned, who was requested by said Court to examine the Report
" of James H. Gillespie, Receiver and administrator of the Estate of Charles
" L. McGehee filed by him at the present term of this Court, states that I have
" examined said Report, and the Receipts and vouchers accompanying the
" same, and found the same correct, and that the amount now in the
" hands of said Gillespie as reported by him, is subject to partition and
" distribution among the parties interested therein, and herewith presents
" to the Court what each party are entitled to the amount in the hands of
" said Gillespie, and made partition of the same as hereto annexed marked A
" subject to the approval of the Court, and parties thereto "
" Your Reporter further states that the tract of land
" in Hays county, that widow of said dec'd now Mrs Phillips, has no
" interest in it, the same being the separate property of children of said
" McGehee to be disposed by them as they may see proper."
" Your report further states that said Gillespie has fully accounted for all
" the estate, and after said partition is made, nothing more will remain
" in his hand to be partitioned, but as he will have to pay to each their distribu-
" tive share, and other payments of costs, &c, he cannot yet be discharged
" from his said trust. "
" All of which is hereby submitted John B. Costa, Reporter and Auditor, &c.
"
" Partition of Estate of C. L. McGehee
" Mrs Phillips Interest $1111.57
" Def Court Fees & pay 7.00 $1104.57
" Estate of M. A. McGehee & Int 144.37
" " A/c J. W. Phillips 64.47
" " Note on Pelham, et. al. 45.60
" " Note on W. T. Davis 7.94
" " G. & J. Hancock note 662.67
" " Interest on same to 1st Dec. 1856. 79.52 $1104.57
" A. D. Hood & wife interest 731.67
" Def Court Fees, &c 7.00 $724.67
" To 1/3 of amt paid J. Hancock }
" atty for Curtis Case 33.33
" " G. & J. Hancock Note 617.26
" " Interest to 6th Dec/56 74.08 $724.67

Fall Term, Wednesday, December 24th 1856.

" Charles & Sarah Interest	1463.34	
" Sup Court Fees &c	14.00	1449.34
" Co Ct N B. Mc Glen	50.00	
" " Amt paid J. Hancock Atty for Contr Case	66.66	
" " J. & J. Hancocks Note & Interest to 1st Dec /54	1189.90	
" " Interest to 1st Dec /54	142.78	1449.34
"		
" D. J. Nichols Interest	312.74	
" Sup Court Fees	7.00	353.74
" D. J. & J. Hancocks note	317.62	
" Interest to 1st Dec 1856	38.12	355.74
" Amt due J. H. Gillespie		
" Amt as per Report	946.93	
" Court fees Clay	35.00	
" Com's on $1150.00 5%	5.00	986.93
" Cr. as per Master 5%		4.00
"		990.93
" By J. & J. Hancock Note	872.90	
" " Interest to June	104.72	977.62
		12.93

And no objection being made to said Report and Partition so made as aforesaid

It is therefore ordered and decreed by the Court, that said Report and Partition be fully approved and confirmed, and that the said James H. Gillespie pay over to each of said Distributees their shares, to set apart to each of them as aforesaid, and take receipt for the same, to be filed in this Court in his final discharged from his said trust, and that the Clerk of this Court tax in the Bill of Costs in the case the sum of twenty Dollars, which is hereby allowed to said Costs for his services herein performed by him

1612 The State of Texas } Plaintiff
v. } Exhibiting Faro.
John M. Bennett called Buck Bennett } Defendant

In this cause this day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf, and the said defendant John M. Bennett, called Buck Bennett, being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant John M. Bennett called Buck Bennett as principal, and W. W. Freeman, R. J. Jones and Joel M Bennett, as his securities, had executed their joint and several bonds payable unto the State of Texas in the sum of One hundred Dollars, dated

the twelfth day of November A.D, 1836, conditioned that the said defendant John M. Bennett, called Buck Bennett, make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the seventh Monday after the first Monday in October A.D, 1836, to answer the Indictment prefered against him by the Grand Jurors of Travis County, at the ~~Spring~~ Term A.D, 1836, of said District Court, for exhibiting for gaming 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, and the said defendant John M Bennett, called Buck Bennett being three times solemnly called, and required to answer said charge, came not, but wholly made default, and the said securities also being again three times solemnly called and required to bring with them into Court, the body of said defendant: John M. Bennett, called Buck Bennett, to answer said charge, which they wholly failed to do.

It is, therefore, considered, ordered, adjudged and decreed by the Court, that the said bonds of the said defendant John M. Bennett, called Buck Bennett, and the said W. W. Freeman, and the said R. J. Jones, and the said Joel M Bennett be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of one hundred dollars, the amount of said Bonds, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court commanding them then and there to shew cause, if any they can why this judgment should not be made final against them as aforesaid.

The State of Texas } Plaintiff } Permitting card playing &c.
v.
William Clopton } Defendant }

1644

In this cause, this day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf, and the said defendant William Clopton being three times solemnly called, came not, but made default, and it appearing to the Court, that the said Defendant William A. Clopton as principal, and S. G. Sowell and J. B. Jackson as his securities had executed their joint and several bonds, payable unto the State of Texas in the sum of two hundred dollars dated, the Fifth day of November A.D, 1836, conditioned that the said defendant William A. Clopton make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in

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the City of Austin on the Seventh Monday after the first Monday in October A.D. 1856 to answer the indictment preferred against him by the Grand Jurors of Travis County at the Fall Term A.D. 1855, of said District Court, for permitting persons to play cards for money in a house under his control, for retailing spirituous liquors, and there remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court, and the said defendant William A. Clopton being three times solemnly called, and required to answer said charge came not, but wholly made default, and the said securities, also being again three times solemnly called and required to bring with them into Court, the body of said defendant William A. Clopton to answer said charge, which they wholly failed to do.

It is, therefore, considered, ordered, adjudged, and decreed by the Court, that the said bond of the said William A. Clopton defendant, and the said S.G. Sorrell, and the said J.R. Jackson be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of Two hundred dollars, the amount of said bond and that Scire Facias do each to each of them severally returnable to the next Term of this Court commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid.

631

The State of Texas } Plaintiff
vs. } Horse Stealing.
Alejo Obsegon } Defendant

In this cause, this day came the District Attorney George W. Jones who prosecutes for the State in this behalf and the said defendant Alejo Obsegon being three times solemnly called came not, but made default; and it appearing to the Court, that the said defendant Alejo Obsegon as principal and J.H. Waymon and J.R. Waller as his securities had executed their joint and several bonds, payable unto the State of Texas in the sum of Two hundred dollars dated the Thirteenth day of August A.D. 1855, conditioned that the said defendant Alejo Obsegon make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the eighth Monday after the first Monday in September A.D. 1855, to answer whatever Indictment may be found against him by the Grand Jury of Travis County, at the Fall Term A.D. 1855, of said District Court, for feloniously stealing 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 and the said defendant Alejo Obsegon being three times solemnly called and required to answer said charge, came not, but wholly made default, and the said securities also being again three times solemnly called and required to bring with them into Court, the body of said defendant Alejo Obsegon to answer said charge, which they wholly failed to do.

It is, therefore, considered, ordered, adjudged, and decreed by the Court that the said bonds of the said Alejo Obsegon and the said J. H. Magnon and J. R. Miller, be and the same is hereby forfeited and that the State of Texas do have and recover of and from them jointly and severally, the sum of Two hundred dollars the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid

711

The State of Texas } Plaintiff
Giles S. Boggess } Defendant } Exhibiting Faro.

In this cause, this day came the District Attorney George R. Jones, who prosecutes for the State in this behalf, and the said defendant Giles S. Boggess, being three times solemnly called came not but made default; and it appearing to the Court, that the said defendant Giles S. Boggess as principal and C. V. Cole and J. R. Heard as his securities, had executed their joint and several bond, payable unto the State of Texas in the sum of One hundred Dollars, dated the Twenty-sixth day of September A.D. 1856; conditioned that the said defendant Giles S. Boggess make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the seventh Monday after the first Monday in October A.D. 1856, to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term, A.D. 1856, of said District Court, for exhibiting for gaming 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, and the said defendant Giles S. Boggess being three times solemnly called and required to answer said charge, came not, but wholly made default; and the said securities, also being again three times solemnly called and required to bring with them into Court, the body of said defendant Giles S. Boggess to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court that the said Bond of the said defendant

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Giles S. Boggess, and the said C. W. Cole and the said J. R. Beard be and the same is hereby forfeited, and the State of Texas do have and recovery of and from them jointly and severally the sum of One hundred Dollars, the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid.

712

The State of Texas	Plaintiff	Exhibiting Faro.
vs.		
G. S. Boggess	Defendant	

In this cause this day came the District Attorney George W. Jones, who prosecutes for the State in this behalf, and the said Defendant Giles S. Boggess being three times solemnly called came not, but made default; and it appearing to the Court that the said defendant Giles S. Boggess as principal and C. W. Cole and J. R. Beard as his securities, had executed their joint and several bond, payable unto the State of Texas, in the sum of One hundred Dollars, dated the Twenty-sixth day of September A.D. 1836, conditioned that the said defendant Giles S. Boggess make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the Seventh Monday after the first Monday in October A.D. 1836 to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term A.D. 1836 of said District Court, for exhibiting for gaming, a game at cards called Faro, and there remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court, and the said defendant Giles S. Boggess being three times solemnly called, and required to answer said charge came not, but wholly made default; and the said securities also being three times solemnly called and required to bring with them into Court the body of said defendant Giles S. Boggess to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant Giles S. Boggess, and the said C. W. Cole and J. R. Beard be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of one hundred dollars the amount of said bond and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there

to shew cause if any they can, why this judgment should not be made final against them as aforesaid.

713 ✓ The State of Texas } Plaintiff
Giles S. Boggess } Defendant } Betting at Faro.

In this cause this day came the District attorney, George N. Jones who prosecutes for the State in this behalf, and the said defendant Giles S. Boggess being three times solemnly called, came not, but made default; and it appearing to the Court, that the said defendant Giles S. Boggess as principal, and C. N. Cole and J. R. Beard as his securities, had executed their joint and several bond, payable unto the State of Texas in the sum of one hundred Dollars, dated the twenty sixth day of October A.D. 1856, conditioned that the said defendant Giles S. Boggess make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin, on the seventh Monday after the first Monday in October A.D. 1856 to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term A.D. 1856, of said District Court, for 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 the said Court, and the said defendant Giles S. Boggess being three times solemnly called, and required to answer said charge, came not but wholly made default; and the said securities also being three times again solemnly called and required to bring with them into Court the body of said defendant Giles S. Boggess to answer said charge which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant Giles S. Boggess, and the said C. N. Cole, and the said J. R. Beard be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One hundred Dollars, the amount of said bond, and that Scire Facias do issue to each of them severally returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid.

✓ 717 The State of Texas } Plaintiff
vs.
Tilman Weaver } Defendant } Exhibiting Twenty-One.

And now on this day came and appeared in open Court the defendant Tilman Weaver as principal and Frederick N. Chandler and William O'Connell as his securities, and

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acknowledged themselves jointly and severally, jointly to owe and be indebted unto the State of Texas in the sum of one hundred Dollars to be levied upon their respective goods and chattels, and lands and tenements, but to be void upon condition that the said Silman Beaver, defendant, be and remain in attendance upon the District Court of Travis County now in session, and from day to day, and from Term to Term thereafter, to answer the indictment preferred against him, the said Silman Beaver, by the Grand Jurors of Travis County, at the Spring Term of the District Court of Travis County, 1856, for "Exhibiting for gaming a gaming bank called "Twenty-one", and that he, the said Silman Beaver, do not depart thence without leave thereof.

The State of Texas	}	Plaintiff	}
vs.			} Betting at Monte.
Alfred Robinson	}	Defendant	}

718

In this cause, this day came the District Attorney George N. Jones, who prosecutes for the State in this behalf, and the said defendant Alfred Robinson being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant, Alfred Robinson, as principal, and John H. Robinson, and The Anderson, as his securities, had executed their joint and several bond, payable unto the State of Texas, in the sum of one hundred Dollars dated the Thirty-first day of October A.D. 1856, conditioned that the said defendant Alfred Robinson make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the Seventh Monday after the first Monday in October A.D. 1856 to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term A.D. 1856, of said District Court for betting at a Monte Bank exhibited for gaming, 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, and the said defendant Alfred Robinson being three times solemnly called, and required to answer said charge, came not but wholly made default, and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant Alfred Robinson to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant

Alfred Robinson, and the said John H. Robinson, and the said Thomson be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of one hundred dollars, the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to show cause, if any they can, why this judgment should not be made final against them as aforesaid.

✓ 721

The State of Texas } Plaintiff
vs. } Aggravated Assault & Battery.
C. A. Hopkins } Defendant

In this cause this day came the District Attorney George W. Jones, who prosecutes for the State in this behalf, and the said defendant C. A. Hopkins, being three times solemnly called came not but made default; and it appearing to the Court that the said defendant C. A. Hopkins, as principal, and William G. Wallace and Ed Fordt, as his securities, had executed their joint and several bond, payable unto the State of Texas in the sum of One Hundred Dollars, dated the Sixteenth day of October A.D. 1836, conditioned that the said defendant C. A. Hopkins, make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the seventh Monday after the first Monday in October A.D. 1836, to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term A.D. 1836, of said District Court, for an aggravated assault & battery, and there remain from day to day, and from Term to Term of said Court, and that he do not depart thence without leave of said Court; and the said defendant C. A. Hopkins being three times solemnly called and required to answer said charge, came not, but wholly made default, and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant C. A. Hopkins to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged, and decreed by the Court that the said bond of the said defendant, C. A. Hopkins, and the said William G. Wallace and Ed Fordt be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of one hundred dollars, the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to show cause if any they can, why this judgment should not be made final against

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thern as aforesaid.

1724

The State of Texas } Plaintiff
vs. } Larceny of neat cattle.
Robert Longley & Jenny Cabinis } Defendant

In this cause, this day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf, and the said defendant Robert Longley, being three times solemnly called came not, but made default: and it appearing to the court that the said defendant Robert Longley as principal, and G.R. Scott and H. Johns as his securities, had executed their joint and several bond, payable unto the State of Texas in the sum of two hundred dollars, dated the fourteenth day of November A.D. 1856, conditioned that the said defendant Robert Longley make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the Seventh Monday after the first Monday in October A.D. 1856, to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term A.D. 1856 of said District Court, for feloniously stealing neat cattle, and there remain from day to day, and from Term to Term of said Court and not depart thence without leave of said Court, and the said defendant Robert Longley being three times solemnly called and required to answer said charge came not, but wholly made default: and the said securities also being again three times solemnly called and required to bring with them into Court, the body of said defendant Robert Longley to answer said charge which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant Robert Longley and the said G.R. Scott, and the said H. Johns be and the same is hereby forfeited and that the State of Texas do have and recover of and from them jointly and severally the sum of two hundred Dollars, the amount of said bond and that Scire Facias do issue to each of them ~~separately and~~ severally returnable, returnable to the next Term of this Court, commanding them then and there to shew cause if any they can, why this judgment should not be made final against them as aforesaid

1725

The State of Texas } Plaintiff
vs. } Betting at Faro.
Oliver H. Maroney } Defendant

In this cause, this day came the District

Attorney, George W. Jones, who prosecutes for the State in this behalf, and the said defendant O.H. Maroney being three times solemnly called came not but made default; and it appearing to the Court that the said defendant, O.H. Maroney as principal, and C. Byrn and James A. Fish as his securities had executed their joint and several bond, payable unto the State of Texas in the sum of one hundred dollars, dated the twelfth day of November A.D. 1836, conditioned that the said defendant O.H. Marney make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said county in the City of Austin on the Seventh Monday after the first Monday in October A.D. 1836, to answer the Indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term A.D. 1836 of said District Court, for betting at a gaming bank called Faro, exhibited for gaming, and there remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court, and the said defendant O.H. Maroney being three times solemnly called, and required to answer said charge came not but wholly made default; and the said securities also being three times solemnly called and required to bring with them into Court, the body of said defendant O.H. Maroney to answer said charge which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant O.H. Maroney and the said C. Byrn and the said James A. Fish be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of two hundred dollars the amount of said Bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid.

727 ✓

The State of Texas } Plaintiff
vs. } Betting at Faro
Wm. B. Ochiltree } Defendant

In this cause, this day came the District Attorney George W. Jones who prosecutes for the State in this behalf, and the said defendant Wm. B. Ochiltree being three times solemnly called, came not but made default; and it appearing to the Court that the said defendant Wm. B. Ochiltree as principal and R. Hotchkiss and George Schweiger, as his securities, had executed their joint and several bonds, payable unto the State of Texas in the sum of one hundred dollars, dated the Fourth day of October A.D. 1836, conditioned that the said defendant Wm. B. Ochiltree

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make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the Seventh Monday after the first Monday in October A.D. 1836, to answer the indictment preferred against him by the Grand Jurors of Travis county at the Spring Term A.D. 1836, of said District Court, for betting at a gaming bank exhibited for gaming called Faro, and there remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court, and the said defendant Wm. B. Ochiltree being three times solemnly called, and required to answer said charge came not but wholly made default, and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant Wm. B. Ochiltree to answer said charge which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court that the said bond of the said defendant Wm. B. Ochiltree and the said R. Holcomb and the said George Clemmer be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of one hundred dollars, the amount of said Bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause if any they can, why this judgment should not be made final against them as aforesaid.

783 — The State of Texas } Plaintiff
vs. } Betting at Faro Bank
Theophilus Anderson } Defendant

In this case, this day came the District Attorney George N. Jones, who prosecutes for the State in this behalf and the said defendant Theophilus Anderson being three times solemnly called, came not, but made default, and it appearing to the Court that the said defendant Theophilus Anderson as principal, and George L. Walton and James M. Swisher as his securities, had executed their joint and several bond payable unto the State of Texas, in the sum of one hundred Dollars, dated the Twenty seventh day of September A.D. 1836, conditioned that the said defendant Theophilus Anderson make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the Seventh Monday after the first Monday in October A.D. 1836, to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term A.D. 1836 of said

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District Court, for betting at a gaming table, at "Pin pool" exhibited for gaming and there remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court, and the said defendant Theophilus Anderson being three times solemnly called, and required to answer said Charge, came not, but utterly made default; and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant Theophilus Anderson to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant Theophilus Anderson, and the said George L. Watton, and the said James M. Swisher be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of one hundred dollars the amount of said bond and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court commanding them then and there to shew cause if any they can, why this judgment should not be made final against them as aforesaid.

734

The State of Texas	Plaintiff	Betting at Faro.
vs.		
Theophilus Anderson	Defendant	

In this cause, this day came the District Attorney George W. Jones, who prosecutes for the State in this behalf, and the said defendant Theophilus Anderson being three times solemnly called, came not but made default; and it appearing to the Court, that the said defendant Theophilus Anderson as principal, and George L. Watton and James M. Swisher as his securities, had executed their joint and several bond, payable unto the State of Texas in the sum of one hundred dollars, dated the twenty-seventh day of September A.D. 1836; conditioned that the said defendant Theophilus Anderson make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the Seventh Monday after the first Monday in October A.D. 1836 to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term A.D. 1836 of said District Court, for betting at a certain gaming bank exhibited for gaming, called Faro, and there remain from day to day and from Term to Term of said Court and that he do not depart thence without leave of said Court and the said defendant Theophilus Anderson being three times solemnly called, and required to answer said Charge, came not but wholly made default; and the said securities, also being

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again three times solemnly called and required to bring with them into Court, the body of said defendant Theophilus Anderson to answer said Charge, which they wholly failed to do.

It is therefore, considered, ordered, adjudged, and decreed by the Court, that the said bond of the said defendant Theophilus Anderson, and the said George L. Watton and the said James M. Swisher be and the same is hereby forfeited and that the State of Texas do have and recover of and from them jointly and several, the sum of one hundred dollars, the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause if any they can, why this judgment should not be made final against them as aforesaid

731

The State of Texas } Plaintiff
vs. } Exhibiting Monte
Newton Jackson } Defendant

In this cause, this day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf, and the said defendant Newton Jackson being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant Newton Jackson as principal and John H. Robinson and C. A. Hopkins as his securities had executed their joint and several bond payable unto the State of Texas in the sum of two hundred dollars, dated the twelfth day of November A.D. 1856, conditioned that the said defendant Newton Jackson, make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin, on the Seventh Monday after the first Monday in October A.D. 1856, to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term A.D. 1856, of said District Court, for exhibiting for gaming a monte bank, and there remain from day to day and from Term to Term of said Court and that he do not depart thence without leave of said Court, and the said defendant Newton Jackson being three times solemnly called, and required to answer said charge came not, but wholly made default, and the said securities also being again three times solemnly called and required to bring with their into Court the body of said defendant Newton Jackson to answer said charge which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed

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by the Court that the said bond of the said defendant Newton Jackson, and the said John V. Robinson and the said C. A. Hopkins, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of two hundred dollars, the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid.

738 ✓

The State of Texas	Plaintiff	Playing cards for money
vs		
Isaac Newton Jackson	Defendant	

In this cause this day came the District Attorney, George B. Jones, who prosecutes for the State in this behalf, and the said defendant Isaac Newton Jackson, being three times solemnly called, came not but wholly made default; and it appearing to the Court, that the said defendant Isaac Newton Jackson as principal, and John V. Robinson and C. A. Hopkins, as his securities, had executed their joint and several bonds payable unto the State of Texas, in the sum of one hundred dollars, dated the twelfth day of November A.D. 1856, conditioned that the said defendant Isaac Newton Jackson make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the city of Austin on the Seventh Monday after the first Monday in October A.D. 1856, to answer the indictment preferred against him by the Grand Jurors of Travis County, at the Spring Term A.D. 1856 of said District Court, for playing cards for money 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, and the said defendant Isaac Newton Jackson, being three times solemnly called and required to answer said charge, came not, but wholly made default; and the said securities being also again three times solemnly called and required to bring with them into Court the body of the said defendant Isaac Newton Jackson, to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court that the said bond of the said defendant Isaac Newton Jackson, and the said John V. Robinson, and the said C. A. Hopkins be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally the sum of one hundred dollars the amount of said bond and that Scire Facias do issue to each of them severally returnable to the

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next Term of this Court, commanding them then and there to shew cause if any they can, why this judgment should not be made final against them as aforesaid.

139	The State of Texas vs. Alfred Robinson	Plaintiff / Defendant	Playing cards for money

In this cause this day came the District Attorney George N. Jones, who prosecutes for the State in this behalf, and the said defendant Alfred Robinson being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant, Alfred Robinson as principal and John R. Robinson and He Anderson as his securities, had executed their joint and several bond, payable unto the State of Texas in the sum of One hundred dollars, dated the Thirty-first day of October A.D. 1856, conditioned that the said defendant Alfred Robinson make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court House of said County in the City of Austin on the Seventh Monday, after the first Monday in October A.D. 1856 to answer the indictment preferred against him by the Grand Jurors of Travis county, at the Spring Term A.D. 1856 of said District Court, for playing cards for money 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, and the said defendant Alfred Robinson being three times solemnly called, and required to answer said charge came not, but wholly made default, and the said securities also being again three times solemnly called and required to bring with them into Court the body of the said defendant Alfred Robinson to answer said charge which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court that the said bond of the said defendant Alfred Robinson, and the said John R. Robinson and the said He Anderson be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of one hundred dollars the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to shew cause if any they can, why this judgment should not be made final against them as aforesaid.

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142 ✓

The State of Texas } Plaintiff
v. } Exhibiting a Faro Bank.
O. H. Maroney } Defendant

In this cause this day came the District attorney George W. Jones who prosecutes for the State in this behalf, and the said defendant O. H. Maroney being three times solemnly called came not but made default; and it appearing to the Court that the said defendant O.H. Maroney, as principal, and C. Byrn and James A. Fish as his securities, had executed their joint and several bond, payable unto the State of Texas in the sum of One hundred dollars, dated the eleventh day of September A.D. 1836, conditioned that the said defendant O. H. Maroney make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court house of said County in the City of Austin on the seventh Monday after the first Monday in October A.D. 1836, to answer the indictment prefered against him by the Grand Jurors of Travis County, at the Spring Term A.D. 1836, of said District Court, for exhibiting for gaming a gaming bank called Faro, 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, and the said defendant O.H. Maroney being three times solemnly called and required to answer said Charge, came not, but wholly made default; and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant O.H. Maroney, to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged, and decreed by the Court, that the said bond of the said defendant O. H. Maroney, and the said C. Byrn and the said James A. Fish, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One hundred dollars, the amount of said bond and that Scire Facias do issue to each of them severally returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid.

144 ✓

The State of Texas } Plaintiff
v. } Betting at Monte
John S. Ford } Defendant

In this cause this day came the District Attorney George W. Jones, who prosecutes for the State in this behalf; and the said defendant John S. Ford being three times solemnly called, came not

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but made default; and it appearing to the Court that the said defendant John S. Ford as principal and W.m M. Walton and Edward R. Peck as his securities, had executed their joint and several bond, payable unto the State of Texas, in the sum of One hundred dollars, dated the fourteenth day of November A.D. 1836, conditioned that the said defendant John S. Ford make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court house of said County in the City of Austin on the Seventh Monday after the first Monday in October A.D. 1836 to answer the indictment preferred against him by the Grand Jurors of Travis County at the Spring Term A.D. 1836, of said District Court, for betting at a gaming bank exhibited for gaming 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, and the said defendant John S. Ford, being three times solemnly called and required to answer said charge, came not, but wholly made default; and the said securities also being again three times solemnly called, and required to bring with them into Court the body of the said defendant John S. Ford to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant John S. Ford, and the said William M. Walton, and the said Edward R Peck, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One hundred Dollars, the amount of said bond and that Scire Facias do issue to each of them severally returnable to the next Term of this Court, commanding them then and there to shew cause, if any they can why this judgment should not be made final against them as aforesaid.

146

The State of Texas } Plaintiff
J. M. W. Hall } Defendant
} Imniting a gaming bank &c.

In this cause, this day came the District attorney, George W. Jones, who prosecutes for the State in this behalf, and the said defendant J. M. W. Hall being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant J. M. W. Hall as principal, and John Horan and J. W. Robertson as his securities had executed their joint and several bond, payable unto the State of Texas in the sum of Two hundred dollars

dated the Sixteenth day of October A.D. 1836, conditioned that the said defendant J. M. N. Hall make his personal appearance at the District Court of said County of Travis to be begun and holden at the Court house of said County in the City of Austin on the Seventh Monday after the first Monday in October A.D. 1836, to answer the indictment preferred against him by the Grand Juror of Travis County, at the Spring Term A.D. 1836, of said District Court, for permitting a gaming table called "Pin Pool" to be exhibited for gaming in his Billiard Saloon, and there remain from day to day and from Term to Term of said Court, and that he do not depart thence without leave of said Court, and that the said defendant J. M. N. Hall being three times solemnly called, and required to answer said charge, came not but wholly made default; and the said securities, also being again three times solemnly called and required to bring with them into Court, the body of said defendant J. M. N. Hall, to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged, and decreed by the Court, that the said bond of the said defendant J. M. N. Hall, and the said John Horan, and the said J. N. Robertson be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally the sum of Two hundred dollars the amount of said bond, and that Scire Facias do issue to each of them severally, returnable to the next Term of this Court, commanding them then and there to show cause, if any they can, why this judgment should not be made final against them as aforesaid.

1188 ✓ — Lowry & Cape } Plaintiffs } Certiorari
Peter B. Lowe } Defendant }

And now on this day came the parties to this cause by their attorneys, and the motion of plaintiffs to dismiss petition and to strike the cause from the Docket coming on to be heard, and the same being argued by the Counsel, and submitted to the Court, the Court doth overrule said motion

✓ 876 — Francis Kelley } Plaintiff } Injunction
Joseph Warren } Defendant }

And now on this day again come the parties to this cause by their attorneys, and defendants motion to dissolve the Injunction and to dismiss petition coming on to be heard, the same was argued and submitted to the Court. And thereupon the Court ordered that said motion be granted. And thereupon It is ordered by the Court that the Injunction heretofore granted the plaintiffs in this cause be dissolved

Fall Term, Wednesday, December 24th, 1856.

and that his petition be dismissed from the docket, and that the said defendant recover of the plaintiff, Francis Kelley, and the securities on his Injunction bond, to wit: Wm Sauer and A. W. Terrell, all his costs afsuit, and that execution may issue.

Wm Clark	}	Plaintiff	}
↓ 446 v.			Motion
A. N. Hopkins	}	Defendant	}

On this day the motion of defendant for a new trial coming on to be heard, the same was overruled by the Court. And thereupon the defendant, in open Court, gives notice of an appeal to the Supreme Court.

D. C. & G. R. Freeman	}	Plaintiffs	}
↓ 752. v.			Motion.
Crop & Veale.	}	Defendants	}

And now on this day the motion of defendants for a new trial coming on to be heard the same was argued and submitted, and overruled by the Court. And thereupon, the said defendants gave notice, in open Court, of an appeal to the Supreme Court.

John Haak	}	Plaintiff	}
↓ 812. v.			Motion
Mansfield & Oldham	}	Defendants	}

And now on this day came the parties to this cause by their attorneys, and the motion of defendants for a new trial coming on to be heard, the was argued and submitted, and thereupon the Court overruled said motion.

A. B. Fenton	}	Plaintiff	}
↓ 886 v.			Motion
S. H. Johnson	}	Defendant	}

And now on this day came the parties to this cause by their attorneys, and defendant by attorney submitted his motion for a new trial. And the same being argued, the Court overruled said motion

The State of Texas	}	Plaintiff	}
↓ 11117 v.			
M. B. Raper et al.	}	Defendants	}

And now comes the defendant Raper by attorney, and submits his motion to set aside the Judgment heretofore rendered in this cause. And the Court considering the same, overrules said motion

Hall Term, Wednesday, December 24th 1856.

√1106 The State of Texas } Plaintiff } Motion
v.
M. B. Raper, et al. } Defendants }

And now on this day comes the defendant by attorney, and submits his motion to set aside the Judgment heretofore rendered against the said Raper and his securities, And the same being Considered, It is ordered by the Court, that said motion be overruled

√827 Ernst Raven } Plaintiff } Motion
v.
John Killiken } Defendant }

And now comes the plaintiff by attorney, and also the defendant, by his attorney, and the Court proceeding to consider the motion of plaintiff for a new trial in this cause, Doth order that said motion be allowed, and that a new trial be granted.

√896 L. D. Cross } Plaintiff } Order
v.
Joseph Stinebaum } Defendant }

And now on this day came the parties to this cause by their attorneys and defendants motion for a new trial coming on to be heard, and being Argued and submitted, the same was overruled by the Court

903 √ W. S. Smith } Plaintiff } Order
v.
Fellman & Walker } Defendants }

And now on this day, the motion of defendants for a new trial, being argued and submitted to the Court, It is ordered by the Court that said motion be overruled. And thereupon the said defendants, by attorney, gave notice in open Court, of an appeal to the Supreme Court

√875 C. McDonnell } Plaintiff } Order
v.
C. Stenfey } Defendant }

It is ordered by the Court that plaintiffs motion to reinstate this cause on the Docket be overruled

And thereupon It is ordered by the Court that the Criminal Docket be set for hearing on Monday, January 12th 1857.

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883.	Jeremiah Barnett v. Banyan Payne, et. al	Plaintiff / Defendants	Order
	Seth Thomas & Wm Rodgers	Intervenors	

And now on this day came the parties to this cause by attorney, and the motion of defendants for a new trial being argued and submitted, the same was overruled by the Court.

And thereupon the said Defendants give notice, in open Court, of an appeal to the Supreme Court.

717	The State of Texas v. Benj. Hinds	Plaintiff / Defendant	Order

And now come the parties to this cause by attorney, and defendants motion for a new trial, being submitted and argued, the same was overruled by the Court.

933	William Gibson v. L. Fellman	Plaintiff / Defendant	Order.

And now on this day came the parties to this cause by their attorneys, and submit to the Court defendants motion for a new trial heretofore filed. And the same being Argued and submitted the same overruled. And thereupon the said defendant gave notice, in open Court, of an appeal to the Supreme Court.

And Thereupon It is ordered by the Court that Court do now adjourn until Monday January 5th 1857.

Austin Texas. Monday, January 5th 1857.

Court Convened at Nine O'clock A.M. pursuant to adjournment. Present the Honorable Thomas H. Duval Judge of the Second Judicial District of the State of Texas: Frank Brown, Clerk of the District Court of Travis County, and John H. Price, Sheriff.

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

170	Robt Kidd v. M. C. Hamilton & Henry I. Kidd	Plaintiff / Defendants	And now on this day came the parties by their attorneys, And it appearing to the Court that the parties have entered into a Covenant for the Arbitrament of the matters in Controversy in said cause, and that they have chosen

Fall Term - 1856 - Monday, January 5th 1857.

George W. Paschal and Archer S. Hamilton as arbitrators, and Robert S. Towns, Esq, to settle any differences between them as umpire

It is Therefore Ordered that said Arbitrators proceed upon some convenient day to dispose of the matters in Controversy in accordance with the terms of the submission, and report their award to this Court at as early a day as convenient.

Robert Purris, W. W. Wood, A. B. Hill, under the style of Purris, Wood & Co. } Plaintiffs

1188 v. A. P. Richardsons, C. C. Richardson, W. M. Walton & George L. Walton. } Defendants

} Judgment.

And now at this Day come the plaintiffs, Robert Purris and W. W. Wood, and suggest the death of A. B. Hill, one of the plaintiffs in the above entitled Cause, and one of the parties in the late firm of Purris, Wood & Co, and ask for Judgment against the said Defendants above named, in the name of Robert Purris and W. W. Wood, surviving partners of the firm of Purris, Wood & Co; and it appearing to the Court that all the Defendants have duly and legally been cited and have accepted service in due form of the petition filed in this behalf; and it appearing further that said Defendants have orbally failed to answer within the time prescribed by law, or in accordance with the terms on which service was accepted by them, but have orbally made default in this behalf. And it further Appearing to the Court that said cause of action is liquidated and evidenced by an instrument in writing and the amount duly ascertained, It is Ordered, adjudged and decreed that Robert Purris and W. W. Wood as surviving partners of the firm of Purris, Wood & Co., do have and recover of and from Archer S. Richardson and his wife Caroline C. Richardson and W. M. Walton and George L. Walton, Defendants in the above entitled cause, the sum of Seven Hundred and Forty Dollars and Fourteen Cents ($740.14) with legal interest on the same at eight per centum per annum from the day of the rendition of this Judgment until the same be paid, being the amount of principal and interest up to date of this Judgment. And further Ordered, that the said plaintiffs have Judgment against said defendants for all the Cost of suit, for all which execution may issue.

1165 & 110 M. Moore } Plaintiff
v. } Continued
Wm Bohler } Defendant

Fall Term, 1856 — January 5th 1857.

232	Benj. Grumbles & Wife John J. Grumbles, Admr.	v.	Plaintiffs Defendants	Continued Generally.
211	Wm. Conner & Wife John Rick Heirs	v.	Plaintiffs Defendants	Continued by the Court.
259	Edward Grumbles W. S. Oldham	v.	Plaintiffs Defendants	Continued.
316	John J. Grumbles, Admr. Gideon G. Pace, Admr.	v.	Plaintiffs Defendant	Continued Generally.
407	Oldham, Marshall & Dwell Claiborne Arrington	v.	Plaintiffs Defendant	Judgment.

And now on this day came the parties by their Attorneys, and agree that this Cause shall be dismissed from the Docket at Plaintiffs' Cost. Whereupon, It is ordered by the Court that said Cause be dismissed from the Docket, that the Defendant Do hence and recover of the plaintiffs, W. S. Oldham, John Marshall and A. W. Dwell, all costs of this suit, for which execution may issue.

818½	Henry Ross John A. Green	v.	Plaintiff Defendant	Continued Generally
865	B. D. Hendrick, Admr. Geo. W. Glascock	v.	Plaintiff Defendant	Continued by the Court
943.	Robert White Sylvester Lockwood	v.	Plaintiff Defendant	Debt &c

And now comes the defendant and suggests to the Court that the subject matter between the parties has been settled and on his motion It is ordered that the above cause be dismissed from the Docket, and that the defendant recover of the plaintiff Robert White all his costs, for which execution may issue.

Fall Term, 1856 Monday, January 5th 1857

956 — Ernst Raven, Plaintiff; John Kelliba, Defendant — Continued by Consent.

960 — Laura A. E. Marshall, Plaintiff; Wiley Marshall, Defendant — Divorce

The death of the Defendant being suggested to the Court It is thereupon ordered by the Court, that this cause be dismissed from the Docket, and that the Defendant recover of the Plaintiff, Laura A. E Marshall all costs of this suit, for which execution may issue

962 — L. D. Carrington & Co, Plaintiffs; S. K. Jennings, Defendant — Order

On motion of the parties It is ordered by the Court that this cause be dismissed from the Docket, and that the Plaintiffs recover of the defendant, S. K. Jennings, all costs of this suit, for which execution may issue

982 — Throgmorton & Lewis, Plaintiffs; Ford, Walker & Davidson, Defendants — Continued Generally

983. — L. D. Carrington & Co, Plaintiffs; N. W. Johnson & A. H. Cook, Defendants — Debt and Judgment.

And now come the parties by their attorneys, and the Defendants withdraw their answers heretofore filed; and thereupon ~~plaintiffs~~ defendants saying nothing in bar or preclusion of plaintiffs' demand; and it appearing that plaintiffs' demand is liquidated, It is thereupon ordered by the Court that the plaintiffs, L. D. Carrington and David Card, under their firm name of L. D. Carrington & Co, have and recover of and from the defendants A. H. Cook and N. W. Johnson the sum of Six Hundred Dollars principal and interest to date, with interest thereon at the rate of ten per centum per annum from the date of this Judgment until satisfied and all costs of this suit, for which execution may issue.

986 — Thomas F. Chapman, Plaintiff; John J. Gramlich & John M. Duncan, Defendants — Continued Generally

Fall Term, 1856 Monday, January 5th 1857.

988 A. W. Johnson } Plaintiff
N. B. Fleming, et al, } Defendants } Order

It is ordered, on motion, that this cause be dismissed from the Docket, and that the plaintiffs recover of the Defendants N. B. Fleming and P. D. Winn, all costs of this suit, for which execution may issue.

993 Phil. Claiborne } Plaintiff
James E. Brady } Defendant } Continued Generally

998 Wm. P. Mabin } Plaintiff
Jonas Dancey et. al. } Defendants } It is ordered by the Court that the Judgment by default heretofore rendered in this Cause be set aside as to the Defendant Dancey, and that he have leave to plead, and Ordered that this cause be cont'd

1000 Joseph S. Lake } Plaintiff
Thomas F. McKinney } Defendant } Case Continued and deft. allowed to amend.

1114 Royall & Selkirk } Plaintiffs
Ira R. Leon } Defendant } Judgment

And now on this day come the parties to this cause by attorney, and the defendant thereupon withdrew his answer heretofore filed and says nothing in bar or preclusion of plaintiffs' demand. And thereupon, It appearing to the Court that the plaintiffs' cause of action is liquidated, and settled as appears from defendants promissory note, It is therefore Ordered by the Court that the plaintiffs, William P. Royall and James Selkirk, under their firm name of Royall & Selkirk, do have and recover of and from the defendant Ira R. Leon, the sum of One Hundred and Ninety-Nine 19/100 Dollars, principal and interest to date, with interest thereon at ten per cent. per annum from date until paid, and all costs, for which execution may issue.

And thereupon, It is ordered by the Court that a stay of execution be allowed until May 1st 1857.

And thereupon It is ordered by the Court that Court do now adjourn until to-morrow (Tuesday) Morning, January 6th 1857, at Nine O'clock.

Tuesday, January 6th 1857. Court convened at 9 o'clock A. M. whereupon the following proceedings were had, to wit:

Fall Term, 1856 Tuesday, January 6th 1857.

892 David V. Lare } Plaintiff } Verdict and Judgment.
Mary Lare. } Defendant }

And now at this term of the Court came on the above entitled cause for final trial, the Defendant having been duly summoned by publication and also represented by R. T. Browning, an attorney of this Court duly appointed for said purpose. Whereupon Came a Jury of good and lawful men, to wit. Andrew O'Horne and eleven others, who being duly empannelled & sworn returned a verdict under the charge of the Court sustaining the allegations of said petition

And it appearing from said petition and verdict that the said Defendant was duly married to said plaintiff, and that afterwards, to wit. For the Space of more than three Years before the Commencement of the Suit said Defendant voluntarily left the bed and board of the said plaintiff with the intention of abandonment, and that said abandonment has ever since Continued without interruption up to the present time It is therefore Ordered, adjudged and decreed that the bonds of matrimony between said David V. Lare and Mary Lare be and the same are hereby dissolved and Annulled, and the said parties wholly released therefrom, and it is further Ordered that said R. T. Browning be allowed twenty dollars as a fee for his Services in said case, and the same be taxed with the Cost, and that the plaintiff pay all costs of this suit for which execution may issue

1019 R. S. Lowe } Plaintiff } Judgment
v.
Gustavus Kirchberg } Defendant }

And now on this day came the parties to the above cause by their attorneys, and thereupon the defendant and the said plaintiff agree that Judgment should be rendered for the plaintiff for the amount of the note sued on and interest thereon according to its tenor, with a stay of execution for six months. And Thereupon It is Ordered, adjudged and decreed by the Court that the said plaintiff, R. S. Lowe, do have and recover of and from the Defendant Gustavus Kirchberg, the sum of Three Hundred and Sixty Seven 75/100 Dollars, principal, and interest on the note sued on to this date, with interest thereon at eight per centum per annum from this date until paid, and all costs, for which execution may issue

1019 Ingram S. Roberts } Plaintiff } Debt on Note.
v.
Sylvester Lockwood } Defendant } And now come the parties by attorney and the defendant withdrew his answer heretofore filed in said cause, and saying nothing in bar or preclusion of plaintiffs' demand. And the action sued on being a promissory note and a liquidated demand, It is therefore ordered by the Court that the said

plaintiff Ingham S. Roberts, do have and recover of the defendant, Sylvester Lockwood, the sum of Three Hundred and Ninety-Six 37/100 Dollars, principal and interest to date, with legal interest thereon until paid, and all costs of suit, for which execution may issue.

1055 M. A. Wade } Plaintiff
v.
James H Hutchins } Defendant } Verdict & Judgment.

And now on this day came the parties to this cause by their attorneys, and having announced themselves ready for trial; thereupon the exceptions of defendant to petition and defendants exceptions to the Interrogatories were overruled and the defendants exceptions to the Interrogatories were overruled; thereupon came a jury of good and lawful men of Travis county, to wit: William Eastland and eleven others, who being duly elected, empannelled, sworn and charged, brought into Court the following verdict, to wit: "We, the Jurors, find for the plaintiff in the sum of $208 13/100 Dollars, principal, and $16 65/100 Dollars interest. Wm Eastland, Foreman."

Whereupon It is ordered by the Court that the said plaintiff, M. A. Wade, do have and recover of the Defendant, James H. Hutchins, the said sum of Two Hundred and Eight 13/100 Dollars, principal and the further sum of Sixteen 65/100 Dollars, interest, so found by the Jury aforesaid, and all costs of suit, for all which execution may issue.

1041 Thomas F. Chapman } Plaintiff
v.
Stine and Calvin } Defendants } Damages.

It is ordered by the Court that the order for Continuance for Service on the defendant Calvin be set aside, and that the above cause be continued generally.

1043 I. I. M'Lemin } Plaintiff
v.
John F. Price } Defendant } And now comes the Defendant and moves the Court that the plaintiff M'Lemin be required to give bond and security for the costs of this cause. And thereupon It is ordered by the Court that said motion be granted, plaintiffs attorney being present in open Court and notified, and ordered that said cause be continued as an affidavit of plaintiff.

1044 Benj. Holland } Plaintiff
v.
John F. Price } Defendant } On motion of the defendant this

ordered by the Court that the plaintiff enter into bond and security for the costs of this suit, plaintiffs' attorney being present and notified; Ordered, further, that said cause be continued as on affidavit of plaintiff

1043 — Elizabeth D Ragland, Plaintiff; v. W D Ragland, Defendant — Continued by the Court

1044 — Thomas Freeman, Plaintiff; v. O B Smith, Defendant — Continued as on affidavit of plaintiff for want of the testimony of A Searcy

1039 — William Fowler, Plaintiff; v. Sylvester Lockwood, Defendant — Judgment

And now come the parties to this cause by their attorneys, and announced themselves ready for trial; and thereupon upon consideration of the cause the Court proceeds to find in favor of the plaintiff. And thereupon, It is ordered by the Court that the said plaintiff, William Fowler, do have and recover off and from the defendant Sylvester Lockwood, the sum of Six Hundred and Twenty-Eight 50/100 Dollars, being the amount of the principal and interest due on the note sued on to this date, with legal interest thereon until the same is paid, together with all costs of this suit for all which execution may issue.

And thereupon, It is ordered by the Court that Court do now adjourn until to-Morrow, Wednesday Morning, at Nine o'clock.

Wednesday Morning, January 7th 1857.

Court Convened at Nine O'clock Pursuant to adjournment. Present the Hon. Thomas A Dural Judge, &c; Frank Brown, Clerk, and John T. Price, Sheriff.

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

And thereupon, It is Ordered by the Court, that Court do now adjourn until Thursday Morning, January 8th 1857, at Nine O'clock

Thursday Morning, January 8th 1857.

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

Fall Term, 1856 — Thursday, January 8th 1857.

Edward D. Hobbs and Susan C. Luckett } Plaintiffs } Decree
vs.
The Unknown Heirs of H. R. A. Higginton } Defendants

No 925

And now on this day came the plaintiffs by their attorneys, and it appearing to the Court here, that on fifteenth day of April A.D. 1856, a citation issued ordering publication in accordance with the statute in such cases provided; and it appearing from the return of the Sheriff that said citation was published in the State Gazette a newspaper printed in the City of Austin eight weeks successively before the last term of this Court, and the defendants having failed to answer, judgment was rendered by default

And now this being a case in which no Jury is required, and the defendants not appearing, the Court proceeded to hear the evidence, And by Neil A. Luckett it was proven to the Court here, that the plaintiffs are the children and only children of Basil M. Hobbs deceased; and that he, the witness had the certificate described in the petition in his hands upon which was indorsed the assignment of H. R. A. Higginton to said Basil M. Hobbs, duly witnessed and proven, and that the same has been lost; And by Clark L. Owen it was proven that he knows the parties; that he had seen, had charge of, and had in his possession, the original headright League certificate of H. R. A. Higginton, some years since, did not recollect the precise year; that he saw it in the General Land office, in the city of Austin; that he, witness, brought it to Texana, in Jackson county, and had Higginton's signature verified one of the subscribing witnesses; and afterwards returned said certificate to the General Land office, said certificate was regularly assigned or transferred by said Higginton, on the back, to E. D. Hobbs, witness did not recollect the date of the transfer by Higginton to E. D. Hobbs; that it was a full transfer of the land to which Higginton was entitled by said certificate; the subscribing witnesses were John S. Menefee and Thomas Simms; that witness was acquainted with the signatures of all the witnesses, and believed they were genuine. The certificate of the Commissioner of the General Land office was proven in the following words: No. 3957 / 4058

" Exhibit. Duplicate G. L. O. Austin, May 3d, 1855.
" Original No. 67, Class 1st Issued by Board Land Commissioners of
" Jackson C., to H. R. A. Higginton, for 1/3 League, dated 22d
" August, 1838,
" No. 3957 / 4058 G. L. O. Austin 3 May '55
" This is to certify that satisfactory evidence having been produced
" of the loss of the headright certificate No. 67, Class 1st " issued by
" the Board of Land Commissioners of Jackson county to H. R. A.

Fall Term, 1856 — Thursday, January 8th " 1857.

" Wigginton, for one third of a league of land dated 22d day
" August, 1838.
"
" H. R. A. Wigginton to all the benefits granted in said
" original certificate In testimony whereof I hereunto set
" my hand, and affix the impress of the seal of said office, the
" day and date above mentioned J. Crosby, Com"

which is a full statement of all the facts proven in the case. Therefore, It is ordered, adjudged and decreed, that the said assignment of said certificate be and the same is hereby established and that the same attach fully to said duplicate certificate and the same is hereby transferred and assigned to the plaintiffs in this suit so as to enable them to prosecute a patent in their own name

And it is further ordered, adjudged and decreed that the defendants be perpetually enjoined from setting up or claiming title to said certificate

And it is further ordered, adjudged and decreed that the plaintiffs pay the costs in this suit, including the costs for publication and depositions.

And thereupon It is ordered that Court do now adjourn until to-morrow Morning at Nine O'clock

Friday Morning, January 9th 1857

Court Convened at Nine O'clock pursuant to adjournment. Present the same as on yesterday

And thereupon Court adjourned until Saturday Morning, January 10th 1857

Saturday Morning, January 10th " 1857

Court convened at Nine O'clock pursuant to adjournment. Present the Hon: Edward H. Vontress Judge of the Seventeenth Judicial District of the State of Texas; Frank Brown, clerk, and John S. Price, Sheriff of Travis County

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

2
315 Sarah Ann Tal. } Plaintiffs } It is ordered by the
vs. } Court that the def-
L. C. Cunningham, Tal. } Defendants } endant Hubing have
leave to amend his answer
that Geo. W. Paschal, Esq, an attorney of this Court, be appointed

Fall Term, 1856 — Saturday, January 10th 1857.

Guardian ad litem to represent the intrest of the minor heirs of Mrs Ky6.

And thereupon, by agreement of parties, said cause set for trial for next Tuesday, the 13th Instant

134. Nancy M. Tanner,
Mary C. Tanner,
Catherine C. Tanner,
Geo. T. Tanner, Infant
Heirs of Susan C. & Joseph R. Tanner, Dec'd by Guardian,
James R. Tanner
vs
Philip Claiborne,
Williamson S. Oldham,
Clement A. Oatman &
John Oatman.

Plaintiffs / Defendants

DECREE

And now on this Day came the parties, the plaintiffs by their Guardian and the defts by attorney, and the Mandate and Opinion of the Supreme Court of the State of Texas in this cause, were filed, And by Consent of parties, Thomas P. Washington, Thomas H. Duval and George W. Paschal, were made parties to said cause, and filed their intervention claiming certain interests in the said land sued for; and neither party requiring a jury, the law and the facts were submitted to Edward H. Vontress, Judge. And it now appearing to the Court, that the intrest of the Original Defendants Claiborne, Oldham and Oatman, has been conveyed unto the said Thomas P. Washington; and that said Washington is entitled to one Hundred and forty-five acres of said land, quantity and quality considered, & to have the Original execution against Joseph R. Tanner, under which the said land was sold, pendente intrest. The parties here agree, that the intrest of said Washington is of the value of Fifteen Hundred Dollars. And it is also agreed and shown to the Court here, that the said Thomas H. Duval and Geo. W. Paschal are entitled to one hundred acres of the said land. And it being proven to the satisfaction of the Court that the said land cannot be partitioned without prejudice to the value thereof.

It is therefore ordered, adjudged and decreed that the said land be sold, and that Alexander H. Chalmers be and he is hereby appointed Commissioner to sell the same, viz. Six Hundred Acres more or less, beginning at a stake on the Colorado River (the same being the North east corner of a tract of land surveyed by John Caldwell to James A. Haynie on the 31st day of March, A.D. 1841) thence South 30° West 6028 vara to a stake. Thence

South 61° East 376 varas to a stake, Thence South 30° East 91/2 varas to a stake on the bank of the Colorado River, Thence up said River to the place of beginning; and that he, said Chalmers, advertise the sale to take place on the first Tuesday in February next by publishing the same in one of the newspapers in the City of Austin, and by posting public notices said sale to take place at the Courthouse door in the City of Austin in Travis county, upon the following terms: One third of the purchase money paid down at the time of sale; one third in twelve months from the date of sale and the balance in twenty four months from said sale; the payments of the two thirds to be secured by notes with two or more good securities; said notes drawing interest at the rate of ten per cent. per annum from date, and also by deed of trust upon the land.

And the said Chalmers shall proceed to distribute the proceeds of said sale as follows: After deducting expenses, conveyancing and commissions, he will pay to the said Paschal & Rutal one-sixth of the cash, and deliver to them one-sixth of the amount in notes and will pay to the said Washington five hundred Dollars in cash and One thousand Dollars in notes; and to pay to said James R. Jamar, Guardian of said plaintiffs, the residue of the cash, and the residue of the notes, and will hold the Deed of Trust to be executed for the benefit of all concerned.

It is further ordered, adjudged and decreed that the plaintiffs recover of and from the defendants Oldham and Claiborne one half of the costs in and about this suit laid out and expended, and that the defendants recover of and from the plaintiffs one half of the costs of this suit, and that the expenses of sale be paid by the parties in interest pro-rata according to their respective amounts. And that the said Alexander H. Chalmers be allowed a commission of two per centum upon the amount of said sale, to cover the expense of selling and conveying, and that he be also allowed the expense of advertising said sale.

And the said Thomas P. Washington here releases the said Oldham and Claiborne from their guaranty for the value of his improvements upon said land.

And Thereupon It is ordered by the Court that Court do now adjourn until Monday January 12th 1857.

Monday Morning, January 12th 1857.

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

Fall Term, 1856 Monday, January 12, 1857

1144	L. H. Luckett, Guardian of Alfred Luckett, H. L. Chalmers and Mary Jane Chalmers v. Abner H. Cook, et al Lucilla J. Nichols	Plaintiffs Defendants		Decree
	L. H. Luckett and Thomas H. Duval	Intervenors		

And now on this day came the parties by their attorneys the Hon: Edward H. Ventres presiding, and a Jury being duly and duly sworn the issues joined by defendants, and the Case submitted to the Court. Whereupon, ordered, adjudged and decreed that the Intervenors Thomas H. Duval and L. H. Luckett, Executors of H. M. Luckett Dec'd, do have and recover of said Defendants Abner H. Cook and Lucilla J. Nichols the sum of One Hundred and Twenty-Two 66/100 Dollars principal and interest on the note sued on to this date, with legal interest thereon until paid, and all cost, for which execution may issue.

1037	Adolphus G. Weir v. Robert Greenbaum, et al	Plaintiff Defendants		Leave given to plaintiff to amend.
1057	Charles C. Travis v. F. T. Duffau.	Plaintiff Defendant		Leave given to defendant to file an amended answer
1058	William Custard v. Richard Foreland	Plaintiff Defendant		Leave given defendant to amend his answer.
1094	Mary Ann Forrester v. John F. Foster	Plaintiff Defendant		Leave given plaintiff to amend her pleadings.
1153	William J. Cardwell v. A. N. Hopkins, et al.	Plaintiff Defendants		Order

And now on this day came the parties to this cause by their attorneys, and by consent, it is ordered by the Court, that a credit of one hundred and eleven 34/100

Dollars, be entered on the Judgment heretofore entered in this cause on the 28th November, 1856.

1167	Peirson & Dunn v. E. & A. Turley et.	Plaintiffs Defendants		Debt on Note.

It is ordered by the Court that this cause be continued at the cost of parties, and ordered, further, that the defendants be allowed to withdraw his amended answer heretofore filed in this cause

443	The State of Texas v. Jas. W. Paschal	Plaintiff Defendant	Verdict and Judgment.

And now on this day came the parties to the above cause by their Attorneys and announced themselves ready for trial. And defendant pleading not guilty, thereupon came a Jury of Twelve good and lawful men of Travis County who, being duly elected empannelled sworn and charged, returned into Court the following verdict, to-wit: "We the Jury, find the defendant not guilty. Audgen O. Heine, Jr. Foreman."

Whereupon It is ordered by the Court that the defendant go hence without day, fully acquitted of said Charge

315	Nath'l Amory, et al v. L. C. Cunningham, et al.	Plaintiffs Defendants	Ordered that defendant heretofore have leave to file an amended answer
315	Nath'l Amory et al. v. L. C. Cunningham, et al.	Plaintiffs Defendants	Continued on the affidavit of the Deft. Marcus Hulings
315	N. Amory, et al v. L. C. Cunningham et al	Plaintiffs Defendants	Ordered by the Court that Deft. have leave to amend.
1089	William E. Owen, & wife Eliza Owen, his wife, as Heirs of Elenora J. Dover vs. Owen Shaw, Thomas Hale, and Nolan M. Luckett	Plaintiffs Defendants	Trespass to Try Title

And now on this day come the parties

by their attorneys, and it appears to the Court that the cause in this cause was changed from Williamson County by consent; and that the death of Nolan M. Luckett had been suggested, and his executors Thomas H. Duval and Lovil H. Luckett had been made parties, and by leave of the Court Mary Jane Luckett and Alfred Luckett had been made parties intervenors by petition.

And now on this day it being suggested to the Court that since the last continuance of this case William Leigh Chalmers has intermarried with the said Mary Jane Luckett, It is therefore ordered that he also be made a party intervenor.

And now the cause coming on to be tried before the Honorable Edward H. Vontress, Judge, thereupon came a jury to wit, Thomas Wood Ward and eleven others, lawful Good and Confulmen of Travis county, whomwere well and truly sworn to try the issues, &c. And the evidence being heard and the argument of counsel and the instructions of the Court, and the jury returned into Court the following verdict:

"Owen & Wife vs. Shaw and Others"

"1. We, the jury find for the defendants."

"2. And we also find that the Intervenors are entitled to the part of "the land in Controversy which their deeds before us shew has been "respectively conveyed to them. Thos. W. Ward, foreman."

Therefore, It is Considered by the Court that the said plaintiffs take nothing by their suit, and that the defendants recover of the plaintiffs all their costs in and about this suit expended.

And now the Court proceeding to examine the deeds and conveyances referred to by the jury, and by them reported back to the Court, that the said intervenors are entitled to nineteen hundred and sixty-five acres of said land: It is therefore ordered, adjudged and decreed that they be quieted in their title thereto, and that the intervenors plaintiffs be perpetually enjoined from asserting title thereto, and that the said intervenors recover of the plaintiffs all their costs in and about this suit expended

Wm. E. Owen & wife } Plaintiffs }
1089 Owen v. Shaw, et al } Defendants } Motion

It is ordered by the Court that plaintiffs defendants' motion for a new trial in this cause be overruled. And thereupon, the said plaintiffs gave notice in open Court, of an appeal to the Supreme Court of the State of Texas

And thereupon Court adjourned until to-morrow morning at nine o'clock. E. H. Vontress Judge

Fall Term, - 1856 — Wednesday, January 14th A.D. 1857.

Tuesday, January 13th A.D. 1857

Court convenes at nine o'clock, A.M. and thereupon adjourned until to-morrow Wednesday morning, at nine o'clock

Wednesday, January 14th A.D. 1857.

Court convened at nine, a.m. pursuant to adjournment. Present the Hon. Thomas A. Duval, Judge of the Second Judicial District, Frank Brown, Clerk, and John T. Price, Sheriff. Whereupon the following proceedings were had by said Court, as follows, to-wit:

579 The State of Texas } Plaintiff
v. } Verdict and Judgment.
Henry P. Brewster } Defendant

And now on this day came the parties to the above entitled cause by their attorneys, and announced themselves ready for trial. And thereupon, defendant's motion to quash being considered and overruled, the defendant plead not guilty to the Indictment. And thereupon came a jury of twelve good and lawful men of Travis county, to-wit: Andrew O. Horne, Sr., and eleven others, who being duly elected, tried, empannelled, sworn, and having heard the evidence, argument of counsel, and the charge of the Court, retired, and brought into Court the following verdict, to-wit: "We, the Jury find the defendant guilty, and assess the fine at fifty dollars. A. O. Horne, Jr. foreman."

Whereupon, It is ordered by the Court, that the State of Texas do have and recover of the defendant Henry P. Brewster, the sum of fifty dollars, so found by the jury aforesaid, together with all costs, and that said defendant remain in the custody of the Sheriff until said fine and costs are paid.

533 The State of Texas } Plaintiff
v. } Dealing faro.
Marcus B. Raper } Defendant

And now on this day came the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon the deft. plead not guilty to the indictment. And the Jury being duly elected, empannelled sworn and tried, and the evidence being heard and the charge of the Court received, said Jury retired, and brought into Court the following verdict, to-wit: "We the Jury, find the defendant guilty, and assess the fine at twenty-five dollars. A. O. Horne, Jr. foreman."

Whereupon, It is ordered by the Court, that the said State of Texas recover of the defendant Marcus B. Raper, the sum of twenty-five dollars so found by the jury aforesaid, together with all costs, and that he remain in the custody of the Sheriff until the same are paid. And thereupon Court adjourned until to-morrow at 9 o'clock A.M.

Fall Term 1856 - Thursday, January 15th 1857.

Thursday Morning, January 15th 1857.
Court convened at nine o'clock, A.M. pursuant to adjournment. Present the same as on Yesterday. Whereupon the following proceedings were had by said Court, as follows, to wit.

699 The State of Texas } Plaintiff
vs
Henry P. Brenstead et al } Defendants

It is ordered by the Court that the forfeiture in this cause be set aside, and that the defendants pay the cost of said forfeiture, and of this order

964 James E. Brady } Plaintiff
vs
Jes. Hancock } Defendant
} Verdict and Judgment.

And now at this day come the parties to the above entitled cause, and the demurrer of the defendant to plaintiff's petition and amended petition coming on to be heard, It is ordered by the Court, that the same be overruled. And thereupon the parties announced themselves ready for trial; Whereupon came a Jury of twelve good and lawful men, duly sworn and empannelled as required by law, to wit: A. O. Howe and seven others, and the pleadings, the evidence, the argument of counsel, the charge and the instructions of the Court being heard, retired to consider of their verdict. And thereupon they announced to the Court that they could not agree upon a general verdict. And then special issues being submitted to them, under the direction of the Court, they returned into Court the following verdict, to wit:
"We, the Jury, believe as follows:"
"1st Issue: The consideration was beef cattle"
"2d : We believe the signing by Hancock took place subsequently,
"one about the 28th of May 55."
"3d: We believe Burton was the agent of Skidmore at the time of Han-
"cock's signing the note sued on."
"4th. We believe the consideration for which the note was given, had
"passed to Vandeven, and the note been signed and delivered by Vandeven
"to Burton, Skidmore agent, before Hancock signed the note as security.
"5th We believe it was the intent and object of Hancock & Skidmore
"or Burton, Skidmore agent, that Hancock should become security
"on said note, without any consideration at the time of signing passing
"to Hancock a principal"
"The Jury believe, Issue 6th The consideration that induced Hancock to
"sign the said note was an understanding and agreement between defts.
"& Vandeven, made at the time of signing as security, that the
"money arising from the sale of the beef cattle, should be placed

"to the credit of deft. in New Orleans; to pay this and other notes,
"And that said consideration did entirely fail; and verily believe
"believe that the said understanding and agreement was made
"in the presence of Skidmore, & his agent, Brinton."

Wherefore, It is ordered, adjudged and decreed by the Court, that the defendant go hence without day, and that the plaintiff take nothing by his suit, and that the defendant, George Hancock do have and recover of and from the said plaintiff James C. Brady, all his costs in this behalf expended, for which execution may issue

The State of Texas } Plaintiff
v. } verdict
495 Henry P. Brewster } Defendant

And now come the parties to the above entitled cause by their attorneys, and announce themselves ready for trial. And defendant pleading guilty, thereupon came a jury of twelve good and lawful men of Travis county, to wit: A. O. Horne and eleven others, who being duly elected, empannelled, sworn and charged, heard said plea, and charge of the Court, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty, and assess the fine at ten dollars. A. O. Horne, Jr. Foreman." Whereupon, It is ordered by the Court that the said defendant ~~remain in the custody of the Sheriff~~ until State of Texas recover of the said Henry P. Brewster the said sum of ten dollars, and all costs, ~~for all which execution may issue~~, and that he remain in the custody of the Sheriff until the same are paid.

The State of Texas } Plaintiff
v. } verdict
496 Henry P. Brewster } Defendant

And now on this day came the parties to the above entitled cause by their attorneys, and announced themselves ready for trial. And thereupon the defendant plead guilty, and then came a jury of twelve good and lawful men of Travis county, to-wit being duly elected, empannelled, sworn and charged, heard said plea of guilty and rendered the following verdict, to wit: "We, the jury, find the defendant guilty, and assess the fine at ten dollars. A. O. Horne, foreman."

Wherefore, It is ordered by the Court that the said State of Texas recover of the defendant the sum of ten dollars, fine as aforesaid, and all costs, and that he remain in the custody of the Sheriff until said fine and costs are paid.

Fall Term 1856 Thursday January 15th 1857.

520 The State of Texas } Plaintiff
v. } Verdict.
Henry P. Brewster } Defendant

And now on this day came the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, who being duly elected, empannelled, sworn and charged, heard defendants plea of guilty, and rendered the following verdict, to wit: "We, the Jury, find the defendant guilty, and assess the fine at ten dollars. A. O Horne, Fr. Foreman."

Whereupon, It is ordered by the Court, that the said State of Texas recover of the defendant Henry P. Brewster, the sum of ten dollars found by the Jury aforesaid, together with all costs in this behalf expended, for which execution may issue. and that he remain in the custody of the Sheriff until the same are paid.

534 The State of Texas } Plaintiff
v. } Continued on motion of the
M. B. Raper } Defendant } District Attorney.

558 The State of Texas } Plaintiff
v. } Playing Poker, &c.
Henry P. Brewster } Defendant

And now on this day came the parties to this cause by their attorneys, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: A. O. Horne and eleven others, who being duly elected impannelled tried and sworn heard defendants plea of guilty, and the charge of the Court, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty, and asses the fine at ten dollars. A. O Horne, Fr. Foreman."

Whereupon, It is ordered by the Court that the State of Texas recover of the defendant the sum of ten dollars, found by the Jury aforesaid, together with all costs in this behalf expended, and that he remain in the custody of the Sheriff until said fine and costs are paid.

602 The State of Texas } Plaintiff
v. } Verdict.
Henry P. Brewster } Defendant.

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

and announced themselves ready for trial. And thereupon there came a Jury of lawful men of Travis county, to wit. A. O. Horne and eleven others, who being duly elected, empannelled, sworn and tried, heard the plea of guilty by defendant, and the charge of the Court, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty, and assess the fine at ten dollars. A. O. Horne, Fr. Foreman."

Whereupon, It is ordered by the Court, that the said State of Texas recover of the defendant Henry P. Brewster the sum of ten dollars, so found by the Jury aforesaid, together with all costs in this behalf expended, and that he remain in the custody of the Sheriff until the same are paid.

↓709	The State of Texas v. William Fowler	Plaintiff / Defendant	Assault and Battery. Continued.
↓743.	The State of Texas v. Pet Cook	Plaintiff / Defendant	Continued by the District Attorney
↓745	The State of Texas v. Arthur J. Lott	Plaintiff / Defendant	and now comes the Pff. by the District Attorney, and the defendant by his attorney James P. Neal, and announced themselves ready for trial, and the said defendant by his said attorney plead guilty to the indictment in this cause. And thereupon came a Jury of lawful men of Travis county, to wit: A. O. Horne and eleven others, who being duly elected, empannelled, sworn and charged heard the plea of guilty, and brought into Court the following verdict, to wit: "We, the Jury, find the defendant guilty, and assess the fine at ten dollars. A. O. Horne, Foreman."

Whereupon, It is adjudged by the Court, that the said State of Texas recover of the defendant Arthur J. Lott, the sum of ten dollars, fine as aforesaid, and all costs in this behalf expended

↓ 752 ↓	The State of Texas v. Geo. Robinson	Plaintiff / Defendant	Permitting fowls in his house, &c

The parties in this cause having gone into trial, and the Jury having heard the evidence and the law, and having brought into Court a verdict of not guilty. It is adjudged by the Court that the defendant be discharged

Fall Term, 1856 Thursday, January 15th 1857.

753	The State of Texas v. Geo Robinson	Plaintiff / Defendant	Continued on motion of the District Attorney.	
754	The State of Texas v. Geo Robinson	Plaintiff / Defendant	Continued on motion of the District Attorney.	
755	The State of Texas v. Geo Robinson	Plaintiff / Defendant	Continued on motion of the District Attorney.	
757	The State of Texas v. Arthur J Lott	Plaintiff / Defendant	Continued	
760	The State of Texas v. Andrew Norton	Plaintiff / Defendant	Continued for Service	
761	The State of Texas v. D. I. Bonnigg	Plaintiff / Defendant	Retiring at Pin Pool	

And now on this day came the parties to this cause by their attorneys, and announced themselves ready for trial, and thereupon came a Jury of good and lawful men of Davis county, who being duly elected, empannelled, tried and sworn, heard defendants plea of guilty, and the charge of the Court, and brought into Court the following verdict, Viz: "We, the Jury, find the defendant guilty, and assess the fine at ten dollars. A. D. Horne, foreman." Whereupon, It is considered by the Court, that the said State of Texas recover of the defendant, D. I. Bonnigg, the sum of ten dollars, found by the Jury aforesaid together with all costs in this behalf expended, and that he remain in the custody of the Sheriff until said fine and costs are paid.

762	The State of Texas v. Arthur J. Lott.	Plaintiff / Defendant	Continued.	
763	The State of Texas v. Lowe Bagley	Plaintiff / Defendant	Continued for service.	

Fall Term, 1856 — Thursday, January 15th " 1857

766	The State of Texas v. Horan & Heall	Plaintiff / Defendants	Continued as an affidavit of deft. Hall, and Nolle Prosequi as to Horan by Distrid Attorney.
767	The State of Texas v. J. Haston	Plaintiff / Defendant	Continued, and Capias ordered to Karnes county.
774	The State of Texas v. Jas. Lee & Jno. S. Ford	Plaintiff / Defendants	Ordered by the Court that this cause be dismissed as to the defendant Lee.
775	The State of Texas v. Ephraim Blair	Plaintiff / Defendant	Continued on motion of the District Attorney.
777	The State of Texas v. Hall, Anderson & Peck	Plaintiff / Defendants	and now on this day came the parties to this cause by their Attorneys, to wit, W. L. Hall and C. R. Peck, and the said plaintiff by the District Attorney, and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, who were duly elected, empannelled, sworn and tried, and having heard said defendants plea of guilty and the charge of the Court, brought into Court the following verdict, to wit: "We, the Jury, find the defendants Hall and Peck guilty, and assess the fine at ten dollars each, A. O. Horne Foreman." Wherefore, It is ordered by the Court that the said State of Texas recover of the defendants W. L. Hall and C. R. Peck, the sum of ten dollars each, and all costs of this suit, and that they remain in the custody of the Sheriff until the same are paid.

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

Friday Morning, January 16th, 1857.

Court convened at nine o'clock pursuant to adjournment. Present the Hon. Thomas H. Duval, Judge of the Second Judicial District; Frank Brown, Clerk, and John F. Price, Sheriff.

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

Fall Term 1856 Friday, January 16th 1857.

776 The State of Texas } Plaintiff
v. } Judgment
Charles H. Rondeaux } Defendant

And now on this day came the parties to the above entitled cause by attorney, and thereupon defendants motion to quash the Indictment coming on to be heard, and the same being argued, it is adjudged by the Court that said motion be sustained and that said defendant be discharged. And thereupon the plaintiff, by attorney, gives notice, in open Court, of an appeal to the Supreme Court.

778 The State of Texas } Plaintiff
v. } Stalle Prosequi by the
Wm T. Patterson } Defendant } District attorney.

779 The State of Texas } Plaintiff
v. } Continued.
Thomas Bowles } Defendant

781 The State of Texas } Plaintiff
v. } and now on this day
Robinson, Polk, et al. } Defendants } came the parties by
attorney, and the motion to quash indictment coming on to be heard, the same was argued by counsel, and overruled by the Court. And thereupon, it is ordered that said cause be cont'd

783 The State of Texas } Plaintiff
v. } Verdict and Judgment.
Mark Rapier } Defendant

And now on this day come the parties to this cause by attorney, and announced. Whereupon came a jury of twelve good and lawful men of this county who being duly elected, empannelled, sworn and tried, heard defendants plea of guilty and the charge of the Court, and brought into Court the following verdict to wit: "We, the Jury, find the defendant guilty, and assess the fine at ten dollars A. S. Horne foreman."

Whereupon, It is ordered by the Court that the defendant said State of Texas recover of the defendant Mark Rapier, the sum of ten dollars, so found by the jury aforesaid, together with all costs in this behalf expended, for and that he remain in the custody of the Sheriff until the same are paid.

Fall Term 1856 Friday January 16th 1857.

785	The State of Texas v. J. M. W. Hall	Plaintiff / Defendant	Continued on the affidavit of defendant.
786	The State of Texas v. J. M. W. Hall	Plaintiff / Defendant	Continued on the affidavit of the defendant.
787	The State of Texas v. J. M. W. Hall	Plaintiff / Defendant	Continued on the affidavit of defendant.
788	The State of Texas v. J. M. W. Hall	Plaintiff / Defendant	Continued on the affidavit of defendant.
790	The State of Texas v. Theophilus Anderson	Plaintiff / Defendant	Cert. for service, and capias ordered to Bexar county.
791	The State of Texas v. Mac Mahoney	Plaintiff / Defendant	Verdict & Judgment

And now on this day came the parties to the above cause by their attorneys, and announced themselves ready for trial. And thereupon came a jury of twelve good and lawful men of Travis County, who being duly elected, tried, empannelled, sworn and charged and hearing defendants plea of guilty, brought into Court the following verdict, (to wit: "We, the Jury, find the defendant guilty, and assess the fine at ten dollars, Thos. W. Ward, foreman."

Whereupon, It is ordered by the Court, that the State of Texas recover of the defendant, Mac Mahoney, the sum of ten dollars, found by the jury aforesaid, together with all costs of suit, for which execution may issue, and that he remain in the custody of the Sheriff until the same are paid.

792	The State of Texas v. Sherman Case	Plaintiff / Defendant	Continued for service.
793	The State of Texas v. Zack Bennett	Plaintiff / Defendant	Continued, and alias capias ordered to Bexar & Travis counties

Fall Term, 1856 Friday, January 16th 1857.

794 The State of Texas } Plaintiff
v.
Bowles, Anderson & Polk. } Defendants

The motion of defendants to quash indictment coming on to be heard, and being argued by counsel, was overruled by the Court. And thereupon, it is ordered by the Court that said cause be continued.

795 The State of Texas } Plaintiff } Continued on the affidavit of defendant.
v.
Geo. Robinson. } Defendant

796 The State of Texas } Plaintiff } Continued on affidavit of the defendant.
v.
S. G. Sneed } Defendant

797 The State of Texas } Plaintiff } Continued on affidavit of the defendant.
v.
S. G. Sneed } Defendant

798 The State of Texas } Plaintiff } Continued on affidavit of the defendant.
v.
S. G. Sneed } Defendant

799 The State of Texas } Plaintiff } Continued on affidavit of the defendant.
v.
S. G. Sneed } Defendant

802 The State of Texas } Plaintiff } Continued for service.
v.
Robert Richardson } Defendant

967 Joseph J. Mabry } Plaintiff } This day came the plaintiff by his attorneys, and it appearing
v.
J. P. Timms } Defendant to the Court that due and legal service of process by publication prior to the last term of this Court, and in accordance with the statute in such case made and provided, had been perfected in this cause, this cause was continued from last term until the present term of this Court, and the defendant still failing to appear, plead, answer or demur, judgment by default was rendered against the defendant herein, and a writ of inquiry awarded. Whereupon came a Jury of good and lawful men, to wit: A. O. Horne and eleven others, who being

duly empannelled and sworn, and they having heard the testimony adduced, the argument of counsel and the charge of the Court retired to consider of their verdict and thereupon returned into Court the following verdict, to wit: "We, the Jury, find that from the testimony detailed before the Court and jury, that the allegations set forth in the plaintiffs petition are true. A. O. Horne, foreman." It is therefore ordered, adjudged, and decreed by the Court, and it is hereby decreed, that the title bond set forth and described in plaintiffs petition be vacated, annulled, and set aside, and that the plaintiff be authorized to abandon the contract therein contained, and that he be released from any and all liability and ability above to the defendant, and those he may represent, and any and all other persons, by reason of said contract, and that said title bond be delivered up into this Court, to be cancelled. It is further ordered, adjudged and decreed that the notes executed by the said defendant to the plaintiff in accordance with said contract for the real estate described in said title bond be vacated, annulled and set aside, that said defendant be released from all ability above to pay the same, and that the same be delivered up into this court to be cancelled, and that said plaintiff have and recover of said defendant all costs by him in this behalf expended, and that execution issue therefor.

810	The State of Texas v. Henry Hoffheines	Plaintiff / Defendant	Continued on affidavit of the defendant
809	The State of Texas v. Sinnott Mussett	Plaintiff / Defendant	Continued for service.
808	The State of Texas v. Benard Zimplemann	Plaintiff / Defendant	Continued for service, and capias ordered to Hays county.
807	The State of Texas v. Sinnott Mussett	Plaintiff / Defendant	Continued for service.
806	The State of Texas v. Sinnott Mussett	Plaintiff / Defendant	Continued for service.

Fall Term 1856 Friday, January 16th 1857

805	The State of Texas v. Mussett & Sneed	Plaintiff / Defendants	Continued as to defendant Sneed, on his affidavit, and capias issued to Mussett and continued	
804	The State of Texas v. John J. Grumbles	Plaintiff / Defendant	Continued and alias capias ordered.	
803	The State of Texas v. Sinnott Mussett	Plaintiff / Defendant	Continued for service.	
801	The State of Texas v. C. Klein	Plaintiff / Defendant	Killing Swine.	

And now on this day came the parties to the above cause by their attorneys and announced themselves ready for trial. And thereupon came a Jury of twelve good and lawful men of Travis county, to wit: Thomas W. Ward, and eleven others, who being duly elected, empannelled, sworn and tried, heard defendants plea of not guilty, the evidence adduced, and the charge of the Court, and having retired, brought into Court the following verdict, to wit: "We, the Jury find the defendant guilty, and assess the fine at "$75.00 Thos W. Ward, foreman." Whereupon, It is ordered by the Court, that the State of Texas recover of the defendant C. Klein the sum of Seventy-five dollars, verdict of the Jury aforesaid, and all costs in this behalf expended, ~~and all that he remain~~ in the custody of the Sheriff until said fine and costs are paid.

800	The State of Texas v. Joseph Newsham	Plaintiff / Defendant	Perjury	

It appearing to the Court that the witness L.D. Croft has been duly subpoened by the Sheriff as a witness on behalf of the plaintiff in the above entitled cause, and that he has failed to attend when called by the Sheriff. It is ordered by the Court, that he be fined in the sum of twenty-five dollars, and that Scire facias issue to him to appear at the next term of the District Court of Travis county, and show cause, if any he may have, why this Judgment should not be made final against him.

Ordered, further, that an attachment issue for said witness, and that said cause be continued.

Fall Term - 1856 - Friday, January 16th, 1857.

794 ✓

The State of Texas } Plaintiff
v. } Recognizance
Bowles, Anderson & Polk } Defendants } of
defendant Thomas Bowles.

And now on this day came and appeared in open Court, the defendant Thomas Bowles, as principal, and C. Casey and Shelby W. Charles as securities, and acknowledged themselves jointly and severally, justly bound and be indebted unto the State of Texas in the sum of One hundred dollars, to be levied upon their respective goods and chattels, lands and tenements, But to be void upon condition that the said Thomas Bowles, one of the defendants in the above entitled cause, be and personally appear at the next term of the District Court of Travis county, to be begun and held at the Courthouse thereof in the city of Austin, on the second Monday after the first Monday in April, A.D. 1857, then and there to answer the indictment preferred against him, and the said Anderson and Polk, by the Grand Jurors of Travis county, at this the Fall term of the District Court aforesaid county, 1857, for "betting at a certain game called Pool at Ten Pins," and that he there remain from day to day, and from term to term, and from day to day of each term thereafter, and that he do not depart the Court without leave thereof.

789 ✓

The State of Texas } Plaintiff
v. } } Buying from slave.
Casey, where christian name is unknown } Defendant

It appearing is ordered by the Court that said cause be continued.

1784 ✓

The State of Texas } Plaintiff } Motion to quash indictment
v. } } in this cause was over
Pet Cook } Defendant } ruled by the Court.

1742 ✓

The State of Texas } Plaintiff } And now on this day came the
v. } } parties to this cause by their attys
O. H. Maroney } Defendant } and announced themselves ready for trial, and thereupon came a jury of good and lawful men of Travis county, (Court. Thomas W. Ward and eleven others, who are duly elected, tried and sworn, and hearing deft's plea of guilty, and the charge of the Court, brought into Court the following verdict, (Court: "We, the Jury, find the defendant guilty, and assess the fine at ten dollars. Thos. W. Ward, Foreman." Whereupon, It is ordered by the Court, that the State of Texas recover of the defendant the sum of ten dollars, and all costs, and that he remain in the custody of the Sheriff until the same are paid.

Fall Term - 1856. - Saturday, January 17th 1857.

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

Saturday Morning, January 17. 1857

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

William Smyth - Ex Parte.

And now on this day came William Smyth, a native of Ireland, and presented his petition, praying to be admitted to become a citizen of the United States; and he having declared, on oath, here in open Court, that it was bonafide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatsoever, and particularly to the Queen of Great Britain, of whom he was a subject, And the said William Smyth having, in his solemn oath, declared and also made proof thereof, by competent testimony of A.B. McGill and S.W. Baker, citizens of the United States, that he had resided within the United States of America for five years last past, and that he filed his declaration to become a citizen of the United States in 1850, in the State of Virginia; And it appearing to the satisfaction of the Court that during the said period of five years, he has behaved as a person of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; and the said petitioner having declared on his solemn oath before this Court that he will support the Constitution of the United States, and that he doth renounce, abrolutely all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatever, and particularly to the Queen of Great Britain, of whom he was heretofore a subject,

It is therefore ordered by the Court, that the said William Smyth be and he is hereby admitted a citizen of the United States of America, and that the clerk of this Court issue to him a certificate accordingly.

534 The State of Texas } Plaintiff
v.
M. B. Raper } Defendant } Verdict and Judgment

And now on this day came the parties to the above entitled cause by their attorneys, and announced themselves ready for trial. Whereupon came a Jury of twelve good

Fall Term, 1856; Saturday, January 17th 1857.

and lawful men of Travis county, to wit: A. O. Horne, S G Sneed, A. H. Chalmers, Alexander W. Terrell, George Robinson, William P. De Normandie, Charles S. West, J L. W. Cooke, (Pet), James W. Smith, John B. Costa, J. W. Chandler, and A. G. Campbell, who being duly elected, empannelled, sworn and tried, heard the plea of guilty by the defendant, and the charge of the Court, and having retired to the Petit Jury Room, under the charge of Jonathan Frazier, High Bailiff of this Court, after a few moments consideration brought into Court the following verdict, to wit:

"We, the Jury, lawful men,"
"Find the defendant Dollars Ten;"
"A guilty man beyond all doubt"
"Let the deft pay himself out."
"Thus much we've said this freezing morn,"
"Your obedient Servant, A. O. Horne." "Foreman."

Whereupon, It is ordered by the Court that the State of Texas recover of the defendant, Marcus B. Raper, the sum of ten dollars, fine assessed by the Jury aforesaid, and all costs in this behalf expended, and that said defendant remain in the custody of the Sheriff until said fine and cost are paid.

490. The State of Texas } Plaintiff
v. } It appearing to the Court
Joseph Lee. } Defendant } that R. H. Rick, had executed his bond with E. Levy, ex and Sam. T. Scott as securities, for his appearance at the present term of the Court, as a witness on behalf of the plaintiff in the above entitled cause, in the sum of One hundred dollars; and it further appears to the Court here, that the said Rick has forfeited his said bond, by failing to appear, being three times solemnly called by the Sheriff; and said securities being also three times solemnly called, and required to bring with them into Court the body of said R. H. Rick, which they wholly failed to do, It is therefore ordered by the Court that the said bond of the said R. H. Rick, and the said E. Levy and the said Sam. T. Scott, and be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally the sum of One hundred dollars the amount of said bond, and that Scire facias do issue to each of them severally, returnable to the next term of this Court, commanding them then and there to appear and show cause, if any they may have, why this Judgment should not be made final against them as aforesaid.

Fall Term - 1856 - Saturday, January 17th 1857.

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

} And now at this day came the parties by their attorneys and announced themselves ready for trial. Thereupon came a Jury of twelve good and lawful men of Travis county, to wit: A. D. Horne and eleven others, who being duly elected, empannelled, sworn and tried, heard the plea of not guilty, the evidence, and the charge of the Court, and rendered the following verdict, to wit: "We, the Jury, find the defendant guilty of a misdemeanor, and assess his punishment at forty-five Lashes. A. D. Horne, Foreman."

Whereupon, It is ordered by the Court, that the said Sheriff proceed to inflict upon the said slave Ned forty-five lashes, as aforesaid, and that the plaintiff recover the costs of this prosecution

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

} It appearing to the Court, that the defendant Ned, has been released from the custody of the Sheriff. It is ordered by the Court that said Sheriff proceed and take the body of the said slave Ned, and hire him out to the best advantage until a sufficient amount be raised to defray the expenses of the prosecution in this cause, and that he be then released, and that Scire facias issue returnable forthwith, commanding the master of the said slave, Silas Parsons, to appear and show cause why said order should not be carried into effect.

676 The State of Texas } Plaintiff
v.
Owen O. Brien } Defendant

} Attachments ordered for the witness Cryer and Graham endorsed on Indictment.

1106 The State of Texas } Plaintiff
v.
M. B. Raper, et. al. } Defendants

} Forfeiture

1107 The State of Texas } Plaintiff
v.
M. B. Raper, et al. } Defendants

} Forfeiture

It is ordered by the Court that the forfeitures and Judgments final in the last preceding two cases be set aside, the defendants to pay all the costs in both cases. For which execution may issue

682 The State of Texas } Plaintiff
v. } Assault with intent to Kill and Murder.
Thomas Robb } Defendant

In this cause this day came the District Attorney, Gergelo Jones, who prosecutes for the State in this behalf, and the said defendant Thomas Robb, being three times solemnly called, came not, but made default; And it appearing to the Court that the said defendant Thomas Robb, as principal, and C. A. Laughlin and John Robb, as his securities, had executed their joint and several bond, payable unto the State of Texas in the sum of five hundred dollars, dated the thirtieth day of October, A.D. 1856, conditioned that the said defendant Thomas Robb, make his personal appearance at the District Court of said county of Travis to be begun and holden at the Courthouse of said county, in the city of Austin, on the seventh Monday after the first Monday in October, A. D. 1856, to answer the indictment preferred against him by the Grand Jurors of Travis county at the Spring term, A. D. 1856, of said District Court, for ~~exhibiting a gunning knife~~ An assault with intent to kill and murder, one Graves, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court, and the said defendant, Thomas Robb, being three times solemnly called, and required to answer said charge, came not, but wholly made default, and the said securities also being three times solemnly called, and required to bring with them into Court the body of said defendant, Thomas Robb, to answer said charge, which they wholly failed to do, It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant, Thomas Robb, and the said C. A. Laughlin and the said John Robb, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of Five Hundred Dollars, the amount of said bond, and that scire facias do issue to each of them severally, returnable to the next term of this Court, commanding them there and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

↓ 689 The State of Texas } Plaintiff
v. } It is ordered by the Court that the witnesses, Augustus
John Horan } Defendant Krueger and I. M. Pinchan,
defined in the sum of One hundred dollars each, and that Scire facias issue to them to shew cause, why said Judgment should not be made final against them.

Ordered, further, that attachments issue for said witnesses.

↓ 725 The State of Texas } Plaintiff
v. } Ordered, that the forfeiture in this case
O. H. Maroney } Defendant be set aside, and that case be continued.

Fall Term 1856; Saturday, January 17. 1857.

759 The State of Texas } Plaintiff
v. } Betting at Faro.
Bute Robinson. } Defendant

In this cause this day came the District Attorney, Geo. W. Jones, who prosecutes for the State in this behalf; and the said defendant Alfred Robinson, being three times solemnly called, came not, but made default; And it appearing to the Court that the said defendant Alfred Robinson, as principal, and John H. Robinson and The. Anderson, as his securities, had executed their joint and several bond, payable unto the State of Texas in the sum of One hundred dollars, dated the 31st day of October, A. D. 1856, conditioned that the said defendant Alfred Robinson, make his personal appearance at the District Court of said county of Travis to be begun and holden at the Courthouse of said county in the city of Austin, on the seventh Monday after the first Monday in October, 1856, to answer the indictment preferred against him by the Grand Jurors of Travis county at the Spring term, A.D. 1856, of said District Court, for Betting at a Faro Bank, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court; and the said defendant, Alfred Robinson, being three times solemnly called, and required to answer said charge, came not, but wholly made default, and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant, Alfred Robinson, to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant Alfred Robinson, and the said John H. Robinson and the said The. Anderson, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One hundred dollars, the amount of said bond, and that Scire facias do issue to each of them severally, returnable to the next term of this Court, commanding them then and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

764 The State of Texas } Plaintiff
v. } Permitting Faro &c.
J. M. W. Hall. } Defendant

In this cause this day came the District Attorney, Geo. W. Jones, who prosecutes for the State in this behalf, and the said defendant, J. M. W. Hall, being three times solemnly called, came not, but made default; And it appearing to the Court that the said

defendant, J. M. W. Hall, as principal, and John Horan and J. W. Robertson, as his securities, had executed their joint and several bond, payable unto the State of Texas in the sum of two hundred dollars, dated the 16th day of October A.D. 1856, conditioned that the said defendant, J. M. W. Hall, make his personal appearance at the District Court of said county of Travis to be begun and holden at the Courthouse of said county in the city of Austin, on the seventh Monday after the first Monday in October, A.D. 1856, to answer the indictment preferred against him by the Grand Jurors of Travis county at the Spring term, A.D. 1856, of said District Court, for permitting one William B. Lick to exhibit in his house a faro bank for the purpose of gaming, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court; And the said defendant, J. M. W. Hall, being three times solemnly called, and required to answer said charge, came not, but wholly made default; and the said securities also being again three times solemnly called, and required to bring with them into Court the body of said defendant, J. M. W. Hall, to answer said charge, which they wholly failed to do,

It is therefore considered, ordered, adjudged and decreed by the Court that the said bond of the said defendant, J. M. W. Hall, and the said John Horan, and the said J. W. Robertson, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally the sum of two hundred dollars, the amount of said bond, and that Scire facias do issue to each of them severally, returnable to the next term of this Court, commanding them then and there to show cause, if any they can, why this Judgment should not be made final against them as aforesaid.

764	The State of Texas v. J. M. W. Hall	Plaintiff / Defendant	Continued as on the affidavit of the defendant	
765	The State of Texas v. J. M. W. Hall	Plaintiff / Defendant	Continued as on the affidavit of the defendant.	Forfeiture.

In this cause this day came the District Attorney, George W. Jones, who prosecutes for the State in this behalf; and the said defendant, J. M. W. Hall, being three times solemnly called, came not, but made default. And it appearing to the Court that the said Defendant, J. M. W. Hall, as principal, and John Horan and J. W. Robertson, as his securities, had executed their joint and several bond, payable to the State of Texas in the sum of two hundred dollars, dated the 16th day of October, A.D. 1856, conditioned that the said defendant J. M. W. Hall, make his personal appearance at the District Court of said county of Travis to be begun and holden at the Courthouse of said county, in the city of Austin, on the seventh Monday after the first Monday in October, A.D. 1856, to answer the indictment preferred against him by the Grand Jurors of Travis county at the Spring term, A.D. 1856, of said District Court, for permitting a game

bank to be exhibited for gaming in his house by one Newton Jackson, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court; and the said defendant I. M. W. Hall, being three times solemnly called, and required to answer said charge, came not, but wholly made default; and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant, I. M. W. Hall, to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said bond of the said defendant, I. M. W. Hall, and the said John Horan and the said I. W. Roberts on, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of two hundred dollars, the amount of said bond, and that Scire facias do issue to each of them severally, returnable to the next term of this Court, commanding them then and there to show cause, if any they can, why this Judgment should not be made final against them as aforesaid.

765 — The State of Texas v. I. M. W. Hall — Plaintiff / Defendant — Continued on affidavit of the Defendant.

768 — The State of Texas v. Joseph Looney — Plaintiff / Defendant — Forfeiture.

In this cause this day came the District Attorney, Geo. W. Imes, who prosecutes for the State in this behalf, and the said defendant Joseph Looney, being three times solemnly called, came not, but made default; and it appearing to the Court that the said defendant, Joseph Looney, as principal, and Wm. K. Cowling and Joseph Warren as his securities, had entered into recognizance in open Court in the sum of three hundred dollars, on the 2d day of July, A.D. 1856, conditioned that the said defendant, Joseph Looney, make his personal appearance at the District Court of said county of Hoos then in session, to answer the Indictment preferred against him by the Grand Jurors of Hoos county at the Spring term A. D. 1856, of said District Court, for cutting and carrying away timber from off of land not his own, without consent of the owner, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court And the said defendant, Joseph Looney, being three times solemnly called, and required to answer said charge, came not, but wholly made default; and the said securities also being again three times solemnly called, and required to bring with them into Court

the body of said defendant, Joseph Looney, to answer said charge, which they wholly failed to do,

It is therefore considered, ordered, adjudged and decreed by the Court, that the said Recognizance of the said defendant, Joseph Looney and the said Wm. K. Cowling and the said Joseph Warren, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of three hundred dollars the amount of said recognizance, and that Scire facias do issue to each of them severally, returnable to the next term of this Court, commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid.

No 769 The State of Texas } Plaintiff
v. } Forfeiture
Sherman Case } Defendant

In this cause this day came the District attorney, George W. Jones, who prosecutes for the State in this behalf, and the said defendant, Sherman Case, being three times solemnly called, came not, but made default; And it appearing to the Court that the said defendant, Sherman Case, as principal, and Hugh M'Laurin and Thos. J. Chapman, as his securities, had entered into recognizance in open Court, in the sum of three hundred dollars on the 2d day of July, A.D. 1856, conditioned that the said defendant, Sherman Case, make his personal appearance at the District Court of said county of Travis then in session, to answer the indictment preferred against him by the Grand Jurors of Travis county, at the Spring term, A.D. 1856, of said District Court, for altering brand of neat cattle not his own, without consent of owner, and there remain from day to day, and from term to term of said Court, and that he do not depart thence without leave of said Court; And the said defendant, Sherman Case, being three times solemnly called and required to answer said charge, came not, but wholly made default; and the said securities also being again three times solemnly called, and required to bring with them into Court the body of said defendant, Sherman Case, to answer said charge, which they wholly failed to do.

It is therefore considered, ordered, adjudged and decreed by the Court, that the said Recognizance of the said defendant, Sherman Case, and the said Hugh M'Laurin and the said Thos. J. Chapman, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of three hundred dollars, the amount of said Recognizance, and that Scire facias do issue to each of them severally, returnable to the next term of this Court, commanding them then and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

Fall Term. 1856. Saturday, January 17th 1857.

780 The State of Texas } Plaintiff
v. } Forfeiture.
Bute Robinson & John Wine } Defendant

In this cause this day came the District Attorney, Geo. W. Jones, who prosecutes for the State in this behalf; And the said defendant Bute Robinson, being three times solemnly called, came not, but made default; And it appearing to the Court that the said defendant Bute Robinson, as principal, and James Casner and Alfred Cottingham as his securities, had entered into recognizance in open Court, in the sum of One hundred dollars, on the twelfth day of December, A.D. 1856, conditioned that the said defendant Bute Robinson, make his personal appearance at the District Court of said county of Travis, then in session, to answer the indictment preferred against him by the Grand Jurors of Travis County at the Fall Term ~~of the~~ A.D. 1856, of said District Court, for playing for money with cards at a certain unlawful game called "Poker" in a house for retailing spirituous liquors, kept by one J. M. W. Hall, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court. And the said defendant Bute Robinson, being three times solemnly called, and required to answer said charge, came not, but wholly made default; and the said securities also being again three times solemnly called and required to bring with them into Court the body of said defendant Bute Robinson, to answer said charge, which they wholly failed to do,

It is therefore considered, adjudged and decreed by the Court, that the said Recognizance of the said defendant Bute Robinson, and the said James Casner and the said Alfred Cottingham be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of One hundred dollars, the amount of said recognizance, and that Scire facias do issue to each of them severally returnable to the next term of this Court, Commanding them then and there to shew cause, if any they can, why this Judgment should not be made final against them as aforesaid.

782 The State of Texas } Plaintiff
v. } Forfeiture.
James Jackson } Defendant

In this cause this day came the District attorney, Geo. W. Jones, who prosecutes for the State in this behalf; and the said defendant James Jackson, being three times solemnly

called, came not, but made default; and it appearing to the Court that the said defendant James Jackson, as principal, and William M. Fowler and Horea Johns as his securities, had entered into recognizance in open Court, in the sum of one hundred dollars, on the fifth day of December, 1856, conditioned that the said defendant James Jackson, make his personal appearance at the District Court of said County of Travis, then in session, to answer the indictment preferred against him by the Grand Jurors of Travis county at the Fall term, A.D. 1856, of said District Court, for exhibiting for gaming a certain unlawful game called faro, and there remain from day to day and from term to term of said Court, and that he do not depart thence without leave of said Court. And the said defendant, James Jackson, being three times solemnly called, and required to answer said charge, came not, but wholly made default; and the said securities also being again three times solemnly called, and required to bring into Court the body of said defendant, James Jackson, to answer said charge, which they wholly failed to do;

It is therefore considered, ordered, adjudged and decreed by the Court, that the said Recognizance of the said defendant, James Jackson, and the said William M. Fowler, and the said Horea Johns, be and the same is hereby forfeited, and that the State of Texas do have and recover of and from them jointly and severally, the sum of one hundred dollars, the amount of said recognizance and that Scire facias do issue to each of them severally, returnable to the next term of this Court, commanding them then and there to shew cause, if any they can, why this judgment should not be made final against them as aforesaid.

801	The State of Texas vs. C. Klein	Plaintiff / Defendant	It is ordered by the Court that a new trial be granted in this cause, and that the same be continued until the next term of this Court.
533	The State of Texas vs. M. B. Roper	Plaintiff / Defendant	It is ordered by the Court that the motion for a new trial in this cause be overruled; and thereupon the defendant gives notice of appeal.

And thereupon, Court adjourned until next Monday morning at nine o'clock.

Fall Term: 1856- Monday, January 19th 1857.

Monday Morning, January 19th 1857.

Court convened at nine o'clock pursuant to adjournment. Present the Hon: Thomas H. Duval, Judge of the Second Judicial District; Frank Brown, Clerk, and John J. Price, Sheriff.

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

622 Samuel Harris } Plaintiff } Travis County, Texas,
v. } District Court,
Thomas Cassidy, et al } Defendants } Fall Term, 1856.

Be it remembered, that in the above entitled and numbered cause, Francis Dutrich and John Horan, on the 4th day of September, 1856, entered into an agreement, under their respective hands and seals, to submit to the arbitration of Stephen Crosby and Abner H. Cook the portion of the Judgment heretofore on the fifteenth day of January, 1856, rendered against said defendants in said above entitled cause, should be paid respectively by said Dritrich and Horan, said agreement to arbitrate being in the terms following:

"The State of Texas } Whereas, on the 15th of January, 1856, Samuel Harris re-
"County of Travis } covered against Thomas Cassidy, in the District Court of said
"county a Judgment for the sum of twelve hundred and twenty dollars, $1220 00/100
"with interest thereon at the rate of twelve per cent per annum from the date of
"said Judgment until paid, and his cost of suit. And whereas, the debt upon
"which said Judgment was rendered was secured by a mortgage on Lot
"Number four in block Number Seventy, fronting on Congress Avenue, and
"also twenty-six feet adjoining the above, the said twenty-six feet being a part
"of Lot No. 5, in said block; and also all the improvements, rights, members,
"hereditaments and appurtenances to the said lot and the said twenty-six feet be-
"longing or appertaining, which said mortgage was given fifteenth day of March,
"1854. And whereas, the said mortgage was foreclosed when said judg-
"ment was rendered, and the said property is about to be sold for the payment of
"the same. And whereas, before and since the execution of said mortgage, John
"Horan has become the owner of said lot, and Francis Dritrich has become the
"owner of the said twenty-six feet; And the said Horan and the said Dritrich
"being desirous to pay between them the amount of said Judgment in proportion to
"the value of their said respective property included in said mortgage according
"to the value thereof at the time said mortgage was given, but being unable to
"agree upon the value of said lot and said twenty-six feet of ground and the
"appurtenances to which to them respectively belonged, have selected Stephen
"Crosby & Abner H. Cook to ascertain the separate value of said property
"and in case of their disagreement, they are to select an umpire, any two of
"whom shall have power to determine the value of said lot, and said twenty-six
"feet respectively. And the said John Horan and Francis Dritrich hereby
"agree and bind themselves, each to the other, in the sum of One thousand

"dollars, stipulated damages, to pay his proportion of said Judgment in time to "prevent the sale of any portion of said mortgaged property belonging to the other "party to this obligation. In testimony whereof, the said parties have hereto "set their hands and affixed their seals, this 4th day of September, 1856. "W. L. Robards. John W. Harris, witness as to Horan" "John Horan (Seal)" "A. O. Horne, Jr., Th. Rommel." "F. Dietrich (Seal)"

Whereupon, consideration of said matter of difference so submitted to said arbitrators, they made out, delivered their award in the words and figures following:

"We, the undersigned, arbitrators, appointed by the terms of the within agreement, to value certain property mentioned in the same, upon due consideration, do award and say, that Lot No. 4, in Block No. 70, at the "date of the mortgage to Sam: Harris, as named, and 26 feet front, running "back in Lot No. 5, were, at said date, of equal value."

Given under our hands and seals, (using scrolls for seals,) at the city of Austin, this tenth day of September, AD 1856.

S. Crosby (Seal)"
A. H. Cook (Seal)"

Whereupon, It is, on motion, ordered, adjudged and decreed by the Court, that the said Francis Dietrich be, and he is here now adjudged to pay one-half of said sum of money so decreed to said Samuel Harris, on the said 15th day of January, 1856, as aforesaid; And it is further ordered, adjudged and decreed that the said John Horan pay the other half of said sum of money so adjudged to said Harris as aforesaid. It is further ordered and decreed that said Dietrich and Horan each pay one-half of the costs of this motion, and the entering of this Judgment.

313 ✓ Samuel R. Bell } Plaintiff
Gideon G. Pace } Defendant
} And now comes John T. Price, Sheriff of Travis county, and moves the Court for leave to amend his return on the plains execution issued on the Judgment heretofore rendered in the above cause, which said execution was returned at the first day of the present term of the Court. And thereupon it is ordered by the Court that said motion be granted.

1058 ✓ William Eastland } Plaintiff
v.
Richard Foxhall, et. als } Defendants
} Order of Survey.

On motion of the parties, made in open Court, and suggestion of conflict as to the boundaries of the land in controversy, it is ordered by the Court that the District Surveyor of Travis Land District be and he is hereby ordered and directed to make a Survey of the premises in controversy in this suit, from the field-notes, calls and designations to be furnished him by the parties respectively, and make return of the Survey so to be made by him to this Court forthwith.

1057 Charles E. Travis } Plaintiff
v. } Judgment.
Francis T. Duffau } Defendant

And now at this day come the parties to the above entitled cause, and the same coming on to be heard on the demurrer and special exceptins to the plaintiffs petition and amended petitions, and the same being considered by the Court, and the said demurrer and exceptins appear to the Court well taken, and it is ordered by the Court that the same be sustained. And thereupon, it is ordered, adjudged and decreed, that the plaintiffs suit be dismissed, and that the defendant go hence without day. It is further ordered that the defendant have and recover of the plaintiff all the cost in this behalf expended, for which execution may issue.

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

932. Thomas C. Collins & James M. Swisher } Plaintiffs
v. } Verdict and Judgment.
The Heirs of Miller } Defendants

And now at this day come the parties to the above entitled cause by their attorneys, to wit: Thomas C. Collins and James M. Swisher the plaintiffs; and the heirs of J. M. Miller, deceased, appearing by attorney, to wit: John L. Miller, William B. Miller, Charles C. Miller, Margaret T. Rowlett, and Mary C. Hurst and the demurrer of defendants to plaintiffs petition being heard, was by the Court overruled. And thereupon the parties announced themselves ready for trial, and then came a Jury of lawful men, duly sworn in accordance with law, to wit: Thomas W. Ward and seven others, and the pleadings, the evidence, the argument, the charge and instruction of the Court being heard, the Jury retired to consider of their verdict, and returned into Court the following, to wit: "We, the Jurors, find for plaintiffs in the sum of "two hundred and thirty-seven dollars and seventy-seven cents. "Thos. W. Ward, foreman."

Now, therefore, it is ordered, adjudged and decreed by the Court, that the above named plaintiffs do have and recover of the above named defendants the sum of two hundred and thirty-seven 77/100 Dollars, together with all the cost of this suit, for which execution may issue.

Fall Term 1856 - Monday, January 19th 1857.

1134 ✓ Josephine Broadway } Plaintiff
v. } Verdict and Decree.
Nicholas Broadway } Defendant

And now on this day came the parties to this cause by their attorneys, the defendant being represented by B. F. Carter Esq., an attorney of this Court, And thereupon, on motion, it is adjudged by the Court, that the Sheriff be allowed to substitute his return on original citation it appearing to the Court that the defendant had been served with process five days before the present term of the Court. And thereupon the plaintiff is allowed to amend her pleadings. And thereupon, the parties having announced themselves ready for trial, there came a jury of good and lawful men of this county, who being duly elected, tried, empannelled and sworn, heard the evidence, and being charged by the Court, retired, and brought into Court the following verdict, to wit: "We, the Jury, find a verdict for the Plaintiff. A. O. Howe, Sr. foreman."

Whereupon, It is adjudged, adjudged and decreed by the Court, that the bonds of matrimony heretofore existing between the said Josephine and Nicholas Broadway, be and the same are hereby dissolved; and adjudged, further, that the plaintiff recover of the defendant, all costs, for which execution may issue. Ordered, further, that B. F. Carter be allowed $20.00 as fee for representing defendant, and taxed in the bill of costs.

✓ 1029 John W. Burton } Plaintiff
v. } Case set for trial on Thursday morning next.
Geo. Hancock } Defendant

✓ 1032 Paul Deets } Plaintiff
v. } Case set for trial on Thursday morning next.
Geo. Hancock } Defendant

✓ 1040 Jane Robinson } Plaintiff
v. } Continued by the Court.
C. A. Langlin } Defendant

✓ 1063 A. F. Jamis } Plaintiff
v. } Continued by the Court.
Collins & Lusher } Defendant

✓ 1065 W. P. Higgins, et. al. } Plaintiffs
v. } Continued by consent.
John M. Holcombe } Defendant

Fall Term 1856. Monday, January 19th 1857.

1066	George Hancock v. W. H. Lowry	Plaintiff Defendant	Continued Generally.	
1067	Henry Falz v. L. Fellman	Plaintiff Defendant	It appearing to the Court that at the former term there was a rule for costs entered against the plaintiff, and said plaintiff's attorney being notified of said rule, and it further appearing that said rule has not been complied with. It is ordered, adjudged and decreed by the Court, that said cause be dismissed from the Docket, and that the defendant recover of the plaintiff all costs of this suit, for which execution may issue.	
1070	James Sims v. W.C. & Thos. Walker	Plaintiff Defendant	Continued for Service on Thomas Walker.	
1072	Wm D. Thompson v. Thomas Riddle	Plaintiff Defendant	Continued by Court at defendants cost.	
98	Alex. Thompson & children v. E.S.C. Robertson	Plaintiffs Defendant	Leave to pfff. to amend petition	
1109	L. Fellman v. Geo Hunt	Plaintiff Defendant	The death of the defendant being suggested to the Court. It is ordered, on motion, that his administrator, A.G. Brown be made party defendant, and that Scire facias issue to him	
1118	Brown & Miller v. W. H. Perry	Plaintiff Defendant	On motion, It is ordered by the Court that this cause be dismissed from the Docket, and that the plaintiffs recover of the defendant all their costs of suit, for which execution may issue.	
1171	James Sims v. E. R. Pickett & D. M. O'Neill	Plaintiff Defendants	It appearing to the Court that a rule for security for costs was entered against the plaintiff at the last term of the Court, and that the same has not been complied with. It is ordered by the Court that the defendants recover of the plaintiff all their costs of suit, for which execution may issue, and that said cause be dismissed from the Docket.	

Fall Term 1856 Wednesday, January 21, 1857.

And thereupon, Court adjourned until Thursday Morning, Jany 22, 1857.

Thursday Morning, January 22 1857.

Court convened at nine o'clock pursuant to adjournment. Present the same as on Yesterday. And thereupon Court adjourned until Wednesday (to-morrow) Morning, at 9 o'clock

Wednesday, January 21, 1857.

Court convened at 9 o'clock A. M. pursuant to adjournment. Present Hon: Thomas H. Duval Judge, Frank Brown, Clerk, and John T. Price Sheriff. Whereupon the following proceedings were had by said Court, as follows, to wit:—

1088 ✓

W. H. Lowry & Jno. P. Cope	Plaintiffs	Judgment.
v.		
Peter B. Lowe	Defendant	

And now come the parties in the above entitled cause by their attorneys, and announced themselves ready for trial of the same. And thereupon came a Jury of good and lawful men, duly empannelled and sworn to wit: S. M. Wright and eleven others; and the issues raised by the plea of abatement of defendant being first submitted to the Jury; and after the evidence, argument of counsel and charge of the Court, they retired to consider of their verdict, And thereupon returned into Court the following: "We, the Jury, believe that Lowry, Cope and M Lemore were not partners at the time of building the cistern." (Signed) "S. M. Wright, Foreman." And thereupon, It appearing to the Court from said verdict, that the facts in said defendants plea in abatement are not true, It is ordered that the same be overruled.

And now the cause being heard on its merits by the Jury aforesaid and the pleadings, the evidence, the argument of counsel and the charge of the Court being heard by the Jury, retired to consider of their verdict. And thereupon returned into Court the following verdict, to wit: "We, the Jury find for the plaintiffs in the sum of Eighty-five dollars, with interest." (Signed) S. M. Wright, Foreman."

And thereupon the said plaintiffs, Lowry & Cope, above named, in open Court, remit here the interest given by said verdict; and it appearing to the satisfaction of the Court that the facts of said plaintiffs suit are true, and that the Judgment and finding of the Justice's Court is affirmed,

It is therefore Ordered, Adjudged and decreed by the Court that the said plaintiffs do have and recover of the said Peter B. Lowe, the defendant, and S. Mohr, J. M. Mapes, J. E. Brady and Alfred Smith, the securities on the cost bond of the said Lowe, the sum of Ninety Three Dollars and fifty cents, (being for the sum of Eighty five dollars amount of Verdict, and for the sum of Eight Dollars and fifty cents being the ten per cent. damages in such case awarded.)

Fall Term: 1856: Wednesday, January 21. 1857.

And it is further ordered, adjudged and decreed that the said Pltff. do have and recover of the above named defendant, and his securities above named, all the costs expended in this suit, both in the Justices Court and District Court, for all which execution may issue against the said defendant and his above named securities, &c.

1074	Thomas J. Moore v. A. J. Denson	Plaintiff Defendant	Continued generally.	
1075	Asa Haxey v. N. Ethridge	Plaintiff Defendant	Continued Generally.	
1076	Asa Haxey v. James Smith	Plaintiff Defendant	Continued Generally.	
1077	Asa Haxey v. James May	Plaintiff Defendant	Continued Generally.	
1078	Asa Haxey v. David Wallis	Plaintiff Defendant	Continued Generally	
11079	Asa Haxey v. Joseph Rhubarth	Plaintiff Defendant	Continued Generally	
1080	Asa Haxey v. Joseph Dykes	Plaintiff Defendant	Continued Generally	
1081	Asa Haxey v. C. Allen	Plaintiff Defendant	Continued Generally.	
1082	Asa Haxey v. Charles Campbell	Plaintiff Defendant	Continued Generally	

And thereupon Court adjourned until 9 o'clock Morning.

Fall Term - 1856 - Thursday, January 22d. 1857.

Thursday, January 22d. 1857

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

✓ 1087	Victor Doerk	}	Plaintiff	} Continued Generally.
	v.			
	Augustus Schwartz	}	Defendant	}
✓ 266	E. A. Pierson, Admi. et al	}	Plaintiffs	} Continued on affidavit of the Plaintiff.
	v.			
	J. H. Burditt, et al.	}	Defendants	}
✓ 1168	John L. Peary	}	Plaintiff	} Judgment
	v.			
	Wilford D. Barton	}	Defendant	}

And now on this day comes the plaintiff by his attorney; and it appearing to the Court that the defendant had made default, and that a writ of inquiry had been awarded; and it appearing that said defendant still fails to appear, and plead, answer or demur, but says nothing; And said plaintiff's demand being ascertained, thereupon came a jury of good and lawful men of Travis County, to-wit: Thomas Wood, Ward and eleven others, who being duly empannelled and sworn, heard the evidence introduced by the plaintiff, and the charge of the Court, and brought into Court the following verdict to-wit: "We, the jury, find for the plaintiff in the sum of $295 86/100. Thos. W. Wood, Foreman."

Whereupon, it is ordered by the Court that the plaintiff recover of the defendant, Wilford D. Barton, the sum of Two hundred and Ninety five 86/100 Dollars, and all costs, for which execution may issue.

✓ 1112	Abner Lee	}	Plaintiff	} And now comes the defendant and files his affidavit in this cause praying for the setting
	v.			
	Thomas J. Moore	}	Defendant	}

aside of the Judgment by default heretofore rendered in said cause. Whereupon it is ordered by the Court that said Judgment be set aside and vacated, and defendant allowed to plead general issue, and cause continued.

Fall Term: 1856: Thursday January 22d 1857.

1104 W A Hamilton } Plaintiff } And now on this day came
v. } } the parties to this cause by their
George L. Wheeler } Defendant } attorneys: and defendants
motion to dismiss and quash plaintiffs petition coming on to be heard,
the same was argued, and overruled by the Court, and the exceptions
to plea in abatement were also overruled.

1093 Henry Thomas } Plaintiff } By consent of parties, It
v. } } is ordered by the Court,
William W. Payne. } Defendant } that the above cause be
dismissed from the Docket, and that the Defendant recover of
the plaintiff all costs in this behalf expended, for which execution
may issue

1063. A. F. James } Plaintiff } On motion, It is ordered by
v. } } the Court that the continuance
Collins & Swisher } Defendant } heretofore ordered in this cause
be set aside, and by agreement of the parties it is ordered by the Court
that said cause be dismissed, and that the defendants recover of
the plaintiff, A. F. James, all costs in this behalf expended, for which
execution may issue

1086 Wm M. Fowler & Co } Plaintiffs } Verdict and Judgment
v. } }
S. G. Sneed } Defendant }

And now on this day came the parties to this cause
by their attorneys, and announced themselves ready for trial
Whereupon came a Jury of good and lawful men of Travis county,
to wit: A. O. Horne and eleven others, who being duly elected, em-
pannelled, tried and sworn, heard the evidence, and the charge
of the Court, and rendered the following verdict, to wit: "We,
the Jury, find for the plaintiff, and assess his damage at Sixty-
Eight Dollars. A. O. Horne, foreman."

Wherefore, It is ordered by the Court that the said
plaintiffs, W. M. Fowler, John G. Blinn and I. T. Brown, under their
firm name of W. M. Fowler & Co. recover of the defendant S. G.
Sneed, the sum of Sixty-Eight Dollars, and all costs in this Court
expended, for which execution may issue. And because the
Judgment of this Court is for a less amount than the Judgment
in the Justices Court, It is ordered by the Court that the defendant
recover of the plaintiffs all costs in the Justices Court.

And thereupon It is ordered by the Court that
Court adjourn until Monday, January 26th 1857, at 9 o'clock

Fall Term: 1856: Monday, January 26th 1857.

Monday Morning, January 26th 1857.

Equal

Court convened at 9 o'clock pursuant to adjournment. Present Hon: Thomas H. DuVal, Judge; Frank Munn, Clerk, and John T. Price, Sheriff. Whereupon the following proceedings were had by said Court as follows, to wit:

(1045) Elizabeth F. Ragland } Original Plaintiff
v. } And
W. D Ragland } Original Defendant

W. D. Ragland } Plaintiff
(1045) v. } Cross Cause.
Elizabeth F. Ragland } Defendant

And now on this day came the plaintiff to this cause by his attorney (W. D. Ragland). And thereupon, it appearing to the Court that the original plaintiff. E. F. Ragland has abandoned her suit, and the original defendant, W. D. Ragland, has become plaintiff in this cause by cross bill Thereupon, It is ordered by the Court that B. F. Carter, Esq; an attorney of this Court, be appointed to represent the defendant, E. F. Ragland. And thereupon the parties having announced themselves ready for trial, there came a jury of good and lawful men, to wit: A. O. Horne and eleven others, who being duly elected, empannelled, sworn and tried, heard the evidence, argument of counsel, and the charge of the Court, and retired to consider of their verdict. Whereupon, the said Jury returned into Court the following verdict, to wit: "We, the Jury find for the plaintiff, W. D. Ragland. A. O. Horne, foreman." Whereupon, It is considered by the Court that the bonds of matrimony heretofore existing between the said W. D. Ragland and the said Elizabeth F. Ragland be and the same are hereby dissolved, and that the said W. D Ragland recover of Elizabeth F Ragland, all costs, for which execution may issue. Ordered that B. F. Carter be allowed twenty dollars, to be taxed in the Bill of Cost.

(1026) Francis Winans } Plaintiff
v. } On this day came the parties by their attorneys, and the plaintiff and defendant by their attorneys
George Hancock } Defendant

One hundred & seventy three 85/100 dollars paid on this judgt 7th Sept 1857. H. F. & R. attys &c

having announced themselves ready for trial. Thereupon came a Jury of good and lawful men, to wit: J. Bostick, Marcus Kuhlig, Samuel M Wright, S. W. Keithley, E. W. Hamilton, Leander Brown, F. J. Brewer, Pete Brown, James Brady, J. Fulmoot, W. D. Ragland, and J. G. Dalby, who being duly sworn well and truly to try the issues joined, after hearing the evidence and proof adduced, and the Argument of Counsel, retired to consider of their verdict, and returned into Court the following verdict, to wit: "We, the Jury, find for the plaintiff the amount of the note with interest. S. W. Keithley, Foreman." And thereupon, it is considered, adjudged and decreed by the Court that the plaintiff have and receive of the defendant the sum of Four hundred and ninety-two dollars and ten cents, together with all costs by him about his suit in this behalf expended, and that he have execution therefor.

Fall Term: 1856: Tuesday, January 27th 1857.

And thereupon Court adjourned until to-morrow Morning at Nine O'clock

Tuesday Morning, January 27th 1857.

Court convened at 9 o.clock pursuant to adjournment. Present the same as on yesterday. Whereupon the following proceedings were had in said Court, as follows, to-wit.

1149 — Richard Wells, Plaintiff; v. Stewart & Mills, Defendants — Injunction — Judgment

And now at this day come the parties to the above entitled cause by their attorneys, and announced themselves ready for the trial of the same; and a jury being waived, and all the issues of fact as well as of law being submitted to the Court and argued by counsel; the Court considering of the same; and because it appears to the Court that the matters stated in said petition are not true; and the grounds for Injunction are not sustained. It is therefore ordered that the same be dissolved. And it is further ordered, adjudged and decreed that the Defendants, Stewart & Mills, do have and recover off and from the said Plaintiff, Wells, and Joseph Bledsoe, D. M. Gibson, Edward R. Peck, Ed. Dinnin and A. H. Cook, the securities on his Injunction bond, the sum of fifty-Eight 21/100 Dollars, being principal and interest on the Judgment of the Probate Court recited in the pleadings up to date, and also, the further sum of five dollars 82/100 cents, being ten per cent. damages on the dissolution of this Injunction, making in all the sum of Sixty-four Dollars and three cents, together with all the costs in this Court expended, and all the costs in the Probate Court in this cause expended, for all which said sum, damages and costs execution may issue against the personal property of the said plaintiff Wells and his said above named securities in favor of the said Stewart & Mills. And it is further ordered that the plaintiffs petition be dismissed, and the defendants go hence without day, &c.

241 — C. Sloyd, et al, Plaintiffs; v. R. I. Sloyd, et al, Defendants — It appearing to the Court that in the decree rendered in this cause, on the 31 Janry. 1856, the names of the parties McRae, to said suit were improperly spelled McKra, It is therefore ordered by the Court, on motion, that said decree be amended, as the name of said parties shall read McRae instead of McKra.

Fall Term 1856 Tuesday, January 27th A.D. 1857.

1175 B. F. Callin, for use of Benj. G. Pullin — Plaintiff
Mary J. Morris — Defendant
On motion of the pff by his attorneys, made in open Court, It is ordered by the Court that this cause be dismissed from the docket, and that the defendant recover of said plaintiff all costs of said cause, for which execution may issue.

1171 Benj. G. Pullin — Plaintiff
Thomas Griffin — Defendant
It is ordered by the Court that the plaintiff have leave to intervene for B. F. Callin. And thereupon, it is ordered by the Court that the above cause be dismissed from the docket, and that said parties recover of the said Callin all costs of said cause, for which execution may issue.

9411 John C. Grayson, et als. — Plaintiffs
Josiah Fisk, et als. — Defendants
This ordered by the Court that this cause be set for trial on Tuesday, January 31 1857 on Motion of plaintiffs attorneys.

Edward McDonnell, Ex Parte.

And the said Edward McDonnell having here in open Court, filed his petition praying to become a citizen of the United States: And the Court being satisfied by the oaths of Francis J. Duffau and James O Klingworth, citizens of the United States, that the said Edward McDonnell was known to them for the last five years as residing within the limits and under the jurisdiction of the United States, and within one year in the State of Texas; that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the Good order and happiness of the same. And being also satisfied that the said Edward McDonnell made his Declaration to become a citizen of the United States in the District Court of the County of Bexar, State of Texas, two Years previous to the filing of his said petition, according to the Act of Congress in such case made and provided. And the said Edward McDonnell having in Open Court taken the oath prescribed by law to support the Constitution of the United States, and that he doth absolutely and entirely renounce and abjure forever all allegiance and fidelity to every foreign Prince Potentate, State or Sovereignty whatsoever and particularly to the Queen of Great Britain of whom he was before a Subject. It is therefore Ordered, adjudged and decreed by the Court that the said Edward McDonnell be and he is hereby admitted a citizen of the United State of America, and that the Clerk of this Court issue to him a Certificate according by

Jah Term, Saturday, January 31, 1857

And thereupon It is ordered by the Court that Court do now adjourn until Saturday Morning, January 31, 1857

Saturday Morning, January 31, 1857.

Court convened at 9 O'Clock Pursuant to adjournment. Present the same as on Thursday last. Whereupon the following Proceedings were had by said Court as follows to wit:

John C. Grayson, et al.	}	Plaintiffs	} Ordered by the Court that the Plaintiffs have leave to amend
941 Jariah Fisk et al	}	Defendants	}
John C Grayson, et al.	}	Plaintiffs	} Ordered by the Court that the defendants have leave to amend.
941 Jariah Fisk, et al	}	Defendants	}

Ordered by the Court that Court do now adjourn until Monday next

Monday Morning, February 2nd 1857

Court convened at 9 o'clock Pursuant to adjournment. Present the Honorable Thomas H Dickey, Judge of the Second Judicial District Hiram Rowe, Clerk and John D. Price, Sheriff Whereupon the following proceedings were had by said Court, as follows, to wit:

And thereupon Court adjourned until To-Morrow Morning.

Tuesday Morning, February 3rd 1857

Court convened at nine O'Clock pursuant to adjournment. Present the same as yesterday. Whereupon the following proceedings were had by said Court, as follows, to wit:

Newell H. Burdett	}	Plaintiff	} On motion the representatives of the deft Newell H Burdett, Deceased, are made parties plaintiff to the record in this cause.
647 William Fowler	}	Defendant	}
Francis Kelley	}	Plaintiff	} Trespass to try Title
920 Hall Medlin, et al	}	Defendant	}

And now on this day came the parties by their Attorneys and the plaintiff discontinued as to the Defendant Case. And neither party requiring a jury the issues of law and of fact are submitted to the Court. And the Court having

hears the evidence, finds the issues for the Defendant. It is therefore considered by the Court that the plaintiff take nothing by his suit, and that the Defendants recover of the plaintiffs all their costs in and about this suit expended, for which execution may issue.

1941 John C. Grymes, et. als. } Plaintiffs
Jonah Fisk, et. als. } Defendants

And now on this day came the parties by their attorneys, and by consent, this cause having been set for trial before R. J. Downes Special Judge, and the parties having waived a Jury and submitted the case, of both Law and fact, to the decision of said Judge, And after investigating the Record, hearing the parol and evidence adduced and the Arguments of counsel, It appearing to the satisfaction of the Court that the Order of the County Court on the 28th day of June 1853, granting Letters of administration to the said Fisk, and the Order of said Court nunc pro tunc appearing the claim of the said Glasscock, together with some other orders mentioned in plaintiffs petition, were made more than two Years previous to the filing of said petition in this Court, the Court refuses therefore to revise, set aside or affirm said orders, and it appearing to the Court that the said order nunc pro tunc was irregular and erroneous, and the same having been made upon the application of the said Glasscock, and the order of sale and the sale to said Glasscock, administrator, having been based upon said orders appearing said claim and it is therefore considered by the Court, that the Order of Sale and the sale to said Glasscock, approved the 2nd day of June 1854 be and the same is hereby set aside, vacated, and annulled, And it appearing to the Court that the petition, order and sale to the said A. H. Chalmers and M. K. Bowers were made within two Years of the time of filing the petition in this cause for certiorari, and it also appearing that the order in that case was made for the sale of only twelve hundred acres of land when the administrator advertised and sold under said order the half of said league of land, It is therefore ordered, adjudged and Decreed, that the said sale to said Chalmers and Bowers be and the same is hereby set aside and rendered null and void, It is further ordered, adjudged and Decreed that the note executed by said Chalmers and Bowers be delivered up to them, and that the same be cancelled

It is further ordered, adjudged and decreed that the deed or deeds delivered by the said Fisk, administrator in pursuance of said sale to said Glasscock administrator and said Chalmers and Bowers be delivered up into Court and that the same be cancelled. It is further ordered, adjudged and decreed that the said plaintiffs have and recover of the said Jonah Glasscock and Jonah Fisk, all costs by them about the suit in this behalf expended for which execution may issue, and that the Decree be certified to the Probate Court for issuance

R. J. Downes.

Fall Term. 1856. Tuesday, February 3rd 1857.

1137 A G Alves v. Cruz Tamé & Bro. } Plaintiff / Defendants } Continued upon affidavit of Defendants

1122 John L. Dillman v. Charles L. Evans } Plaintiff / Defendant } Decree, &c

Did on this day come the plaintiff by attorney, and the Defendant came not, but made default; and also came a Jury of good and lawful men, viz: J C Hampton and eleven others, who being duly sworn and empanneled to try the issues between the parties, retired and the Charge of the Court to consider their verdict, and returned into Court with the following verdict, "We the Jury find for the plaintiff, and further that all the material allegations and statements in said petition are true. J C Hampton, Foreman."

Therefore, It is ordered, adjudged and Decreed by the Court here, that the said plaintiff have and recover of and from the Defendant the following piece parcel or tract of land, situate in the County of Hays in the State of Texas, viz: The Lower half of the League known as the William B. Evans League on Onion Creek in said County of Hays, which said half League so transferred is bounded and described as follows: Beginning at the Northeast corner of said Evans League, and running in a Southwesterly direction to a ford on Onion creek at the mouth of a small creek which comes in below the mouth the creek known as Flat creek. Thence in a direct line to the Southeast corner of the League; thence East with the South Boundary line of the League to the South East corner of the League, and thence North with the East boundary line of the League to the place of beginning

And further that all the right, title and interest of the said Defendant in and to the said tract of land be divested, and the same and the whole thereof be vested in the said plaintiff his heirs and assigns, and that this decree stand as a muniment of the said plaintiffs title thereto and the whole thereof

Ordered by the Court, that the plaintiff recover of the Defendant all cost in this behalf expended for which execution issue &c.

1151 Casper K. Holliday v. M. A. Barker } Plaintiff / Defendant } Ordered by the Court, on motion, that this cause be dismissed from the Docket, the cost having been paid.

1197 — Archibald Martin, Plaintiff; v. Abner H. Cook, Defendant — And now on this day came the plaintiff by his attorney, and moved the Court to render Judgment for the plaintiff in the above entitled cause. And it appearing to the Court that the Defendant in open Court during the present term, to wit: on the 24th January 1857, confessed that he was indebted to the plaintiff the sum of Money and interest described in the plaintiffs petition in this cause. It is therefore considered by the Court, and it is hereby ordered, adjudged and decreed, that the plaintiff have and recover of the Defendant Abner H. Cook, the sum of Five Hundred and Sixty-Three 22/100 Dollars, together with all costs in this behalf expended, for all which execution may issue.

all except costs of this judgt paid. W. L. Roland

647 — A. M. Brodrick, Plaintiff; v. William Forbes, Defendant — It is ordered by the Court that the motion for a new trial by defendant in this cause be overruled. And thereupon the defendant gave notice, in open Court, of an appeal to the Supreme Court.

872 — R. T. Browning, Plaintiff; v. T. W. Johnson, Defendant — It is ordered by the Court that defendants motion for a new trial in this cause be overruled.

678 — A. A. Hopkins, Plaintiff; v. A. L. Upshaw, Defendant — It is ordered by the Court that plaintiffs motion for a new trial in this cause be overruled, And thereupon said plaintiff by attorney gives notice, in open Court, of an appeal to the Supreme Court.

1055 — A. M. Wade, Plaintiff; v. J. H. Hutchins, Defendant — It is ordered by the Court that defendants motion for a new trial in this cause be overruled. And thereupon the defendant gives notice in open Court, of an appeal to the Supreme Court.

964 — James C. Brady, Plaintiff; v. Jer. Hancock, Defendant — It is ordered by the Court that the motion for a new trial in this cause be allowed, and that the same be continued.

870 — R. D. McAnelly, Plaintiff; v. John Sharpstac, Defendants — Ordered by the Court, that the motion to change the Venue of this cause to Sampson county, be allowed.

Fall Term. 1856. Wednesday, Febuary 4th 1857.

315 Nathaniel Amory, et ux } Plaintiffs
v. } Order
L C. Conning ham et al } Defendants

It is ordered by the Court, that the Venue of this cause be changed to the County of Williamson

1026 Francis Williams } Plaintiff
v. } Defendants
George Hancock

It is ordered by the Court that the motion for a new trial by defendant in this cause be overuled. And thereupon the defendant gives notice, in open Court, of an appeal to the Supreme Court.

The Chairman Court adjourned until to-morrow, Wednesday at 9 o'clock A. M.

Wednesday Febuary 4th 1857

Court convened at 9 o'clock. Whereupon the following proceedings were had, as follows, to wit.

790 Martin M. Booth } Plaintiff
v.
H L. Upshaw et al } Defendants

In the above entitled and numbered cause, on this day appeared the parties plaintiff and defendant by their attorneys, before the Honorable Robert T. Burnes, Special Judge, agreed upon by the parties to try this cause, the Hons. Thomas H. Duval presiding term of whereon, and the plea to the Jurisdiction of the Court, interposed by the said defendants being excepted and demurred to by said plaintiff, said exception and demurrer being argued by the attorneys for the parties respectively and duly considered by the Court, It is ordered, adjudged and decreed by the Court that said exception and demurrer be sustained, and said plea to the Jurisdiction be and the same is held insufficient and stricken out. Whereupon the parties respectively announced themselves ready for trial. And thereupon came a jury of twelve good and lawful men of the County aforesaid, to wit. James P Gilbert and seven others, who having been duly elected, empannelled and sworn as the statute directs, and having heard the evidence, argument of counsel, and charge of the Court retired to consider of their verdict, and having duly considered of the same, returned into Court the following verdict, to wit: on the 30th January, 1857:

"We, the jury, do not find any vacant land as claimed by plaintiff & the Deft
"Block, and therefore find a verdict in favor of the other defts. Jas. P. Gilbert Foreman

Whereupon it is ordered, adjudged and decreed by the Court, here, that the said plaintiff, Martin M. Booth take nothing by his suit, and go hence without day And it is further ordered, adjudged and decreed that the said Defendant I. A. Black, take nothing by the plea aforesaid, and have fill. And it is

further ordered, adjudged and decreed by the Court, that the said Defendants Adolphus G. Hein and John Duncan be each quieted in the possession and enjoyment of the respective tracts or parcels of land claimed by them out of the third of a league of land Marked on the Map in the name of "M Potter," and which tracts or parcels of land are described and set forth in the answers respectively of said Defendants, and that the Locations made of land certificates on said parcels of land so described and set out by said Defendants, by said plaintiff, as set out in his said petition, be annulled, set aside and held for naught. And it is further ordered, adjudged and decreed that the said Defendants Bunton be quieted in the possession and enjoyment of the said tract or parcel of land set out and described in his said answer, which was patented to Geo. W. Glasscock, assignee of I. B. Eaves, and that the Locations made thereon by virtue of the land certificates as described in said plaintiffs petition, as also the locations made by the said Defendant Block as described in his said plea of reconvention, or cross Bill, be annulled, set aside, and held for naught. It is further ordered, adjudged and Decreed by the Court that said Defendants and the said Andrew M. Finley Patrick Finney &c. have and recover of the said plaintiff all costs by them in this suit expended, for which execution may issue, &c.

R. J. Townes.

James Kelly	Plaintiff	Order
v.		
Hall Medlin, et al	Defendants	

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It is ordered by the Court that the Judgment entered in this cause on page 482 Janry 31. 1857, be amended so as to read as follows:

"In the above entitled cause appeared the parties by their attorneys respectively, and it being made to appear to the Court that the said plaintiff and the Defendant William Case, had settled and compromised the matter of dispute as to the twenty acres of land claimed by him, said Case, out of the said tract of 320 acres, and that by the terms of said settlement this suit as to said Defendant Case is to be dismissed at his cost. Whereupon, It is ordered and adjudged by the Court that this suit be dismissed as to the said Defendant Case, and that said plaintiff have and recover all cost expended by him at the instance of said Defendant for which execution may issue.

And the said plaintiff, by attorney, gave notice in open Court of an appeal to the Supreme Court.

P. H. Bunton	Plaintiff.	And now come the parties to this cause by their attorneys, and the motion of defendant to dismiss heretofore coming
v.		
M. C. Walker, et al	Defendants.	

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will be heard, and the same being argued, It is ordered by the Court that said motion be overruled

Fall Term. 1856. Wednesday, February 4th 1857.

891	O D. Ramer v. N. W. Burdett	Plaintiff / Defendant	Cudnum on this day came the parties to these four causes No 891, 793, 794 & 796 by their attorneys, and the motion of the Plaintiffs in each of said causes, to order a Venditioni Exponas to sell the property of the Defendants levied upon by execution in said causes before the death of the defendant Newell W Burdett, coming on to be heard, and the same being argued and submitted to the Court and duly considered by the Court that said motions be overruled. And
793	F. W. Chandler v. S. Carr, et al	Plaintiffs / Defendants	
794	F. W. Chandler v. Burdett & Ricks	Plaintiffs / Defendants	
796	F. W. Chandler v. N. W. Burdett deceased	Plaintiff / Defendants	

Jeff. Yancy gave notice of appeal

841	R. D. McAnelly v. John Sharp, et al	Plaintiff / Defendants	The motion of the plaintiff to make additional parties and to amend petition being submitted and argued, It is adjudged by the Court that said motion be refused. And the said Plaintiff gave notice, in open Court, of an appeal to the Supreme Court.
1088	Lenny & Cope v. P. B. Lowe	Plaintiffs / Defendant	It is adjudged by the Court that the motion of the defendant for a new trial in this cause be ~~overruled~~ sustained, and case continued.

And thereupon it is adjudged by the Court that John F. Price, Sheriff, be fined in the sum of thirty dollars, for improper conduct in the Petit Jury Room while said Petit Jury were considering the case of Lenny & Cope v P. B. Lowe

Price against Price, Sheriff.

1202	Mary Jane Chalmers, and William Leigh Chalmers v. Lewis H. Luckett and Thomas H. Duval, Executors of Helen M. Luckett, Dec'd And Alfred T. Luckett, of whom said Lewis H. Luckett is Guardian; and John B. Costa, Chief Justice of Travis County	Plaintiffs / Defendants	Interlocutory / Decree

Now now on this day came the parties by their attorneys, and the said Alfred T. Luckett by his Guardian and Thomas H. Duval, Judge, &c, being a party, the parties agreed

Fall Term 1856. Wednesday February 4th 1857.

that Robert J. Jones, Esq. act as Special Judge. And thereon the parties having filed and submitted to the Court their pleadings; And it appearing to the Court that Special legacies were left to the heirs, which ought not to be sold, and that owing to the litigation the land cannot be sold without injury to the Estate; and it further appearing that the Estate is indebted in a sum above the sum of three thousand Dollars over and above the personal assets. And it further appearing that it would be to the interest of the heirs to sell some of their own slaves rather than the real estate or family slaves of the Testator's Estate, and the said Plaintiffs consenting thereto, It is therefore ordered, adjudged and Decreed, that the executors sell the Negroes. Israel, Ned, Parish and Gastone at the Courthouse Door in Iredell county, on the first Tuesday in March next, and take notes therefor payable on the first day of January 1858, with ten per cent. int. from day of sale, to be secured by two approved personal securities, and a Deed of Trust upon the slaves, dividing the notes in amounts to suit such creditors as would receive, allowed and approved debts

It is further ordered, adjudged and Decreed that James Cobb, Abner P. Blocker, William P. Dickson and ie, James P. McKinney and George M. Davis, or any three of them who will act, be appointed Commissioners to appraise the whole of said Estate, and to partition the same, observing the Special bequests in the will, and valuing them at the same equitable rates as the other property, and that they report the said partition to the next term of this Court. And the Clerk Justice is hereby enjoined from selling other property for the payment of debts until the next term of this Court, but he shall still continue his Supervision over the Executors as to all other matters.

R. J. Jones.

And this case is continued until the next term of this Court.

W. M. Booth } Plaintiff
H. L. Hopkins et als } Defendants

} And now on this day came the parties to this cause by their attorneys, and thereupon the Motion of the plaintiff for a new trial coming on to be heard, the same was argued by counsel, and the same was thereupon overruled by the Court. And the plaintiff thereupon gave notice, in open Court, of an appeal to the Supreme Court.

R. J. Jones.

And thereupon Court adjourned until to-morrow Morning.

Thursday Morning, February 5th 1857

Court met at 9 o'clock pursuant to adjournment. Present the Honorable Thomas H. Dick Judge, Francis Brown, Clerk, and John D. Pierce, Sheriff. Whereupon the following proceedings were had by said Court, as follows, viz:

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Fall Term 1856. Thursday, February 5th 1857

The State of Texas } District Court, Fall Term, 1856.
County of Travis }

Report of the Jury Services at said Term, the Number of Days Each man Served and the amount each man is entitled to

No	Names of Jurors of Grand Jury	No. of Days		Amount #	cts.
1	Thomas P Washington	8		12	00
2	D. H. Hawley	8		12	00
3	John E. Campbell	8		12	00
4	Hall Makin	8		12	00
5	Tuella E Shehab	8		12	00
6	Sugar M. Cain	8		12	00
7	Abner F Blocker	8		12	00
8	John J Matthews	8		12	00
9	John T Hayne	8		12	00
10	O. H. Oldham	8		12	00
11	Levin J Coast	8		12	00
12	Richard H Peck	8		12	00
13	George D. Glasscock	8		12	00
14	Abner H Cook	8		12	00
15	Alfred Smith	8		12	00
16	A B. Haughtery	8		12	00
17	Thomas J Brietta	8		12	00
18	Aaron J Burleson	8	1414	12	00 $2160

Petit Jury.

1	M A Hamilton	16		24.00
2	R. M. Johnson	10		15 00
3	A. P. Smith	10		15 00
4	Thomas H. Forney	10		15 00
5	Martin Moore	10		15 00
6	James L. Rowdy	15		22 50
7	Jarrad B Bayless	10		15 00
8	John H Coleman	24		36 00
9	C. P. Hill	14		21 00
10	J. P. Brown	10		15 00
11	O. Mellen	11		16 50
12	R. L. Priest	11		16 50
13	J. M. Hopkins	9		13 50
14	Z. J. Adams	12		18 00
15	John M. Massie	13		19.50
16	Thomas J. Laughlin	10		15 00
17	James Bowers	11		16 50

Fall Term: 1856. Thursday, February 6th 1857

18	John G. Jolly	35		52	50
19	Isaac Hackaba	10		15	00
20	Pamfan Payne	23		34	50
21	James L. Jeter	22		33	00
22	James Hall	12		18	00
23	John H Cran	11		16	50
24	John L. Blinn	15		22	50
25	Phineas Richards	8		12	00
26	Marcus H Ewing	22		33	00
27	William Pipes	2		3	00
28	James M. Sims	3		4	50
29	Thomas L. Randolph	16		24	00
30	Thos J. Moore	3		4	50
31	L. F. Vann	11		16	50
32	E E. Lynch	11		16	50
33	J L. Mayfield	11		16	50
34	T. Bostick	30		45	00
35	L. M. Keithley	49		73	50
36	A O Kyne	31		46	50
37	John J Grumbles	4		6	00
38	John C. Hampton	19		28	50
39	William Keithley	30		45	00
40	William Crutsinger	36		54	00
41	Hugh McKee	12		18	00
42	Benj. F Hendricks	11		16	50
43	Elisha Pruitt	14		21	00
44	Joseph Coleman	14		21	00
45	Ratcliff Plank	10		15	00
46	R. T. Caldwell	7		10	50
47	James Camilfield	12		18	00
48	John W. Hamilton	7		10	50
49	George T. Bowers	9		13	50
50	C. Casey	19		28	50
51	James Farrar	4		6	00
52	W. P. Mabrie	4		6	00
53	W. K. Crawley	4		6	00
54	L. B. Moore	3		4	50
55	John I Bailey	9		13	50
56	William Scott	1		1	50
57	J C Johns	14		21	00
58	R J Daniels	1		1	50
59	Joshua Patterson	2		3	00
60	Thos Woodward	20		30	00
61	S. W Goodrich	10		15	00

Fall Term. 1856. Thursday January 5th 1857.

62	William George	10		$ 15 00
63	James A. Thompson	10		15 00
64	William M. Wilson	10		15 00
65	J. B. Elliott	10		15 00
66	W. G. Rondeau	10		15 00
67	W. B. McGehee	8		12 00
68	M. J. Stanley	9		13 50
69	C. A. Laughlin	3		4 50
70	A. B. Fenton	3		4 50
71	J. E. Curley	8		12 00
72	Leander J. Sims	21		31 50
73	Samuel M. Wright	8		12 00
74	C. M. Hamilton	13		19 50
75	Wm Robertson	17		25 50
76	J. F. Rennes	9		13 50
77	P. L. Rennes	11		16 50
78	James M. Bradley	13		19 50
79	J. F. Smoot	6		9 00
80	Enoch S. Johnson	2		3 00
81	M. D. Ragland	6		9 00
82	John Thurmond	5		7 50
83	Washington Hammett	1		1 50
84	John M. Titsworth	1		1 50
85	R. G. Hamilton	1		1 50
86	J. L. Purcell	1		1 50
87	M. C. Reagan	1		1 50
88	A. Evans	1		1 50
89	J. H. Rudisill	1		1 50
90	John H. Connell	1		1 50
91	M. L. Locke	1		1 50
92	A. H. Ramey	1		1 50
93	John S. Spence	1		1 50
		1154 Days		$ 1731 00

John S. Price, Sheriff F. C.

Examined, and allowed this 6th January 1857

Thos. H. Duval, Dist. Judge 2d Jud. Dist

Fall Term: 1856: Thursday February 5th " 1857.

The State of Texas } I, Frank Rowan, Clerk of the District
County of Travis } Court in and for the County and State
aforesaid, do hereby certify the following to be a correct Statement
of the Fines and Jury Fees due in Criminal Cases disposed of at the
Fall Term of the District Court of Travis County, 1856, as follows,
viz:

No. of Case	Style of Case		Fine	Jury Fee.
407	The State of Texas	vs	A Few Hinds	$ 50 00	$ 5 00
578	" "	"	Mark A Bunnett	10 00	5 00
533	"	"	Mark Rapier	25 00	5 00
579	"	"	A. P. A Burnett	50 00	5 00
495	"	"	"	10 00	5 00
496	"	"	"	10 00	5 00
520	"	"	"	10 00	5 00
558	"	"	"	10 00	5 00
602	"	"	"	10 00	5 00
777	"	"	E. R. Pickett M. L. Hill	30 00	10 00
783	"	"	M. B. Rapier	10 00	5 00
745	"	"	A. S. Lott	10 00	5 00
761	"	"	R. S. Bunning	10 00	5 00
742	"	"	O. H. Manney	10 00	5 00
791	"	"	O. H. Manney	10 00	5 00
334	"	"	M. B. Rapier	10 00	5 00
				$ 263 00	$ 85 00

No Fines on Forms or Witness Recognizances Reported by the Sheriff.

Respectfully Submitted

Thomas Rowan Clerk.

D. C. T. C.

Examined and approved this 6th Feby 1857

W. H. Datly

Dist. Jn & for 3d Jud. Dist.

Fall Term. 1856. Thursday, Febuary 6th A. D. 1857

Frank Runn's (Clerk) Report.

The State of Texas } I, Frank Runn, Clerk of the District Court in
County of Trans } and for the County and State aforesaid, do hereby
certify the following to be a correct list of Judgments rendered in Civil
Causes in which a Jury Fee is properly due, at the Fall Term of the
District Court of Trans County, A. D. 1856, as follows, to wit:

343	Wells	v.	Webster	$	3 00
416	Clark	v	Hopkins		3 00
571	Mann	v.	Cleveland		3 00
644	Burdett	v.	Fowler		3 00
678	Hopkins	v	Upshur		3 00
741	Jno Hale	v.	Forehand & Wife		3 00
732	Freemans	v.	Cross & Veale		3 00
790	Booth	v.	Upshur et al		3 00
812	Hook	v.	Marshall, et al		3 00
866	Fanton	v.	Johnson		3 00
869	Morrow	v.	Fizley		3 00
872	Runnigg	v.	Johnson		3 00
883	Parnell	v.	Payne, et al		3 00
892	Carr	v.	Carr		3 00
894	Chandler	v.	Johnson		3 00
896	Cross	v.	Stenham		3 00
905	Smith	v.	Walker et al		3 00
914	Burdett	v.	Cassidy et al		3 00
920	Kelley	v.	Medlin et al		3 00
925	Hobbs, et. al.	v	Higgins Heirs		3 00
928	Banks	v	Same		3 00
932	Calvin et al.	v.	Heirs of Miller		3 00
936	Morrow	v.	Payne		3 00
941	Grayson et al	v.	Fisk et al		3 00
944	Wyatt & wife	v.	Gaston et al		3 00
955	Fibon	v.	Feltman		3 00
964	Mann	v.	Stenson		3 00
983	Carrington et al	v.	Johnson et al		3 00
1015	Love	v.	Kirchberg		3 00
1019	Roberts	v.	Lockwood		3 00
1026	Stinson	v.	Hancock		3 00
1039	Fowler	v.	Lockwood		3 00
1045	Rayland	v.	Rayland		3 00
1054	McGehee	v.	Monroe, et al		3 00
1055	Wade	v.	Watkins		3 00
1057	Davis	v	Daffan		3 00

1073	O'Connell, et. al.	v.	Learington, et. al.	$	3 00
1086	Fowler & Co	v.	Ince		3 00
1089	Owen et al	v.	Shaw, et. al.		3 00
1114	Royall & Selkirk	v.	Lewis		3 00
1115	Raven	v.	Fox & Davidson		3 00
1116	Rockhart, et. al.	v.	McGehee, et. al.		3 00
1119	Brown, ad	v.	Callaway & al		3 00
1120	Brown, et. al.	v.	Warren, et. al.		3 00
1123	Johnson	v.	Davis		3 00
1125	Brown	v.	Tunnell		3 00
1128	Heringe	v.	Richburg		3 00
1129	Peck	v.	Smith		3 00
1130	Kidd	v.	Jennings, Jr		3 00
1132	Carrington, et. al.	v.	Ford, et. al.		3 00
1133	" "	v.	" "		3 00
1134	Broadway	v.	Arrington		3 00
1135	Johnson & Co	v.	Ford, et. al.		3 00
1136	Price	v.	Griffin et al.		3 00
1137	Dimin	v.	Barton		3 00
1138	De Chemus	v.	Hearn & Cook		3 00
1140	Hamilton	v.	Brown		3 00
1141	Carrington et al	v.	Brown		3 00
1142	Taylor	v.	Compton		3 00
1144	McKee et al	v.	Cook, et al.		3 00
1145	Nelson & Co.	v.	Richardson et al		3 00
1149	Wells	v.	Stuart & Mills		3 00
1150	Miller & Co	v.	Morris		3 00
1153	Cardwell	v.	Hopkins		3 00
1168	Peay	v	Barton		3 00
1169	Brennan	v.	McGill et al		3 00
1170	Raymond	v	Robertson		3 00
1177	Ed. Clark	v.	Gardner et al		3 00
1181	Hancock	v	Shackleford		3 00
1188	Rives, Hood & Co	v.	Richardson et al		3 00
1197	Martin	v.	Cook		3 00
			Total cost Due	$	213 00

The long Fees above set forth have been paid with the following exceptions, viz:

741	Gunn & Cole	v.	Fechmid Wolfe		3 00
1073	Connell et al	v.	Carrington et al		3 00
123	Johnson	v.	Davis		3 00
1128	Heringe	v.	Richburg		3 00
1168	Peay	v	Barton		3 00
1197	1177 Clark	v.	Gardner et al		3 00
					15 00

Fall Term. 1856. Friday, Febuary 6th 1857

Total Jury Fees in Civil Cases	$213.00
Amount received by Clerk	195.00
Amount Unpaid	$18.00

The State of Iowa }
County of Fremont }

I, Frank Rowen, Clerk of the District Court in and for the County and State aforesaid do hereby certify that at the above stated term of said Court, there were one hundred and Eleven Jurors who served in the aggregate Eleven hundred and Fifty Four Days, making the amount due said Jurors the sum of Seventeen hundred and Thirty One Dollars; that there was received by me the sum of Eighty Nine Dollars as Jury Fees in Criminal Causes and the sum of One Hundred and Ninety Four Dollars in Civil Causes, making together the sum of Two Hundred and Eighty Dollars; that after deducting the sum of Seven Dollars as commissions on said sum Last mentioned allowed by law, there remains the sum of Two Hundred and Seventy Three Dollars to be distributed as Per Ratio pay Jurors the sums as aforesaid; that the Per Ratio pay of said Jurors will be the sum of twenty three 66/100 Cents per day

Or in Figures:

Jury Service	1154 Days @ 1½ per Day	$1731.00
Jury Fees to be distributed, after deducting commissions of 2½ per c		273.00
Jury Fees to be paid by the County		$1458.00
1154 Days @ 23 66/100 cents per Day, makes		273.00
		$1731.00

Respectfully Submitted
Frank Rowen
Clerk D C FC

The foregoing Report having been examined by me and found correct the same is hereby approved, Feby 6. 1857

Thos. H. Dural, Dist. Judge, 2d Dist.

And thereupon Court adjourned until to-morrow Morning

Friday Morning, Febuary 6 1857

Court convened, and thereupon the following proceedings were had, viz:

And thereupon it is adered by the Court that Peter I Brown and James McCutchan be fined twenty five dollars each for failing to attend as the jury and that Scire facias issue to them to shew cause why said Judgment should not be made final.

647 N. H. Burdett, Plaintiff / Wm Fuller, Defendant } And now on this day came the parties to this cause by their attorneys, and the motion of plaintiff's attorney to make the administrators of N. H. Burdett deceased, parties plaintiff to the Judgment heretofore rendered in this cause at the present term of the Court, coming on to be heard, And thereupon, it is adered by the Court that Jesse Burdett and Giles H. Burdett be, and they are hereby made parties plaintiff in said Judgment, and that execution issue in the name of said admrs

1108 Newell W Burdett, Plaintiff / Miram C. Burdett, Defendant } And now come the administrators of the Plaintiff, Jesse Burdett and Giles H. Burdett, and suggest to the Court the death of the plaintiff, and ask that they be made parties plaintiff to said cause, which is accordingly done.

917 N. H. Burdett, Plaintiff / Cofferty & Bulow, Defendant } And now come into Court, by attorney Giles H. Burdett and Jesse Burdett by attorney and suggest to the Court the death of the plaintiff, and ask the Court that the Judgment heretofore rendered in this cause be entered in their names as the administrators of the said plff. which is accordingly done.

Order for Clerk: And thereupon it is adered by the Court that the Clerk is allowed to make the following charges for services heretofore rendered, or may hereafter be rendered, as follows, viz:

For services in each application for Final citizenship; five dollars.
" " " " Declaration to become a citizen, two dollars and fifty cents.
" each copy of any writ required to be served, where a copy is required to accompany the original, twenty-five cents; for each copy of Scire facias or forfeited bail or Recognizance fifty cents.

850 N. H. Burdett, Plaintiff / Wm Bulow, Defendant } And now come, Giles H. Burdett and Jesse Burdett by attorney and suggest to the Court the death of the plaintiff, and ask that they be made parties plaintiff to said cause as administrators of said N. H. Burdett, which is accordingly done.

Fall Term. 1856. Friday, Febrary 6th 1857

638 The State of Texas } Plaintiff } And now come the parties to
v. } this cause by their attorneys,
Sila. a Slave } Defendant } and the Demmrer of Silas
Parms to the Scire Facias ispued in this cause coming on to be
heard, the same was argued and being submitted, was overruled
by the Court, and thereupon the said Silas Parms by attorney
gave notice in open Court, of an appeal to the Supreme Court

1147 Edward Clark } Plaintiff }
v. }
J. T. Gardner et al. } Defendants }

1145 John L. Peay } Plaintiff }
v. }
Wilford D. Barton } Defendant }

1138 Carl Herinje } Plaintiff }
v. }
Gustave Kirchberg } Defendant }

1122 John C. Johnson } Plaintiff }
v. }
Charles E. Travis } Defendant }

1143 Wm O'Connell et al } Plaintiffs }
v. }
L. D. Carrington et al } Defendants }

It appearing to the Court that Judgments have been rendered in the last preceding five causes, and that the plaintiffs or their attorneys have ~~neither~~ not paid the Jury Fees due on said Judgments, as required by statute, It is ordered by the Court that the said Judgments heretofore rendered in each of said cause be set aside, vacated, and held for nought, in accordance with Article No 1674, of Hartley's Digest. And it is further ordered by the Court that each of the defendants in said five named causes recover of the plaintiffs in each of said causes, all costs of suit, for which execution may issue

Order for Bostick

It appearing to the Court that there is an Error in the Report of the Sheriff relative to the Jury Service of T. Bostick, It is ordered by the Court that in addition to the amount reported as due the said Bostick, he be allowed the sum of thirteen dollars and fifty cents for nine days services on the Jury for which he is not credited in the said Sheriff's report.

The foregoing minutes having been read and examined are hereby approved as correct, and thereupon it is ordered that Court stand adjourned until the next regular term thereof.

Th. H. Duval
Dist Judge 2d Jud Dist.

Proceedings at Chambers - Robert Kypernick.

State of Texas } Ex parte - Robert Kypernick
Travis County. } The Sheriff of Travis county, in obedience to the writ of Habeas Corpus issued by me on the 6th instant, having brought before me the body of Robert Kypernick, and made due return of the cause of his detention, an investigation was had thereon on the 7th day of March, 185[illegible] Thomas Smith Esq., having been previously appointed by me to represent the State, and said investigation having been concluded, final action in the matter was postponed until Monday morning next.

And now on this day, Monday 9th March 185[illegible], having carefully examined the written testimony taken before Justice Wooten touching the charge of Burglary, and Larceny for which said Kypernick was committed, as well as the testimony of the witnesses heard by, and taken before me, and the same being duly considered it appears to me that there is not probable cause to believe that said Kypernick is guilty of the crime with which he was charged. It is therefore ordered that the said Robert Kypernick be released from custody, and that the Sheriff of Travis county, in whose charge he now is, do discharge him from all further custody and confinement, and for so doing this shall be his sufficient warrant. Th. H. Duval,
Dist. Judge 2d Jud. Dist.

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